

SENATE BILL No. 158

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-5-1.1; IC 25-1.

Synopsis: Veterinarians. Provides that the state veterinarian is the executive secretary and technical adviser of the Indiana board of veterinary medical examiners (the board). Allows the board to determine the dates by which applications must be made for the examinations required for licensing veterinarians or registering veterinary technicians. Provides that the board may enter into an agreement with the Indiana state board of animal health to use the Indiana state board of animal health's staff and facilities. Removes the board from the health professions bureau. Provides a procedure for filing and investigating a complaint against a person licensed to practice veterinary medicine or registered as a veterinary technician. Prohibits the board from issuing a license, registration certificate, or special permit to an individual unless the individual's property taxes are paid. Specifies the effect of a criminal conviction on the status of a person's license or registration certificate. Provides for the revocation of an individual's license or registration certificate if the individual is delinquent in paying child support. Allows a person in the person's last term of study at an accredited veterinary school to submit an application for a license with a letter from the dean of the school instead of a transcript. Provides for an inactive status of a veterinary license or registration certificate under certain conditions. Provides for the enforcement of standards of practice by the board.

Effective: July 1, 2000.

Jackman

January 10, 2000, read first time and referred to Committee on Health and Provider Services.



C
O
P
Y

Introduced

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

SENATE BILL No. 158

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

- 1 SECTION 1. IC 15-5-1.1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. As used in this
3 chapter:
4 "Accredited college of veterinary medicine" means a veterinary
5 college or division of a university or college that:
6 (1) offers the degree doctor of veterinary medicine or its
7 equivalent;
8 (2) conforms to the standards required for accreditation by the
9 American Veterinary Medical Association; and
10 (3) is accredited by the American Veterinary Medical Association
11 or an accrediting agency that has been approved by the United
12 States ~~Office~~ **Department** of Education or its successor.
13 "Animal" means any animal other than man and includes birds, fish,
14 mammals, and reptiles, wild or domestic.
15 "Approved program" means a program in veterinary technology
16 that:
17 (1) conforms to the standards required for accreditation by the



C
O
P
Y

1 American Veterinary Medical Association; and
 2 (2) is accredited by the American Veterinary Medical Association
 3 or an accrediting agency that has been approved by the United
 4 States ~~Office~~ **Department** of Education or its successor.

5 "Board" means the Indiana board of veterinary medical examiners
 6 created by this chapter.

7 "~~Bureau" refers to the health professions bureau established by~~
 8 ~~IC 25-1-5-3.~~

9 "ECFVG certificate" means a certificate issued by the American
 10 Veterinary Medical Association Educational Commission for Foreign
 11 Veterinary Graduates, indicating that the holder has demonstrated
 12 knowledge and skill equivalent to that possessed by a graduate of an
 13 accredited college of veterinary medicine.

14 "Extern" means a senior veterinary student enrolled in an accredited
 15 college of veterinary medicine, or a second year student enrolled in an
 16 approved program in veterinary technology, employed by or working
 17 with a licensed veterinarian and under his direct supervision.

18 "Licensed veterinarian" means an individual who is licensed
 19 pursuant to this chapter to practice veterinary medicine in this state.

20 "Person" means an individual, an incorporated or unincorporated
 21 organization or association or a group of such persons acting in concert.

22 "Practice of veterinary medicine" means:

23 (1) representing oneself as engaged in the practice of veterinary
 24 medicine, veterinary surgery, or veterinary dentistry in any of its
 25 branches or using words, letters, or titles in a connection or under
 26 circumstances that **may** induce another person to believe that the
 27 person using them is engaged in the practice of veterinary
 28 medicine, veterinary surgery, or veterinary dentistry;

29 (2) accepting remuneration for doing any of the things described
 30 in subdivisions (3) through (6);

31 (3) diagnosing a specific disease or injury, or identifying and
 32 describing a disease process of animals, or performing any
 33 procedure for the diagnosis of pregnancy, sterility, or infertility
 34 upon animals;

35 (4) prescribing a drug, medicine, appliance or application, or
 36 treatment of whatever nature for the prevention, cure, or relief of
 37 bodily injury or disease of animals;

38 (5) performing a surgical or dental operation upon an animal; or

39 (6) administering a drug, medicine, appliance, application, or
 40 treatment of whatever nature for the prevention, cure, or relief of
 41 a wound, fracture, or bodily injury or disease of animals, except
 42 where such drug, medicine, appliance, application, or treatment

C
O
P
Y



1 is administered at the direction and under the direct supervision
2 of a veterinarian licensed under this chapter.

3 **"Practitioner" means an individual who holds a license,**
4 **registration certificate, or special permit issued by the board.**

5 "Registered veterinary technician" means a veterinary technician
6 registered pursuant to this chapter to work under the direct supervision
7 of a licensed veterinarian.

8 "Veterinarian" means an individual who was a licensed veterinarian
9 on August 31, 1979, or who has received a professional degree from an
10 accredited college of veterinary medicine.

11 "Veterinary medicine" includes veterinary surgery, obstetrics,
12 dentistry, acupuncture, and all other branches or specialties of
13 veterinary medicine.

14 "Veterinary technician" means an individual who has successfully
15 completed a program in veterinary technology of at least two (2) years
16 in a school that conforms to the standards required for accreditation by
17 the American Veterinary Medical Association and that is accredited by
18 the American Veterinary Medical Association.

19 SECTION 2. IC 15-5-1.1-6 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. (a) The board shall
21 hold an annual meeting in Indianapolis and other regular meetings
22 during each year and at such places as it may fix.

23 (b) The board may hold such special meetings as it deems
24 necessary. The chairman or two (2) members of the board may call a
25 special meeting.

26 (c) Four (4) members of the board constitute a quorum.

27 (d) All meetings shall be open and public except that the board may
28 meet in closed session to prepare, approve, administer, or grade
29 examinations, or to deliberate the qualifications of an applicant for
30 license or registration or the disposition of a proceeding to discipline
31 a licensed veterinarian or registered veterinary technician.

32 (e) Minutes of each regular and special meeting shall be compiled
33 and kept as a permanent record in the same office as other records of
34 the board are kept. **The responsibility for executive secretary of the**
35 **board is responsible for** the care and safekeeping of ~~such~~ **the** minutes.
36 ~~shall devolve upon the bureau.~~

37 (f) Each member of the board is entitled to reimbursement for
38 traveling and other expenses as provided in the state travel policies and
39 procedures established by the department of administration and
40 approved by the state budget agency.

41 SECTION 3. IC 15-5-1.1-7 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. (a) At its annual



C
O
P
Y

1 meeting the board shall elect a chairman and vice chairman and such
 2 other officers as it may determine. Such officers shall serve for terms
 3 of one (1) year or until a successor is elected. There is no limitation on
 4 the number of terms an officer may serve.

5 (b) The state veterinarian ~~shall be~~ **is the executive secretary and**
 6 technical advisor of the board.

7 (c) The duties of the ~~bureau~~ **executive secretary** include:

8 (1) corresponding for the board;

9 (2) keeping accounts and records of all receipts and
 10 disbursements by the board;

11 (3) keeping records of all applications for license or registration;

12 (4) keeping a register of all persons currently licensed or
 13 registered by the board; ~~and~~

14 (5) keeping permanent records of all board proceedings; **and**

15 **(6) performing duties delegated to the executive secretary by**
 16 **the board.**

17 SECTION 4. IC 15-5-1.1-8 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) The powers
 19 enumerated in this section are granted for the purpose of enabling the
 20 board to effectively supervise the practice of veterinary medicine and
 21 are to be construed liberally to accomplish this objective.

