

Adopted	Rejected
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COMMITTEE REPORT

YES:	15
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1102, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the
- 2 following:
- 3 SECTION 1. IC 25-1-5-3, AS AMENDED BY P.L.147-1997,
- 4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1998]: Sec. 3. (a) There is established the health professions
- 6 bureau. The bureau shall perform all administrative functions, duties,
- 7 and responsibilities assigned by law or rule to the executive director,
- 8 secretary, or other statutory administrator of the following:
- 9 (1) Board of chiropractic examiners (IC 25-10-1).
- 10 (2) State board of dental examiners (IC 25-14-1).
- 11 (3) Indiana state board of health facility administrators
- 12 (IC 25-19-1).
- 13 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 14 (5) Indiana state board of nursing (IC 25-23-1).
- 15 (6) Indiana optometry board (IC 25-24).
- 16 (7) Indiana board of pharmacy (IC 25-26).

- 1 (8) Board of podiatric medicine (IC 25-29-2-1).
 2 (9) Board of environmental health specialists (IC 25-32).
 3 (10) Speech-language pathology and audiology board
 4 (IC 25-35.6-2).
 5 (11) State psychology board (IC 25-33).
 6 (12) Indiana board of veterinary medical examiners
 7 (IC 15-5-1.1).
 8 (13) Controlled substances advisory committee (IC 35-48-2-1).
 9 (14) Committee of hearing aid dealer examiners (IC 25-20).
 10 (15) Indiana physical therapy committee (IC 25-27).
 11 (16) Respiratory care committee (IC 25-34.5).
 12 (17) Occupational therapy committee (IC 25-23.5).
 13 (18) Social worker, marriage and family therapist, and mental
 14 health counselor board (IC 25-23.6).
 15 (19) Physician assistant committee (IC 25-27.5).
 16 (20) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
 17 (21) Indiana dietitians certification board (IC 25-14.5-2-1).
 18 (22) Indiana hypnotist committee (IC 25-20.5-1-7).

19 (b) Nothing in this chapter may be construed to give the bureau
 20 policy making authority, which authority remains with each board.

21 SECTION 2. IC 25-1-7-1, AS AMENDED BY P.L.147-1997,
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 1998]: Sec. 1. As used in this chapter:

24 "Board" means the appropriate agency listed in the definition of
 25 regulated occupation in this section.

26 "Director" refers to the director of the division of consumer
 27 protection.

28 "Division" refers to the division of consumer protection, office of
 29 the attorney general.

30 "Licensee" means a person who is:

- 31 (1) licensed, certified, or registered by a board listed in this
 32 section; and
 33 (2) the subject of a complaint filed with the division.

34 "Person" means an individual, a partnership, a limited liability
 35 company, or a corporation.

36 "Regulated occupation" means an occupation in which a person is
 37 licensed, certified, or registered by one (1) of the following:

- 38 (1) Indiana board of accountancy (IC 25-2.1-2-1).

- 1 (2) Board of registration for architects (IC 25-4-1-2).
- 2 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 3 (4) State board of barber examiners (IC 25-7-5-1).
- 4 (5) State boxing commission (IC 25-9-1).
- 5 (6) Board of chiropractic examiners (IC 25-10-1).
- 6 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 7 (8) State board of dental examiners (IC 25-14-1).
- 8 (9) State board of funeral and cemetery service (IC 25-15-9).
- 9 (10) State board of registration for professional engineers
- 10 (IC 25-31-1-3).
- 11 (11) Indiana state board of health facility administrators
- 12 (IC 25-19-1).
- 13 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 14 (13) Indiana state board of nursing (IC 25-23-1).
- 15 (14) Indiana optometry board (IC 25-24).
- 16 (15) Indiana board of pharmacy (IC 25-26).
- 17 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 18 (17) Board of podiatric medicine (IC 25-29-2-1).
- 19 (18) Board of environmental health specialists (IC 25-32-1).
- 20 (19) State psychology board (IC 25-33).
- 21 (20) Speech-language pathology and audiology board
- 22 (IC 25-35.6-2).
- 23 (21) Indiana real estate commission (IC 25-34.1-2).
- 24 (22) Indiana board of veterinary medical examiners
- 25 (IC 15-5-1.1).
- 26 (23) Department of natural resources for purposes of licensing
- 27 water well drillers under IC 25-39-3.
- 28 (24) Respiratory care committee (IC 25-34.5).
- 29 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 30 (26) Occupational therapy committee (IC 25-23.5).
- 31 (27) Social worker, marriage and family therapist, and mental
- 32 health counselor board (IC 25-23.6).
- 33 (28) Real estate appraiser licensure and certification board
- 34 (IC 25-34.1-8).
- 35 (29) State board of registration for land surveyors
- 36 (IC 25-21.5-2-1).
- 37 (30) Physician assistant committee (IC 25-27.5).
- 38 (31) Indiana athletic trainers certification board (IC 25-5.1-2-1).

