



January 28, 2000

# SENATE BILL No. 158

DIGEST OF SB 158 (Updated January 26, 2000 1:59 PM - DI 88)

**Citations Affected:** IC 15-5; IC 25-1; noncode.

**Synopsis:** Veterinarians. 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 due process procedures the consumer protection division of the attorney general's office must follow before the Indiana board of veterinary medical examiners (board) summarily suspends a practitioner's license. Allows the board to renew and place on inactive status a license or registration that expired in 1999 if the former licensee or registrant requests renewal and inactive status not later than July 1, 2001.

**Effective:** July 1, 2000.

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## Jackman

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January 10, 2000, read first time and referred to Committee on Health and Provider Services.  
January 27, 2000, amended, reported favorably — Do Pass.

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SB 158—LS 6462/DI 101+



January 28, 2000

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

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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

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

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

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

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

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

17 SECTION 2. IC 15-5-1.1-9 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 9. ~~License and~~  
19 ~~Registration Requirements and Exceptions.~~ ~~No~~ A person may ~~not~~  
20 practice veterinary medicine in ~~this state~~ **Indiana** unless ~~he the person~~  
21 is a licensed ~~as a~~ veterinarian **in Indiana** or holds a special permit  
22 issued by the board, and ~~no~~ a person may ~~not~~ act as a veterinary  
23 technician in ~~this state~~ **Indiana** unless ~~he the person~~ is a registered ~~as~~  
24 a veterinary technician **in Indiana** or holds a special permit issued by  
25 the board. ~~except:~~ **The following persons are not required to meet**  
26 **the licensing, registration, or special permit requirements under**  
27 **this chapter:**

28 (1) A veterinarian on the faculty of the School of Veterinary  
29 Medicine at Purdue University performing ~~his~~ regular duties, or  
30 a veterinarian employed by the animal disease diagnostic  
31 laboratory performing ~~his~~ regular duties.

32 (2) A veterinarian employed by a federal, state, or local  
33 government agency performing ~~his~~ official duties.

34 (3) An individual who is a regular student in an accredited college  
35 of veterinary medicine or veterinary technology performing duties  
36 or actions assigned by ~~his~~ instructors or working under the direct  
37 supervision of a licensed veterinarian.

38 (4) An extern.

39 (5) A veterinarian licensed and resident in another state or nation  
40 who occasionally consults with a licensed veterinarian.

41 (6) The owner of an animal or ~~his~~ a regular employee **of the**  
42 **owner** caring for and treating that animal, except where the

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1 ownership of the animal was transferred for purposes of  
2 circumventing this chapter.

3 (7) A guest lecturing or giving instructions or demonstrations at  
4 the School of Veterinary Medicine at Purdue University, or  
5 elsewhere, in connection with a continuing education program.

6 (8) An individual while engaged in bona fide scientific research  
7 which reasonably requires experimentation involving animals.

8 (9) A graduate of a foreign college of veterinary medicine who is  
9 in the process of obtaining an ECFVG certificate and who is  
10 under the direct supervision of a licensed veterinarian. ~~and~~

11 (10) A veterinarian who is enrolled in a postgraduate instructional  
12 program in an accredited college of veterinary medicine,  
13 performing duties or actions assigned by his instructors or  
14 working under the direct supervision of a licensed veterinarian.

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

- 21 (1) a graduate of an accredited college of veterinary medicine; **or**  
22 (2) **enrolled in the last term of the last year of the veterinary**  
23 **medical curriculum of an accredited school of veterinary**  
24 **medicine.**

25 **If the applicant is enrolled as a last term student as described in**  
26 **subdivision (2), a letter from the dean of the student's veterinary**  
27 **school confirming that the applicant is a last term student, attesting**  
28 **to the satisfactory academic standing of the student, and stating the**  
29 **date on which the degree is expected to be conferred upon the**  
30 **student must accompany the application.** A license to practice  
31 veterinary medicine in Indiana may not be issued until satisfactory  
32 proof has been furnished to the board either that the applicant has  
33 graduated from an accredited college of veterinary medicine or that ~~he~~  
34 **the applicant** is the holder of an Educational Commission for Foreign  
35 Veterinary Graduates (ECFVG) certificate. The application must show  
36 such reasonable information and proof as the board may require by  
37 rule. The application must be accompanied by the fee in the amount  
38 required under this chapter.

39 (b) When the board determines that the applicant possesses the  
40 proper qualifications, the board may grant the applicant a license. If an  
41 applicant is found not to be qualified to take the examination or for a  
42 license without examination, the executive secretary of the board shall



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1 immediately notify the applicant in writing of such finding and the  
 2 grounds therefore. Applicants found unqualified may request a hearing  
 3 on the question of their qualifications.