22 (b) The board is vested with the sole authority to determine the
 23 qualifications of applicants for:

24 (1) a license to practice veterinary medicine in this state; and

25 (2) registration to practice as a veterinary technician in this state.

26 (c) The board is vested with the sole authority to issue, renew, deny,
 27 suspend, or revoke:

28 (1) licenses and special permits to practice veterinary medicine in
 29 this state; and

30 (2) registrations or special permits to practice as a veterinary
 31 technician in this state.

32 (d) The board is vested with sole authority to discipline licensed
 33 veterinarians and registered veterinary technicians consistent with the
 34 provisions of this chapter and the rules adopted thereunder.

35 (e) The board is vested with the sole authority to determine the
 36 examinations applicants are required to take, the subjects to be
 37 covered, ~~and~~ the places where and the dates on which examinations
 38 will be given, **and the deadlines for applying to take the**
 39 **examinations.**

40 (f) The board may establish by rule minimum standards of
 41 continuing education for the renewal of licenses to practice veterinary
 42 medicine and for the renewal of registrations as a veterinary technician.



C
O
P
Y

1 (g) The board shall adopt by rule standards of professional conduct
 2 for the competent practice of veterinary medicine and the competent
 3 practice of a veterinary technician.

4 ~~(h)~~ Subject to IC 25-1-7, The board may conduct investigations for
 5 the purpose of discovering violations of this chapter:

6 (1) by licensed veterinarians or registered veterinary technicians;

7 or

8 (2) by persons practicing veterinary medicine without a license or
 9 persons practicing as a registered veterinary technician without
 10 being registered.

11 ~~(i)~~ (h) The board may inspect, without notice and during normal
 12 working hours, veterinary hospitals, clinics, or other establishments to
 13 determine if such places meet the board's standards of cleanliness and
 14 sanitation as defined by the board's rules.

15 ~~(j)~~ (i) The board may hold hearings on all matters properly brought
 16 before it and in connection thereto may administer oaths, receive
 17 evidence, make findings, and enter orders consistent with the findings.
 18 The board may require by subpoena the attendance and testimony of
 19 witnesses and the production of papers, records, or other documentary
 20 evidence and commission depositions. The board may designate one
 21 (1) or more of its members to serve as its hearing officer.

22 ~~(k)~~ (j) The board may bring proceedings in the courts for the
 23 enforcement of this chapter or any rules made pursuant thereto.

24 ~~(l)~~ (k) The board ~~shall~~ **may** have fees collected for examining and
 25 licensing veterinarians and for examining and registering veterinary
 26 technicians.

27 ~~(m)~~ (l) The board may enter into reciprocal agreements with its
 28 counterpart boards in other states and may effect such agreements by
 29 rule.

30 ~~(n)~~ (m) The board may appoint from its own membership one (1) or
 31 more members to act as representatives of the board at any meeting
 32 within or without the state where such representation is deemed
 33 desirable.

34 ~~(o)~~ (n) The ~~bureau shall provide the board with~~ **may employ or**
 35 **contract with** full or part-time professional and clerical personnel ~~and~~
 36 ~~supplies including printed matter and equipment~~ necessary to
 37 effectuate the provisions of this chapter.

38 ~~(p)~~ (o) The board may, in the manner prescribed by IC 4-22-2, adopt
 39 such reasonable rules as it deems necessary for the performance of its
 40 duties, consistent with this chapter and other applicable laws of this
 41 state. Any rule adopted under, and applicable to, the prior veterinarian
 42 and veterinary technician licensing and registration laws (IC 15-5-1 and

C
O
P
Y



1 IC 15-5-1.5) continues in effect under this chapter until rescinded or
2 amended by the board.

3 ~~(q)~~ (p) The board may adopt an appropriate seal which may be
4 affixed to all license and registration certificates and other official
5 documents of the board.

6 (q) **The board is a regulatory board within the meaning of**
7 **IC 25-1-3-1.**

8 (r) **To carry out the duties of the board, including investigation**
9 **of violations under this chapter, the board may enter into**
10 **agreements with the Indiana state board of animal health**
11 **established by IC 15-2.1-3-1 to use facilities, equipment, personnel,**
12 **or resources of the Indiana state board of animal health.**

13 SECTION 5. IC 15-5-1.1-8.2 IS ADDED TO THE INDIANA
14 CODE AS A NEW SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2000]: **Sec. 8.2. (a) Except as otherwise**
16 **provided, any individual may file a complaint against a person who**
17 **holds a license, registration certificate, or special permit under this**
18 **chapter. The complaint must be in writing and signed by the**
19 **complainant before the complaint may be filed with the board. The**
20 **board or a member of the board may also file a complaint.**
21 **However, an employee of the office of the attorney general acting**
22 **in the employee's official capacity may not file a complaint under**
23 **this chapter.**

24 (b) **The board shall designate a complaint officer for the board.**
25 **If the board receives a complaint, the complaint officer shall**
26 **review the complaint and determine whether to investigate the**
27 **complaint based on the likely merits of the complaint. The**
28 **complaint officer may be a member or a committee of the board.**

29 (c) **If the complaint officer chooses to investigate the complaint**
30 **under subsection (b), the board shall, by any reasonable means,**
31 **notify a licensee, registrant, or special permit holder who is the**
32 **subject of the complaint of the investigation.**

33 (d) **The board is responsible for the investigation of complaints**
34 **against individuals who hold a license, registration certificate, or**
35 **special permit under this chapter and individuals alleged to have**
36 **been practicing veterinary medicine without a license or special**
37 **permit or practicing as a registered veterinary technician without**
38 **a registration certificate or special permit. The board may:**

39 (1) **refer complaints to the office of the attorney general for**
40 **investigation;**

41 (2) **instruct the complaint officer to investigate complaints or**
42 **refer complaints for investigation; or**

C
O
P
Y



1 (3) enter into an agreement with the Indiana state board of
2 animal health under section 8 of this chapter to investigate
3 complaints.

4 **The scope of an investigation conducted under this chapter must be**
5 **limited to allegations in a written complaint filed with the board**
6 **under this section that suggest apparent violations of laws or rules**
7 **enforced by the board.**

8 (e) To investigate a complaint or prosecute a violation under this
9 chapter, the board may:

- 10 (1) subpoena witnesses;
11 (2) request the production of books, records, papers, and
12 documents; and
13 (3) commission depositions.

14 **A circuit or superior court with jurisdiction in the county in which**
15 **the subpoena is issued shall enforce a properly issued subpoena**
16 **upon request of the board.**

17 (f) The board shall receive information from investigations
18 conducted under this chapter. The board shall review and make a
19 determination on each matter investigated. The board may:

- 20 (1) return the matter to the complaint officer or the
21 investigator for additional information and investigation;
22 (2) refer the matter to the attorney general for prosecution;
23 (3) resolve the matter by accepting a settlement proposed by
24 the complainant and the accused;
25 (4) enter into a settlement with the accused; or
26 (5) find that the complaint is without merit, moot, or
27 otherwise unfit for prosecution.

