

First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 275

AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-22.5-1-1.1, AS AMENDED BY P.L.178-2022(ts), SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1.1. As used in this article:

- (a) "Practice of medicine or osteopathic medicine" means any one (1) or a combination of the following:
 - (1) Holding oneself out to the public as being engaged in:
 - (A) the diagnosis, treatment, correction, or prevention of any disease, ailment, defect, injury, infirmity, deformity, pain, or other condition of human beings;
 - (B) the suggestion, recommendation, or prescription or administration of any form of treatment, without limitation;
 - (C) the performing of any kind of surgical operation upon a human being, including tattooing (except for providing a tattoo as defined in IC 35-45-21-4(a)), in which human tissue is cut, burned, or vaporized by the use of any mechanical means, laser, or ionizing radiation, or the penetration of the skin or body orifice by any means, for the intended palliation, relief, or cure; or
 - (D) the prevention of any physical, mental, or functional ailment or defect of any person.

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(2) The maintenance of an office or a place of business for the reception, examination, or treatment of persons suffering from disease, ailment, defect, injury, infirmity, deformity, pain, or other conditions of body or mind.

(3) Attaching to a name, either alone or in connection with other words, the designation or term:

- (A) "doctor of medicine";
- (B) "M.D.";
- (C) "doctor of osteopathy";
- (D) "D.O.";
- (E) "physician";
- (F) "osteopath";
- (G) "osteopathic medical physician";
- (H) "surgeon";
- (I) "physician and surgeon";
- (J) "anesthesiologist";
- (K) "cardiologist";
- (L) "dermatologist";
- (M) "endocrinologist";
- (N) "gastroenterologist";
- (O) "gynecologist";
- (P) "hematologist";
- (Q) "internist";
- (R) "laryngologist";
- (S) "nephrologist";
- (T) "neurologist";
- (U) "obstetrician";
- (V) "oncologist";
- (W) "ophthalmologist";
- (X) "orthopedic surgeon";
- (Y) "orthopedist";
- (Z) "otologist";
- (AA) "otolaryngologist";
- (BB) "otorhinolaryngologist";
- (CC) "pathologist";
- (DD) "pediatrician";
- (EE) "primary care physician";
- (FF) "proctologist";
- (GG) "psychiatrist";
- (HH) "radiologist";
- (II) "rheumatologist";
- (JJ) "rhinologist";



- (KK) "urologist";
- (LL) "medical doctor";
- (MM) "family practice physician"; or
- (NN) "physiatrist";
- (OO) "allergist";**
- (PP) "electrophysiologist";**
- (QQ) "geriatrician";**
- (RR) "immunologist";**
- (SS) "medical geneticist";**
- (TT) "neonatologist"; or**
- (UU) "pulmonologist".**

This subdivision does not apply to a practitioner if the practitioner has a special area of practice and the practitioner uses the following format: "[The name or title of the practitioner's profession] specializing in [name of specialty]".

(4) Nothing in subdivision (3) prevents the following:

(A) A practitioner from using the name or title of the practitioner's profession that is allowed under the practitioner's practice act or under a law in the Indiana Code.

(B) A practitioner who is a chiropractor (as defined in IC 25-10-1-1) and who has attained diplomate status in a chiropractic specialty area recognized by the American Chiropractic Association, International Chiropractors Association, or International Academy of Clinical Neurology before July 1, 2025, from using a designation or term included in subdivision (3) in conjunction with the name or title of the practitioner's profession.

(C) A practitioner who is a dentist licensed under IC 25-14-1 and who has completed a dental anesthesiology residency recognized by the American Dental Board of Anesthesiology before July 1, 2025, from using a designation or term included in subdivision (3) in conjunction with the name or title of the practitioner's profession.

(5) Providing diagnostic or treatment services to a person in Indiana when the diagnostic or treatment services:

- (A) are transmitted through electronic communications; and
- (B) are on a regular, routine, and nonepisodic basis or under an oral or written agreement to regularly provide medical services.

In addition to the exceptions described in section 2 of this chapter, a nonresident physician who is located outside Indiana does not practice medicine or osteopathy in Indiana by providing a second



opinion to a licensee or diagnostic or treatment services to a patient in Indiana following medical care originally provided to the patient while outside Indiana.

(b) "Board" refers to the medical licensing board of Indiana.

(c) "Diagnose or diagnosis" means to examine a patient, parts of a patient's body, substances taken or removed from a patient's body, or materials produced by a patient's body to determine the source or nature of a disease or other physical or mental condition, or to hold oneself out or represent that a person is a physician and is so examining a patient. It is not necessary that the examination be made in the presence of the patient; it may be made on information supplied either directly or indirectly by the patient.

(d) "Drug or medicine" means any medicine, compound, or chemical or biological preparation intended for internal or external use of humans, and all substances intended to be used for the diagnosis, cure, mitigation, or prevention of diseases or abnormalities of humans, which are recognized in the latest editions published of the United States Pharmacopoeia or National Formulary, or otherwise established as a drug or medicine.

(e) "Licensee" means any individual holding a valid unlimited license issued by the board under this article.

(f) "Prescribe or prescription" means to direct, order, or designate the use of or manner of using a drug, medicine, or treatment, by spoken or written words or other means and in accordance with IC 25-1-9.3.

(g) "Physician" means any person who holds the degree of doctor of medicine or doctor of osteopathy or its equivalent and who holds a valid unlimited license to practice medicine or osteopathic medicine in Indiana.

(h) "Medical school" means a nationally accredited college of medicine or of osteopathic medicine approved by the board.

(i) "Physician assistant" means an individual who:

- (1) has a collaborative agreement with a physician;
- (2) graduated from an approved physician assistant program described in IC 25-27.5-2-2;
- (3) passed the examination administered by the National Commission on Certification of Physician Assistants (NCCPA) and maintains certification; and
- (4) has been licensed by the physician assistant committee under IC 25-27.5.

(j) "Agency" refers to the Indiana professional licensing agency under IC 25-1-5.

(k) "INSPECT program" means the Indiana scheduled prescription



electronic collection and tracking program established by IC 25-1-13-4.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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