4 SECTION 4. IC 15-5-1.1-12 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. (a) The board shall  
 6 hold at least one (1) examination for licensing veterinarians and one (1)  
 7 examination for registering veterinary technicians each year but it may  
 8 hold more. The bureau shall give notice of the time and place for each  
 9 examination at least ninety (90) days in advance of the date set for the  
 10 examination. A person desiring to take an examination must make  
 11 application at least ~~forty-five (45)~~ days before the date of the  
 12 examination.

13 (b) The preparation, administration, and grading of examinations  
 14 shall be approved by the board. Examinations shall be designed to test  
 15 the examinee's knowledge of and proficiency in the subjects and  
 16 techniques commonly taught in veterinary schools. To pass the  
 17 examination, the examinee must demonstrate scientific and practical  
 18 knowledge sufficient to prove to the board that the examinee is  
 19 competent to practice veterinary medicine or to act as a veterinary  
 20 technician, as the case may be. The board may adopt and use  
 21 examinations approved by the National Board Examination Committee.

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

25 (d) After the examinations, the bureau shall notify each examinee  
 26 of the result of ~~his~~ **the examinee's** examinations and the board shall  
 27 issue a license or registration certificate, as appropriate, to each  
 28 individual who successfully completes the examinations and is  
 29 otherwise qualified. The bureau shall keep a permanent record of the  
 30 issuance of each license or registration certificate.

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

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

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



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1 **on inactive status** is in violation of this chapter.

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

11 ~~(b)~~ (c) **To have a license or registration placed on inactive status,**  
12 **a licensed veterinarian or registered veterinarian technician must**  
13 **notify the board in writing of the veterinarian's or technician's**  
14 **desire to have the license or registration placed on inactive status.**  
15 **If the board places the license or registration of a veterinarian or**  
16 **technician on inactive status,** the board ~~may~~ **shall** waive the payment  
17 of the renewal fee ~~of a licensed veterinarian or registered veterinary~~  
18 ~~technician during the period he is on~~ **during the renewal period. A**  
19 **license or registration may be placed on inactive status during the**  
20 **period:**

- 21 (1) **the veterinarian or technician is on** active duty with any  
22 branch of the armed services of the United States;  
23 (2) **the veterinarian or technician is** in the Peace Corps; ~~or~~  
24 (3) **the veterinarian or technician is in an** ~~doing~~ alternative  
25 service ~~However, the board may not waive the fee for a period~~  
26 ~~that exceeds three (3) years or the duration of a national~~  
27 ~~emergency, whichever is longer.~~ **during a time of national**  
28 **emergency;**  
29 (4) **the veterinarian or technician is suffering from a severe**  
30 **medical condition that would prevent the veterinarian or**  
31 **technician from meeting the requirements of the board; or**  
32 (5) **after the veterinarian or technician retires.**

33 **A veterinarian or technician who is retired and on inactive status**  
34 **may not maintain an office or otherwise practice veterinary**  
35 **medicine. The board may adopt rules under IC 4-22-2 that**  
36 **establish prerequisites or conditions for the reactivation of an**  
37 **inactive license or registration.**

38 SECTION 6. IC 15-5-1.1-23 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 23. Upon written  
40 complaint sworn to by any individual, the board may, by the  
41 concurrence of four (4) members, after a hearing and based upon  
42 findings of fact, discipline a registered veterinary technician by



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1 revoking or suspending **his the technician's** registration for a time  
 2 certain, placing **him the technician** on probation, or by any other  
 3 appropriate means for any of the following reasons:

4 (1) The use of fraud, misrepresentation, or deception in obtaining  
 5 **his a** registration.

6 (2) Chronic inebriety, or the unlawful use of a controlled  
 7 substance.

8 (3) The use of advertising or solicitation which is false or  
 9 misleading or is otherwise deemed unprofessional under rules  
 10 promulgated by the board.

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

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

15 (6) Cruelty to animals.

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

17 (8) Disciplinary action taken against the technician's registration  
 18 by the board or by the licensing agency of any other state or  
 19 jurisdiction by reason of the technician's inability to practice  
 20 safely as a registered veterinary technician, if the reason is valid  
 21 in the opinion of the board.

22 SECTION 7. IC 15-5-1.1-25 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 25. ~~Identification of~~  
 24 ~~Registered Veterinary Technicians~~: (a) During working hours or when  
 25 actively performing **his the technician's** duties, a registered veterinary  
 26 technician must wear a unique mark of identification on **his the**  
 27 **technician's** clothing approved by the board that identifies **him the**  
 28 **technician** as a registered veterinary technician.

