

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1821 be amended to read as follows:

- 1 Page 9, between lines 12 and 13, begin a new paragraph and insert:
2 "SECTION 11. IC 25-1-4-5, AS ADDED BY P.L.157-2006,
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2007]: Sec. 5. (a) Notwithstanding any other law, if the board
5 determines that a practitioner has not complied with this chapter **or**
6 **IC 25-1-8-6** at the time that the practitioner applies for license renewal
7 **or reinstatement** or after an audit conducted under section 3 of this
8 chapter, the board shall do the following:
9 (1) Send the practitioner notice of noncompliance by certified
10 mail.
11 (2) As a condition of license renewal **or reinstatement**, require
12 the practitioner to comply with subsection (b).
13 (3) **For license renewal**, issue a conditional license to the
14 practitioner that is effective until the practitioner complies with
15 subsection (b).
16 (b) Upon receipt of a notice of noncompliance under subsection (a),
17 a practitioner shall do either of the following:
18 (1) If the practitioner believes that the practitioner has complied
19 with this chapter **or IC 25-1-8-6, if applicable**, within twenty-one
20 (21) days of receipt of the notice, send written notice to the board
21 requesting a review so that the practitioner may submit proof of
22 compliance.
23 (2) If the practitioner does not disagree with the board's
24 determination of noncompliance, do the following:
25 (A) Except as provided in subsection (d), pay to the board a
26 civil penalty not to exceed one thousand dollars (\$1,000)
27 within twenty-one (21) days of receipt of the notice.
28 (B) Acquire, within six (6) months after receiving the notice,
29 the number of credit hours needed to achieve full compliance.
30 (C) Comply with all other provisions of this chapter.
31 (c) If a practitioner fails to comply with subsection (b), the board

1 shall immediately suspend **or refuse to reinstate** the license of the
 2 practitioner and send notice of the suspension **or refusal** to the
 3 practitioner by certified mail.

4 (d) If the board determines that a practitioner has knowingly or
 5 intentionally made a false or misleading statement to the board
 6 concerning compliance with the continuing education requirements, in
 7 addition to the requirements under this section the board may impose
 8 a civil penalty of not more than five thousand dollars (\$5,000) under
 9 subsection (b)(2)(A).

10 (e) The board shall:

11 (1) reinstate a ~~practitioner suspended under subsection (c);~~
 12 **practitioner's license;** or

13 (2) renew the practitioner's license in place of the conditional
 14 license issued under subsection (a)(3);

15 if the practitioner supplies proof of compliance with this chapter under
 16 subsection (b)(1) **or IC 25-1-8-6, if applicable.**

17 SECTION 12. IC 25-1-4-6, AS ADDED BY P.L.157-2006,
 18 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2007]: Sec. 6. (a) Notwithstanding any other law, if at the time
 20 a practitioner applies for license renewal **or reinstatement** or after an
 21 audit conducted under section 3 of this chapter, the board determines
 22 that the practitioner has failed to comply with this chapter **or**
 23 **IC 25-1-8-6, if applicable**, and the practitioner has previously received
 24 a notice of noncompliance under section 5(a) of this chapter during the
 25 preceding license period, the board shall do the following:

26 (1) Provide the practitioner notice of noncompliance by certified
 27 mail.

28 (2) Deny the practitioner's application for license renewal **or**
 29 **reinstatement.**

30 (b) The board shall reinstate a license not renewed under subsection
 31 (a) upon occurrence of the following:

32 (1) Payment by a practitioner to the board of a civil penalty
 33 determined by the board, but not to exceed one thousand dollars
 34 (\$1,000).

35 (2) Acquisition by the practitioner of the number of credit hours
 36 required to be obtained by the practitioner during the relevant
 37 license period.

38 (3) The practitioner otherwise complies with this chapter.

39 SECTION 13. IC 25-1-8-2 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Notwithstanding
 41 any other provision regarding the fees to be assessed by a board, a
 42 board shall establish by rule and cause to be collected fees for the
 43 following:

44 (1) Examination of applicants for licensure, registration, or
 45 certification.

46 (2) Issuance, renewal, or transfer of a license, registration, or
 47 certificate.

1 (3) Restoration of an expired license, registration, or certificate
2 when such action is authorized by law.

3 (4) Issuance of licenses by reciprocity or endorsement for
4 out-of-state applicants.

5 (5) Issuance of board or committee reciprocity or endorsements
6 for practitioners licensed, certified, or registered in Indiana who
7 apply to another state for a license.

8 No fee shall be less than ten dollars (\$10) unless the fee is collected
9 under a rule adopted by the board which sets a fee for miscellaneous
10 expenses incurred by the board on behalf of the practitioners the board
11 regulates.

12 (b) Fees established by statute shall remain in effect until replaced
13 by a new fee adopted by rule under this section.

14 (c) In no case shall the fees be less than are required to pay all of the
15 costs, both direct and indirect, of the operation of the board.

16 (d) For the payment of fees, a board shall accept cash, a draft, a
17 money order, a cashier's check, and a certified or other personal check.
18 If a board receives an uncertified personal check for the payment of a
19 fee and if the check does not clear the bank, the board may void the
20 license, registration, or certificate for which the check was received.

21 (e) Unless designated by rule, a fee is not refundable.

22 (f) A board shall charge a fee of not more than ~~ten dollars (\$10)~~
23 **twenty-five dollars (\$25)** for the issuance of a duplicate license,
24 registration, or certificate.

25 SECTION 14. IC 25-1-8-6, AS AMENDED BY P.L.157-2006,
26 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2007]: Sec. 6. (a) As used in this section, "board" means any
28 of the following:

29 (1) Indiana board of accountancy (IC 25-2.1-2-1).

30 (2) Board of registration for architects and landscape architects
31 (IC 25-4-1-2).

32 (3) Indiana athletic trainers board (IC 25-5.1-2-1).

33 (4) Indiana auctioneer commission (IC 25-6.1-2-1).

34 (5) State board of barber examiners (IC 25-7-5-1).

35 (6) State boxing commission (IC 25-9-1).

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

37 (8) State board of cosmetology examiners (IC 25-8-3-1).

38 (9) State board of dentistry (IC 25-14-1).

39 (10) Indiana dietitians certification board (IC 25-14.5-2-1).

40 (11) State board of registration for professional engineers (IC
41 25-31-1-3).

42 (12) Board of environmental health specialists (IC 25-32-1).

43 (13) State board of funeral and cemetery service (IC 25-15-9).

44 (14) Indiana state board of health facility administrators (IC
45 25-19-1).

46 (15) Committee on hearing aid dealer examiners (IC 25-20-1-1.5).

47 (16) Home inspectors licensing board (IC 25-20.2-3-1).

- 1 (17) Indiana hypnotist committee (IC 25-20.5-1-7).
 2 (18) State board of registration for land surveyors (IC
 3 25-21.5-2-1).
 4 (19) Manufactured home installer licensing board (IC 25-23.7).
 5 (20) Medical licensing board of Indiana (IC 25-22.5-2).
 6 (21) Indiana state board of nursing (IC 25-23-1).
 7 (22) Occupational therapy committee (IC 25-23.5).
 8 (23) Indiana optometry board (IC 25-24).
 9 (24) Indiana board of pharmacy (IC 25-26).
 10 (25) Indiana physical therapy committee (IC 25-27).
 11 (26) Physician assistant committee (IC 25-27.5).
 12 (27) Indiana plumbing commission (IC 25-28.5-1-3).
 13 (28) Board of podiatric medicine (IC 25-29-2-1).
 14 (29) Private detectives licensing board (IC 25-30-1-5.1).
 15 (30) State psychology board (IC 25-33).
 16 (31) Indiana real estate commission (IC 25-34.1-2).
 17 (32) Real estate appraiser licensure and certification board (IC
 18 25-34.1-8).
 19 (33) Respiratory care committee (IC 25-34.5).
 20 (34) Social worker, marriage and family therapist, and mental
 21 health counselor board (IC 25-23.6).
 22 (35) Speech-language pathology and audiology board (IC
 23 25-35.6-2).
 24 (36) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 25 (b) This section does not apply to a license, certificate, or
 26 registration that has been revoked or suspended.
 27 (c) Notwithstanding any other law regarding the reinstatement of a
 28 delinquent or lapsed license, certificate, or registration **and except as**
 29 **provided in section 8 of this chapter**, the holder of a license,
 30 certificate, or registration that was issued by the board that is three (3)
 31 years or less delinquent must be reinstated upon meeting the following
 32 requirements:
 33 (1) Submission of the holder's completed renewal application.
 34 (2) Payment of the current renewal fee established by the board
 35 under section 2 of this chapter.
 36 (3) Payment of a reinstatement fee established by the Indiana
 37 professional licensing agency.
 38 (4) If a law requires the holder to complete continuing education
 39 as a condition of renewal, the holder:
 40 (A) shall provide the board with a sworn statement, signed by
 41 the holder, that the holder has fulfilled the continuing
 42 education requirements required by the board; ~~for the current~~
 43 ~~renewal period.~~ or
 44 (B) **if the holder has not complied with the continuing**
 45 **education requirements, is subject to the requirements**
 46 **under IC 25-1-4-5 and IC 25-1-4-6.**
 47 (d) Notwithstanding any other law regarding the reinstatement of a

1 delinquent or lapsed license, certificate, or registration **and except as**
 2 **provided in section 8 of this chapter**, unless a statute specifically
 3 does not allow a license, certificate, or registration to be reinstated if it
 4 has lapsed for more than three (3) years, the holder of a license,
 5 certificate, or registration that was issued by the board that is more than
 6 three (3) years delinquent must be reinstated upon meeting the
 7 following requirements:

- 8 (1) Submission of the holder's completed renewal application.
- 9 (2) Payment of the current renewal fee established by the board
 10 under section 2 of this chapter.
- 11 (3) Payment of a reinstatement fee equal to the current initial
 12 application fee.
- 13 (4) If a law requires the holder to complete continuing education
 14 as a condition of renewal, the holder:
 - 15 (A) shall provide the board with a sworn statement, signed by
 16 the holder, that the holder has fulfilled the continuing
 17 education requirements required by the board; ~~for the current
 18 renewal period.~~ or
 - 19 (B) **if the holder has not complied with the continuing
 20 education requirements, is subject to the requirements
 21 under IC 25-1-4-5 and IC 25-1-4-6.**
- 22 (5) Complete such remediation and additional training as deemed
 23 appropriate by the board given the lapse of time involved.
- 24 (6) Any other requirement that is provided for in statute or rule
 25 that is not related to fees.

26 SECTION 15. IC 25-1-8-8 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2007]: **Sec. 8. (a) As used in this section, "board" has the
 29 meaning set forth in section 6(a) of this chapter.**

30 **(b) The licensing agency may delay reinstating a license,
 31 certificate, or registration for not more than ninety (90) days after
 32 the date the applicant applies for reinstatement of a license,
 33 certificate, or registration to permit the board to investigate
 34 information received by the licensing agency that the applicant for
 35 reinstatement may have committed an act for which the applicant
 36 may be disciplined. If the licensing agency delays reinstating a
 37 license, certificate, or registration, the licensing agency shall notify
 38 the applicant that the applicant is being investigated. Except as
 39 provided in subsection (c), the board shall do one (1) of the
 40 following before the expiration of the ninety (90) day period:**

- 41 (1) **Deny reinstatement of the license, certificate, or
 42 registration following a personal appearance by the applicant
 43 before the board.**
- 44 (2) **Reinstate the license, certificate, or registration upon
 45 satisfaction of all other requirements for reinstatement.**
- 46 (3) **Reinstate the license and file a complaint under IC 25-1-7.**
- 47 (4) **Request the office of the attorney general to conduct an**

1 investigation under subsection (d) if, following a personal
 2 appearance by the applicant before the board, the board has
 3 good cause to believe that the applicant engaged in activity
 4 described in IC 25-1-9-4 or IC 25-1-11-5.