28 **Prosecutions before the board shall be conducted under IC 4-21.5.**

29 (g) At a hearing, the board or the hearing officer may call
30 witnesses in addition to those presented by the state or the licensee,
31 registrant, or special permit holder. A board member may not
32 adjudicate a matter if the member filed the complaint or
33 participated in negotiations related to the complaint. A hearing
34 officer may not be disqualified from participating in the board's
35 final determination solely because of the individual's status as the
36 hearing officer.

37 SECTION 6. IC 15-5-1.1-8.3 IS ADDED TO THE INDIANA
38 CODE AS A NEW SECTION TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2000]: **Sec. 8.3. Unless disclosure is required**
40 **by law or is in furtherance of an investigation, the board shall hold**
41 **complaints and information pertaining to complaints in strict**
42 **confidence until an investigation is brought before the board for a**



C
O
P
Y

1 **determination under IC 15-5-1.1-8.2(f).**

2 SECTION 7. IC 15-5-1.1-8.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2000]: **Sec. 8.5. The board may not issue a**
5 **license, registration certificate, or special permit to a person who**
6 **is a resident of Indiana if a government agency provides the board**
7 **with evidence proving the person has not paid all of the person's**
8 **personal property taxes.**

9 SECTION 8. IC 15-5-1.1-8.6 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2000]: **Sec. 8.6. (a) Except as provided under**
12 **subsections (b) and (c) or section 23 of this chapter, a license,**
13 **registration certificate, or special permit that an individual is**
14 **required by law to hold under this chapter may not be denied,**
15 **revoked, or suspended because the applicant or holder is convicted**
16 **of an offense. However, the acts from which the applicant's or**
17 **holder's conviction results may be considered as to whether the**
18 **applicant or holder may be entrusted to serve the public in a**
19 **specific capacity.**

20 (b) The board may suspend or revoke a license, registration
21 certificate, or special permit issued under this chapter if the
22 individual who holds the license, registration certificate, or special
23 permit is convicted of any of the following:

- 24 (1) Possession of cocaine or a narcotic drug under
25 IC 35-48-4-6.
26 (2) Possession of a controlled substance under IC 35-48-4-7(a).
27 (3) Fraudulently obtaining a controlled substance under
28 IC 35-48-4-7(b).
29 (4) Manufacture of paraphernalia as a Class D felony under
30 IC 35-48-4-8.1(b).
31 (5) Possession of paraphernalia as a Class D felony under
32 IC 35-48-4-8.3(b).
33 (6) Dealing in paraphernalia as a Class D felony under
34 IC 35-48-4-8.5(b).
35 (7) Possession of marijuana, hash oil, or hashish as a Class D
36 felony under IC 35-48-4-11.
37 (8) Maintaining a common nuisance under IC 35-48-4-13.
38 (9) An offense relating to registration, labeling, and
39 prescription forms under IC 35-48-4-14.
40 (10) Attempt under IC 35-41-5-1 to commit an offense listed
41 in subdivisions (1) through (9).
42 (11) Conspiracy under IC 35-41-5-2 to commit an offense



C
O
P
Y

1 listed in subdivisions (1) through (9).

2 (12) An offense in another jurisdiction in which the elements
3 of the offense for which the conviction was entered are
4 substantially similar to the elements of an offense described in
5 subdivisions (1) through (11).

6 (c) The board shall revoke or suspend a license, registration
7 certificate, or special permit issued under this chapter if the
8 individual who holds the license, registration certificate, or special
9 permit is convicted of any of the following:

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

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

13 (3) Dealing in a schedule IV controlled substance under
14 IC 35-48-4-3.

15 (4) Dealing in a schedule V controlled substance under
16 IC 35-48-4-4.

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

19 (6) Knowingly or intentionally manufacturing, financing the
20 manufacture of, advertising, distributing, or possessing with
21 intent to manufacture, finance the manufacture of, advertise,
22 or distribute a substance represented to be a controlled
23 substance under IC 35-48-4-4.6.

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

25 (8) Dealing in marijuana, hash oil, or hashish under
26 IC 35-48-4-10(b).

27 (9) Attempt under IC 35-41-5-1 to commit an offense listed in
28 subdivisions (1) through (8).

29 (10) Conspiracy under IC 35-41-5-2 to commit an offense
30 listed in subdivisions (1) through (8).

31 (11) An offense in any other jurisdiction in which the elements
32 of the offense for which the conviction was entered are
33 substantially similar to the elements of an offense described in
34 subdivisions (1) through (10).

35 (12) A violation of any federal or state drug law or rule
36 related to wholesale legend drug distributors licensed under
37 IC 25-26-14.

38 SECTION 9. IC 15-5-1.1-8.7 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2000]: Sec. 8.7. (a) As used in this section,
41 "bureau" refers to the child support bureau of the division of
42 family and children created by IC 12-17-2-5.



C
O
P
Y

- 1 **(b) As used in this section, "delinquent" means at least:**
- 2 **(1) two thousand dollars (\$2,000); or**
- 3 **(2) three (3) months;**
- 4 **past due on payment of court ordered child support.**
- 5 **(c) Upon receiving an order of a court issued under**
- 6 **IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or**
- 7 **IC 31-6-6.1-16(k) before their repeal), the board shall:**
- 8 **(1) suspend the license, registration, or special permit of the**
- 9 **practitioner; or**
- 10 **(2) deny the application of the applicant;**
- 11 **who is the subject of the order.**
- 12 **(d) Upon receiving an order of a court issued under**
- 13 **IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or**
- 14 **IC 31-6-6.1-16(k) before their repeal), the board shall promptly**
- 15 **mail a notice to the last known address of the person who is the**
- 16 **subject of the order, stating the following:**
- 17 **(1) That the practitioner's license, registration, or special**
- 18 **permit has been suspended, beginning five (5) business days**
- 19 **after the date the notice is mailed, and that the suspension**
- 20 **terminates ten (10) business days after the board receives an**
- 21 **order allowing reinstatement from the court that issued the**
- 22 **suspension order.**
- 23 **(2) That the practitioner has the right to petition the court**
- 24 **that issued the order for suspension for reinstatement of the**
- 25 **practitioner's license, registration, or special permit.**
- 26 **(e) The board may not reinstate a license, registration, or special**
- 27 **permit suspended under this section until the board receives an**
- 28 **order allowing reinstatement from the court that issued the order**
- 29 **for suspension.**
- 30 **(f) Upon receiving an order from the bureau under**
- 31 **IC 12-17-2-34(e), the board shall send to the practitioner identified**
- 32 **by the bureau a notice that does the following:**
- 33 **(1) Specifies that the practitioner is delinquent and is subject**
- 34 **to an order placing the practitioner on probationary status.**
- 35 **(2) Describes the amount of child support that the practitioner**
- 36 **is in arrears.**
- 37 **(3) Explains that unless the practitioner contacts the bureau**
- 38 **and:**
- 39 **(A) pays the practitioner's child support arrearage in full;**
- 40 **(B) requests the activation of an income withholding order**
- 41 **under IC 31-16-15-2 and establishes a payment plan with**
- 42 **the bureau to pay the arrearage; or**

