

HOUSE BILL No. 1971

DIGEST OF INTRODUCED BILL

Citations Affected: IC 23-1.5-1-9; IC 25-1; IC 25-13-1-2; IC 25-13-1-6; IC 25-14.

Synopsis: State board of dental examiners. Changes the deadline for filing an application to take the dental hygiene and dental examinations from 30 to 45 days before the examination. Changes the name of the state board of dental examiners to the state board of dentistry.

Effective: July 1, 1999.

Bardon

January 26, 1999, read first time and referred to Committee on Public Health.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

HOUSE BILL No. 1971

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

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

- 1 SECTION 1. IC 23-1.5-1-9 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. "Licensing authority"
3 means the following:
4 (1) In the case of an accounting professional, the Indiana state
5 board of public accountancy.
6 (2) In the case of an architectural professional, the board of
7 registration for architects.
8 (3) In the case of an engineering professional, the state board of
9 registration for professional engineers.
10 (4) In the case of an attorney, the Indiana supreme court.
11 (5) In the case of a health care professional who is:
12 (A) a chiropractor, the board of chiropractic examiners;
13 (B) a dentist, the state board of ~~dental examiners~~ **dentistry**;
14 (C) a nurse, the Indiana state board of nursing;
15 (D) an optometrist, the Indiana optometry board;
16 (E) a pharmacist, the Indiana board of pharmacy;
17 (F) a physical therapist, the Indiana physical therapy

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- 1 committee;
- 2 (G) a physician, the medical licensing board of Indiana;
- 3 (H) a podiatrist, the board of podiatric medicine;
- 4 (I) a psychologist, the state psychology board; or
- 5 (J) a speech-language pathologist, the speech-language
- 6 pathology and audiology board.
- 7 (6) In the case of a veterinarian, the Indiana board of veterinary
- 8 medical examiners.
- 9 (7) In the case of a land surveyor, the state board of registration
- 10 for land surveyors.
- 11 (8) In the case of a real estate professional, the Indiana real estate
- 12 commission.
- 13 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) As used in this section,
- 15 "license" includes all occupational and professional licenses,
- 16 registrations, permits, and certificates issued under the Indiana Code,
- 17 and "licensee" includes all occupational and professional licensees,
- 18 registrants, permittees, and certificate holders regulated under the
- 19 Indiana Code.
- 20 (b) This section applies to the following entities that regulate
- 21 occupations or professions under the Indiana Code:
- 22 (1) Indiana board of accountancy.
- 23 (2) Indiana grain buyers and warehouse licensing agency.
- 24 (3) Indiana auctioneer commission.
- 25 (4) Board of registration for architects.
- 26 (5) State board of barber examiners.
- 27 (6) State board of cosmetology examiners.
- 28 (7) Medical licensing board of Indiana.
- 29 (8) Secretary of state.
- 30 (9) State board of ~~dental examiners~~ **dentistry**.
- 31 (10) State board of funeral and cemetery service.
- 32 (11) Worker's compensation board of Indiana.
- 33 (12) Indiana state board of health facility administrators.
- 34 (13) Committee of hearing aid dealer examiners.
- 35 (14) Indiana state board of nursing.
- 36 (15) Indiana optometry board.
- 37 (16) Indiana board of pharmacy.
- 38 (17) Indiana plumbing commission.
- 39 (18) Board of podiatric medicine.
- 40 (19) Private detectives licensing board.
- 41 (20) State board of registration for professional engineers.
- 42 (21) Board of environmental health specialists.



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- 1 (22) State psychology board.
- 2 (23) Indiana real estate commission.
- 3 (24) Speech-language pathology and audiology board.
- 4 (25) Department of natural resources.
- 5 (26) State boxing commission.
- 6 (27) Board of chiropractic examiners.
- 7 (28) Mining board.
- 8 (29) Indiana board of veterinary medical examiners.
- 9 (30) State department of health.
- 10 (31) Indiana physical therapy committee.
- 11 (32) Respiratory care committee.
- 12 (33) Occupational therapy committee.
- 13 (34) Social worker, marriage and family therapist, and mental
- 14 health counselor board.
- 15 (35) Real estate appraiser licensure and certification board.
- 16 (36) State board of registration for land surveyors.
- 17 (37) Physician assistant committee.
- 18 (38) Indiana dietitians certification board.
- 19 (39) Indiana hypnotist committee.
- 20 (40) Any other occupational or professional agency created after
- 21 June 30, 1981.