5 (5) Upon agreement of the applicant and the board and
 6 following a personal appearance by the applicant before the
 7 board, reinstate the license, certificate, or registration and
 8 place the applicant on probation status under IC 25-1-9-9 or
 9 IC 25-1-11-12.

10 (c) If an applicant fails to appear before the board under
 11 subsection (b), the board may take action as provided in subsection
 12 (b)(1), (b)(2), or (b)(3).

13 (d) If the board makes a request under subsection (b)(4), the
 14 office of the attorney general shall conduct an investigation. Upon
 15 completion of the investigation, the office of the attorney general
 16 may file a petition alleging that the applicant has engaged in
 17 activity described in IC 25-1-9-4 or IC 25-1-11-5. If the office of the
 18 attorney general files a petition, the board shall set the matter for
 19 a public hearing. If, after a public hearing, the board finds that the
 20 applicant violated IC 25-1-9-4 or IC 25-1-11-5, the board may
 21 impose sanctions under IC 25-1-9-9 or IC 25-1-11-12. The board
 22 may delay reinstating a license, certificate, or registration beyond
 23 ninety (90) days after the date the applicant files an application for
 24 reinstatement of a license, certificate, or registration until a final
 25 determination is made by the board.

26 (e) The license, certificate, or registration of the applicant for
 27 license reinstatement remains invalid during the ninety (90) day
 28 period unless:

29 (1) the license, certificate, or registration is reinstated
 30 following a personal appearance by the applicant before the
 31 board before the end of the ninety (90) day period;

32 (2) the board issues a conditional license to the practitioner
 33 that is effective until the reinstatement is denied or the license
 34 is reinstated; or

35 (3) the reinstatement is denied.

36 If the ninety (90) day period expires without action by the board,
 37 the license, certificate, or registration shall be automatically
 38 reinstated at the end of the ninety (90) day period.

39 SECTION 16. IC 25-1-9-4 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) A practitioner
 41 shall conduct the practitioner's practice in accordance with the
 42 standards established by the board regulating the profession in question
 43 and is subject to the exercise of the disciplinary sanctions under section
 44 9 of this chapter if, after a hearing, the board finds:

45 (1) a practitioner has:

46 (A) engaged in or knowingly cooperated in fraud or material
 47 deception in order to obtain a license to practice, **including**
 48 **cheating on a licensing examination;**

- 1 (B) engaged in fraud or material deception in the course of
 2 professional services or activities; ~~or~~
 3 (C) advertised services in a false or misleading manner; **or**
 4 **(D) engaged in fraudulent billing practices, including fraud**
 5 **under:**
 6 **(i) Medicaid (42 U.S.C. 1396 et seq.);**
 7 **(ii) Medicare (42 U.S.C. 1395 et seq.);**
 8 **(iii) the children's health insurance program under**
 9 **IC 12-17.6; or**
 10 **(iv) insurance claims.**
- 11 (2) a practitioner has been convicted of a crime that:
 12 **(A) has a direct bearing on the practitioner's ability to continue**
 13 **to practice competently; or**
 14 **(B) is harmful to the public;**
- 15 (3) a practitioner has knowingly violated any state statute or rule,
 16 or federal statute or regulation, regulating the profession in
 17 question;
- 18 (4) a practitioner has continued to practice although the
 19 practitioner has become unfit to practice due to:
 20 (A) professional incompetence that:
 21 (i) may include the undertaking of professional activities
 22 that the practitioner is not qualified by training or experience
 23 to undertake; and
 24 (ii) does not include activities performed under
 25 IC 16-21-2-9;
 26 (B) failure to keep abreast of current professional theory or
 27 practice;
 28 (C) physical or mental disability; or
 29 (D) addiction to, abuse of, or severe dependency upon alcohol
 30 or other drugs that endanger the public by impairing a
 31 practitioner's ability to practice safely;
- 32 (5) a practitioner has engaged in a course of lewd or immoral
 33 conduct in connection with the delivery of services to the public;
- 34 (6) a practitioner has allowed the practitioner's name or a license
 35 issued under this chapter to be used in connection with an
 36 individual who renders services beyond the scope of that
 37 individual's training, experience, or competence;
- 38 (7) a practitioner has had disciplinary action taken against the
 39 practitioner or the practitioner's license to practice in any ~~other~~
 40 state or jurisdiction on grounds similar to those under this
 41 chapter;
- 42 (8) a practitioner has diverted:
 43 (A) a legend drug (as defined in IC 16-18-2-199); or
 44 (B) any other drug or device issued under a drug order (as
 45 defined in IC 16-42-19-3) for another person;
- 46 (9) a practitioner, except as otherwise provided by law, has
 47 knowingly prescribed, sold, or administered any drug classified

- 1 as a narcotic, addicting, or dangerous drug to a habitue or addict;
 2 (10) a practitioner has failed to comply with an order imposing a
 3 sanction under section 9 of this chapter;
 4 (11) a practitioner has engaged in sexual contact with a patient
 5 under the practitioner's care or has used the practitioner-patient
 6 relationship to solicit sexual contact with a patient under the
 7 practitioner's care; ~~or~~
 8 (12) a practitioner who is a participating provider of a health
 9 maintenance organization has knowingly collected or attempted
 10 to collect from a subscriber or enrollee of the health maintenance
 11 organization any sums that are owed by the health maintenance
 12 organization; **or**
 13 **(13) a practitioner has assisted another person in committing**
 14 **an act that would be grounds for disciplinary sanctions under**
 15 **this chapter.**

16 (b) A practitioner who provides health care services to the
 17 practitioner's spouse is not subject to disciplinary action under
 18 subsection (a)(11).

19 (c) A certified copy of the record of disciplinary action is conclusive
 20 evidence of the other jurisdiction's disciplinary action under subsection
 21 (a)(7).

22 SECTION 17. IC 25-1-9-16 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) The board may
 24 refuse to issue a license or may issue a probationary license to an
 25 applicant for licensure if:

- 26 (1) the applicant has been disciplined by a licensing entity of
 27 ~~another~~ **any** state or jurisdiction, or has committed an act that
 28 would have subjected the applicant to the disciplinary process had
 29 the applicant been licensed in Indiana when the act occurred; and
 30 (2) the violation for which the applicant was, or could have been,
 31 disciplined has a direct bearing on the applicant's ability to
 32 competently practice in Indiana.

33 **(b) The board may:**

- 34 **(1) refuse to issue a license; or**
 35 **(2) issue a probationary license;**
 36 **to an applicant for licensure if the applicant practiced without a**
 37 **license in violation of the law.**

38 ~~(b)~~ **(c)** Whenever the board issues a probationary license, the board
 39 may impose one (1) or more of the following conditions:

- 40 (1) Report regularly to the board upon the matters that are the
 41 basis of the discipline of the other state or jurisdiction.
 42 (2) Limit practice to those areas prescribed by the board.
 43 (3) Continue or renew professional education.
 44 (4) Engage in community restitution or service without
 45 compensation for a number of hours specified by the board.
 46 (5) Perform or refrain from performing an act that the board
 47 considers appropriate to the public interest or to the rehabilitation

- 1 or treatment of the applicant.
- 2 ~~(c)~~ (d) The board shall remove any limitations placed on a
 3 probationary license under this section if the board finds after a hearing
 4 that the deficiency that required disciplinary action has been remedied.
- 5 SECTION 18. IC 25-1-11-5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) A practitioner
 7 shall comply with the standards established by the board regulating a
 8 profession. A practitioner is subject to the exercise of the disciplinary
 9 sanctions under section 12 of this chapter if, after a hearing, the board
 10 finds that:
- 11 (1) a practitioner has:
- 12 (A) engaged in or knowingly cooperated in fraud or material
 13 deception in order to obtain a license to practice, including
 14 cheating on a licensing examination;
- 15 (B) engaged in fraud or material deception in the course of
 16 professional services or activities; ~~or~~
- 17 (C) advertised services or goods in a false or misleading
 18 manner; **or**
- 19 **(D) engaged in fraudulent billing practices;**
- 20 (2) a practitioner has been convicted of a crime that:
- 21 (A) has a direct bearing on the practitioner's ability to continue
 22 to practice competently; **or**
- 23 **(B) is harmful to the public;**
- 24 (3) a practitioner has knowingly violated a state statute or rule or
 25 federal statute or regulation regulating the profession for which
 26 the practitioner is licensed;
- 27 (4) a practitioner has continued to practice although the
 28 practitioner has become unfit to practice due to:
- 29 (A) professional incompetence, **including undertaking**
 30 **professional activities that the practitioner is not qualified**
 31 **by training or experience to undertake;**
- 32 (B) failure to keep abreast of current professional theory or
 33 practice;
- 34 (C) physical or mental disability; or
- 35 (D) addiction to, abuse of, or severe dependency on alcohol or
 36 other drugs that endanger the public by impairing a
 37 practitioner's ability to practice safely;
- 38 (5) a practitioner has engaged in a course of lewd or immoral
 39 conduct in connection with the delivery of services to the public;
- 40 (6) a practitioner has allowed the practitioner's name or a license
 41 issued under this chapter to be used in connection with an
 42 individual or business who renders services beyond the scope of
 43 that individual's or business's training, experience, or competence;
- 44 (7) a practitioner has had disciplinary action taken against the
 45 practitioner or the practitioner's license to practice in ~~another~~ **any**
 46 state or jurisdiction on grounds similar to those under this
 47 chapter;

1 (8) a practitioner has assisted another person in committing an act
 2 that would constitute a ground for disciplinary sanction under this
 3 chapter; ~~or~~

4 (9) a practitioner has allowed a license issued by a board to be:

5 (A) used by another person; or

6 (B) displayed to the public when the license has expired, is
 7 inactive, or has been revoked or suspended; ~~or~~

8 **(10) a practitioner has failed to comply with an order**
 9 **imposing a sanction under section 12 of this chapter.**

10 (b) If an applicant or a practitioner has engaged in or knowingly
 11 cooperated in fraud or material deception to obtain a license to
 12 practice, including cheating on the licensing examination, the board
 13 may rescind the license if it has been granted, void the examination or
 14 other fraudulent or deceptive material, and prohibit the applicant from
 15 reapplying for the license for a length of time established by the board.
 16 An applicant who is aggrieved by a decision of the board under this
 17 section is entitled to hearing and appeal rights under the Indiana
 18 administrative rules and procedures act (IC 4-21.5).