- 1 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 2 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 3 **(34) Indiana physical therapy committee (IC 25-27).**
 4 ~~(34)~~ **(35)** Any other occupational or professional agency created
 5 after June 30, 1981.

6 SECTION 3. IC 25-1-8-1, AS AMENDED BY P.L.147-1997,
 7 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of
 9 the following:

- 10 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 11 (2) Board of registration for architects (IC 25-4-1-2).
 12 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 13 (4) State board of barber examiners (IC 25-7-5-1).
 14 (5) State boxing commission (IC 25-9-1).
 15 (6) Board of chiropractic examiners (IC 25-10-1).
 16 (7) State board of cosmetology examiners (IC 25-8-3-1).
 17 (8) State board of dental examiners (IC 25-14-1).
 18 (9) State board of funeral and cemetery service (IC 25-15).
 19 (10) State board of registration for professional engineers
 20 (IC 25-31-1-3).
 21 (11) Indiana state board of health facility administrators
 22 (IC 25-19-1).
 23 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 24 (13) Mining board (IC 22-10-1.5-2).
 25 (14) Indiana state board of nursing (IC 25-23-1).
 26 (15) Indiana optometry board (IC 25-24).
 27 (16) Indiana board of pharmacy (IC 25-26).
 28 (17) Indiana plumbing commission (IC 25-28.5-1-3).
 29 (18) Board of environmental health specialists (IC 25-32-1).
 30 (19) State psychology board (IC 25-33).
 31 (20) Speech-language pathology and audiology board
 32 (IC 25-35.6-2).
 33 (21) Indiana real estate commission (IC 25-34.1-2-1).
 34 ~~(22) Until July 1, 1996, Indiana state board of television and~~
 35 ~~radio service examiners (IC 25-36-1).~~
 36 ~~(23)~~ **(22)** Indiana board of veterinary medical examiners
 37 (IC 15-5-1.1-3).
 38 ~~(24)~~ **(23)** Department of insurance (IC 27-1).