22 (c) Notwithstanding any other law, the entities included in
 23 subsection (b) shall send a notice of the upcoming expiration of a
 24 license to each licensee at least sixty (60) days prior to the expiration
 25 of the license. The notice must inform the licensee of the need to renew
 26 and the requirement of payment of the renewal fee. If this notice of
 27 expiration is not sent by the entity, the licensee is not subject to a
 28 sanction for failure to renew if, once notice is received from the entity,
 29 the license is renewed within forty-five (45) days of the receipt of the
 30 notice.

31 SECTION 3. IC 25-1-5-3 IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) There is established the
 33 health professions bureau. The bureau shall perform all administrative
 34 functions, duties, and responsibilities assigned by law or rule to the
 35 executive director, secretary, or other statutory administrator of the
 36 following:

- 37 (1) Board of chiropractic examiners (IC 25-10-1).
- 38 (2) State board of ~~dental examiners~~ **dentistry** (IC 25-14-1).
- 39 (3) Indiana state board of health facility administrators
 40 (IC 25-19-1).
- 41 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 42 (5) Indiana state board of nursing (IC 25-23-1).



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- 1 (6) Indiana optometry board (IC 25-24).
 2 (7) Indiana board of pharmacy (IC 25-26).
 3 (8) Board of podiatric medicine (IC 25-29-2-1).
 4 (9) Board of environmental health specialists (IC 25-32).
 5 (10) Speech-language pathology and audiology board
 6 (IC 25-35.6-2).
 7 (11) State psychology board (IC 25-33).
 8 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 9 (13) Controlled substances advisory committee (IC 35-48-2-1).
 10 (14) Committee of hearing aid dealer examiners (IC 25-20).
 11 (15) Indiana physical therapy committee (IC 25-27).
 12 (16) Respiratory care committee (IC 25-34.5).
 13 (17) Occupational therapy committee (IC 25-23.5).
 14 (18) Social worker, marriage and family therapist, and mental
 15 health counselor board (IC 25-23.6).
 16 (19) Physician assistant committee (IC 25-27.5).
 17 (20) Indiana athletic trainers board (IC 25-5.1-2-1).
 18 (21) Indiana dietitians certification board (IC 25-14.5-2-1).
 19 (22) Indiana hypnotist committee (IC 25-20.5-1-7).
 20 (b) Nothing in this chapter may be construed to give the bureau
 21 policy making authority, which authority remains with each board.
 22 SECTION 4. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 1999]: 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).
 39 (2) Board of registration for architects (IC 25-4-1-2).
 40 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 41 (4) State board of barber examiners (IC 25-7-5-1).
 42 (5) State boxing commission (IC 25-9-1).



