

## SENATE BILL No. 237

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-31-3-14; IC 16-31-3-14.5; IC 16-31-7-5.

**Synopsis:** Emergency medical services. Increases from 45 to 90 days the length of time a certificate issued by the Indiana emergency medical services commission may be suspended by the commission or the director of the commission if the public health or safety is in imminent danger. Allows the commission to permanently revoke a certificate issued by the commission if the holder of the certificate is convicted of a specified drug felony or felony involving violence. Allows the commission to permanently revoke a certificate issued by the commission if the holder of the certificate violates a rule of the commission. Repeals a provision that limits the amount that may be deposited in the emergency medical services education fund to \$25,000 a year.

**Effective:** Upon passage.

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**Merritt, Craycraft**

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January 7, 1998, read first time and referred to Committee on Public Policy.

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Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## SENATE BILL No. 237

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

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

1 SECTION 1. IC 16-31-3-14 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Except as  
3 provided in subsection (d), after notice and hearing the commission  
4 may suspend or revoke a certificate issued under this chapter for failure  
5 to comply and maintain compliance with or for violation of any  
6 applicable provisions, standards, or other requirements of this chapter  
7 or rules adopted under this chapter.

8 (b) On motion of the commission or on the verified written  
9 complaint of an interested person, the director of the state emergency  
10 management agency shall conduct an investigation.

11 (c) Except as provided in subsection (d), the commission may  
12 initiate proceedings to suspend or revoke a certificate on the  
13 commission's own motion or on the verified written complaint of an  
14 interested person. All proceedings to suspend or revoke a certificate  
15 shall be conducted in accordance with IC 4-21.5-3.

16 (d) The commission or the director may, on finding that the public  
17 health or safety is in imminent danger, temporarily suspend a certificate

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1 without hearing for not more than ~~forty-five (45)~~ **ninety (90)** days on  
2 notice to the certificate holder.

3 (e) On suspension, revocation, or termination of a certificate, the  
4 provision of the service shall cease.

5 (f) A written complaint filed with the commission and information  
6 pertaining to the complaint are confidential until one (1) of following  
7 occurs:

8 (1) Notice is sent under IC 4-21.5-3 that certification suspension  
9 or revocation proceedings relating to the complaint or information  
10 have been initiated.

11 (2) Notice is sent under section 17 of this chapter that a hearing  
12 is to be held concerning the imposition of a fine for a violation  
13 relating to the complaint or information.

14 (3) The complaint or information is required to be disclosed by  
15 the order of a court.

16 (g) The commission may suspend or revoke a certificate under this  
17 section for not more than seven (7) years from the date the suspension  
18 or revocation is effective. After the time set by the commission has  
19 expired, the certificate holder may apply for renewal of the certificate  
20 under this chapter.

21 SECTION 2. IC 16-31-3-14.5 IS ADDED TO THE INDIANA  
22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. (a) The commission may**  
24 **permanently revoke a license or certificate under procedures**  
25 **provided by section 14 of this chapter if the individual who holds**  
26 **the license or certificate issued under this title is convicted of any**  
27 **of the following:**

28 (1) **Dealing in cocaine or a narcotic drug under IC 35-48-4-1.**

29 (2) **Dealing in a schedule I, II, or III controlled substance**  
30 **under IC 35-48-4-2.**

31 (3) **Dealing in a schedule IV controlled substance under**  
32 **IC 35-48-4-3.**

33 (4) **Dealing in a schedule V controlled substance under**  
34 **IC 35-48-4-4.**

35 (5) **Dealing in a substance represented to be a controlled**  
36 **substance under IC 35-48-4-4.5.**

37 (6) **Knowingly or intentionally manufacturing, advertising,**  
38 **distributing, or possessing with intent to manufacture,**  
39 **advertise, or distribute a substance represented to be a**  
40 **controlled substance under IC 35-48-4-4.6.**

41 (7) **Dealing in a counterfeit substance under IC 35-48-4-5.**

42 (8) **Dealing in marijuana, hash oil, or hashish under**

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1           **IC 35-48-4-10(b).**  
2           **(9) Conspiracy under IC 35-41-5-2 to commit an offense listed**  
3           **in subdivisions (1) through (8).**  
4           **(10) Attempt under IC 35-41-5-1 to commit an offense listed**  
5           **in subdivisions (1) through (8).**  
6           **(11) A crime of violence (as defined in IC 35-50-1-2(a)).**  
7           **(12) An offense in any other jurisdiction in which the elements**  
8           **of the offense for which the conviction was entered are**  
9           **substantially similar to the elements of an offense described**  
10           **under subdivisions (1) through (11).**  
11           **(b) The commission may permanently revoke a license or**  
12           **certificate under procedures provided by section 14 of this chapter**  
13           **if the individual who holds the license or certificate issued under**  
14           **this title violates a rule of the commission.**  
15           SECTION 3. IC 16-31-7-5 IS REPEALED [EFFECTIVE UPON  
16           PASSAGE].  
17           SECTION 4. An emergency is declared for this act.

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