



Reprinted  
January 25, 2000

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## SENATE BILL No. 178

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DIGEST OF SB 178 (Updated January 24, 2000 3:17 PM - DI 77)

**Citations Affected:** IC 25-20.5; noncode.

**Synopsis:** Hypnotist school accreditation. Amends definition of hypnotism. Provides that one member of the Indiana hypnotist committee who is a hypnotist must be the owner or director of an approved school of hypnosis. Provides that no two members of the committee may belong to the same professional hypnosis association. Provides that the hours of hypnotism education completed by an individual who applies for a certificate as a hypnotist must be from an Indiana school or program of hypnotism approved by the Indiana commission on proprietary education or from any other state approved school or program that the commission finds has requirements as stringent as those necessary for the commission's approval of an Indiana school or program of hypnotism. (Under current law the hours must be from a school or program of hypnotism approved by the Indiana medical licensing board.). Prohibits practices regarding hypnotist advertising and practice.

**Effective:** Upon passage; July 1, 2000.

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January 10, 2000, read first time and referred to Committee on Health and Provider Services.  
January 20, 2000, amended, reported favorably — Do Pass.  
January 24, 2000, read second time, amended, ordered engrossed.

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SB 178—LS 6486/DI 100+



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Reprinted  
January 25, 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. 178

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

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

1 SECTION 1. IC 25-20.5-1-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. As used in this  
3 chapter, "hypnotism" means a temporary condition of altered or  
4 intensified attention induced in an individual by a person who professes  
5 to be a hypnotist, in which the condition is characterized by a variety  
6 of phenomena that appear spontaneously or in response to verbal or  
7 other stimuli, including the following phenomena:

- 8 (1) Alterations in consciousness and memory.  
9 (2) Increased suggestibility.  
10 (3) The production of responses and ideas unfamiliar to the  
11 individual in the individual's usual state of mind.

12 **The term includes neurolinguistic programming, transformational**  
13 **imagery, guided imagery, and visualization.**

14 SECTION 2. IC 25-20.5-1-7 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. (a) There is created  
16 a six (6) member Indiana hypnotist committee to assist the board in  
17 carrying out this chapter regarding the qualifications and examinations

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1 of hypnotists. The committee is comprised of:

2 (1) three (3) hypnotists, **one (1) of whom must be the owner or**  
 3 **director of a school of hypnosis approved by the Indiana**  
 4 **commission on proprietary education under IC 20-1-19;**

5 (2) one (1) physician licensed under IC 25-22.5;

6 (3) one (1) licensed psychologist who has received a health  
 7 service provider endorsement under IC 25-33-1-5.1; and

8 (4) one (1) individual who is a resident of Indiana and who is not  
 9 associated with hypnotism in any way, other than as a consumer.

10 (b) The governor shall make each appointment for a term of three  
 11 (3) years. Each hypnotist appointed must:

12 (1) be a certified hypnotist for at least three (3) years under this  
 13 chapter;

14 (2) have at least three (3) years experience in the actual practice  
 15 of hypnotism immediately preceding appointment; and

16 (3) be a resident of Indiana and actively engaged in the practice  
 17 of hypnotism while a member of the committee.

18 (c) Not more than three (3) members of the committee may be from  
 19 the same political party. A member of the ~~board~~ **committee** is not  
 20 required to be a member of a professional hypnosis association.  
 21 **However, no two (2) hypnotist members appointed to the**  
 22 **committee may belong to the same professional hypnosis**  
 23 **association.**

24 (d) A member of the committee may be removed for cause by the  
 25 governor.

26 (e) The board shall appoint a chairman from among the members of  
 27 the committee.

28 SECTION 3. IC 25-20.5-1-11 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 11. (a) An individual  
 30 who applies for a certificate as a hypnotist must do the following:

31 (1) Present satisfactory evidence to the committee that the  
 32 individual:

33 (A) does not have a conviction for a crime that has a direct  
 34 bearing on the individual's ability to practice competently;

35 (B) has not been the subject of a disciplinary action by a  
 36 licensing or certification agency of another state or jurisdiction  
 37 on the grounds that the individual was not able to practice as  
 38 a hypnotist without endangering the public; and

39 (C) has at least three hundred fifty (350) hours of hypnotism  
 40 education from ~~a~~ **an Indiana** school or program of hypnotism  
 41 **that is** approved by the ~~board~~ **that includes Indiana**  
 42 **commission on proprietary education (referred to as "the**



1 **commission" in this clause) under IC 20-1-19 or from any**  
 2 **other state approved school or program that is found by**  
 3 **the commission to have requirements as stringent as**  
 4 **necessary for the commission's approval of an Indiana**  
 5 **school or program of hypnotism, including the following:**

6 (i) At least one hundred fifty (150) hours of supervised  
 7 practice of hypnotism with a qualified supervisor, with not  
 8 less than one (1) hour of personal supervision for every  
 9 fifteen (15) hours of supervised practice.