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

31 (c) No individual, other than a registered veterinary technician may  
 32 advertise or offer **his the individual's** services in a manner calculated  
 33 to lead others to believe that **he the individual** is a trained veterinary  
 34 technician or a registered veterinary technician.

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

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1 SECTION 9. IC 15-5-1.1-27 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 27. ~~Direct Supervision~~  
 3 ~~of Veterinary Employees~~. A licensed veterinarian who is required to  
 4 directly supervise an employee must be present within ~~his the~~  
 5 **veterinarian's** usual practice area, able to communicate directly with  
 6 ~~his the~~ employee at all times that the employee is performing animal  
 7 health care, and prepared to personally assume treatment, if necessary  
 8 for the welfare of the animal. Direct communication may be verbal, by  
 9 telephone, or by two-way radio. Such instructions must be recorded by  
 10 the employee and repeated by ~~him the employee~~ to ~~his the employee's~~  
 11 supervising licensed veterinarian.

12 SECTION 10. IC 15-5-1.1-28 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 28. ~~Display of~~  
 14 ~~Certificates~~. The holder of a license or special permit to practice  
 15 veterinary medicine or of a registration or special permit to act as a  
 16 veterinary technician, must display ~~his the~~ certificate of license,  
 17 registration, or special permit in such a manner as to be visible and  
 18 readable by persons in the office of the veterinarian.

19 SECTION 11. IC 15-5-1.1-29 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 29. ~~Prescriptions~~. A  
 21 licensed veterinarian may write prescriptions, and ~~his the~~ prescriptions  
 22 shall be given the same recognition by druggists and pharmacists as  
 23 they give the prescriptions of persons holding an unlimited license to  
 24 practice medicine or osteopathic medicine.

25 SECTION 12. IC 15-5-1.1-30 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 30. ~~Emergencies~~.  
 27 Notwithstanding any other provision in this chapter, in an emergency,  
 28 in the absence of ~~his the~~ licensed veterinarian employer, an employee  
 29 may perform the duties it is lawful for ~~him the employee~~ to perform  
 30 under the direct supervision of a licensed veterinarian in accordance  
 31 with the rules of the board and the written authority of ~~his the~~ licensed  
 32 veterinary employer.

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

42 SECTION 14. IC 15-5-1.1-33 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 33. ~~Abandoned~~  
 2 ~~Animals~~. (a) An animal placed in the custody of a veterinarian shall be  
 3 considered to be abandoned five (5) days after the veterinarian has  
 4 given written notice to the individual who delivered the animal to ~~him~~  
 5 **the veterinarian** that the animal should be reclaimed by the individual.  
 6 Such written notice shall be delivered to the place given by the  
 7 individual as ~~his~~ **the individual's** mailing address at the time ~~he~~ **the**  
 8 **individual** delivered the animal to the veterinarian.

9 (b) Abandonment of an animal under this section constitutes the  
 10 relinquishment of all rights and claims by the owner of the animal and  
 11 it may be sold or otherwise disposed of as the veterinarian may see fit  
 12 and the purchaser or donee of the animal shall receive full and clear  
 13 title to the animal.

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

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

21 SECTION 15. IC 15-5-1.1-34 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 34. A person who  
 23 knowingly:

24 (1) practices veterinary medicine in this state without a license or  
 25 special permit to practice veterinary medicine issued by the  
 26 board; or

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

29 commits a Class B misdemeanor.

30 SECTION 16. IC 15-5-1.1-35 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 35. A person who  
 32 knowingly:

33 (1) acts as a registered veterinary technician in this state without  
 34 being registered as a veterinary technician with the board or  
 35 having a special permit issued by the board; or

36 (2) supplies false information on ~~his~~ **an** application for  
 37 registration as a veterinary technician;

38 commits a Class B misdemeanor.

39 SECTION 17. IC 25-1-9-10 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) The board may  
 41 summarily suspend a practitioner's license for ninety (90) days before  
 42 a final adjudication or during the appeals process if the board finds that



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1 a practitioner represents a clear and immediate danger to the public  
 2 health and safety if the practitioner is allowed to continue to practice.  
 3 The summary suspension may be renewed upon a hearing before the  
 4 board, and each renewal may be for ninety (90) days or less.