19 ~~(c) The board may deny licensure to an applicant who has had~~
 20 ~~disciplinary action taken against the applicant or the applicant's license~~
 21 ~~to practice in another state or jurisdiction or who has practiced without~~
 22 ~~a license in violation of the law.~~

23 ~~(d) (c)~~ A certified copy of the record of disciplinary action is
 24 conclusive evidence of the other jurisdiction's disciplinary action under
 25 subsection (a)(7). ~~or subsection (c):~~

26 SECTION 19. IC 25-1-11-13 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. **(a)** The board may
 28 summarily suspend a practitioner's license for ninety (90) days before
 29 a final adjudication or during the appeals process if the board finds that
 30 a practitioner represents a clear and immediate danger to the public's
 31 health, safety, or property if the practitioner is allowed to continue to
 32 practice. The summary suspension may be renewed upon a hearing
 33 before the board, and each renewal may be for not more than ninety
 34 (90) days.

35 **(b) The board may summarily suspend the license of a real**
 36 **estate appraiser for ninety (90) days before a final adjudication or**
 37 **during the appeals process if the board finds that the licensed real**
 38 **estate appraiser has engaged in material and intentional**
 39 **misrepresentations or omissions in the preparation of at least three**
 40 **(3) written appraisal reports that were submitted by a person to**
 41 **obtain a loan. The summary suspension may be renewed upon a**
 42 **hearing before the board. Each renewal of a summary suspension**
 43 **may not be for more than ninety (90) days.**

44 **(c) Before the board may summarily suspend a license under**
 45 **this section, the consumer protection division of the attorney**
 46 **general's office shall make a reasonable attempt to notify a**
 47 **practitioner of a hearing by the board to suspend a practitioner's**

1 license and of information regarding the allegation against the
 2 practitioner. The consumer protection division of the attorney
 3 general's office shall also notify the practitioner that the
 4 practitioner may provide a written or an oral statement to the
 5 board on the practitioner's behalf before the board issues an order
 6 for summary suspension. A reasonable attempt to notify the
 7 practitioner is made if the consumer protection division of the
 8 attorney general's office attempts to reach the practitioner by
 9 telephone or facsimile at the last telephone number or facsimile
 10 number of the practitioner on file with the board.

11 SECTION 20. IC 25-1-11-19, AS ADDED BY P.L.194-2005,
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2007]: Sec. 19. (a) The board may refuse to issue a license or
 14 may issue a probationary license to an applicant for licensure if:

15 (1) the applicant has:

16 (A) been disciplined by a licensing entity of another state or
 17 jurisdiction; or

18 (B) committed an act that would have subjected the applicant
 19 to the disciplinary process if the applicant had been licensed
 20 in Indiana when the act occurred; and

21 (2) the violation for which the applicant was or could have been
 22 disciplined has a bearing on the applicant's ability to competently
 23 perform or practice the profession in Indiana.

24 **(b) The board may:**

25 **(1) refuse to issue a license; or**

26 **(2) issue a probationary license;**

27 **to an applicant for licensure if the applicant practiced without a**
 28 **license in violation of the law.**

29 ~~(b)~~ **(c)** Whenever the board issues a probationary license, the board
 30 may require a licensee to do any of the following:

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

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

34 (3) Continue or renew professional education requirements.

35 (4) Engage in community restitution or service without
 36 compensation for the number of hours specified by the board.

37 (5) Perform or refrain from performing an act that the board
 38 considers appropriate to the public interest or to the rehabilitation
 39 or treatment of the applicant.

40 ~~(c)~~ **(d)** The board shall remove any limitations placed on a
 41 probationary license under this section if the board finds after a public
 42 hearing that the deficiency that required disciplinary action has been
 43 remedied.

44 SECTION 21. IC 25-2.1-1-12 IS AMENDED TO READ AS
 45 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. "Quality review"
 46 means a study, an appraisal, or a review of at least one (1) aspect of the
 47 professional work of an individual or a firm in the practice of

1 accountancy, by at least one (1) individual who:

- 2 (1) holds a **valid CPA certificate from any state;** and ~~who~~
 3 (2) is independent of the individual or firm being reviewed.

4 SECTION 22. IC 25-7-7-3, AS AMENDED BY P.L.157-2006,
 5 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2007]: Sec. 3. The application described in section 2 of this
 7 chapter must state that:

- 8 (1) the proposed school will require students to successfully
 9 complete at least one thousand five hundred (1,500) hours of
 10 course work as a requirement for graduation;
 11 (2) not more than ~~eight (8)~~ **ten (10)** hours of course work may be
 12 taken by a student during one (1) day;
 13 (3) the course work will provide instruction to students in all
 14 theories and practical applications of barbering, including:
 15 (A) the scientific fundamentals for barbering, hygiene, and
 16 bacteriology;
 17 (B) the histology of hair, skin, muscles, and nerves;
 18 (C) the structure of the head, face, and neck;
 19 (D) elementary chemistry relating to sterilization and
 20 antiseptics;
 21 (E) cutting, shaving, arranging, dressing, coloring, bleaching,
 22 tinting, and permanent waving of the hair; and
 23 (F) at least ten (10) hours of study on skin and diseases of the
 24 skin under a certified dermatologist;
 25 (4) the school will provide one (1) instructor for each group of
 26 twenty (20) or fewer students;
 27 (5) the school will be operated under the personal supervision of
 28 a licensed barber instructor;
 29 (6) the applicant has obtained:
 30 (A) a building permit;
 31 (B) a certificate of occupancy; or
 32 (C) any other planning approval required under IC 22-15-3
 33 and IC 36-7-4;
 34 required to operate the school;
 35 (7) the school, if located in the same building as a residence, will:
 36 (A) be separated from the residence by a substantial floor to
 37 ceiling partition; and
 38 (B) have a separate entrance;
 39 (8) as a requirement for graduation, the proposed school must:
 40 (A) administer; and
 41 (B) require the student to pass;
 42 a final practical demonstration examination of the acts permitted
 43 by the license; and
 44 (9) the applicant has paid the fee set forth in IC 25-7-11-2.

45 SECTION 23. IC 25-8-2-15.5 IS ADDED TO THE INDIANA
 46 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 47 [EFFECTIVE JULY 1, 2007]: **Sec. 15.5. "Mobile salon" means**

- 1 **either of the following:**
- 2 **(1) A self-contained facility that may be moved, towed, or**
- 3 **transported from one (1) location to another and in which**
- 4 **cosmetology, electrology, esthetics, or manicuring is**
- 5 **practiced.**
- 6 **(2) A business in which cosmetology, electrology, esthetics, or**
- 7 **manicuring equipment is transported to and used on a**
- 8 **temporary basis at a location other than a selected salon site,**
- 9 **including:**
- 10 **(A) other cosmetology, electrology, esthetic, or manicuring**
- 11 **salons;**
- 12 **(B) clients' homes; and**
- 13 **(C) nursing homes.**
- 14 SECTION 24. IC 25-8-3-23 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23. **(a)** The board shall
- 16 adopt rules under IC 4-22-2 to:
- 17 (1) prescribe sanitary requirements for:
- 18 (A) cosmetology salons;
- 19 (B) electrology salons;
- 20 (C) esthetic salons;
- 21 (D) manicuring salons; and
- 22 (E) cosmetology schools;
- 23 (2) establish standards for the practice of cosmetology and the
- 24 operation of:
- 25 (A) cosmetology salons;
- 26 (B) electrology salons;
- 27 (C) esthetic salons;
- 28 (D) manicuring salons; and
- 29 (E) cosmetology schools;
- 30 (3) implement the licensing system under this article and provide
- 31 for a staggered renewal system for licenses; and
- 32 (4) establish requirements for cosmetology school uniforms for
- 33 students and instructors.
- 34 **(b) The board may adopt rules under IC 4-22-2 to establish the**
- 35 **following for the practice of cosmetology, electrology, esthetics, or**
- 36 **manicuring in a mobile salon:**
- 37 **(1) Sanitation standards.**
- 38 **(2) Safety requirements.**
- 39 **(3) Permanent address requirements at which the**
- 40 **following are located:**
- 41 **(A) Records of appointments.**
- 42 **(B) License numbers of employees.**
- 43 **(C) If applicable, the vehicle identification number of the**
- 44 **license holder's self-contained facility.**
- 45 **(4) Enforcement actions to ensure compliance with the**
- 46 **requirements under this article and all local laws and**
- 47 **ordinances.**

1 SECTION 25. IC 25-8-4-21, AS AMENDED BY P.L.157-2006,
 2 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2007]: Sec. 21. **(a)** Except as provided in IC 25-8-9-11, the
 4 board may, upon application, reinstate a license under this chapter that
 5 has expired if the person holding the license:

6 (1) pays renewal fees established by the board under IC 25-1-8-2;

7 (2) pays the license reinstatement fee established under
 8 IC 25-1-8-6; and

9 (3) complies with all **of the** requirements imposed by this article
 10 on an applicant for an initial license to perform the acts
 11 authorized by the license being reinstated; other than receiving a
 12 satisfactory grade (as defined in section 9 of this chapter) on an
 13 examination prescribed by the board. **established under**
 14 **IC 25-1-8-6.**

15 **(b)** Except as provided in subsection (e), the board may not
 16 reinstate a license issued under this article if the person holding the
 17 license does not apply for reinstatement within four (4) years after
 18 the expiration date of the license, unless the person holding the
 19 license;

20 (1) receives a satisfactory grade (as described in section 9 of
 21 this chapter) on an examination prescribed by the board;

22 (2) pays the examination fee set forth in IC 25-1-8-2;

23 (3) pays the renewal fees established by the board under
 24 IC 25-1-8-2; and

25 (4) pays the reinstatement fee established under IC 25-1-8-6.

26 **(c)** If a person does not receive a satisfactory grade on the
 27 examination described in subsection (b)(1), the person may repeat
 28 the examination subject to the rules governing the examination as
 29 adopted by the board.

30 **(d)** If a person does not receive a satisfactory grade on a repeat
 31 examination as provided in subsection (c), the board may:

32 (1) permit the person to take the examination again;

33 (2) require the person to complete remediation and additional
 34 training as required by the board before the person is
 35 permitted to take the examination again; or

36 (3) refuse to permit the person to take the examination again
 37 and deny the application for reinstatement of the license.

38 **(e)** The board may not reinstate:

39 (1) a cosmetology salon license issued under IC 25-8-7;

40 (2) an electrology salon license issued under IC 25-8-7.2;

41 (3) an esthetic salon license issued under IC 25-8-12.6; or

42 (4) a manicurist salon license issued under IC 25-8-7.1;

43 unless the license holder submits an application for reinstatement
 44 of the license not later than two (2) years after the date the license
 45 expires.

46 **(f)** The board may not reinstate a cosmetology school license
 47 issued under IC 25-8-5 unless the license holder submits an

1 **application for reinstatement of the license not later than six (6)**
 2 **months after the date the license expires.**

3 SECTION 26. IC 25-8-4-27, AS AMENDED BY P.L.194-2005,
 4 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2007]: Sec. 27. If a person holding a license described in
 6 section ~~22(b)~~ **21(e) or 21(f)** of this chapter does not comply with the
 7 reinstatement application filing requirements set forth in that section,
 8 that person may:

- 9 (1) file an application for a new license to operate:
 10 (A) a cosmetology salon;
 11 (B) an electrology salon;
 12 (C) an esthetic salon;
 13 (D) a manicurist salon; or
 14 (E) a cosmetology school;
 15 under this article; and
 16 (2) pay the reinstatement fee set forth in:
 17 (A) IC 25-8-13-3; or
 18 (B) IC 25-8-13-5(b).