C
O
P
Y



- 1 **(C) requests a hearing under IC 12-17-2-35;**
 2 **not later than twenty (20) days after the date the notice is**
 3 **mailed, the board shall place the practitioner on probationary**
 4 **status.**
- 5 **(4) Explains that the practitioner may contest the bureau's**
 6 **determination that the practitioner is delinquent and subject**
 7 **to an order placing the practitioner on probationary status by**
 8 **making written application to the bureau not later than**
 9 **twenty (20) days after the date the notice is mailed.**
- 10 **(5) Explains that the only basis for contesting the bureau's**
 11 **determination that the practitioner is delinquent and subject**
 12 **to an order placing the practitioner on probationary status is**
 13 **a mistake of fact.**
- 14 **(6) Explains the procedures to:**
- 15 **(A) pay the practitioner's child support arrearage in full;**
 16 **(B) establish a payment plan with the bureau to pay the**
 17 **arrearage;**
 18 **(C) request the activation of an income withholding order**
 19 **under IC 31-16-15-2; and**
 20 **(D) request a hearing under IC 12-17-2-35.**
- 21 **(7) Explains that the probation terminates ten (10) business**
 22 **days after the board receives a notice from the bureau that**
 23 **the practitioner has:**
- 24 **(A) paid the practitioner's child support arrearage in full;**
 25 **or**
 26 **(B) established a payment plan with the bureau to pay the**
 27 **arrearage and requested the activation of an income**
 28 **withholding order under IC 31-16-15-2.**
- 29 **(g) If the board is advised by the bureau that the practitioner**
 30 **requested a hearing and failed to appear or appeared and was**
 31 **found to be delinquent, the board shall promptly mail to the**
 32 **practitioner who is the subject of the order a notice stating the**
 33 **following:**
- 34 **(1) That the practitioner's license, registration, or special**
 35 **permit has been placed on probationary status, beginning five**
 36 **(5) business days after the date the notice is mailed, and that**
 37 **the probation terminates ten (10) business days after the**
 38 **board receives a notice from the bureau that the person has:**
 39 **(A) paid the person's child support arrearage in full; or**
 40 **(B) established a payment plan with the bureau to pay the**
 41 **arrearage and requested the activation of an income**
 42 **withholding order under IC 31-16-15-2.**

C
O
P
Y

- 1 **(2) That if the board is advised by the bureau that the**
- 2 **practitioner whose license, registration, or special permit has**
- 3 **been placed on probationary status has failed to:**
- 4 **(A) pay the person's child support arrearage in full; or**
- 5 **(B) establish a payment plan with the bureau to pay the**
- 6 **arrearage and request the activation of an income**
- 7 **withholding order under IC 31-16-15-2;**
- 8 **within twenty (20) days after the date the notice is mailed, the**
- 9 **board shall suspend the practitioner's license, registration, or**
- 10 **special permit.**
- 11 **(h) If the board is advised by the bureau that the practitioner**
- 12 **whose license, registration, or special permit has been placed on**
- 13 **probationary status has failed to:**
- 14 **(1) pay the person's child support arrearage in full; or**
- 15 **(2) establish a payment plan with the bureau to pay the**
- 16 **arrearage and request the activation of an income**
- 17 **withholding order under IC 31-16-15-2;**
- 18 **within twenty (20) days after the date the notice is mailed, the**
- 19 **board shall suspend the practitioner's license, registration, or**
- 20 **special permit.**
- 21 **(i) The board may not reinstate a license, registration, or special**
- 22 **permit of a practitioner placed on probation or suspended under**
- 23 **this section until the board receives a notice from the bureau that**
- 24 **the person has:**
- 25 **(1) paid the person's child support arrearage in full; or**
- 26 **(2) established a payment plan with the bureau to pay the**
- 27 **arrearage and requested the activation of an income**
- 28 **withholding order under IC 31-16-15-2.**
- 29 **SECTION 10. IC 15-5-1.1-8.8 IS ADDED TO THE INDIANA**
- 30 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
- 31 **[EFFECTIVE JULY 1, 2000]: Sec. 8.8. (a) The board may allow the**
- 32 **department of state revenue access to the name of a person who:**
- 33 **(1) holds a license, registration certificate, or special permit**
- 34 **under this chapter; or**
- 35 **(2) has applied for a license registration or special permit**
- 36 **under this chapter.**
- 37 **(b) If the department of state revenue notifies the board that a**
- 38 **person is on the most recent tax warrant list, the board may not**
- 39 **issue or renew the person's license, registration, or special permit**
- 40 **until:**
- 41 **(1) the person provides to the board a statement from the**
- 42 **department of state revenue that the person's delinquent tax**

C
O
P
Y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

liability has been satisfied; or
(2) the board receives a notice from the commissioner of the
department of state revenue under IC 6-8.1-8-2(k).

SECTION 11. IC 15-5-1.1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 9. License and Registration Requirements and Exceptions. No person may practice veterinary medicine in ~~this state~~ **Indiana** unless ~~he~~ **the person** is a licensed **as a** veterinarian **in Indiana** or holds a special permit issued by the board, and no person may act as a veterinary technician in ~~this state~~ **Indiana** unless ~~he~~ **the person** is a registered **as a** veterinary technician **in Indiana** or holds a special permit issued by the board. ~~except:~~ **The following persons are not required to meet the licensing, registration, or special permit requirements under this chapter:**

- (1) A veterinarian on the faculty of the School of Veterinary Medicine at Purdue University performing ~~his~~ regular duties, or a veterinarian employed by the animal disease diagnostic laboratory performing ~~his~~ regular duties.
- (2) A veterinarian employed by a federal, state, or local government agency performing ~~his~~ official duties.
- (3) An individual who is a regular student in an accredited college of veterinary medicine or veterinary technology performing duties or actions assigned by ~~his~~ instructors or working under the direct supervision of a licensed veterinarian.
- (4) An extern.
- (5) A veterinarian licensed and resident in another state or nation who occasionally consults with a licensed veterinarian.
- (6) The owner of an animal or ~~his~~ **a** regular employee **of the owner** caring for and treating that animal, except where the ownership of the animal was transferred for purposes of circumventing this chapter.
- (7) A guest lecturing or giving instructions or demonstrations at the School of Veterinary Medicine at Purdue University, or elsewhere, in connection with a continuing education program.
- (8) An individual while engaged in bona fide scientific research which reasonably requires experimentation involving animals.
- (9) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate and who is under the direct supervision of a licensed veterinarian. ~~and~~
- (10) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine, performing duties or actions assigned by ~~his~~ instructors or

C
O
P
Y



1 working under the direct supervision of a licensed veterinarian.

2 SECTION 12. IC 15-5-1.1-11 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 11. (a) **As used in this**
4 **subsection, "term" refers to an academic semester, trimester, or**
5 **quarter.** A person desiring a license to practice veterinary medicine in
6 this state shall make written application to the board. The application
7 shall state that the applicant is:

- 8 (1) a graduate of an accredited college of veterinary medicine; **or**
9 (2) **enrolled in the last term of the last year of the veterinary**
10 **medical curriculum of an accredited school of veterinary**
11 **medicine.**

12 **If the applicant is enrolled as a last term student as described in**
13 **subdivision (2), a letter from the dean of the student's veterinary**
14 **school confirming that the applicant is a last term student, attesting**
15 **to the satisfactory academic standing of the student, and stating the**
16 **date on which the degree is expected to be conferred upon the**
17 **student must accompany the application.** A license to practice
18 veterinary medicine in Indiana may not be issued until satisfactory
19 proof has been furnished to the board either that the applicant has
20 graduated from an accredited college of veterinary medicine or that ~~he~~
21 **the applicant** is the holder of an Educational Commission for Foreign
22 Veterinary Graduates (ECFVG) certificate. The application must show
23 such reasonable information and proof as the board may require by
24 rule. The application must be accompanied by the fee in the amount
25 required under this chapter.

