



Reprinted
February 12, 1999

SENATE BILL No. 138

DIGEST OF SB 138 (Updated February 11, 1999 3:24 pm - DI 88)

Citations Affected: IC 24-5.

Synopsis: Authority to claim doctorate degree or title. Provides that certain professional boards in Indiana may authorize an individual to claim to have a doctorate degree or to use a title associated with a doctorate degree. Provides that an individual may not claim to be a physician unless the individual holds an unlimited license to practice medicine or a chiropractic physician unless the individual holds a limited license as a chiropractic physician.

Effective: Upon passage.

Meeks R

January 6, 1999, read first time and referred to Committee on Health and Provider Services.
January 28, 1999, amended, reported favorably — Do Pass.
February 11, 1999, read second time, amended, ordered engrossed.

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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.

SENATE BILL No. 138

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

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

- 1 SECTION 1. IC 24-5-0.5-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) It is an
3 incurable deceptive act for an individual, while soliciting or performing
4 a consumer transaction, to claim, either orally or in writing, to possess
5 a doctorate degree or use a title, a word, letters, an insignia, or an
6 abbreviation associated with a doctorate degree, unless the individual:
7 (1) has been awarded a doctorate degree from an institution that
8 is:
9 (A) accredited by a regional or professional accrediting agency
10 recognized by the United States Department of Education or
11 the Council on Postsecondary Accreditation;
12 (B) a religious seminary, institute, college, or university whose
13 certificates, diplomas, or degrees clearly identify the religious
14 character of the educational program; or
15 (C) operated and supported by a governmental agency; or
16 (2) meets the requirements approved by a ~~board listed in IC~~
17 ~~25-1-2-6.~~ **one (1) of the following boards:**

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- 1 **(1) Medical licensing board of Indiana.**
- 2 **(2) State board of dental examiners.**
- 3 **(3) Indiana optometry board.**
- 4 **(4) Board of podiatric medicine.**
- 5 **(5) State psychology board.**
- 6 **(6) Board of chiropractic examiners.**
- 7 **(7) Indiana board of veterinary medical examiners.**
- 8 **(b) It is an incurable deceptive act for an individual, while**
- 9 **soliciting or performing a consumer transaction, to claim to be a:**
- 10 **(1) physician unless the individual holds an unlimited license**
- 11 **to practice medicine under IC 25-22.5; or**
- 12 **(2) chiropractic physician unless the individual holds a limited**
- 13 **license as a chiropractic physician under IC 25-10-1.**
- 14 ~~(b)~~ **(c) The attorney general shall enforce this section in the same**
- 15 **manner as any other incurable deceptive act under this chapter.**
- 16 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, after "individual" insert ":",

Page 1, line 7, before "(1)" begin a new line block indented.

Page 1, line 7, reset in roman "(1)".

Page 1, line 8, before "(A)" begin a new line double block indented.

Page 1, line 8, reset in roman "(A)".

Page 1, line 8, delete "(1)".

Page 1, line 11, before "(B)" begin a new line double block indented.

Page 1, line 11, reset in roman "(B)".

Page 1, line 11, delete "(2)".

Page 1, line 14, before "(C)" begin a new line double block indented.

Page 1, line 14, reset in roman "(C)".

Page 1, line 14, delete "(3)".

Page 1, line 14, delete "." and insert ";".

Page 1, line 14, reset in roman "or".

Page 1, line 15, reset in roman "(2) meets the requirements approved by".

Page 1, line 16, after "IC 25-1-2-6." insert "**one (1) of the following boards:**".

Page 1, between lines 16 and 17, begin a new line double block indented and insert:

"(1) Medical licensing board of Indiana.

(2) State board of dental examiners.

(3) Indiana optometry board.

(4) Board of podiatric medicine.

(5) State psychology board.

(6) Board of chiropractic examiners.

(7) Indiana board of veterinary medical examiners.

In addition, it is an incurable deceptive act for an individual, while soliciting or performing a consumer transaction, to claim to be a physician unless the individual holds an unlimited license to practice medicine under IC 25-22.5."



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and when so amended that said bill do pass.

(Reference is to SB 138 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 138 be amended to read as follows:

Page 2, line 8, delete "In addition, it", begin a new paragraph and insert:

"(b) It".

Page 2, line 9, after "be a" insert ":".

Page 2, line 10, before "physician" begin a new line block indented and insert:

"(1)".

Page 2, line 11, delete "." and insert "; or

(2) chiropractic physician unless the individual holds a limited license as a chiropractic physician under IC 25-10-1."

Page 2, line 12, strike "(b)" and insert "(c)".

(Reference is to SB 138 as printed January 29, 1999.)

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