19 SECTION 27. IC 25-8-5-3, AS AMENDED BY P.L.157-2006,
 20 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2007]: Sec. 3. The application described in section 2 of this
 22 chapter must state that:

- 23 (1) as a requirement for graduation, the proposed school will
 24 require its students to successfully complete at least the one
 25 thousand five hundred (1,500) hours of course work required to
 26 be eligible to sit for the licensing examination;
 27 (2) no more than ~~eight (8)~~ **ten (10)** hours of course work may be
 28 taken by a student during one (1) day;
 29 (3) the course work will instruct the students in all theories and
 30 practical application of the students' specific course of study;
 31 (4) the school will provide one (1) instructor for each twenty (20)
 32 students or any fraction of that number;
 33 (5) the school will be operated under the personal supervision of
 34 a licensed cosmetologist instructor;
 35 (6) the person has obtained any building permit, certificate of
 36 occupancy, or other planning approval required under IC 22-15-3
 37 and IC 36-7-4 to operate the school;
 38 (7) the school, if located in the same building as a residence, will:
 39 (A) be separated from the residence by a substantial floor to
 40 ceiling partition; and
 41 (B) have a separate entry;
 42 (8) as a requirement for graduation, the proposed school must:
 43 (A) administer; and
 44 (B) require the student to pass;
 45 a final practical demonstration examination of the acts permitted
 46 by the license; and
 47 (9) the applicant has paid the fee set forth in IC 25-8-13-3.

1 SECTION 28. IC 25-8-6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The board may
3 license a person to be a ~~cosmetology~~ **beauty culture** instructor.

4 SECTION 29. IC 25-8-6-2 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. A person must file
6 a verified application for a ~~cosmetology~~ **beauty culture** instructor
7 license with the board. ~~to obtain that license.~~ The application must be
8 made on a form prescribed by the board.

9 SECTION 30. IC 25-8-6-3 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. The application
11 described in section 2 of this chapter must state that the applicant:

- 12 (1) is at least eighteen (18) years of age;
- 13 (2) has graduated from high school or received the equivalent of
14 a high school education;
- 15 (3) holds a cosmetologist, **an electrologist, a manicurist, or an**
16 **esthetician** license issued under this article;
- 17 ~~(4) has actively practiced cosmetology for at least six (6) months~~
18 ~~in a cosmetology salon and subsequently successfully completed~~
19 ~~at least six (6) months of instruction in theory and practice of~~
20 ~~instructor training as a student in a cosmetology school;~~
21 **(4) has completed the education and experience requirements**
22 **subject to the rules adopted by the board;**
- 23 (5) has not committed an act for which the applicant could be
24 disciplined under IC 25-8-14;
- 25 (6) has received a satisfactory grade (as ~~defined~~ **described** in
26 IC 25-8-4-9) on an examination for instructor license applicants
27 prescribed by the board; and
- 28 (7) has paid the fee set forth in IC 25-8-13-4 for the issuance of a
29 license under this chapter.

30 SECTION 31. IC 25-8-6-6 IS ADDED TO THE INDIANA CODE
31 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
32 1, 2007]: **Sec. 6. A person who obtains a license as a beauty culture**
33 **instructor may provide instruction in the following:**

- 34 **(1) Cosmetology, if the person:**
 - 35 **(A) holds a cosmetologist license under IC 25-8-9; and**
 - 36 **(B) has actively practiced cosmetology for at least six (6)**
37 **months in a cosmetology salon and subsequently**
38 **successfully completed at least six (6) months of instruction**
39 **in theory and practice of instructor training as a student in**
40 **a cosmetology school.**
- 41 **(2) Electrology, if the person holds an electrologist license**
42 **under IC 25-8-10.**
- 43 **(3) Manicuring, if the person holds a manicurist license under**
44 **IC 25-8-11.**
- 45 **(4) Esthetics, if the person holds an esthetician license under**
46 **IC 25-8-12.5.**

47 SECTION 32. IC 25-8-7-2 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. A person who wishes
 2 to obtain a cosmetology salon license must:

- 3 (1) **do one (1) or more of the following:**
 4 (A) Select a site for the salon which, if located in the same
 5 building as a residence:
 6 ~~(A)~~ (i) is separated from the residence by a substantial floor
 7 to ceiling partition; and
 8 ~~(B)~~ (ii) has a separate entry.
 9 **(B) Meet the requirements for a mobile salon as**
 10 **established by the board under IC 25-8-3-23(b);**
 11 (2) **if applicable**, obtain any building permit, certificate of
 12 occupancy, or other approval action required under IC 22-15-3
 13 and IC 36-7-4 to operate the cosmetology salon;
 14 (3) install the furnishings, **if applicable**, and obtain the salon
 15 equipment required under rules adopted by the board; and
 16 (4) submit a verified statement on a form prescribed by the board
 17 that the cosmetology salon will be under the personal supervision
 18 of a person who has at least six (6) months active experience as
 19 a cosmetologist under IC 25-8-9 before the application was
 20 submitted under this chapter.

21 SECTION 33. IC 25-8-7.1-2 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. A person who
 23 desires to obtain a manicurist salon license must:

- 24 (1) **do one (1) or more of the following:**
 25 ~~(A)~~ (A) Select a site for the salon that, if located in the same
 26 building as a residence:
 27 ~~(A)~~ (i) is separated from the residence by a substantial floor
 28 to ceiling partition; and
 29 ~~(B)~~ (ii) has a separate entry.
 30 **(B) Meet the requirements for a mobile salon as**
 31 **established by the board under IC 25-8-3-23(b);**
 32 (2) **if applicable**, obtain:
 33 (A) a building permit;
 34 (B) a certificate of occupancy; or
 35 (C) other approval action required under IC 22-15-3 and
 36 IC 36-7-4;
 37 to operate the manicurist salon;
 38 (3) install the furnishings, **if applicable**, and obtain the salon
 39 equipment required under rules adopted by the board; **and**
 40 (4) submit a verified statement on a form prescribed by the board
 41 that the manicurist salon will be under the personal supervision
 42 of a person who has at least six (6) months active experience as
 43 a:
 44 (A) manicurist under IC 25-8-11; or
 45 (B) cosmetologist under IC 25-8-9;
 46 before the application was submitted under this chapter.

47 SECTION 34. IC 25-8-7.2-2 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. A person who
2 desires to obtain an electrology salon license must:

3 (1) do **one (1) or more of** the following:

4 ~~(†)~~ (A) Select a site for the salon that, if located in the same
5 building as a residence:

6 ~~(A)~~ (i) is separated from the residence by a substantial floor
7 to ceiling partition; and

8 ~~(B)~~ (ii) has a separate entry.

9 (B) **Meet the requirements for a mobile salon as**
10 **established by the board under IC 25-8-3-23(b);**

11 (2) **if applicable**, obtain:

12 (A) a building permit;

13 (B) a certificate of occupancy; or

14 (C) other approval action required under IC 22-15-3 and
15 IC 36-7-4;

16 to operate the manicurist salon;

17 (3) install the furnishings, **if applicable**, and obtain the salon
18 equipment required under rules adopted by the board; **and**

19 (4) submit a verified statement on a form prescribed by the board
20 that the electrology salon will be under the personal supervision
21 of a person who has at least six (6) months active experience as
22 an electrologist under IC 25-8-10 before the application was
23 submitted under this chapter.

24 SECTION 35. IC 25-8-9-7, AS AMENDED BY P.L.157-2006,
25 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2007]: Sec. 7. The board may issue a temporary work permit
27 to practice cosmetology, electrology, esthetics, **or** manicuring. ~~or the~~
28 ~~instruction of cosmetology, esthetics, or electrology.~~

29 SECTION 36. IC 25-8-9-8, AS AMENDED BY P.L.157-2006,
30 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2007]: Sec. 8. A person must file a verified application for a
32 temporary:

33 (1) cosmetologist work permit;

34 (2) electrologist work permit;

35 (3) esthetician work permit; **or**

36 (4) manicurist work permit;

37 ~~(5) cosmetology instructor work permit;~~

38 ~~(6) esthetics instructor work permit; or~~

39 ~~(7) electrology instructor work permit;~~

40 with the board on a form prescribed by the board to obtain that work
41 permit.

42 SECTION 37. IC 25-8-9-9, AS AMENDED BY P.L.157-2006,
43 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
44 JULY 1, 2007]: Sec. 9. (a) The temporary cosmetologist work permit
45 application described in section 8 of this chapter must state that the
46 applicant:

47 (1) will practice cosmetology under the supervision of a

- 1 cosmetologist; and
 2 (2) has filed an application under:
 3 (A) section 2 of this chapter, but has not taken the examination
 4 described by section 3(4) of this chapter; or
 5 (B) IC 25-8-4-2 and is awaiting a board determination.
 6 (b) The temporary electrologist work permit application described
 7 in section 8 of this chapter must state that the applicant:
 8 (1) will practice electrology under the supervision of an
 9 electrologist; and
 10 (2) has filed an application under:
 11 (A) IC 25-8-10-2, but has not taken the examination described
 12 in IC 25-8-10-3(3); or
 13 (B) IC 25-8-4-2 and is awaiting a board determination.
 14 (c) The temporary esthetician work permit application described in
 15 section 8 of this chapter must state that the applicant:
 16 (1) will practice esthetics under the supervision of an esthetician;
 17 and
 18 (2) has filed an application under:
 19 (A) IC 25-8-12.5-3, but has not taken the examination
 20 described in IC 25-8-12.5-4(4); or
 21 (B) IC 25-8-4-2 and is awaiting a board determination.
 22 (d) The temporary manicurist work permit application described in
 23 section 8 of this chapter must state that the applicant:
 24 (1) will practice manicuring under the supervision of a
 25 cosmetologist or manicurist; and
 26 (2) has filed an application under:
 27 (A) IC 25-8-11-3, but has not taken the examination described
 28 in IC 25-8-11-4(4); or
 29 (B) IC 25-8-4-2 and is awaiting a board determination.
 30 (e) The temporary cosmetology instructor work permit application
 31 described in section 8 of this chapter must state that the applicant:
 32 (1) will practice the instruction of cosmetology under the
 33 supervision of a cosmetology instructor; and
 34 (2) has filed an application under:
 35 (A) IC 25-8-6-2, but has not taken the examination described
 36 in IC 25-8-6-3(6); or
 37 (B) IC 25-8-4-2 and is awaiting a board determination.
 38 (f) The temporary esthetics instructor work permit application
 39 described in section 8 of this chapter must state that the applicant:
 40 (1) will practice the instruction of esthetics under the supervision
 41 of a cosmetology or an esthetics instructor; and
 42 (2) has filed an application under:
 43 (A) IC 25-8-6.1-2, but has not taken the examination described
 44 in IC 25-8-6.1-3(6); or
 45 (B) IC 25-8-4-5 and is awaiting a board determination
 46 described in IC 25-8-4-2.
 47 (g) The temporary electrology instructor work permit application

1 described in section 8 of this chapter must state that the applicant:

2 (1) will practice the instruction of electrology under the
3 supervision of an electrology instructor; and

4 (2) has filed an application under:

5 (A) ~~IC 25-8-6.2-2~~; but has not taken the examination described
6 in ~~IC 25-8-6.2-3(6)~~; or

7 (B) ~~IC 25-8-4-2~~ and is awaiting a board determination.