26 (b) When the board determines that the applicant possesses the
27 proper qualifications, the board may grant the applicant a license. If an
28 applicant is found not to be qualified to take the examination or for a
29 license without examination, the executive secretary of the board shall
30 immediately notify the applicant in writing of such finding and the
31 grounds therefore. Applicants found unqualified may request a hearing
32 on the question of their qualifications.

33 SECTION 13. IC 15-5-1.1-12 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. (a) The board shall
35 hold at least one (1) examination for licensing veterinarians and one (1)
36 examination for registering veterinary technicians each year but it may
37 hold more. The ~~bureau~~ **board** shall give notice of the time and place for
38 each examination at least ninety (90) days in advance of the date set for
39 the examination. A person desiring to take an examination must make
40 application ~~at least forty-five (45) days~~ before the date of the
41 examination **and not later than such time as the board may**
42 **prescribe under section 8(e) of this chapter.**



C
O
P
Y

1 (b) The preparation, administration, and grading of examinations
 2 shall be approved by the board. Examinations shall be designed to test
 3 the examinee's knowledge of and proficiency in the subjects and
 4 techniques commonly taught in veterinary schools. To pass the
 5 examination, the examinee must demonstrate scientific and practical
 6 knowledge sufficient to prove to the board that the examinee is
 7 competent to practice veterinary medicine or to act as a veterinary
 8 technician, as the case may be. The board may adopt and use
 9 examinations approved by the National Board Examination Committee.

10 (c) To qualify for a license as a veterinarian or to be registered as a
 11 veterinary technician, the applicant must attain a passing score in the
 12 examinations.

13 (d) After the examinations, the ~~bureau~~ **board** shall notify each
 14 examinee of the result of ~~his~~ **the examinee's** examinations and the
 15 board shall issue a license or registration certificate, as appropriate, to
 16 each individual who successfully completes the examinations and is
 17 otherwise qualified. The ~~bureau~~ **board** shall keep a permanent record
 18 of the issuance of each license or registration certificate.

19 (e) An individual who fails to pass the required examinations may
 20 apply to take a subsequent examination. However, payment of the
 21 examination fee shall not be waived.

22 (f) A license or registration certificate issued under this article is
 23 valid for the remainder of the renewal period in effect on the date of
 24 issuance.

25 SECTION 14. IC 15-5-1.1-15.1 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 15.1. (a) The board
 27 may refuse to issue a registration or may issue a probationary
 28 registration to an applicant for registration as a veterinary technician
 29 under this chapter if **the applicant has:**

30 (1) ~~the applicant has~~ been disciplined by a licensing entity of
 31 another state or jurisdiction; ~~and or~~

32 (2) ~~the violation for which the applicant was disciplined~~ **engaged**
 33 **in conduct in another state or jurisdiction that** has a direct
 34 bearing on the applicant's ability to competently practice as a
 35 veterinary technician in Indiana.

36 (b) Whenever issuing a probationary registration under this section,
 37 the board may impose any or a combination of the following
 38 conditions:

39 (1) Report regularly to the board upon the matters that are the
 40 basis of the discipline of the other state or jurisdiction.

41 (2) Limit practice to those areas prescribed by the board.

42 (3) Continue or renew professional education.



C
O
P
Y

1 (4) Engage in community service without compensation for a
2 number of hours specified by the board.

3 (c) The board shall remove any limitations placed on a probationary
4 registration issued under this section if the board finds after a hearing
5 that the deficiency that required disciplinary action has been remedied.

6 (d) This section does not apply to an individual who currently holds
7 a registration certificate under this chapter.

8 SECTION 15. IC 15-5-1.1-17 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 17. (a) A license issued
10 under this chapter is valid until the next renewal date described under
11 subsection (b).

12 (b) All licenses expire on October 15 in each odd-numbered year
13 but may be renewed by application to the board and payment of the
14 proper renewal fee. ~~In accordance with IC 25-1-5-4(c);~~ The ~~bureau~~
15 **board** shall mail a sixty (60) day notice of expiration to each licensed
16 veterinarian and provide the veterinarian with a form for renewal. The
17 ~~bureau~~ **board** shall issue a license renewal to each individual licensed
18 under this chapter if the proper fee has been received and all other
19 requirements for renewal of the license have been satisfied. Failure to
20 renew a license on or before the expiration date automatically renders
21 the license invalid without any action by the board.

22 SECTION 16. IC 15-5-1.1-18 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 18. (a) A registration
24 certificate issued under this chapter is valid until the next renewal date
25 described under subsection (b).

26 (b) All registration certificates expire on January 1 of each
27 even-numbered year but may be renewed by application to the board
28 and payment of the proper renewal fee. ~~In accordance with~~
29 ~~IC 25-1-5-4(c);~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of
30 expiration to each registered veterinary technician and provide the
31 veterinary technician with a form for renewal. The ~~bureau~~ **board** shall
32 issue a registration certificate renewal to each individual registered
33 under this chapter, provided the proper fee has been received and all
34 other requirements for renewal of the registration certificate have been
35 satisfied. Failure to renew a registration certificate on or before the
36 expiration date automatically renders the license invalid without any
37 action by the board.

38 SECTION 17. IC 15-5-1.1-19 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 19. (a) An individual
40 who practices veterinary medicine after ~~his~~ **the individual's** license has
41 expired, **been revoked, or been placed on inactive status** or an
42 individual who acts as a registered veterinary technician after ~~his~~ **the**

C
O
P
Y



1 **individual's registration has expired, been revoked, or been placed**
 2 **on inactive status** is in violation of this chapter.

3 (b) A veterinarian may renew an expired license or a veterinary
 4 technician may renew an expired registration certificate within five (5)
 5 years of the date of expiration by making written application for
 6 renewal and paying the fee ~~prescribed in section 20 or 21~~ **established**
 7 **by rules adopted under section 20.2** of this chapter. ~~After five (5)~~
 8 ~~years have elapsed since the date of the expiration of a license or a~~
 9 ~~registration certificate it may not be renewed; but the person may make~~
 10 ~~application for a new license or registration certificate and take the~~
 11 ~~appropriate examinations. The board may adopt rules under~~
 12 **IC 4-22-2 establishing the following:**

13 (1) **Continuing education requirements that must be met**
 14 **before an expired license or registration may be renewed.**

15 (2) **Prerequisites or conditions for the renewal of a license that**
 16 **has been expired for at least five (5) years.**