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- 1 (6) Board of chiropractic examiners (IC 25-10-1).
 2 (7) State board of cosmetology examiners (IC 25-8-3-1).
 3 (8) State board of ~~dental examiners~~ **dentistry** (IC 25-14-1).
 4 (9) State board of funeral and cemetery service (IC 25-15-9).
 5 (10) State board of registration for professional engineers
 6 (IC 25-31-1-3).
 7 (11) Indiana state board of health facility administrators
 8 (IC 25-19-1).
 9 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 10 (13) Indiana state board of nursing (IC 25-23-1).
 11 (14) Indiana optometry board (IC 25-24).
 12 (15) Indiana board of pharmacy (IC 25-26).
 13 (16) Indiana plumbing commission (IC 25-28.5-1-3).
 14 (17) Board of podiatric medicine (IC 25-29-2-1).
 15 (18) Board of environmental health specialists (IC 25-32-1).
 16 (19) State psychology board (IC 25-33).
 17 (20) Speech-language pathology and audiology board
 18 (IC 25-35.6-2).
 19 (21) Indiana real estate commission (IC 25-34.1-2).
 20 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 21 (23) Department of natural resources for purposes of licensing
 22 water well drillers under IC 25-39-3.
 23 (24) Respiratory care committee (IC 25-34.5).
 24 (25) Private detectives licensing board (IC 25-30-1-5.1).
 25 (26) Occupational therapy committee (IC 25-23.5).
 26 (27) Social worker, marriage and family therapist, and mental
 27 health counselor board (IC 25-23.6).
 28 (28) Real estate appraiser licensure and certification board
 29 (IC 25-34.1-8).
 30 (29) State board of registration for land surveyors
 31 (IC 25-21.5-2-1).
 32 (30) Physician assistant committee (IC 25-27.5).
 33 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
 34 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 35 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 36 (34) Indiana physical therapy committee (IC 25-27).
 37 (35) Any other occupational or professional agency created after
 38 June 30, 1981.
 39 SECTION 5. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board"
 41 means any of the following:
 42 (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 dentistry (IC 25-14-1).
- 8 (9) State board of funeral and cemetery service (IC 25-15).
- 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) Mining board (IC 22-10-1.5-2).
- 15 (14) Indiana state board of nursing (IC 25-23-1).
- 16 (15) Indiana optometry board (IC 25-24).
- 17 (16) Indiana board of pharmacy (IC 25-26).
- 18 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 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 25-34.1-2-1).
- 24 (22) Indiana board of veterinary medical examiners
- 25 (IC 15-5-1.1-3).
- 26 (23) Department of insurance (IC 27-1).
- 27 (24) State police department (IC 10-1-1-1), for purposes of
- 28 certifying polygraph examiners under IC 25-30-2.
- 29 (25) Department of natural resources for purposes of licensing
- 30 water well drillers under IC 25-39-3.
- 31 (26) Private detectives licensing board (IC 25-30-1-5.1).
- 32 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 33 (28) Social worker, marriage and family therapist, and mental
- 34 health counselor board (IC 25-23.6-2-1).
- 35 (29) Real estate appraiser licensure and certification board
- 36 (IC 25-34.1-8).
- 37 (30) State board of registration for land surveyors
- 38 (IC 25-21.5-2-1).
- 39 (31) Physician assistant committee (IC 25-27.5).
- 40 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 41 (33) Board of podiatric medicine (IC 25-29-2-1).
- 42 (34) Indiana dietitians certification board (IC 25-14.5-2-1).

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1 (35) Indiana physical therapy committee (IC 25-27).

2 (36) Any other occupational or professional agency created after
3 June 30, 1981.

4 SECTION 6. IC 25-1-9-1 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board"
6 means any of the following:

7 (1) Board of chiropractic examiners (IC 25-10-1).

8 (2) State board of ~~dental examiners~~ **dentistry** (IC 25-14-1).

9 (3) Indiana state board of health facility administrators
10 (IC 25-19-1).

11 (4) Medical licensing board of Indiana (IC 25-22.5-2).

12 (5) Indiana state board of nursing (IC 25-23-1).

13 (6) Indiana optometry board (IC 25-24).

14 (7) Indiana board of pharmacy (IC 25-26).

15 (8) Board of podiatric medicine (IC 25-29-2-1).

16 (9) Board of environmental health specialists (IC 25-32).

17 (10) Speech-language pathology and audiology board
18 (IC 25-35.6-2).

19 (11) State psychology board (IC 25-33).

20 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).

21 (13) Indiana physical therapy committee (IC 25-27-1).

22 (14) Respiratory care committee (IC 25-34.5).

23 (15) Occupational therapy committee (IC 25-23.5).

24 (16) Social worker, marriage and family therapist, and mental
25 health counselor board (IC 25-23.6).

26 (17) Physician assistant committee (IC 25-27.5).

27 (18) Indiana athletic trainers board (IC 25-5.1-2-1).