8 SECTION 38. IC 25-8-15.4-9.5 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2007]: **Sec. 9.5. The board may, upon
11 application, reinstate a license under this chapter that has expired
12 if the person holding the license:**

13 (1) **pays renewal fees established by the board under
14 IC 25-1-8-2;**

15 (2) **pays the license reinstatement fee established under
16 IC 25-1-8-6; and**

17 (3) **complies with all requirements established under this
18 article for an applicant for an initial license.**

19 SECTION 39. IC 25-9-1-3 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The Indiana
21 professional licensing agency may appoint and remove deputies for use
22 by the commission. The commission shall, when the commission
23 considers it advisable, direct a deputy to be present at any place where
24 sparring or boxing matches ~~semiprofessional elimination contests~~; or
25 exhibitions are to be held under this chapter. The deputies shall
26 ascertain the exact conditions surrounding the match ~~contest~~; or
27 exhibition and make a written report of the conditions in the manner
28 and form prescribed by the commission.

29 (b) The licensing agency may appoint and remove a secretary for the
30 commission, who shall:

31 (1) keep a full and true record of all the commission's
32 proceedings;

33 (2) preserve at its general office all the commission's books,
34 documents, and papers;

35 (3) prepare for service notices and other papers as may be
36 required by the commission; and

37 (4) perform other duties as the licensing agency may prescribe.

38 The licensing agency may employ only such clerical employees as may
39 be actually necessary and fix their salaries as provided by law.

40 (c) Each commissioner shall be reimbursed for all actual and
41 necessary traveling expenses and disbursements incurred by them in
42 the discharge of their official duties. All reimbursements for traveling
43 expenses shall be in accordance with travel policies and procedures
44 established by the Indiana department of administration and the budget
45 agency. All expenses incurred in the administration of this chapter shall
46 be paid from the general fund upon appropriation being made for the
47 expenses.

1 SECTION 40. IC 25-9-1-5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) Boxing and
 3 sparring matches or exhibitions for prizes or purses may be held in
 4 Indiana.

5 (b) The commission:

6 (1) has the sole direction, management, control, and jurisdiction
 7 over all boxing and sparring matches ~~semiprofessional~~
 8 ~~elimination contests~~, or exhibitions to be conducted, held, or
 9 given in Indiana; and

10 (2) may issue licenses for those matches ~~contests~~, or exhibitions.

11 (c) A boxing or sparring match or an exhibition that is:

12 (1) conducted by any school, college, or university within Indiana;

13 (2) sanctioned by United States Amateur Boxing, Inc.; or

14 (3) without a prize or purse;

15 shall not be subject to the provisions of this chapter requiring a license.
 16 The term "school, college, or university" does not include a school or
 17 other institution for the principal purpose of furnishing instruction in
 18 boxing, or other athletics.

19 (d) No boxing or sparring match, or exhibition, except as provided
 20 in this article, shall be held or conducted within Indiana except under
 21 a license and permit issued by the state boxing commission in
 22 accordance with the provisions of this chapter and the rules adopted
 23 under this chapter.

24 SECTION 41. IC 25-9-1-6 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The commission
 26 may:

27 (1) cause to be issued by the Indiana professional licensing
 28 agency under the name and seal of the state boxing commission,
 29 an annual license in writing for holding boxing or sparring
 30 matches ~~semiprofessional elimination contests~~, or exhibitions to
 31 any person who is qualified under this chapter; and

32 (2) adopt rules to establish the qualifications of the applicants.

33 (b) In addition to the general license, a person must, before
 34 conducting any particular boxing or sparring match ~~semiprofessional~~
 35 ~~elimination contest~~, or exhibition where one (1) or more contests are to
 36 be held, obtain a permit from the state boxing commission.

37 (c) Annual licenses may be revoked by the commission upon
 38 hearing and proof that any holder of an annual license has violated this
 39 chapter or any rule or order of the commission.

40 (d) A person who conducts a boxing or sparring match
 41 ~~semiprofessional elimination contest~~, or exhibition without first
 42 obtaining a license or permit commits a Class B misdemeanor.

43 SECTION 42. IC 25-9-1-7, AS AMENDED BY P.L.120-2005,
 44 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2007]: Sec. 7. (a) Applications for licenses or permits to
 46 conduct or participate in, either directly or indirectly, a boxing or
 47 sparring match ~~semiprofessional elimination contest~~, or exhibition shall

1 be:

2 (1) made in writing upon forms prescribed by the state boxing
3 commission and shall be addressed to and filed with the Indiana
4 professional licensing agency; and

5 (2) verified by the applicant, if an individual, or by some officer
6 of the club, corporation, or association in whose behalf the
7 application is made.

8 (b) The application for a permit to conduct a particular boxing or
9 sparring match ~~semiprofessional elimination contest~~, or exhibition,
10 shall, among other things, state:

11 (1) the time and exact place at which the boxing or sparring match
12 ~~semiprofessional elimination contest~~, or exhibition is proposed to
13 be held;

14 (2) the names of the contestants who will participate and their
15 seconds;

16 (3) the seating capacity of the buildings or the hall in which such
17 exhibition is proposed to be held;

18 (4) the admission charge which is proposed to be made;

19 (5) the amount of the compensation percentage of gate receipts
20 which is proposed to be paid to each of the participants;

21 (6) the name and address of the person making the application;

22 (7) the names and addresses of all the officers if the person is a
23 club, a corporation, or an association; and

24 (8) the record of each contestant from a source approved by the
25 commission.

26 (c) The commission shall cause to be kept by the licensing agency
27 proper records of the names and addresses of all persons receiving
28 permits and licenses.

29 SECTION 43. IC 25-9-1-15 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. All buildings or
31 structures used, or in any way to be used for the purpose of holding or
32 giving therein boxing or sparring matches ~~semiprofessional elimination~~
33 ~~contests~~, or exhibitions, shall be properly ventilated and provided with
34 fire exits and fire escapes, if need be, and in all manner shall conform
35 to the laws, ordinances, and regulations pertaining to buildings in the
36 city or town where situated.

37 SECTION 44. IC 25-9-1-16 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) A person shall
39 not:

40 (1) permit any person under the age of eighteen (18) years to
41 participate in any boxing or sparring match ~~semiprofessional~~
42 ~~elimination contest~~, or exhibition;

43 (2) permit any gambling on the result of, or on any contingency in
44 connection with, any boxing or sparring match ~~semiprofessional~~
45 ~~elimination contest~~, or exhibition conducted by it; or

46 (3) participate in or permit any sham or collusive boxing or
47 sparring match ~~semiprofessional elimination contest~~, or

1 exhibition.

2 (b) A person who violates this section shall, in addition to any
3 criminal penalty, have the person's license or permit revoked and be
4 rendered ineligible for a license or permit at any future time.

5 SECTION 45. IC 25-9-1-17 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 17. (a) A person shall
7 not:

8 (1) participate in any sham or collusive boxing or sparring match
9 ~~semiprofessional elimination contest~~; or exhibition where the
10 match or exhibition is conducted by a licensed person; or

11 (2) being under the age of eighteen (18), participate in any boxing
12 or sparring match ~~semiprofessional elimination contest~~; or
13 exhibition.

14 (b) If a person violating this section is a licensed contestant in this
15 state, the person shall for the first offense, in addition to the fine, suffer
16 a revocation of the person's license or permit, and for a second offense
17 be forever barred from receiving any license or permit or participating
18 in any boxing or sparring match or exhibition in Indiana.

19 (c) A person who gambles on the result of, or on any contingency in
20 connection with, any boxing or sparring match ~~semiprofessional~~
21 ~~elimination contest~~; or exhibition and is convicted under IC 35-45-5
22 shall, in addition to any criminal penalty imposed, be penalized as
23 provided in subsection (b).

24 SECTION 46. IC 25-9-1-19 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) No contestant
26 shall be permitted to participate in any boxing or sparring match
27 ~~semiprofessional elimination contest~~; or exhibition unless duly
28 registered and licensed with the state boxing commission, which
29 license must be renewed biennially. The license fee and the renewal fee
30 shall not be less than five dollars (\$5) paid at the time of the
31 application for the license or renewal.

32 (b) Any person who desires to be registered and licensed as a
33 contestant shall file an application in writing with the Indiana
34 professional licensing agency, which application shall, among other
35 things, state:

36 (1) the correct name of the applicant;

37 (2) the date and place of the applicant's birth;

38 (3) the place of the applicant's residence; and

39 (4) the applicant's employment, business, or occupation, if any.

40 The application must be verified under oath of the applicant.
41 Application for renewal license shall be in similar form.

42 (c) No assumed or ring names shall be used in any application nor
43 in any advertisement of any contest, unless the ring or assumed name
44 has been registered with the commission with the correct name of the
45 applicant.

46 (d) Each application for license by a contestant or for a license
47 renewal must be accompanied by the certificate of a physician residing

1 within Indiana, who has been licensed as provided in this article, and
 2 has practiced in Indiana for not less than five (5) years, certifying that
 3 the physician has made a thorough physical examination of the
 4 applicant, and that the applicant is physically fit and qualified to
 5 participate in boxing or sparring matches or exhibitions.

6 SECTION 47. IC 25-9-1-20.5 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 20.5. The commission
 8 may declare any person who has been convicted of an offense under
 9 IC 35-48 ineligible to participate in any boxing or sparring match
 10 ~~semiprofessional elimination contest~~, or exhibition, or any other
 11 activity or event regulated by the commission, notwithstanding that the
 12 person may hold a valid license issued by the commission. The period
 13 of ineligibility shall be for not less than six (6) months nor more than
 14 three (3) years, as determined by the commission. If any such person
 15 shall be declared ineligible, the commission shall suspend such
 16 convicted person and declare ~~him~~ **the person** ineligible to participate
 17 in any boxing or sparring match or exhibition, or any other activity or
 18 event regulated by the commission, as soon as it discovers the
 19 conviction, but the period of ineligibility shall commence from the
 20 actual date of the conviction. During the period of ineligibility, the
 21 suspended person may reapply to the commission for a license in the
 22 manner provided, and the commission may rescind the prior order of
 23 suspension.

24 SECTION 48. IC 25-9-1-21 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 21. (a) Any license
 26 provided for under this chapter may be revoked or suspended by the
 27 commission for reasons deemed sufficient under this chapter and under
 28 IC 25-1-11.

29 (b) If a person displays to the public credentials issued by the
 30 commission that:

- 31 (1) have been revoked or suspended under this section or under
- 32 sections 16, 17, and 20.5 of this chapter; or
- 33 (2) have expired;

34 the commission may act under this section, or the commission may
 35 declare the person ineligible for a period to be determined by the
 36 commission to participate in any boxing or sparring match
 37 ~~semiprofessional elimination contest~~, exhibition, or other activity
 38 regulated by the commission.

39 SECTION 49. IC 25-9-1-22 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 22. (a) Every person,
 41 club, corporation, firm, or association which may conduct any match
 42 or exhibition under this chapter shall, within twenty-four (24) hours
 43 after the termination thereof:

- 44 (1) furnish to the Indiana professional licensing agency by mail,
- 45 a written report duly verified by that person or, if a club,
- 46 corporation, firm, or association, by one (1) of its officers,
- 47 showing the amount of the gross proceeds for the match or

1 exhibition, and other related matters as the commission may
2 prescribe; and

3 (2) pay a tax of five percent (5%) of the price of admission
4 collected from the sale of each admission ticket to the match or
5 exhibition, which price shall be a separate and distinct charge and
6 shall not include any tax imposed on and collected on account of
7 the sale of any such ticket. Money derived from such state tax
8 shall be deposited in the state general fund.