17 ~~(b)~~ (c) **To have a license or registration placed on inactive status,**
 18 **a licensed veterinarian or registered veterinarian technician must**
 19 **notify the board in writing of the veterinarian's or technician's**
 20 **desire to have the license or registration placed on inactive status.**
 21 **If the board places the license or registration of a veterinarian or**
 22 **technician on inactive status, the board may shall waive the**
 23 **continuing education requirements, if any, and payment of the**
 24 **renewal fee of a licensed veterinarian or registered veterinary**
 25 **technician during the period he is on during the renewal period. A**
 26 **license or registration may be placed on inactive status during the**
 27 **period:**

28 (1) **the veterinarian or technician is on active duty with any**
 29 **branch of the armed services of the United States;**

30 (2) **the veterinarian or technician is in the Peace Corps; or**

31 (3) **the veterinarian or technician is in an doing alternative**
 32 **service However, the board may not waive the fee for a period**
 33 **that exceeds three (3) years or the duration of a national**
 34 **emergency, whichever is longer. during a time of national**
 35 **emergency;**

36 (4) **the veterinarian or technician is suffering from a severe**
 37 **medical condition that would prevent the veterinarian or**
 38 **technician from meeting the requirements of the board;**

39 (5) **after the veterinarian or technician retires; or**

40 (6) **established by rules adopted under IC 4-22-2 by the board.**

41 **A veterinarian or technician that is retired and on inactive status**
 42 **may not maintain an office or otherwise practice veterinary**



C
O
P
Y

1 **medicine. The board may adopt rules under IC 4-22-2 that**
 2 **establish prerequisites or conditions for the reactivation of an**
 3 **inactive license or registration.**

4 SECTION 18. IC 15-5-1.1-20.2 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 20.2. The board ~~shall~~
 6 **may** establish by rule **adopted** under ~~IC 25-1-8~~ **IC 4-22-2** fees
 7 sufficient to implement this chapter. The fees established under this
 8 section shall be charged and collected by the ~~bureau~~ **board or the**
 9 **board's designee.**

10 SECTION 19. IC 15-5-1.1-23 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 23. Upon written
 12 complaint sworn to by any individual, the board may, by the
 13 concurrence of four (4) members, after a hearing and based upon
 14 findings of fact, discipline a registered veterinary technician by
 15 revoking or suspending ~~his~~ **the technician's** registration for a time
 16 certain, placing ~~him~~ **the technician** on probation, or by any other
 17 appropriate means for any of the following reasons:

18 (1) The use of fraud, misrepresentation, or deception in obtaining
 19 ~~his~~ **a** registration.

20 (2) Chronic inebriety, or the unlawful use of a controlled
 21 substance.

22 (3) The use of advertising or solicitation which is false or
 23 misleading or is otherwise deemed unprofessional under rules
 24 promulgated by the board.

25 (4) Conviction of or a plea of guilty to the charge of a felony or
 26 misdemeanor involving moral turpitude.

27 (5) Incompetence, gross negligence, or malpractice in performing
 28 as a registered veterinary technician.

29 (6) Cruelty to animals.

30 (7) Representing ~~himself~~ **the technician** as a veterinarian.

31 (8) Disciplinary action taken against the technician's registration
 32 by the board or by the licensing agency of any other state or
 33 jurisdiction by reason of the technician's inability to practice
 34 safely as a registered veterinary technician, if the reason is valid
 35 in the opinion of the board.

36 SECTION 20. IC 15-5-1.1-25 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 25. ~~Identification of~~
 38 ~~Registered Veterinary Technicians:~~ (a) During working hours or when
 39 actively performing ~~his~~ **the technician's** duties, a registered veterinary
 40 technician must wear a unique mark of identification on ~~his~~ **the**
 41 **technician's** clothing approved by the board that identifies ~~him~~ **the**
 42 **technician** as a registered veterinary technician.



C
O
P
Y

1 (b) A registered veterinary technician may use the title "registered
2 veterinary technician" or the abbreviation "R.V.T."

3 (c) No individual, other than a registered veterinary technician may
4 advertise or offer ~~his the individual's~~ services in a manner calculated
5 to lead others to believe that ~~he the individual~~ is a trained veterinary
6 technician or a registered veterinary technician.

7 SECTION 21. IC 15-5-1.1-26 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 26. ~~Restrictions on~~
9 ~~Registered Veterinary Technicians~~: A registered veterinary technician
10 may not diagnose, prognose, prescribe medical or surgical treatment,
11 or perform as a surgeon. However, ~~he the technician~~ may perform
12 routine procedures defined by board rules while under the direct
13 supervision of a licensed veterinarian who shall be responsible for ~~his~~
14 ~~the technician's~~ performance.

15 SECTION 22. IC 15-5-1.1-27 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 27. ~~Direct Supervision~~
17 ~~of Veterinary Employees~~: A licensed veterinarian who is required to
18 directly supervise an employee must be present within ~~his the~~
19 ~~veterinarian's~~ usual practice area, able to communicate directly with
20 ~~his the~~ employee at all times that the employee is performing animal
21 health care, and prepared to personally assume treatment, if necessary
22 for the welfare of the animal. Direct communication may be verbal, by
23 telephone, or by two-way radio. Such instructions must be recorded by
24 the employee and repeated by ~~him the employee~~ to ~~his the employee's~~
25 supervising licensed veterinarian.

26 SECTION 23. IC 15-5-1.1-28 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 28. ~~Display of~~
28 ~~Certificates~~: The holder of a license or special permit to practice
29 veterinary medicine or of a registration or special permit to act as a
30 veterinary technician, must display ~~his the~~ certificate of license,
31 registration, or special permit in such a manner as to be visible and
32 readable by persons in the office of the veterinarian.

33 SECTION 24. IC 15-5-1.1-29 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 29. ~~Prescriptions~~: A
35 licensed veterinarian may write prescriptions, and ~~his the~~ prescriptions
36 shall be given the same recognition by druggists and pharmacists as
37 they give the prescriptions of persons holding an unlimited license to
38 practice medicine or osteopathic medicine.

39 SECTION 25. IC 15-5-1.1-30 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 30. ~~Emergencies~~:
41 Notwithstanding any other provision in this chapter, in an emergency,
42 in the absence of ~~his the~~ licensed veterinarian employer, an employee



C
O
P
Y

1 may perform the duties it is lawful for ~~him~~ **the employee** to perform
 2 under the direct supervision of a licensed veterinarian in accordance
 3 with the rules of the board and the written authority of ~~his~~ **the** licensed
 4 veterinary employer.

5 SECTION 26. IC 15-5-1.1-31 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 31. ~~Good Samaritan~~
 7 ~~Deeds~~. A licensed veterinarian or a registered veterinary technician
 8 who on ~~his~~ **the veterinarian's or technician's** own initiative gives
 9 emergency treatment to a sick or injured animal is not liable in
 10 damages to the owner of such animal in the absence of gross
 11 negligence. If a licensed veterinarian performs euthanasia on the
 12 animal, there is a presumption that such was a humane act, necessary
 13 to relieve it of pain and suffering.

14 SECTION 27. IC 15-5-1.1-33 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 33. ~~Abandoned~~
 16 ~~Animals~~. (a) An animal placed in the custody of a veterinarian shall be
 17 considered to be abandoned five (5) days after the veterinarian has
 18 given written notice to the individual who delivered the animal to ~~him~~
 19 **the veterinarian** that the animal should be reclaimed by the individual.
 20 Such written notice shall be delivered to the place given by the
 21 individual as ~~his~~ **the individual's** mailing address at the time ~~he~~ **the**
 22 **individual** delivered the animal to the veterinarian.