28 (19) Indiana dietitians certification board (IC 25-14.5-2-1).

29 (20) Indiana hypnotist committee (IC 25-20.5-1-7).

30 SECTION 7. IC 25-13-1-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. As used in this
32 article:

33 (a) "Dental hygienist" means one who is especially educated and
34 trained in the science and art of maintaining the dental health of the
35 individual or community through prophylactic or preventive measures
36 applied to the teeth and adjacent structures.

37 (b) "License" means the license to practice dental hygiene issued by
38 the ~~Indiana~~ state board of ~~dental examiners~~ **dentistry** to dental
39 hygienist candidates who satisfactorily pass the board's examinations.

40 (c) "Board" means the ~~Indiana~~ state board of ~~dental examiners~~
41 **dentistry** established by IC 25-14-1.

42 (d) "Proprietor dentist" means a licensed dentist who is the owner



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1 and operator of the dental office in which he practices the profession
2 of dentistry and who employs at least one (1) dentist or dental hygienist
3 to supplement his operation and conduct of his dental office.

4 (e) "Employer dentist" means a proprietor dentist who employs at
5 least one (1) dental hygienist to supplement his dental service to his
6 clientele.

7 (f) "Referral" means a recommendation that a patient seek further
8 dental care from a licensed dentist, but not a specific dentist.

9 (g) "Screening" means to identify and assess the health of the hard
10 or soft tissues of the human oral cavity.

11 (h) "Public health setting" means a location, including a mobile
12 health care vehicle, where the public is invited for health care,
13 information, and services by a program sponsored or endorsed by a
14 governmental entity or charitable organization.

15 SECTION 8. IC 25-13-1-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. When applying to
17 the board for examination, the applicant must submit an application
18 and the applicant's credentials, except for proof of the applicant's
19 graduation from an institution for educating dental hygienists, in the
20 form and manner prescribed by the board at least ~~thirty (30)~~ **forty-five**
21 **(45)** days prior to the examination date. The applicant must submit
22 proof of the applicant's graduation at least seven (7) days before the
23 examination date. The applicant:

24 (1) must not have been convicted of a crime that has a direct
25 bearing on the applicant's ability to practice competently; and

26 (2) must be a graduate of a school for dental hygienists that:

27 (A) is accredited by the Commission on Dental Accreditation
28 of the American dental Association;

29 (B) is recognized by the board; and

30 (C) requires a formal course of training of not less than two (2)
31 years of eight (8) months each.

32 SECTION 9. IC 25-14-1-1.5 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1.5. As used in this
34 article:

35 "Board" refers to the state board of ~~dental examiners~~ **dentistry**
36 established under this chapter.

37 "Bureau" refers to the health professions service bureau under
38 IC 25-1-5.

39 "Deep sedation" means a controlled state of depressed
40 consciousness, accompanied by partial loss of protective reflexes,
41 including inability to respond purposefully to verbal command,
42 produced by a pharmacologic method.



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1 "General anesthesia" means a controlled state of unconsciousness,
 2 accompanied by partial or complete loss of protective reflexes,
 3 including inability to independently maintain an airway and respond
 4 purposefully to physical stimulation or verbal command, produced by
 5 a pharmacologic method.

6 "Light parenteral conscious sedation" means a minimally depressed
 7 level of consciousness under which an individual retains the ability to
 8 independently and continuously maintain an airway and respond
 9 appropriately to physical stimulation and verbal command, produced
 10 by an intravenous pharmacologic method.

11 SECTION 10. IC 25-14-1-2 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The state board
 13 of ~~dental examiners~~ **dentistry** is established and consists of:

- 14 (1) nine (9) practicing dentists who must have been in practice in
 15 this state for not less than the five (5) years;
 16 (2) one (1) practicing dental hygienist licensed under IC 25-13-1;
 17 and
 18 (3) one (1) member to represent the general public who must be
 19 a resident to this state and in no way associated with the
 20 profession of dentistry other than as a consumer.