- 1 ~~(25)~~ **(24)** State police department (IC 10-1-1-1), for purposes of
 2 certifying polygraph examiners under IC 25-30-2.
 3 ~~(26)~~ **(25)** Department of natural resources for purposes of
 4 licensing water well drillers under IC 25-39-3.
 5 ~~(27)~~ **(26)** Private detectives licensing board (IC 25-30-1-5.1).
 6 ~~(28)~~ **(27)** Occupational therapy committee (IC 25-23.5-2-1).
 7 ~~(29)~~ **(28)** Social worker, marriage and family therapist, and
 8 mental health counselor board (IC 25-23.6-2-1).
 9 ~~(30)~~ **(29)** Real estate appraiser licensure and certification board
 10 (IC 25-34.1-8).
 11 ~~(31)~~ **(30)** State board of registration for land surveyors
 12 (IC 25-21.5-2-1).
 13 ~~(32)~~ **(31)** Physician assistant committee (IC 25-27.5).
 14 ~~(33)~~ **(32)** Indiana athletic trainers ~~certification~~ board
 15 (IC 25-5.1-2-1).
 16 ~~(34)~~ **(33)** Board of podiatric medicine (IC 25-29-2-1).
 17 ~~(35)~~ **(34)** Indiana dietitians certification board (IC 25-14.5-2-1).
 18 **(35) Indiana physical therapy committee (IC 25-27).**
 19 (36) Any other occupational or professional agency created after
 20 June 30, 1981.
- 21 SECTION 4. IC 25-1-9-1, AS AMENDED BY P.L.147-1997,
 22 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of
 24 the following:
- 25 (1) Board of chiropractic examiners (IC 25-10-1).
 26 (2) State board of dental examiners (IC 25-14-1).
 27 (3) Indiana state board of health facility administrators
 28 (IC 25-19-1).
 29 (4) Medical licensing board of Indiana (IC 25-22.5-2).
 30 (5) Indiana state board of nursing (IC 25-23-1).
 31 (6) Indiana optometry board (IC 25-24).
 32 (7) Indiana board of pharmacy (IC 25-26).
 33 (8) Board of podiatric medicine (IC 25-29-2-1).
 34 (9) Board of environmental health specialists (IC 25-32).
 35 (10) Speech-language pathology and audiology board
 36 (IC 25-35.6-2).
 37 (11) State psychology board (IC 25-33).
 38 (12) Indiana board of veterinary medical examiners

- 1 (IC 15-5-1.1).
 2 (13) Indiana physical therapy committee (IC 25-27-1).
 3 (14) Respiratory care committee (IC 25-34.5).
 4 (15) Occupational therapy committee (IC 25-23.5).
 5 (16) Social worker, marriage and family therapist, and mental
 6 health counselor board (IC 25-23.6).
 7 (17) Physician assistant committee (IC 25-27.5).
 8 (18) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
 9 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
 10 (20) Indiana hypnotist committee (IC 25-20.5-1-7).

11 SECTION 5. IC 25-5.1-1-4 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. "Athletic training"
 13 means the practice of prevention, recognition, assessment,
 14 management, treatment, disposition, and reconditioning of athletic
 15 injuries under the direction of a licensed ~~team medical doctor~~;
 16 **physician**, osteopath, podiatrist, or chiropractor. **However, in a clinic**
 17 **accessible to the general public, the term means practicing athletic**
 18 **training only upon the referral and order of a licensed physician,**
 19 **osteopath, podiatrist, or chiropractor.** The term includes the
 20 following:

- 21 (1) Practice that may be conducted by an athletic trainer through
 22 the use of heat, light, sound, cold, electricity, exercise,
 23 **rehabilitation**, or mechanical devices related to the care and the
 24 conditioning of athletes.
 25 (2) The organization and administration of educational programs
 26 and athletic facilities.
 27 (3) The education and the counseling of the public on matters
 28 related to athletic training.

29 SECTION 6. IC 25-5.1-1-5 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. "Board" refers to the
 31 Indiana athletic trainers ~~certification~~ board established by
 32 IC 25-5.1-2-1.

33 SECTION 7. IC 25-5.1-2-1 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. The Indiana athletic
 35 trainers ~~certification~~ board is established.

