

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

**MR. SPEAKER:**

I move that Engrossed Senate Bill 3 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 25-22.5-2-7 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. The board shall do
- 5 the following:
- 6 (1) Adopt rules and forms necessary to implement this article
- 7 that concern, but are not limited to, the following areas:
- 8 (A) Qualification by education, residence, citizenship,
- 9 training, and character for admission to an examination for
- 10 licensure or by endorsement for licensure.
- 11 (B) The examination for licensure.
- 12 (C) The license or permit.
- 13 (D) Fees for examination, permit, licensure, and
- 14 registration.
- 15 (E) Reinstatement of licenses and permits.
- 16 (F) Payment of costs in disciplinary proceedings conducted
- 17 by the board.
- 18 **(G) Establishment of mandatory continuing education**
- 19 **requirements designed to maintain the competency of**
- 20 **individuals licensed under this chapter, including**
- 21 **requirements providing that only educational activities**
- 22 **that meet professional role expectations satisfy**
- 23 **continuing education requirements.**
- 24 (2) Administer oaths in matters relating to the discharge of its
- 25 official duties.
- 26 (3) Enforce this article and assign service bureau personnel
- 27 duties as may be necessary in the discharge of the board's duty.

- 1 (4) Maintain, through the service bureau, full and complete  
2 records of all applicants for licensure or permit and of all  
3 licenses and permits issued.  
4 (5) Make available, upon request, the complete schedule of  
5 minimum requirements for licensure or permit.  
6 (6) Issue, at the board's discretion, a temporary permit to an  
7 applicant for the interim from the date of application until the  
8 next regular meeting of the board.  
9 (7) Issue an unlimited license, a limited license, or a temporary  
10 medical permit, depending upon the qualifications of the  
11 applicant, to any applicant who successfully fulfills all of the  
12 requirements of this article.  
13 (8) Adopt rules establishing standards for the competent practice  
14 of medicine, osteopathic medicine, or any other form of practice  
15 regulated by a limited license or permit issued under this article.  
16 (9) Adopt rules regarding the appropriate prescribing of  
17 Schedule III or Schedule IV controlled substances for the  
18 purpose of weight reduction or to control obesity.

19 SECTION 2. IC 25-22.5-7-1 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A license issued  
21 under this article expires on June 30 of each odd-numbered year.  
22 Before June 30 of an odd-numbered year, an applicant for renewal shall  
23 pay the biennial renewal fee set by the board under IC 25-22.5-2-7.

24 (b) If the holder of a license does not renew the license by June 30  
25 of each odd-numbered year, the license expires and becomes invalid  
26 without any action taken by the board. A license that becomes invalid  
27 under this subsection may be reinstated by the board up to three (3)  
28 years after the invalidation if the holder of the invalid license: ~~pays:~~

- 29 (1) ~~pays~~ the penalty fee set by the board under IC 25-22.5-2-7;  
30 ~~and~~  
31 (2) ~~pays~~ the renewal fee for the biennium; **and**  
32 (3) **completes the continuing education requirement**  
33 **established by the board.**

34 (c) If a license that becomes invalid under this section is not  
35 reinstated by the board within three (3) years of its invalidation, the  
36 holder of the invalid license may be required by the board to take an  
37 examination for competence before the board will reinstate the holder's  
38 license.

39 (d) The board may adopt rules under IC 25-22.5-2-7 establishing  
40 requirements for the reinstatement of a lapsed license.

41 (e) **An individual may not renew a license under this article**  
42 **unless the individual has completed the continuing education**  
43 **requirements established under IC 25-22.5-2-7(1)(G). An**  
44 **application under this section must contain a sworn statement**  
45 **signed by the applicant attesting that the applicant has fulfilled the**  
46 **continuing education requirements.**

47 (f) **Every two (2) years, the board may randomly audit for**  
48 **compliance at least one percent (1%) but not more than ten**  
49 **percent (10%) of the practitioners required to take continuing**  
50 **education courses.**