21 All eleven (11) members of the board shall be appointed by the
 22 governor for a term of three (3) years each. Any member of the board
 23 may serve until the member's successor is appointed and qualified
 24 under this chapter. A member may serve consecutive terms, but no
 25 member may serve more than three (3) terms or a total of nine (9)
 26 years.

27 (b) The appointment of the dentist members shall be made in a
 28 manner that, at all times, each dentist member on the board represents
 29 and is a resident of one (1) of nine (9) examiner districts set forth in
 30 this subsection. Each dentist member shall be chiefly responsible in the
 31 performance of his duties with regard to the district from which he is
 32 appointed. The nine (9) dentist members' districts consist of the
 33 following counties:

- 34 (1) District 1. Tipton, Hamilton, Hendricks, Marion, Hancock,
 35 Morgan, Johnson, and Shelby.
 36 (2) District 2. Lake, Porter, LaPorte, and Jasper.
 37 (3) District 3. St. Joseph, Elkhart, Starke, Marshall, Kosciusko,
 38 and Fulton.
 39 (4) District 4. LaGrange, Steuben, Jay, Noble, Whitley, Allen,
 40 Huntington, Wells, DeKalb, and Adams.
 41 (5) District 5. Knox, Daviess, Gibson, Pike, Dubois, Posey,
 42 Vanderburgh, Warrick, Spencer, and Perry.



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- 1 (6) District 6. Newton, Benton, White, Pulaski, Cass, Miami,
 2 Wabash, Grant, Howard, Carroll, Warren, Tippecanoe, and
 3 Clinton.
 4 (7) District 7. Vermillion, Parke, Fountain, Montgomery, Boone,
 5 Putnam, Vigo, Clay, Sullivan, Owen, Greene, and Martin.
 6 (8) District 8. Madison, Delaware, Blackford, Randolph, Rush,
 7 Fayette, Union, Henry, and Wayne.
 8 (9) District 9. Monroe, Brown, Bartholomew, Decatur, Franklin,
 9 Lawrence, Jackson, Jennings, Ripley, Dearborn, Orange,
 10 Washington, Scott, Jefferson, Switzerland, Ohio, Crawford,
 11 Harrison, Floyd, and Clark.

12 (c) The board shall examine all applicants for licenses who present
 13 the credentials set forth in this article and issue licenses to all
 14 applicants who pass a satisfactory examination.

15 SECTION 11. IC 25-14-1-14 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14. The attorney
 17 general, prosecuting attorney, the state board of ~~dental examiners~~
 18 **dentistry**, or any citizen of any county where any person shall engage
 19 in the practice of dentistry, as herein defined, without possessing a
 20 valid license so to do, may, in accordance with the laws of the state of
 21 Indiana governing injunctions, maintain an action in the name of the
 22 state of Indiana to enjoin such person from engaging in the practice of
 23 dentistry, as herein defined, until a valid license to practice dentistry be
 24 secured. And any person who has been so enjoined who shall violate
 25 such injunction shall be punished for contempt of court: Provided, That
 26 such injunction shall not relieve such person so practicing dentistry
 27 without a valid license from a criminal prosecution therefor as is now
 28 provided by law, but such remedy by injunction shall be in addition to
 29 any remedy now provided for the criminal prosecution of such
 30 offender. In charging any person in a complaint for injunction, or in an
 31 affidavit, information or indictment, with a violation of this law by
 32 practicing dentistry without a valid license, it shall be sufficient to
 33 charge that such person did, upon a certain day and in a certain county,
 34 engage in the practice of dentistry, he not having a valid license so to
 35 do, without averring any further or more particular facts concerning the
 36 same.

37 SECTION 12. IC 25-14-1-16 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16. (a) An applicant for
 39 examination under this article must submit to the board at least ~~thirty~~
 40 **(30) forty-five (45)** days before the examination date an application in
 41 a form and manner prescribed by the board and proof satisfactory to the
 42 board that the applicant has not been convicted of a crime that has a



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1 direct bearing on the applicant's ability to practice competently. An
 2 applicant must submit proof to the board at least seven (7) days before
 3 the examination date that the applicant is a graduate of a dental school
 4 that is recognized by the board.