36 SECTION 8. IC 25-5.1-2-6 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. The board shall do
 38 the following:

- 1 (1) Organize by electing a president, vice president, and
 2 secretary.
- 3 (2) Adopt rules under IC 4-22-2 to do the following:
- 4 (A) Provide for the ~~certification~~ **licensure** of athletic
 5 trainers.
- 6 (B) Fix application fees, examination fees, and ~~certification~~
 7 **licensure** fees.
- 8 (C) Establish standards for the practice of athletic training
 9 under this article.
- 10 **(D) Establish standards for continuing education that**
 11 **conform with the standards of NATA.**
- 12 ~~(E)~~ (E) Otherwise implement this article.
- 13 (3) Prescribe the application forms to be furnished to all persons
 14 seeking to be ~~certified~~ **licensed** under this article.
- 15 (4) Prescribe the form and design of the ~~certificate~~ **license** to be
 16 issued under this article.
- 17 (5) Conduct hearings, keep records of proceedings, and do all
 18 things necessary to properly administer and enforce this article.
- 19 (6) Publish and make available the following upon request and
 20 for a fee not to exceed the actual cost of printing and mailing:
- 21 (A) Requirements for issuance of an athletic trainer's
 22 ~~certificate~~ **license** under this article.
- 23 (B) Rules adopted under this article.
- 24 (7) Maintain and make available as required by IC 4-1-6 and
 25 IC 5-14-3 a register of each ~~certified~~ **licensed** athletic trainer in
 26 Indiana, including each ~~certified~~ **licensed** athletic trainer's last
 27 known address and the expiration date and identification number
 28 of the ~~certified~~ **licensed** athletic trainer's ~~certificate~~ **license**.
- 29 (8) Contract with the NATA board of certification to prepare,
 30 conduct, and score NATA's current professional examination as
 31 the qualifying examination for athletic trainers under this article.
- 32 SECTION 9. IC 25-5.1-3-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) To qualify for a
 34 ~~certificate~~ **license** under this article, an individual must satisfy the
 35 following requirements:
- 36 (1) Satisfactorily complete an application for ~~certification~~
 37 **licensure** in accordance with the rules adopted by the board.
- 38 (2) Pay the application fees, examination fees, and ~~certification~~

- 1 **licensure** fees established by the board.
- 2 (3) Be a resident of **or employed in Indiana for at least ninety**
- 3 **(90) consecutive days before the date of application.**
- 4 (4) Not have been convicted of a crime that has a direct bearing
- 5 on the applicant's ability to practice competently as determined
- 6 by the board.
- 7 (5) Not have had disciplinary action taken against the applicant
- 8 or the applicant's ~~certificate~~ **license** by the board or by the
- 9 licensing agency of another state or jurisdiction by reason of the
- 10 applicant's inability to safely practice athletic training with those
- 11 reasons for discipline still being valid as determined by the
- 12 board.
- 13 (6) Show to the satisfaction of the board that the applicant has
- 14 received at least a baccalaureate degree from an institution of
- 15 higher education that meets the academic standards for athletic
- 16 trainers established by NATA and described in subsection (b).
- 17 (7) Except to the extent that section 6 of this chapter applies,
- 18 successfully pass the qualifying examination adopted by the
- 19 board as described in IC 25-5.1-2-6(8).
- 20 (b) The minimum academic standards for athletic trainers ~~certified~~
- 21 **licensed** under this article as required under subsection (a)(6) include
- 22 the satisfactory completion of an academic program that includes at
- 23 least the following accredited courses:
- 24 (1) Human anatomy.
- 25 (2) Human physiology.
- 26 (3) Physiology of exercise.
- 27 (4) Kinesiology.
- 28 (5) Personal health.
- 29 (6) Basic athletic training.
- 30 (7) Advanced athletic training.
- 31 (8) Clinical experience as prescribed by the board.
- 32 (9) Therapeutic ~~exercise and~~ modalities.
- 33 **(10) Rehabilitation.**
- 34 (c) The examination described in subsection (a)(7) shall be offered
- 35 two (2) times during each calendar year.
- 36 SECTION 10. IC 25-5.1-3-2 IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. Except as provided
- 38 in section 3 of this chapter, the board shall issue a ~~certificate~~ **license** to

1 an individual who:

- 2 (1) meets the conditions set out in section 1 of this chapter; and
 3 (2) is otherwise qualified for ~~certification~~ **licensure** under this
 4 article.

5 SECTION 11. IC 25-5.1-3-3 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. The board may
 7 refuse to issue a ~~certificate license~~ to an applicant for ~~certification~~
 8 **licensure** under section 1 of this chapter if:

9 (1) the board determines during the application process that the
 10 applicant committed an act that would have subjected the
 11 applicant to disciplinary sanction under section 1(a)(5) of this
 12 chapter if the applicant had been:

13 (A) certified **before July 1, 1998; or**

14 (B) **licensed after June 30, 1998;**

15 in Indiana when the act occurred; or

16 (2) the applicant has had a:

17 (A) certificate revoked under IC 25-1-1.1 **before July 1,**
 18 **1998; or**

19 (B) **license revoked under IC 25-1-1.1 after June 30,**
 20 **1998.**

21 SECTION 12. IC 25-5.1-3-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) A ~~certificate~~
 23 **license** issued by the board expires on a date established by the bureau
 24 under IC 25-1-5-4 in each even-numbered year.