9 (b) Before any license shall be granted for any boxing or sparring
10 match ~~semiprofessional elimination contest~~, or exhibition in this state,
11 a bond or other instrument that provides financial recourse must be
12 provided to the state boxing commission. The instrument must be:

- 13 (1) in an amount determined by the commission;
14 (2) approved as to form and sufficiency of the sureties thereon by
15 the commission;
16 (3) payable to the state of Indiana; and
17 (4) conditioned for the payment of the tax imposed, the officials
18 and contestants, and compliance with this chapter and the valid
19 rules of the commission.

20 SECTION 50. IC 25-9-1-24 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 24. The commission
22 may appoint official representatives, designated as inspectors, each of
23 whom shall receive from the commission a card authorizing ~~him the~~
24 **official representative** to act as an inspector wherever the commission
25 may designate ~~him the official representative~~ to act. One (1) inspector
26 or deputy shall be present at all boxing or sparring matches
27 ~~semiprofessional elimination contests~~, or exhibitions, and see that the
28 rules of the commission and the provisions of this chapter are strictly
29 observed, and shall also be present at the counting up of the gross
30 receipts, and shall immediately mail to the commission the final
31 box-office statement received by him from the person or officers of the
32 club, corporation, or association conducting the match ~~contest~~, or
33 exhibition.

34 SECTION 51. IC 25-9-1-26 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 26. All tickets of
36 admission to any boxing or sparring match ~~semiprofessional~~
37 ~~elimination contest~~, or exhibition shall clearly show their purchase
38 price, and no such tickets shall be sold for more than the price printed
39 on the tickets. It shall be unlawful for any person, club, corporation, or
40 association to admit to such contest a number of people greater than the
41 seating capacity of the place where such contest is held.

42 SECTION 52. IC 25-21.5-8-7, AS AMENDED BY P.L.194-2005,
43 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
44 JULY 1, 2007]: Sec. 7. (a) The board may adopt rules requiring a land
45 surveyor to obtain continuing education for renewal of a certificate
46 under this chapter.

47 (b) If the board adopts rules under this section, the rules must ~~do the~~

- 1 following:
- 2 ~~(1)~~ establish procedures for approving an organization that
- 3 provides continuing education.
- 4 ~~(2)~~ Require an organization that provides an approved continuing
- 5 education program to supply the following information to the
- 6 board not more than thirty ~~(30)~~ days after the course is presented:
- 7 ~~(A)~~ An alphabetical list of all land surveyors who attended the
- 8 course.
- 9 ~~(B)~~ A certified statement of the hours to be credited to each
- 10 land surveyor.
- 11 (c) If the board adopts rules under this section, the board may adopt
- 12 rules to do the following:
- 13 (1) Allow private organizations to implement the continuing
- 14 education requirement.
- 15 (2) Establish an inactive certificate of registration. If the board
- 16 adopts rules establishing an inactive certificate, the board must
- 17 adopt rules that:
- 18 (A) do not require the holder of an inactive certificate to obtain
- 19 continuing education;
- 20 (B) prohibit the holder of an inactive certificate from
- 21 practicing land surveying;
- 22 (C) establish requirements for reactivation of an inactive
- 23 certificate; and
- 24 (D) do not require the holder of an inactive certificate to pay
- 25 the registration and renewal fees required under
- 26 IC 25-21.5-7-5."
- 27 Page 17, between lines 24 and 25, begin a new paragraph and insert:
- 28 "SECTION 78. IC 25-23.6-8-2.7 IS AMENDED TO READ AS
- 29 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.7. (a) An applicant
- 30 under section 1 of this chapter must have at least ~~three (3)~~ **two (2)**
- 31 years of clinical experience, during which at least fifty percent (50%)
- 32 of the applicant's clients were receiving marriage and family therapy
- 33 services. ~~Two (2) years of~~ The applicant's clinical experience must
- 34 include one thousand (1,000) hours of post degree clinical experience
- 35 and two hundred (200) hours of post degree clinical supervision, of
- 36 which one hundred (100) hours must be individual supervision, under
- 37 the supervision of a licensed marriage and family therapist who has at
- 38 least five (5) years of experience or an equivalent supervisor, as
- 39 determined by the board.
- 40 (b) Within the ~~three (3)~~ **two (2)** years required under subsection (a),
- 41 the applicant must provide direct individual, group, and family therapy
- 42 and counseling to the following categories of cases:
- 43 (1) Unmarried couples.
- 44 (2) Married couples.
- 45 (3) Separating or divorcing couples.
- 46 (4) Family groups, including children.
- 47 (c) A doctoral internship may be applied toward the supervised

1 work experience requirement.

2 (d) Except as provided in subsection (e), the experience requirement
3 may be met by work performed at or away from the premises of the
4 supervising marriage and family therapist.

5 (e) The work requirement may not be performed away from the
6 supervising marriage and family therapist's premises if:

7 (1) the work is the independent private practice of marriage and
8 family therapy; and

9 (2) the work is not performed at a place that has the supervision
10 of a licensed marriage and family therapist or an equivalent
11 supervisor, as determined by the board.

12 SECTION 79. IC 25-23.7-4-2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The licensing agency
14 shall provide the board with clerical or other assistants ~~including~~
15 ~~investigators~~, necessary for the proper performance of the board's
16 duties.

17 SECTION 80. IC 25-27.5-4-9 IS ADDED TO THE INDIANA
18 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2007]: **Sec. 9. (a) An individual who:**

20 **(1) is certified under this chapter; and**

21 **(2) does not practice as a physician assistant under a**
22 **supervising physician;**

23 **shall notify the committee in writing that the individual does not**
24 **have a supervising physician.**

25 **(b) If an individual who is certified under this chapter does not**
26 **practice as a physician assistant under a supervising physician, the**
27 **board shall place the individual's certificate on inactive status.**

28 **(c) An individual may reinstate a certificate that is placed on**
29 **inactive status under this section if the individual:**

30 **(1) submits a written application to the committee requesting**
31 **that the certificate be placed on active status; and**

32 **(2) provides information as required by the committee**
33 **concerning the physician who will be supervising the**
34 **individual.**

35 SECTION 81. IC 25-35.6-1-7, AS AMENDED BY P.L.157-2006,
36 SECTION 75, AND AS AMENDED BY P.L.1-2006, SECTION 480,
37 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
38 2007]: Sec. 7. (a) The **division of professional standards board**
39 **established within the department of education by IC 20-28-2-1.5**
40 **(referred to as "the division of professional standards" in this**
41 **section) may issue the following:**

42 (1) An initial license as a speech-language pathologist only to an
43 individual who is licensed as a speech-language pathologist under
44 this article.

45 **(2) A nonrenewable initial license as a speech-language**
46 **pathologist to an individual who is completing a clinical**
47 **fellowship in speech-language pathology and who has**

1 **registered the clinical fellowship with the board. The**
 2 **nonrenewable initial license expires on the earlier of:**

3 **(A) the date the individual is licensed by the board as a**
 4 **speech-language pathologist; or**

5 **(B) eighteen (18) months after the individual begins the**
 6 **clinical fellowship in speech-language pathology.**

7 ~~(2)~~ (3) A renewal license as a speech-language pathologist to an
 8 individual who was licensed by the professional standards board
 9 before July 1, 2005, and who is not licensed as a speech-language
 10 pathologist under this article.

11 (b) The **division of** professional standards ~~board~~ shall issue a
 12 license as a speech-language pathologist to an individual who:

13 (1) is licensed as a speech-language pathologist under this article;
 14 and

15 (2) requests licensure.

16 (c) A speech-language pathologist licensed by the **division of**
 17 professional standards ~~board~~ shall register with the Indiana
 18 professional licensing agency all speech-language pathology support
 19 personnel that the speech-language pathologist supervises.

20 (d) The **division of** professional standards ~~board~~ may not impose
 21 different or additional supervision requirements upon speech-language
 22 pathology support personnel than the supervision requirements that are
 23 imposed under this article.

24 (e) The **division of** professional standards ~~board~~ may not impose
 25 continuing education requirements upon an individual who receives a
 26 license under this section that are different from or in addition to the
 27 continuing education requirements imposed under this article.

28 (f) An individual: ~~who:~~

29 (1) ~~if:~~ **who:**

30 (A) **if** the individual is a speech-language pathologist, receives
 31 a license under this section or received a license as a
 32 speech-language pathologist issued by the professional
 33 standards board before July 1, 2005; or

34 (B) **if** the individual is an audiologist, works in an educational
 35 setting;

36 (2) **who** has been the holder of a certificate of clinical competence
 37 in speech-language pathology or audiology or its equivalent
 38 issued by a nationally recognized association for speech-language
 39 pathology and audiology for at least three (3) consecutive years;
 40 and

41 (3) **who** has professional experience as a licensed
 42 speech-language pathologist or audiologist in a school setting that
 43 is equivalent to the experience required for a teacher seeking
 44 national certification by the National Board of Professional
 45 Teaching Standards;

46 is considered to have the equivalent of and is entitled to the same
 47 benefits that accrue to a holder of a national certification issued by the

- 1 National Board for Professional Teaching Standards.
 2 SECTION 82. IC 25-35.6-1-8, AS ADDED BY P.L.212-2005,
 3 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2007]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2
 5 to define the role of support personnel, including the following:
 6 (1) Supervisory responsibilities of the speech-language
 7 pathologist.
 8 (2) Ratio of support personnel to speech-language pathologists.
 9 (3) Scope of duties and restrictions of responsibilities for each
 10 type of support personnel.
 11 (4) Frequency, duration, and documentation of supervision.
 12 (5) Education and training required to perform services.
 13 (6) Procedures for renewing registration and terminating duties.
 14 (b) A speech-language pathologist must meet the following
 15 qualifications to supervise speech-language pathology support
 16 personnel:
 17 (1) Hold a current license as a speech-language pathologist **issued**
 18 **by the board.**
 19 (2) Have at least three (3) years of clinical experience.
 20 (3) Hold a certificate of clinical competence in speech-language
 21 pathology or its equivalent issued by a nationally recognized
 22 association for speech-language and hearing.
 23 (c) Speech-language pathology support personnel may provide
 24 support services only under the supervision of a speech-language
 25 pathologist."
 26 Page 18, between lines 28 and 29, begin a new paragraph and insert:
 27 "SECTION 84. IC 35-48-2-4 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The controlled
 29 substances listed in this section are included in schedule I.
 30 (b) Opiates. Any of the following opiates, including their isomers,
 31 esters, ethers, salts, and salts of isomers, esters, and ethers, unless
 32 specifically excepted by rule of the board or unless listed in another
 33 schedule, whenever the existence of these isomers, esters, ethers, and
 34 salts is possible within the specific chemical designation:
 35 **Acetyl-alpha-methylfentanyl (N-[1-(1-methyl**
 36 **1-2-phenethyl)-4-piperidinyl-N-]phenylacetamide) (9815)**
 37 Acetylmethadol (9601)
 38 Allylprodine (9602)
 39 Alphacetylmethadol (9603)
 40 Alphameprodine (9604)
 41 Alphamethadol (9605)
 42 **Alpha-methylfentanyl**
 43 **(N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]**
 44 **propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido**
 45 **piperidine) (9814)**
 46 **Alpha-methylthiofentanyl**
 47 **(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl-N-]**