5 (b) Before the board may summarily suspend a license that has been  
 6 issued under **IC 15-5-1.1**, IC 25-22.5 or IC 25-14, the consumer  
 7 protection division of the attorney general's office shall make a  
 8 reasonable attempt to notify a practitioner of a hearing by the board to  
 9 suspend a practitioner's license and of information regarding the  
 10 allegation against the practitioner. The consumer protection division of  
 11 the attorney general's office shall also notify the practitioner that the  
 12 practitioner may provide a written or an oral statement to the board on  
 13 the practitioner's behalf before the board issues an order for summary  
 14 suspension. A reasonable attempt to reach the practitioner is made if  
 15 the consumer protection division of the attorney general's office  
 16 attempts to reach the practitioner by telephone or facsimile at the last  
 17 telephone number of the practitioner on file with the board.

18 (c) After a reasonable attempt is made to notify a practitioner under  
 19 subsection (b):

20 (1) a court may not stay or vacate a summary suspension of a  
 21 practitioner's license for the sole reason that the practitioner was  
 22 not notified; and

23 (2) the practitioner may not petition the board for a delay of the  
 24 summary suspension proceedings.

25 **SECTION 18. [EFFECTIVE JULY 1, 2000] (a) Notwithstanding**  
 26 **IC 15-5-1.1-19, as amended by this act, the Indiana board of**  
 27 **veterinary medical examiners shall renew and place on inactive**  
 28 **status a license or registration that expired in 1999, if the former**  
 29 **licensee or registrant requests renewal and inactive status in**  
 30 **writing not later than July 1, 2001.**

31 (b) **This SECTION expires July 1, 2002.**

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 158, 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 2, reset in roman lines 7 through 8.
- Page 3, delete lines 3 through 4.
- Page 3, delete lines 19 through 42.
- Delete pages 4 through 12.
- Page 13, delete lines 1 through 3.
- Page 13, line 5, strike "License and".
- Page 13, line 6, strike "Registration Requirements and Exceptions. No" and insert "A".
- Page 13, line 6, after "may" insert "**not**".
- Page 13, line 9, strike "no" and insert "**a**".
- Page 13, line 9, after "may" insert "**not**".
- Page 14, line 37, reset in roman "bureau".
- Page 14, line 37, delete "board".
- Page 14, line 41, delete "and not later than such time as the board may" and insert ".".
- Page 14, delete line 42.
- Page 15, line 13, reset in roman "bureau".
- Page 15, line 13, delete "board".
- Page 15, line 17, reset in roman "bureau".
- Page 15, line 17, delete "board".
- Page 15, delete lines 25 through 42.
- Page 16, delete lines 1 through 37.
- Page 17, line 7, delete "adopted under" and insert "**as provided in**".
- Page 17, line 7, reset in roman "After five (5)".
- Page 17, reset in roman lines 8 through 10.
- Page 17, line 11, reset in roman "appropriate examinations.".
- Page 17, line 11, delete "The board may adopt rules under".
- Page 17, delete lines 12 through 16.
- Page 17, line 23, delete "continuing education requirements, if any, and".
- Page 17, line 38, after ";" insert "**or**".
- Page 17, line 39, delete "; or" and insert ".".
- Page 17, delete line 40.
- Page 17, line 41, delete "that" and insert "**who**".
- Page 18, delete lines 4 through 9.
- Page 21, delete lines 11 through 42, begin a new paragraph and

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insert:

"SECTION 20. IC 25-1-9-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public health and safety if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for ninety (90) days or less.

(b) Before the board may summarily suspend a license that has been issued under **IC 15-5-1.1**, IC 25-22.5 or IC 25-14, the consumer protection division of the attorney general's office shall make a reasonable attempt to notify a practitioner of a hearing by the board to suspend a practitioner's license and of information regarding the allegation against the practitioner. The consumer protection division of the attorney general's office shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to reach the practitioner is made if the consumer protection division of the attorney general's office attempts to reach the practitioner by telephone or facsimile at the last telephone number of the practitioner on file with the board.

(c) After a reasonable attempt is made to notify a practitioner under subsection (b):

- (1) a court may not stay or vacate a summary suspension of a practitioner's license for the sole reason that the practitioner was not notified; and
- (2) the practitioner may not petition the board for a delay of the summary suspension proceedings.

**SECTION 21. [EFFECTIVE JULY 1, 2000] (a) Notwithstanding IC 15-5-1.1-19, as amended by this act, the Indiana board of veterinary medical examiners shall renew and place on inactive status a license or registration that expired in 1999, if the former licensee or registrant requests renewal and inactive status in writing not later than July 1, 2001.**

**(b) This SECTION expires July 1, 2002."**

Delete pages 22 through 27.

C  
O  
P  
Y



Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to SB 158 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

C  
o  
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