10 (ii) At least one hundred fifty (150) hours of classroom  
 11 instruction in the practice of hypnotism. A classroom hour  
 12 may not be less than a fifty (50) minute period of instruction  
 13 with both the instructor and student in attendance.  
 14 Classroom instruction does not include video tape  
 15 correspondence courses or other forms of electronic  
 16 presentation.

17 (iii) At least fifty (50) hours of video tape instruction in the  
 18 practice of hypnotism. Video tape instruction may be used  
 19 as a home study assignment.

20 (2) Pay the fee established by the board.

21 (b) An individual may not enroll in a school or program of  
 22 hypnotism to satisfy the requirement under subsection (a)(1)(C) unless  
 23 the individual:

24 (1) is at least eighteen (18) years of age; and

25 (2) has graduated from high school or received a:

26 (A) high school equivalency certificate; or

27 (B) state of Indiana general education development (GED)  
 28 diploma under IC 20-10.1-12.1.

29 SECTION 4. IC 25-20.5-1-24 IS ADDED TO THE INDIANA  
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2000]: **Sec. 24. A hypnotist may not use,**  
 32 **advocate, teach, or condone the following practices while engaged**  
 33 **in the practice of hypnotism or advertising hypnotism services:**

34 (1) **Satanism.**

35 (2) **Satanic rituals.**

36 (3) **Spiritualism.**

37 (4) **Spirit or demon deposal.**

38 SECTION 5. P.L.175-1997, SECTION 8, IS AMENDED TO READ  
 39 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The governor  
 40 shall make the initial appointments to the Indiana hypnotist committee  
 41 established by IC 25-20.5-1-7, as added by this act, before July 1, 1997.

42 (b) Notwithstanding IC 25-20.5-1-7, as added by this act, the initial



1 terms of office of the members of the Indiana hypnotist committee are  
2 as follows:

3 (1) One (1) hypnotist member and the licensed psychologist  
4 member for terms of one (1) year.

5 (2) One (1) hypnotist member and the consumer member for  
6 terms of two (2) years.

7 (3) One (1) hypnotist member and the physician member for  
8 terms of three (3) years.

9 (c) Notwithstanding IC 25-20.5-1-7, as added by this act, an  
10 individual appointed to the Indiana hypnotist committee as a member  
11 under this SECTION does not need to be certified as a hypnotist.  
12 However, a hypnotist member must have completed at least three  
13 hundred (300) supervised classroom hours of hypnotism education  
14 from a school that is approved by the Indiana commission on  
15 proprietary education under IC 20-1-19 or by any other state that has  
16 requirements as stringent as required in Indiana. No two (2) hypnotist  
17 members appointed to the Indiana hypnotist committee may belong to  
18 the same professional hypnosis association (as defined by  
19 IC 25-20.5-1-6).

20 (d) Notwithstanding IC 25-20.5-1-15, as added by this act, an  
21 individual who applies for certification to the Indiana hypnotist  
22 committee before January 1, ~~1998~~, **2005**, may:

23 (1) be certified as a hypnotist without being required to take the  
24 examination if the individual has completed at least three hundred  
25 (300) supervised classroom hours of hypnotism education from a  
26 school that is approved by the Indiana commission on proprietary  
27 education under IC 20-1-19 or by any other state that has  
28 requirements as stringent as required in Indiana; or

29 (2) take the examination, notwithstanding the individual's failure  
30 to meet the requirements of IC 25-20.5-1-10(a)(1)(C), as added by  
31 this act, if the individual meets the other requirements under  
32 IC 25-20.5-1-10, as added by this act, and has had at least ten (10)  
33 years of continued experience in hypnotism or has completed  
34 before July 1, 1997, a course in hypnotism from a state approved  
35 school that included less than three hundred (300) classroom  
36 hours.

37 (e) This SECTION expires July 1, ~~2000~~, **2005**.