25 (b) An individual may renew a ~~certificate license~~ by paying a
 26 renewal fee not later than the expiration date of the ~~certificate~~ **license**.

27 (c) If an individual fails to timely pay a renewal fee as required by
 28 subsection (b), the individual's ~~certificate license~~ becomes invalid
 29 without any action being taken by the board.

30 SECTION 13. IC 25-5.1-3-5 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. (a) Except as
 32 provided in subsection (b), an individual whose ~~certificate license~~ has
 33 expired may have the ~~certificate license~~ renewed for not more than
 34 three (3) years after the date of expiration upon:

35 (1) payment of all past due fees and a penalty fee set by the
 36 board; **and**

37 (2) **submission of proof to the board that the individual has**
 38 **completed the number of hours of continuing education**

1 **during the expired period that are required under standards**
2 **adopted under IC 25-5.1-2-6(2)(D).**

3 (b) If an individual's ~~certificate~~ **license** has been expired for more
4 than three (3) years, the individual must file a new application.

5 SECTION 14. IC 25-5.1-3-6 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. If an individual who
7 applies for a ~~certificate~~ **license** under this article meets any of the
8 following conditions, the individual may be exempted from the
9 examination requirement under section 1(a)(7) of this chapter by action
10 of the board:

11 (1) The individual is ~~certified~~ **licensed** to practice athletic
12 training in another state if the other state's standards for
13 ~~certification licensure~~ are at least equal to the standards for
14 ~~certification licensure~~ in Indiana.

15 (2) The individual is certified by NATA and is otherwise
16 qualified for ~~certification licensure~~ under this article.

17 (3) The individual is certified by an organization recognized by
18 the National Commission on Competency Assurance and is
19 otherwise qualified for ~~certification licensure~~ under this article.

20 SECTION 15. IC 25-5.1-3-7 IS ADDED TO THE INDIANA
21 CODE AS A NEW SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 1998]: **Sec. 7. This article does not prohibit**
23 **the following:**

24 (1) **The practice of an occupation or profession for which an**
25 **individual is licensed, certified, or registered in Indiana by a**
26 **state agency.**

27 (2) **The practice of a health care occupation or profession by**
28 **an individual who is practicing within the individual's**
29 **education and experience.**

30 (3) **The performance of a first aid procedure incidental to an**
31 **individual's employment or volunteer duties.**

32 (4) **The performance of an emergency first aid procedure by**
33 **an individual.**

34 SECTION 16. IC 25-5.1-4-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. An individual may
36 not use the title "~~certified~~ **licensed** athletic trainer" unless the
37 individual is ~~certified~~ **licensed** under this article.

38 SECTION 17. [EFFECTIVE JULY 1, 1998] **(a) Notwithstanding**

1 **IC 25-5.1, as amended by this act, an individual who holds a valid**
2 **athletic trainer's certificate on June 30, 1998, is considered to hold**
3 **a valid athletic trainer's license under IC 25-5.1, as amended by**
4 **this act, after June 30, 1998. The individual need not reapply for a**
5 **replacement license under IC 25-5.1, as amended by this act, and**
6 **the certificate shall be treated as a valid license issued under**
7 **IC 25-5.1, as amended by this act, until the certificate's expiration**
8 **date.**

9 **(b) An athletic trainer's license described in subsection (a)**
10 **expires on the date the athletic trainer's certificate would have**
11 **expired if the amendments to IC 25-5.1 by this act had not been**
12 **enacted.**

13 **(c) This SECTION expires July 1, 2000.**
 (Reference is to HB 1102 as introduced.)

and when so amended that said bill do pass.

Representative C. Brown