51 (g) **Notwithstanding IC 25-22.5-2-7(1)(G), the continuing**

- 1 **education requirement does not apply to the following:**  
 2 **(1) A practitioner who has held an initial license for less than**  
 3 **two (2) years.**  
 4 **(2) A practitioner who the board has determined is unable to**  
 5 **meet the requirement due to a disability.**  
 6 **(h) For each continuing education course attended or**  
 7 **completed, the practitioner shall retain:**  
 8 **(1) a record of the number of hours spent in each continuing**  
 9 **education course;**  
 10 **(2) the subject matter presented;**  
 11 **(3) the name of the sponsoring organization; and**  
 12 **(4) verification of attendance or completion;**  
 13 **for three (3) years after the date the practitioner's license was**  
 14 **renewed.**  
 15 SECTION 3. IC 25-23-1-7 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The board shall  
 17 do the following:  
 18 (1) Adopt under IC 4-22-2 rules necessary to enable it to carry  
 19 into effect this chapter.  
 20 (2) Prescribe standards and approve curricula for nursing  
 21 education programs preparing persons for licensure under this  
 22 chapter.  
 23 (3) Provide for surveys of such programs at such times as it  
 24 considers necessary.  
 25 (4) Accredite such programs as meet the requirements of this  
 26 chapter and of the board.  
 27 (5) Deny or withdraw accreditation from nursing education  
 28 programs for failure to meet prescribed curricula or other  
 29 standards.  
 30 (6) Examine, license, and renew the license of qualified  
 31 applicants.  
 32 (7) Issue subpoenas, compel the attendance of witnesses, and  
 33 administer oaths to persons giving testimony at hearings.  
 34 (8) Cause the prosecution of all persons violating this chapter  
 35 and have power to incur necessary expenses for these  
 36 prosecutions.  
 37 (9) Adopt rules under IC 4-22-2 that do the following:  
 38 (A) Prescribe standards for the competent practice of  
 39 registered, practical, and advanced practice nursing.  
 40 (B) Establish with the approval of the medical licensing  
 41 board created by IC 25-22.5-2-1 requirements that advanced  
 42 practice nurses must meet to be granted authority to  
 43 prescribe legend drugs and to retain that authority.  
 44 **(C) Establish continuing education requirements**  
 45 **designed to maintain the competency of individuals**  
 46 **licensed under this chapter, including requirements**  
 47 **providing that only educational activities that meet**  
 48 **professional role expectations satisfy continuing**  
 49 **education requirements.**  
 50 (10) Keep a record of all its proceedings.

- 1 (11) Collect and distribute annually demographic information on  
 2 the number and type of registered nurses and licensed practical  
 3 nurses employed in Indiana.  
 4 (12) Notify each registered nurse and licensed practical nurse  
 5 residing in Indiana when final rules concerning the practice of  
 6 nursing are published in the Indiana register.  
 7 (b) The board may do the following:  
 8 (1) Create ad hoc subcommittees representing the various  
 9 nursing specialties and interests of the profession of nursing.  
 10 Persons appointed to a subcommittee serve for terms as  
 11 determined by the board.  
 12 (2) Utilize the appropriate subcommittees so as to assist the  
 13 board with its responsibilities. The assistance provided by the  
 14 subcommittees may include the following:  
 15 (A) Recommendation of rules necessary to carry out the  
 16 duties of the board.  
 17 (B) Recommendations concerning educational programs  
 18 and requirements.  
 19 (C) Recommendations regarding examinations and  
 20 licensure of applicants.  
 21 (3) Appoint nurses to serve on each of the ad hoc  
 22 subcommittees.  
 23 (c) Nurses appointed under subsection (b) must:  
 24 (1) be committed to advancing and safeguarding the nursing  
 25 profession as a whole; and  
 26 (2) represent nurses who practice in the field directly affected by  
 27 a subcommittee's actions."  
 28 Page 3, between lines 5 and 6, begin a new paragraph and insert:  
 29 "SECTION 4. IC 25-23-1-16.1 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16.1. (a) A license to  
 31 practice as a registered nurse expires on October 31 in each  
 32 odd-numbered year. Failure to renew the license on or before the  
 33 expiration date will automatically render the license invalid without  
 34 any action by the board.  
 35 (b) A license to practice as a licensed practical nurse expires on  
 36 October 31 in each even-numbered year. Failure to renew the license  
 37 on or before the expiration date will automatically render the license  
 38 invalid without any action by the board.  
 39 (c) The procedures and fee for renewal shall be set by the board.  
 40 (d) At the time of license renewal, each registered nurse and each  
 41 licensed practical nurse shall pay an additional three dollar (\$3) fee.  
 42 The lesser of the following amounts from fees collected under this  
 43 subsection shall be deposited in the impaired nurses account of the  
 44 state general fund established by section 34 of this chapter:  
 45 (1) Three dollars (\$3) per license renewed under this section.  
 46 (2) The cost per license to operate the impaired nurses program,  
 47 as determined by the health professions bureau.  
 48 **(e) To renew a license under this section, an individual must**  
 49 **have completed the continuing education requirements established**  
 50 **by the board under section 7(a)(9)(C) of this chapter. An**

1 application under this section must contain a sworn statement  
 2 signed by the applicant attesting that the applicant has fulfilled the  
 3 continuing education requirements.

4 (f) Every two (2) years, the board may randomly audit for  
 5 compliance at least one percent (1%) but not more than ten  
 6 percent (10%) of the nurses required to take continuing education  
 7 courses.

8 (g) Notwithstanding IC 25-22.5-2-7(1)(G), the continuing  
 9 education requirement does not apply to the following:

10 (1) A nurse who has held an initial license for less than two  
 11 (2) years.

12 (2) A nurse who the board has determined is unable to meet  
 13 the requirement due to a disability.

14 (h) For each continuing education course attended or  
 15 completed, the nurse shall retain:

16 (1) a record of the number of hours spent in each continuing  
 17 education course;

18 (2) the subject matter presented;

19 (3) the name of the sponsoring organization; and

20 (4) verification of attendance or completion;

21 for three (3) years after the date the nurse's license was renewed.".

22 Renumber all SECTIONS consecutively.

(Reference is to ESB as printed March 26, 1999.)

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Representative BROWN C