1	phenylpropanamide) (9832)
2	Alphamethylfentanyl (9614)
3	Benzethidine (9606)
4	Betacetylmethadol (9607)
5	Beta-hydroxyfentanyl(N-[1-(2-hydroxy-2-phenethyl)-4-
6	piperidinyl]-N-phenylpropanamide) (9830)
7	Beta-hydroxy-3-methylfentanyl (other name:
8	N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]
9	-N-phenylpropanamide (9831)
10	Betameprodine (9608)
11	Betamethadol (9609)
12	Betaprodine (9611)
13	Clonitazene (9612)
14	Dextromoramide (9613)
15	Diampromide (9615)
16	Diethylthiambutene (9616)
17	Difenoxin (9168)
18	Dimenoxadol (9617)
19	Dimepheptanol (9618)
20	Dimethylthiambutene (9619)
21	Dioxaphetyl butyrate (9621)
22	Dipipanone (9622)
23	Ethylmethylthiambutene (9623)
24	Etonitazene (9624)
25	Etoxidine (9625)
26	Furethidine (9626)
27	Hydroxypethidine (9627)
28	Ketobemidone (9628)
29	Levomoramide (9629)
30	Levophenacetylmorphan (9631)
31	3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
32	piperidyl]-N-phenyl-propanamide](9813)
33	3-methylthiofentanyl(N-[(3-methyl-1-(2-thienyl)ethyl-4-
34	piperidinyl]-N-phenylpropanamide) (9833)
35	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961) (9661)
36	Morpheridine (9632)
37	Noracymethadol (9633)
38	Norlevorphanol (9634)
39	Normethadone (9635)
40	Norpipanone (9636)
41	Para-fluorofentanyl (N-(4-fluorophenyl)-N-
42	[1-(2-phenethyl)-4-piperidinyl] propanamide (9812)
43	Phenadoxone (9637)
44	Phenampromide (9638)
45	Phenomorphane (9647)
46	Phenoperidine (9641)
47	PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)

- 1 Piritramide (9642)
 2 Proheptazine (9643)
 3 Properidine (9644)
 4 Propiram (9649)
 5 Racemoramide (9645)
 6 **Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidiny]**
 7 **-propanamide (9835)**
 8 Tilidine (9750)
 9 Trimeperidine (9646)
- 10 (c) Opium derivatives. Any of the following opium derivatives, their
 11 salts, isomers, and salts of isomers, unless specifically excepted by rule
 12 of the board or unless listed in another schedule, whenever the
 13 existence of these salts, isomers, and salts of isomers is possible within
 14 the specific chemical designation:
- 15 Acetorphine (9319)
 16 Acetyldihydrocodeine (9051)
 17 Benzylmorphine (9052)
 18 Codeine methylbromide (9070)
 19 Codeine-N-Oxide (9053)
 20 Cyprenorphine (9054)
 21 Desomorphine (9055)
 22 Dihydromorphine (9145)
 23 Drotebanol (9335)
 24 Etorphine (except hydrochloride salt) (9056)
 25 Heroin (9200)
 26 Hydromorphanol (9301)
 27 Methyldesorphine (9302)
 28 Methyldihydromorphine (9304)
 29 Morphine methylbromide (9305)
 30 Morphine methylsulfonate (9306)
 31 Morphine-N-Oxide (9307)
 32 Myrophine (9308)
 33 Nicocodeine (9309)
 34 Nicomorphine (9312)
 35 Normorphine (9313)
 36 Pholcodine (9314)
 37 Thebacon (9315)
- 38 (d) Hallucinogenic substances. Any material, compound, mixture,
 39 or preparation which contains any quantity of the following
 40 hallucinogenic, psychedelic, or psychogenic substances, their salts,
 41 isomers, and salts of isomers, unless specifically excepted by rule of
 42 the board or unless listed in another schedule, whenever the existence
 43 of these salts, isomers, and salts of isomers is possible within the
 44 specific chemical designation:
- 45 **(1) Alpha-ethyltryptamine (7245). Some trade or other names:**
 46 **etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine;**
 47 **3-(2-aminobutyl) indole; [alpha]-ET; and AET.**

- 1 (†)(2) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade
2 or other names: 4-Bromo-2, 5-Dimethoxy-a-
3 methylphenethylamine; 4-Bromo-2, 5-DMA.
- 4 **(3) 4-Bromo-2,5-dimethoxyphenethylamine (7392). Some trade**
5 **or other names: 2 - [4 - b r o m o - 2 , 5 -**
6 **dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB;**
7 **2C-B, Nexus.**
- 8 (±)(4) 2, 5-Dimethoxyamphetamine (7396). Some trade or other
9 names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.
- 10 **(5) 2,5-dimethoxy-4-ethylamphet-amine (7399). Some trade or**
11 **other names: DOET.**
- 12 **(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other**
13 **name: 2C-T-7) (7348).**
- 14 (±)(7) 4-Methoxyamphetamine (7411). Some trade or other
15 names: 4-Methoxy-a-methylphenethylamine;
16 Paramethoxyamphetamine; PMA.
- 17 (±)(8) 5-methoxy-3, 4-methylenedioxy amphetamine (7401).
18 Other Name: MDMA.
- 19 (±)(9) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade
20 and other names: 4 - m e t h y l - 2 ,
21 5-dimethoxy-a-methylphenethylamine; DOM; and STP.
- 22 (±)(10) 3, 4-methylenedioxy amphetamine (7400). Other name:
23 MDA.
- 24 (±)(11) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
25 **(12) 3,4-methylenedioxy-N-ethylamphetamine (7404) (also**
26 **known as N-ethyl-alpha-methyl-3,4(methylenedioxy)**
27 **phenethylamine, N-ethyl MDA, MDE, MDEA.**
- 28 **(13) N-hydroxy-3,4-methylenedioxyamphetamine (7402) (also**
29 **known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)**
30 **phenethylam ine, and N-hydroxy MDA.**
- 31 (±)(14) 3, 4, 5-trimethoxy amphetamine (7390). Other name:
32 TMA.
- 33 **(15) Alpha-methyltryptamine (7432) (other name: AMT).**
- 34 (±)(16) Bufotenine (7433). Some trade and other names:
35 3 - (B - D i m e t h y l a m i n o e t h y l) - 5 - h y d r o x y i n d o l e ;
36 3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin;
37 5-hydroxy-N, N-dimethyltryptamine; mappine.
- 38 (±)(17) Dimethyltryptamine (7434). Some trade or other names:
39 N, N-Diethyltryptamine; DET.
- 40 (±)(18) Diethyltryptamine (7435). Some trade or other names:
41 DMT.
- 42 **(19) 5-methoxy-N,N-diisopropyltryptamine (7439) (other**
43 **name: 5-MeO-DIPT).**
- 44 (±)(20) Ibogaine (7260). Some trade and other names:
45 7-Ethyl-6, 6b, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6,
46 9-methano-5H-pyrido (1', 2': 1, 2, azepino 4, 5-b) indole;
47 tabernanthe iboga.

- 1 ~~(13)~~ **(21)** Lysergic acid diethylamide (7315). Other name: LSD.
 2 ~~(14)~~ **(22)** Marijuana (7360).
 3 ~~(15)~~ **(23)** Mescaline (7381).
 4 ~~(16)~~ **(24)** Parahexyl (7374). Some trade or other names:
 5 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6,
 6 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.
 7 ~~(17)~~ **(25)** Peyote (7415), including:
 8 (A) all parts of the plant that are classified botanically as
 9 lophophora williamsii lemaire, whether growing or not;
 10 (B) the seeds thereof;
 11 (C) any extract from any part of the plant; and
 12 (D) every compound, manufacture, salt, derivative, mixture, or
 13 preparation of the plant, its seeds, or extracts.
 14 ~~(18)~~ **(26)** N-ethyl-3-piperidyl benzilate (7482). Other name:
 15 DMZ.
 16 ~~(19)~~ **(27)** N-methyl-3-piperidyl benzilate (7484). Other name:
 17 LBJ.
 18 ~~(20)~~ **(28)** Psilocybin (7437).
 19 ~~(21)~~ **(29)** Psilocyn (7438).
 20 ~~(22)~~ **(30)** Tetrahydrocannabinols (7370), including synthetic
 21 equivalents of the substances contained in the plant, or in the
 22 resinous extractives of Cannabis, sp. and synthetic substances,
 23 derivatives, and their isomers with similar chemical structure and
 24 pharmacological activity such as:
 25 (A) π^1 cis or trans tetrahydrocannabinol, and their optical
 26 isomers;
 27 (B) π^6 cis or trans tetrahydrocannabinol, and their optical
 28 isomers; and
 29 (C) π^3_4 cis or trans tetrahydrocannabinol, and their optical
 30 isomers.
 31 Since nomenclature of these substances is not internationally
 32 standardized, compounds of these structures, regardless of
 33 numerical designation of atomic positions are covered. Other
 34 name: THC.
 35 ~~(23)~~ **(31)** Ethylamine analog of phencyclidine (7455). Some trade
 36 or other names: N-Ethyl-1-phenylcyclohexylamine;
 37 (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)
 38 ethylamine; cyclohexamine; PCE.
 39 ~~(24)~~ **(32)** Pyrrolidine analog of phencyclidine (7458). Some trade
 40 or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP_y; PHP.
 41 ~~(25)~~ **(33)** Thiophene analog of phencyclidine (7470). Some trade
 42 or other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl
 43 Analog of Phencyclidine; TCPy.
 44 **(34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Some other**
 45 **names: TCPy.**
 46 (e) Depressants. Unless specifically excepted in a rule adopted by
 47 the board or unless listed in another schedule, any material, compound,

1 mixture, or preparation which contains any quantity of the following
 2 substances having a depressant effect on the central nervous system,
 3 including its salts, isomers, and salts of isomers whenever the existence
 4 of such salts, isomers, and salts of isomers is possible within the
 5 specific chemical designation:

6 Gamma-hydroxybutyric acid (other names include GHB;
 7 gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium
 8 oxybate; sodium oxybutyrate) (2010)

9 Mecloqualone (2572)

10 Methaqualone (2565)

11 (f) Stimulants. Unless specifically excepted or unless listed in
 12 another schedule, any material, compound, mixture, or preparation that
 13 contains any quantity of the following substances having a stimulant
 14 effect on the central nervous system, including its salts, isomers, and
 15 salts of isomers:

16 **Aminorex (Some other names: aminoxaphen;**
 17 **2 - a m i n o - 5 - p h e n y l - 2 - o x a z o l i n e ; o r**
 18 **4,5-dihydro-5-phenyl-2-1585 oxazolamine) (1585)**

19 **N-Benzylpiperazine (some other names: BZP,**
 20 **1-benzylpiperazine) (7493)**

21 **Cathinone (Some trade or other names:**
 22 **2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,**
 23 **2-aminopropiophenone, and norephedrone) (1235)**

24 Fenethylamine (1503)

25 **([+/-])cis-4-methylaminorex**

26 **([+/-])cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine)**
 27 **(1590)**

28 N-ethylamphetamine (1475)

29 Methcathinone (1237) (Some other trade names:
 30 2-Methylamino-1-Phenylpropan-1-one; Ephedrone;
 31 Monomethylpropion; UR 1431.

32 **N,N-dimethylamphetamine (also known as**
 33 **N,N-alpha-trimethyl-benzeneethanamine;**
 34 **N,N-alpha-trimethylphenethylamine) (1480)**

35 SECTION 85. IC 35-48-2-6 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The controlled
 37 substances listed in this section are included in schedule II.