23 (b) Abandonment of an animal under this section constitutes the
 24 relinquishment of all rights and claims by the owner of the animal and
 25 it may be sold or otherwise disposed of as the veterinarian may see fit
 26 and the purchaser or donee of the animal shall receive full and clear
 27 title to the animal.

28 (c) The giving of notice as provided in this section relieves the
 29 veterinarian and all persons who receive such an animal from the
 30 veterinarian of criminal or civil liability.

31 (d) The individual who delivered an animal abandoned under this
 32 section is liable for all reasonable and customary expenses incurred for
 33 diagnosis, treatment, hospitalization, surgery, board, euthanasia, and
 34 disposal of the abandoned animal.

35 SECTION 28. IC 15-5-1.1-34 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 34. A person who
 37 knowingly:

38 (1) practices veterinary medicine in this state without a license or
 39 special permit to practice veterinary medicine issued by the
 40 board; or

41 (2) supplies false information on ~~his~~ **an** application for a license
 42 as a veterinarian;



C
O
P
Y

1 commits a Class B misdemeanor.
 2 SECTION 29. IC 15-5-1.1-35 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 35. A person who
 4 knowingly:
 5 (1) acts as a registered veterinary technician in this state without
 6 being registered as a veterinary technician with the board or
 7 having a special permit issued by the board; or
 8 (2) supplies false information on ~~his~~ **an** application for
 9 registration as a veterinary technician;
 10 commits a Class B misdemeanor.
 11 SECTION 30. IC 15-5-1.1-37 IS ADDED TO THE INDIANA
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2000]: **Sec. 37. (a) Except as provided in**
 14 **subsections (b) and (c), and except to the extent the procedures and**
 15 **standards specifically do not apply to the practice of veterinary**
 16 **medicine, the board shall adopt rules under IC 4-22-2 that subject**
 17 **the board and individuals who hold a license, registration**
 18 **certificate, or special permit under this chapter to the same**
 19 **procedures and standards of practice as those required by**
 20 **IC 25-1-9, including the notice provisions for a summary**
 21 **suspension of a license under IC 25-1-9-10(b) and IC 25-1-9-10(c).**
 22 **(b) Rules adopted under subsection (a) must require the board**
 23 **to perform the same functions as are performed under IC 25-1-9**
 24 **by the consumer protection division of the office of the attorney**
 25 **general and the health professions bureau.**
 26 **(c) The board may adopt rules under IC 4-22-2 providing**
 27 **informal procedures designed to simplify the settlement of matters**
 28 **in a manner that reduces the need for formal procedures. Rules**
 29 **adopted under this subsection must be consistent with IC 4-21.5.**
 30 SECTION 31. IC 25-1-2-6, AS AMENDED BY P.L.24-1999,
 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2000]: Sec. 6. (a) As used in this section, "license" includes
 33 all occupational and professional licenses, registrations, permits, and
 34 certificates issued under the Indiana Code, and "licensee" includes all
 35 occupational and professional licensees, registrants, permittees, and
 36 certificate holders regulated under the Indiana Code.
 37 (b) This section applies to the following entities that regulate
 38 occupations or professions under the Indiana Code:
 39 (1) Indiana board of accountancy.
 40 (2) Indiana grain buyers and warehouse licensing agency.
 41 (3) Indiana auctioneer commission.
 42 (4) Board of registration for architects.

COPY



- 1 (5) State board of barber examiners.
 2 (6) State board of cosmetology examiners.
 3 (7) Medical licensing board of Indiana.
 4 (8) Secretary of state.
 5 (9) State board of dentistry.
 6 (10) State board of funeral and cemetery service.
 7 (11) Worker's compensation board of Indiana.
 8 (12) Indiana state board of health facility administrators.
 9 (13) Committee of hearing aid dealer examiners.
 10 (14) Indiana state board of nursing.
 11 (15) Indiana optometry board.
 12 (16) Indiana board of pharmacy.
 13 (17) Indiana plumbing commission.
 14 (18) Board of podiatric medicine.
 15 (19) Private detectives licensing board.
 16 (20) State board of registration for professional engineers.
 17 (21) Board of environmental health specialists.
 18 (22) State psychology board.
 19 (23) Indiana real estate commission.
 20 (24) Speech-language pathology and audiology board.
 21 (25) Department of natural resources.
 22 (26) State boxing commission.
 23 (27) Board of chiropractic examiners.
 24 (28) Mining board.
 25 ~~(29) Indiana board of veterinary medical examiners:~~
 26 ~~(30) (29) State department of health.~~
 27 ~~(31) (30) Indiana physical therapy committee.~~
 28 ~~(32) (31) Respiratory care committee.~~
 29 ~~(33) (32) Occupational therapy committee.~~
 30 ~~(34) (33) Social worker, marriage and family therapist, and~~
 31 ~~mental health counselor board.~~
 32 ~~(35) (34) Real estate appraiser licensure and certification board.~~
 33 ~~(36) (35) State board of registration for land surveyors.~~
 34 ~~(37) (36) Physician assistant committee.~~
 35 ~~(38) (37) Indiana dietitians certification board.~~
 36 ~~(39) (38) Indiana hypnotist committee.~~
 37 ~~(40) (39) Any other occupational or professional agency created~~
 38 ~~after June 30, 1981.~~
 39 (c) Notwithstanding any other law, the entities included in
 40 subsection (b) shall send a notice of the upcoming expiration of a
 41 license to each licensee at least sixty (60) days prior to the expiration
 42 of the license. The notice must inform the licensee of the need to renew

C
O
P
Y

1 and the requirement of payment of the renewal fee. If this notice of
 2 expiration is not sent by the entity, the licensee is not subject to a
 3 sanction for failure to renew if, once notice is received from the entity,
 4 the license is renewed within forty-five (45) days of the receipt of the
 5 notice.

6 SECTION 32. IC 25-1-5-3, AS AMENDED BY P.L.24-1999,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2000]: Sec. 3. (a) There is established the health professions
 9 bureau. The bureau shall perform all administrative functions, duties,
 10 and responsibilities assigned by law or rule to the executive director,
 11 secretary, or other statutory administrator of the following:

- 12 (1) Board of chiropractic examiners (IC 25-10-1).
- 13 (2) State board of dentistry (IC 25-14-1).
- 14 (3) Indiana state board of health facility administrators
 15 (IC 25-19-1).
- 16 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 17 (5) Indiana state board of nursing (IC 25-23-1).
- 18 (6) Indiana optometry board (IC 25-24).
- 19 (7) Indiana board of pharmacy (IC 25-26).
- 20 (8) Board of podiatric medicine (IC 25-29-2-1).
- 21 (9) Board of environmental health specialists (IC 25-32).
- 22 (10) Speech-language pathology and audiology board
 23 (IC 25-35.6-2).
- 24 (11) State psychology board (IC 25-33).
- 25 ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1.1):~~
- 26 ~~(13)~~ (12) Controlled substances advisory committee
 27 (IC 35-48-2-1).
- 28 ~~(14)~~ (13) Committee of hearing aid dealer examiners (IC 25-20).
- 29 ~~(15)~~ (14) Indiana physical therapy committee (IC 25-27).
- 30 ~~(16)~~ (15) Respiratory care committee (IC 25-34.5).
- 31 ~~(17)~~ (16) Occupational therapy committee (IC 25-23.5).
- 32 ~~(18)~~ (17) Social worker, marriage and family therapist, and
 33 mental health counselor board (IC 25-23.6).
- 34 ~~(19)~~ (18) Physician assistant committee (IC 25-27.5).
- 35 ~~(20)~~ (19) Indiana athletic trainers board (IC 25-5.1-2-1).
- 36 ~~(21)~~ (20) Indiana dietitians certification board (IC 25-14.5-2-1).
- 37 ~~(22)~~ (21) Indiana hypnotist committee (IC 25-20.5-1-7).