38 **SECTION 6. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 178, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-20.5-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. (a) There is created a six (6) member Indiana hypnotist committee to assist the board in carrying out this chapter regarding the qualifications and examinations of hypnotists. The committee is comprised of:

- (1) three (3) hypnotists, **one (1) of whom must be the owner or director of a school of hypnosis approved by the Indiana commission on proprietary education under IC 20-1-19;**
  - (2) one (1) physician licensed under IC 25-22.5;
  - (3) one (1) licensed psychologist who has received a health service provider endorsement under IC 25-33-1-5.1; and
  - (4) one (1) individual who is a resident of Indiana and who is not associated with hypnotism in any way, other than as a consumer.
- (b) The governor shall make each appointment for a term of three (3) years. Each hypnotist appointed must:
- (1) be a certified hypnotist for at least three (3) years under this chapter;
  - (2) have at least three (3) years experience in the actual practice of hypnotism immediately preceding appointment; and
  - (3) be a resident of Indiana and actively engaged in the practice of hypnotism while a member of the committee.
- (c) Not more than three (3) members of the committee may be from the same political party. A member of the board is not required to be a member of a professional hypnosis association.
- (d) A member of the committee may be removed for cause by the governor.
- (e) The board shall appoint a chairman from among the members of the committee."

Page 2, after line 26, begin a new paragraph and insert:

"SECTION 3. P.L.175-1997, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The governor shall make the initial appointments to the Indiana hypnotist committee established by IC 25-20.5-1-7, as added by this act, before July 1, 1997.

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(b) Notwithstanding IC 25-20.5-1-7, as added by this act, the initial terms of office of the members of the Indiana hypnotist committee are as follows:

- (1) One (1) hypnotist member and the licensed psychologist member for terms of one (1) year.
- (2) One (1) hypnotist member and the consumer member for terms of two (2) years.
- (3) One (1) hypnotist member and the physician member for terms of three (3) years.

(c) Notwithstanding IC 25-20.5-1-7, as added by this act, an individual appointed to the Indiana hypnotist committee as a member under this SECTION does not need to be certified as a hypnotist. However, a hypnotist member must have completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana. No two (2) hypnotist members appointed to the Indiana hypnotist committee may belong to the same professional hypnosis association (as defined by IC 25-20.5-1-6).

(d) Notwithstanding IC 25-20.5-1-15, as added by this act, an individual who applies for certification to the Indiana hypnotist committee before January 1, ~~1998~~, **1999**, may:

- (1) be certified as a hypnotist without being required to take the examination if the individual has completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana; or
- (2) take the examination, notwithstanding the individual's failure to meet the requirements of IC 25-20.5-1-10(a)(1)(C), as added by this act, if the individual meets the other requirements under IC 25-20.5-1-10, as added by this act, and has had at least ten (10) years of continued experience in hypnotism or has completed before July 1, 1997, a course in hypnotism from a state approved school that included less than three hundred (300) classroom hours.

(e) This SECTION expires July 1, ~~2000~~, **2005**.

**SECTION 4. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 4-22-2, each of the following proposed final rules in LSA document #99-52 as published in the May 1, 1999, Indiana Register have the force and effect of a final rule adopted**



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under IC 4-22-2:

(1) 844 IAC 12-1-4 (as printed at 22 IR 2643).

(2) 844 IAC 12-5-3(c) (as printed at 22 IR 2644).

(b) A proposed rule described in subsection (a) expires on the earlier of the following:

(1) The date a final rule based on the proposed rule described in subsection (a) is adopted.

(2) July 1, 2002.

(c) The medical licensing board of Indiana shall adopt final rules based on the proposed final rules described in subsection (a) before January 1, 2002. This SECTION does not relieve the medical licensing board of Indiana from complying with IC 4-22-2 in the adoption of the final rules based upon the proposed rules described in subsection (a).

(d) This SECTION expires July 1, 2002.

SECTION 5. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 178 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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## SENATE MOTION

Mr. President: I move that Senate Bill 178 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-20.5-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. As used in this chapter, "hypnotism" means a temporary condition of altered or intensified attention induced in an individual by a person who professes to be a hypnotist, in which the condition is characterized by a variety of phenomena that appear spontaneously or in response to verbal or other stimuli, including the following phenomena:

- (1) Alterations in consciousness and memory.
- (2) Increased suggestibility.
- (3) The production of responses and ideas unfamiliar to the individual in the individual's usual state of mind.

**The term includes neurolinguistic programming, transformational imagery, guided imagery, and visualization."**

Page 2, line 6, strike "board" and insert "committee".

Page 2, line 7, after "association." insert "**However, no two (2) hypnotist members appointed to the committee may belong to the same professional hypnosis association.**".

Page 3, between lines 12 and 13, begin a new paragraph and insert: "SECTION 4. IC 25-20.5-1-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 24. A hypnotist may not use, advocate, teach, or condone the following practices while engaged in the practice of hypnotism or advertising hypnotism services:**

- (1) Satanism.
- (2) Satanic rituals.
- (3) Spiritualism.
- (4) Spirit or demon deposal."

Page 3, line 39, delete "1999" and insert "2005".

Page 4, delete lines 13 through 31.

Renumber all SECTIONS consecutively.

(Reference is to SB 178 as printed January 21, 2000.)

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