5 (b) The board may issue a license upon payment of a fee, set by the
 6 board under section 13 of this chapter, to an applicant who furnishes
 7 proof satisfactory to the board that the applicant is a dentist who:

8 (1) is licensed in another state or a province of Canada that has
 9 licensing requirements substantially equal to those in effect in
 10 Indiana on the date of application;

11 (2) has practiced dentistry for at least five (5) of the nine (9) years
 12 preceding the date of application;

13 (3) passes the law examination administered by the board;

14 (4) has completed at least twenty (20) hours of continuing
 15 education in the previous two (2) years; and

16 (5) meets all other requirements of this chapter.

17 (c) The board shall have power to adopt rules under section 13 of
 18 this chapter for licensure by endorsement.

19 (d) An applicant shall, at the request of the board, make an
 20 appearance before the board.

21 SECTION 13. IC 25-14-1-17 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. A person practicing
 23 dentistry, upon written demand made by the secretary of the state board
 24 of ~~dental examiners~~ **dentistry**, shall not fail to furnish in writing,
 25 within twenty (20) days after such demand, the name and address of
 26 each person practicing or assisting in the practice of dentistry in the
 27 office of said person, together with a sworn statement showing by what
 28 authority or license such person or persons are practicing dentistry and
 29 in what capacity nonlicensed persons are assisting in practice; said list
 30 of names and addresses shall include all persons who have been thus
 31 employed within the sixty (60) days next preceding such demand;
 32 however, such affidavit may not be used as evidence against either said
 33 person or persons so reported in any proceeding under this chapter.

34 SECTION 14. IC 25-14-1-21 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 21. It shall be the duty
 36 of the attorney general to represent the **state** board of ~~dental examiners~~
 37 **dentistry** in any court in which an action may be filed for the review
 38 of an order of the board as provided for in section 20 of this chapter.
 39 The attorney general may, at his discretion, call to his assistance in
 40 such action, the prosecuting attorney of the county in which such action
 41 is filed. Also, the board, with the written consent of the attorney
 42 general, shall have the right to employ, out of its own funds, any other



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1 attorney or attorneys to assist the attorney general in any such action.

2 SECTION 15. IC 25-14-3-3 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. As used in this
4 chapter, "board" refers to the state board of ~~dental examiners~~ **dentistry**
5 established under IC 25-14-1-2.

6 SECTION 16. IC 25-14-4-9 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. Before January 2,
8 1994, the state board of ~~dental examiners~~ **dentistry** established by
9 IC 25-14-1-2 shall adopt rules under IC 4-22-2 that may include the
10 following:

11 (1) Guidelines regarding the referral of subscribing dentists for
12 specialty services.

13 (2) Guidelines for ensuring that patient referrals by the for-profit
14 dental referral service must be initiated by a patient.

15 (3) Guidelines for ensuring that the for-profit dental referral
16 service does not impose a fee on the subscribing dentists
17 dependent upon the number of referrals or the amount of
18 professional fees paid by the patient to the dentist.

19 (4) Guidelines for ensuring there is a prohibition against for-profit
20 dental referral services limiting dentist subscribers solely on the
21 basis of a dentist's exclusive geographic location.

22 (5) Guidelines regarding dentists basing fees on services
23 performed with no additional fee charged because the patient is
24 a referral.

25 (6) Guidelines for preventing for-profit dental referral service
26 advertisements that are false, misleading, or deceptive.

27 (7) Guidelines considering the content of disclaimers required in
28 section 4 of this chapter for dental referral services that advertise
29 on television or any other medium that combine audio and video.
30 Such guidelines may require both audio and visual disclaimers.

31 (8) A procedure for a for-profit dental referral service to forward
32 complaints to the proper state authority.

33 (9) Appropriate safeguards to ensure that all subscribing dentists
34 are fairly selected for referrals on a rotating basis.

35 (10) Guidelines for ensuring that a for-profit dental referral
36 service must charge each subscribing dentist in the same
37 advertising market the same fee to become a member of the
38 service.

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