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

40 SECTION 33. IC 25-1-7-1, AS AMENDED BY P.L.24-1999,
 41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2000]: Sec. 1. As used in this chapter:



C
O
P
Y

- 1 "Board" means the appropriate agency listed in the definition of
 2 regulated occupation in this section.
- 3 "Director" refers to the director of the division of consumer
 4 protection.
- 5 "Division" refers to the division of consumer protection, office of
 6 the attorney general.
- 7 "Licensee" means a person who is:
 8 (1) licensed, certified, or registered by a board listed in this
 9 section; and
 10 (2) the subject of a complaint filed with the division.
- 11 "Person" means an individual, a partnership, a limited liability
 12 company, or a corporation.
- 13 "Regulated occupation" means an occupation in which a person is
 14 licensed, certified, or registered by one (1) of the following:
 15 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 16 (2) Board of registration for architects (IC 25-4-1-2).
 17 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 18 (4) State board of barber examiners (IC 25-7-5-1).
 19 (5) State boxing commission (IC 25-9-1).
 20 (6) Board of chiropractic examiners (IC 25-10-1).
 21 (7) State board of cosmetology examiners (IC 25-8-3-1).
 22 (8) State board of dentistry (IC 25-14-1).
 23 (9) State board of funeral and cemetery service (IC 25-15-9).
 24 (10) State board of registration for professional engineers
 25 (IC 25-31-1-3).
 26 (11) Indiana state board of health facility administrators
 27 (IC 25-19-1).
 28 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 29 (13) Indiana state board of nursing (IC 25-23-1).
 30 (14) Indiana optometry board (IC 25-24).
 31 (15) Indiana board of pharmacy (IC 25-26).
 32 (16) Indiana plumbing commission (IC 25-28.5-1-3).
 33 (17) Board of podiatric medicine (IC 25-29-2-1).
 34 (18) Board of environmental health specialists (IC 25-32-1).
 35 (19) State psychology board (IC 25-33).
 36 (20) Speech-language pathology and audiology board
 37 (IC 25-35.6-2).
 38 (21) Indiana real estate commission (IC 25-34.1-2).
 39 ~~(22) Indiana board of veterinary medical examiners (IC 15-5-1.1):~~
 40 ~~(23)~~ **(22)** Department of natural resources for purposes of
 41 licensing water well drillers under IC 25-39-3.
 42 ~~(24)~~ **(23)** Respiratory care committee (IC 25-34.5).

C
O
P
Y

- 1 ~~(25)~~ **(24)** Private detectives licensing board (IC 25-30-1-5.1).
 2 ~~(26)~~ **(25)** Occupational therapy committee (IC 25-23.5).
 3 ~~(27)~~ **(26)** Social worker, marriage and family therapist, and
 4 mental health counselor board (IC 25-23.6).
 5 ~~(28)~~ **(27)** Real estate appraiser licensure and certification board
 6 (IC 25-34.1-8).
 7 ~~(29)~~ **(28)** State board of registration for land surveyors
 8 (IC 25-21.5-2-1).
 9 ~~(30)~~ **(29)** Physician assistant committee (IC 25-27.5).
 10 ~~(31)~~ **(30)** Indiana athletic trainers board (IC 25-5.1-2-1).
 11 ~~(32)~~ **(31)** Indiana dietitians certification board (IC 25-14.5-2-1).
 12 ~~(33)~~ **(32)** Indiana hypnotist committee (IC 25-20.5-1-7).
 13 ~~(34)~~ **(33)** Indiana physical therapy committee (IC 25-27).
 14 ~~(35)~~ **(34)** Any other occupational or professional agency created
 15 after June 30, 1981.

16 SECTION 34. IC 25-1-8-1, AS AMENDED BY P.L.24-1999,
 17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2000]: Sec. 1. As used in this chapter, "board" means any of
 19 the following:

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



- 1 (21) Indiana real estate commission (IC 25-34.1-2-1).
 2 ~~(22) Indiana board of veterinary medical examiners~~
 3 ~~(IC 15-5-1.1-3).~~
 4 ~~(23) (22) Department of insurance (IC 27-1).~~
 5 ~~(24) (23) State police department (IC 10-1-1-1), for purposes of~~
 6 ~~certifying polygraph examiners under IC 25-30-2.~~
 7 ~~(25) (24) Department of natural resources for purposes of~~
 8 ~~licensing water well drillers under IC 25-39-3.~~
 9 ~~(26) (25) Private detectives licensing board (IC 25-30-1-5.1).~~
 10 ~~(27) (26) Occupational therapy committee (IC 25-23.5-2-1).~~
 11 ~~(28) (27) Social worker, marriage and family therapist, and~~
 12 ~~mental health counselor board (IC 25-23.6-2-1).~~
 13 ~~(29) (28) Real estate appraiser licensure and certification board~~
 14 ~~(IC 25-34.1-8).~~
 15 ~~(30) (29) State board of registration for land surveyors~~
 16 ~~(IC 25-21.5-2-1).~~
 17 ~~(31) (30) Physician assistant committee (IC 25-27.5).~~
 18 ~~(32) (31) Indiana athletic trainers board (IC 25-5.1-2-1).~~
 19 ~~(33) (32) Board of podiatric medicine (IC 25-29-2-1).~~
 20 ~~(34) (33) Indiana dietitians certification board (IC 25-14.5-2-1).~~
 21 ~~(35) (34) Indiana physical therapy committee (IC 25-27).~~
 22 ~~(36) (35) Any other occupational or professional agency created~~
 23 ~~after June 30, 1981.~~
 24 SECTION 35. IC 25-1-9-1, AS AMENDED BY P.L.24-1999,
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2000]: Sec. 1. As used in this chapter, "board" means any of
 27 the following:
 28 (1) Board of chiropractic examiners (IC 25-10-1).
 29 (2) State board of dentistry (IC 25-14-1).
 30 (3) Indiana state board of health facility administrators
 31 (IC 25-19-1).
 32 (4) Medical licensing board of Indiana (IC 25-22.5-2).
 33 (5) Indiana state board of nursing (IC 25-23-1).
 34 (6) Indiana optometry board (IC 25-24).
 35 (7) Indiana board of pharmacy (IC 25-26).
 36 (8) Board of podiatric medicine (IC 25-29-2-1).
 37 (9) Board of environmental health specialists (IC 25-32).
 38 (10) Speech-language pathology and audiology board
 39 (IC 25-35.6-2).
 40 (11) State psychology board (IC 25-33).
 41 ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
 42 ~~(13) (12) Indiana physical therapy committee (IC 25-27-1).~~



C
O
P
Y

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

C
o
p
y