38 (b) Any of the following substances, except those narcotic drugs
 39 listed in other schedules, whether produced directly or indirectly by
 40 extraction from substances of vegetable origin, or independently by
 41 means of chemical synthesis, or by combination of extraction and
 42 chemical synthesis:

43 (1) Opium and opiate, and any salt, compound, derivative, or
 44 preparation of opium or opiate, excluding apomorphine,
 45 dextrorphan, nalbuphine, naloxone, naltrexone, and their
 46 respective salts but including:

47 (A) raw opium (9600);

- 1 (B) opium extracts (9610);
 2 (C) opium fluid extracts (9620);
 3 (D) powdered opium (9639);
 4 (E) granulated opium (9640);
 5 (F) tincture of opium (9630);
 6 (G) codeine (9050);
 7 **(H) dihydroetorphine (9334);**
 8 ~~(H)~~ **(I)** ethylmorphine (9190);
 9 ~~(I)~~ **(J)** etorphine hydrochloride (9059);
 10 ~~(J)~~ **(K)** hydrocodone (9193);
 11 ~~(K)~~ **(L)** hydromorphone (9150);
 12 ~~(L)~~ **(M)** metopon (9260);
 13 ~~(M)~~ **(N)** morphine (9300);
 14 ~~(N)~~ **(O)** oxycodone (9143);
 15 ~~(O)~~ **(P)** oxymorphone (9652); and
 16 ~~(P)~~ **(Q)** thebaine (9333).
 17 (2) Any salt, compound, isomer, derivative, or preparation thereof
 18 which is chemically equivalent or identical with any of the
 19 substances referred to in subdivision (b)(1) of this section, but not
 20 including the isoquinoline alkaloids of opium.
 21 (3) Opium poppy and poppy straw.
 22 (4) Cocaine (9041).
 23 (5) Concentrate of poppy straw (the crude extract of poppy straw
 24 in either liquid, solid, or powder form which contains the
 25 phenanthrene alkaloids of the opium poppy) (9670).
 26 (c) Opiates. Any of the following opiates, including their isomers,
 27 esters, ethers, salts, and salts of isomers, esters, and ethers whenever
 28 the existence of these isomers, esters, ethers, and salts is possible
 29 within the specific chemical designation:
 30 Alfentanil (9737)
 31 Alphaprodine (9010)
 32 Anileridine (9020)
 33 Bezitramide (9800)
 34 Bulk dextropropoxyphene (nondosage forms) (9273)
 35 **Carfentanil (9743)**
 36 Dihydrocodeine (9120)
 37 Diphenoxylate (9170)
 38 Fentanyl (9801)
 39 Isomethadone (9226)
 40 **Levo-alpha-acetylmethadol [Some other names:**
 41 **levo-alpha-acetylmethadol, levomethadly acetate, LAAM]**
 42 **(9648)**
 43 Levomethorphan (9210)
 44 Levorphanol (9220)
 45 Metazocine (9240)
 46 Methadone (9250)
 47 Methadone-Intermediate, 4-cyano-2-dimethyl-amino-4,

- 1 4-diphenyl butane (9254)
 2 Moramide-Intermediate, 2-methyl-3-morpholino-1,
 3 1-diphenylpropane- carboxylic acid (9802)
 4 Pethidine (Meperidine) (9230)
 5 Pethidine-Intermediate- A, 4-cyano-1-methyl-4-phenylpiperidine
 6 (9232)
 7 Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
 8 (9233)
 9 Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
 10 carboxylic acid (9234)
 11 Phenazodine (9715)
 12 Piminodine (9730)
 13 Racemethorphan (9732)
 14 Racemorphan (9733)
 15 **Remifentanil (9739)**
 16 Sufentanil (9740)
 17 (d) Stimulants. Any material compound, mixture, or preparation
 18 which contains any quantity of the following substances having a
 19 potential for abuse associated with a stimulant effect on the central
 20 nervous system:
 21 (1) Amphetamine, its salts, optical isomers, and salts of its optical
 22 isomers (1100).
 23 (2) Methamphetamine, including its salts, isomers, and salts of its
 24 isomers (1105).
 25 (3) Phenmetrazine and its salts (1631).
 26 (4) Methylphenidate (1724).
 27 (e) Depressants. Unless specifically excepted by rule of the board
 28 or unless listed in another schedule, any material, compound, mixture,
 29 or preparation which contains any quantity of the following substances
 30 having a depressant effect on the central nervous system, including its
 31 salts, isomers, and salts of isomers whenever the existence of such
 32 salts, isomers, and salts of isomers is possible within the specific
 33 chemical designation:
 34 Amobarbital (2125)
 35 ~~Gamma~~ **gamma hydroxybutyrate**
 36 **Glutethimide (2550)**
 37 Pentobarbital (2270)
 38 Phencyclidine (7471)
 39 Secobarbital (2315)
 40 (f) Immediate precursors. Unless specifically excepted by rule of the
 41 board or unless listed in another schedule, any material, compound,
 42 mixture, or preparation which contains any quantity of the following
 43 substances:
 44 (1) Immediate precursor to amphetamine and methamphetamine:
 45 Phenylacetone (8501). Some trade or other names:
 46 phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl
 47 ketone.

- 1 (2) Immediate precursors to phencyclidine (PCP):
 2 (A) 1-phenylcyclohexylamine (7460); or
 3 (B) 1-piperidinocyclohexanecarbonitrile (PCC) (8603).
 4 (g) Hallucinogenic substances:
 5 ~~Dronabinol (synthetic) in sesame oil and encapsulated in a soft~~
 6 ~~gelatin capsule in a United States Food and Drug Administration~~
 7 ~~approved drug product (7369).~~
 8 **Nabilone (7379). Another name for nabilone:**
 9 **(+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-**
 10 **1-hydroxy-6,6-dimethyl-9H-dibenzo [b,d] pyran-9-one]**
 11 SECTION 86. IC 35-48-2-8 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The controlled
 13 substances listed in this section are included in schedule III.
 14 (b) Stimulants. Unless specifically excepted or unless listed in
 15 another schedule, any material, compound, mixture, or preparation
 16 which contains any quantity of the following substances having a
 17 stimulant effect on the central nervous system, including its salts,
 18 isomers (whether optical, position, or geometric), and salts of such
 19 isomers whenever the existence of such salts, isomers, and salts of
 20 isomers is possible within the specific chemical designation:
 21 (1) Those compounds, mixtures, or preparations in dosage unit
 22 form containing any stimulant substances listed in schedule II
 23 which compounds, mixtures, or preparations were listed on April
 24 1, 1986, as excepted compounds under 21 CFR 1308.32, and any
 25 other drug of the quantitative composition shown in that list for
 26 those drugs or that is the same except that it contains a lesser
 27 quantity of controlled substances (1405).
 28 (2) Benzphetamine (1228).
 29 (3) Chlorphentermine (1645).
 30 (4) Clortermine (1647).
 31 (5) Phendimetrazine (1615).
 32 (c) Depressants. Unless specifically excepted or unless listed in
 33 another schedule, any material, compound, mixture, or preparation
 34 which contains any quantity of the following substances having a
 35 depressant effect on the central nervous system:
 36 (1) Any compound, mixture, or preparation containing:
 37 (A) amobarbital (~~2125~~); **(2126)**;
 38 (B) secobarbital (~~2315~~); **(2316)**;
 39 (C) pentobarbital (~~2270~~); **(2271)**; or
 40 (D) any of their salts;
 41 and one (1) or more other active medicinal ingredients which are
 42 not listed in any schedule.
 43 (2) Any suppository dosage form containing:
 44 (A) amobarbital (~~2125~~); **(2126)**;
 45 (B) secobarbital (~~2315~~); **(2316)**;
 46 (C) pentobarbital (~~2270~~); **(2271)**; or
 47 (D) any of their salts;

- 1 and approved by the Food and Drug Administration for marketing
 2 only as a suppository.
- 3 (3) Any substance which contains any quantity of a derivative of
 4 barbituric acid, or any salt thereof (2100).
- 5 (4) Chlorhexadol (2510).
- 6 ~~(5) Glutethimide (2550):~~
- 7 **(5) Embutramide (2020).**
- 8 (6) Lysergic acid (7300).
- 9 (7) Lysergic acid amide (7310).
- 10 (8) Methyprylon (2575).
- 11 (9) Sulfondiethylmethane (2600).
- 12 (10) Sulfonethylmethane (2605).
- 13 (11) Sulfonmethane (2610).
- 14 (12) A combination product containing tiletamine and zolazepam
 15 (Telazol) (7295).
- 16 **(13) Ketamine, its salts, isomers, and salts of isomers (7285)**
 17 **[Some other names for ketamine: ([+/-])-2-(2-chlorophenyl)**
 18 **-2-(methylamine)-cyclohexanone].**
- 19 ~~(13)~~ **(14)** Any drug product containing gamma-hydroxybutyric
 20 acid, including its salts, isomers, and salts of isomers, for which
 21 an application is approved under section 505 of the federal Food,
 22 Drug and Cosmetic Act, 21 U.S.C. 301 et seq. (2012).
- 23 (d) Nalorphine (a narcotic drug) (9400).
- 24 (e) Narcotic Drugs. Unless specifically excepted or unless listed in
 25 another schedule, any material, compound, mixture, or preparation
 26 containing any of the following narcotic drugs, or their salts calculated
 27 as the free anhydrous base or alkaloid, in the following limited
 28 quantities:
- 29 (1) Not more than 1.8 grams of codeine, per 100 milliliters or not
 30 more than 90 milligrams per dosage unit, with an equal or greater
 31 quantity of an isoquinoline alkaloid of opium (9803).
- 32 (2) Not more than 1.8 grams of codeine, per 100 milliliters or not
 33 more than 90 milligrams per dosage unit, with one (1) or more
 34 active, nonnarcotic ingredients in recognized therapeutic amounts
 35 (9804).
- 36 (3) Not more than 300 milligrams of dihydrocodeinone, per 100
 37 milliliters or not more than 15 milligrams per dosage unit, with a
 38 fourfold or greater quantity of an isoquinoline alkaloid of opium
 39 (9805).
- 40 (4) Not more than 300 milligrams of dihydrocodeinone, per 100
 41 milliliters or not more than 15 milligrams per dosage unit, with
 42 one (1) or more active nonnarcotic ingredients in recognized
 43 therapeutic amounts (9806).
- 44 (5) Not more than 1.8 grams of dihydrocodeine, per 100 milliliters
 45 or not more than 90 milligrams per dosage unit, with one (1) or
 46 more active, nonnarcotic ingredients in recognized therapeutic
 47 amounts (9807).

1 (6) Not more than 300 milligrams of ethylmorphine, per 100
2 milliliters or not more than 15 milligrams per dosage unit, with
3 one (1) or more active, nonnarcotic ingredients in recognized
4 therapeutic amounts (9808).

5 (7) Not more than 500 milligrams of opium per 100 milliliters or
6 per 100 grams or not more than 25 milligrams per dosage unit,
7 with one (1) or more active, nonnarcotic ingredients in recognized
8 therapeutic amounts (9809).

9 (8) Not more than 50 milligrams of morphine, per 100 milliliters
10 or per 100 grams with one (1) or more active nonnarcotic
11 ingredients in recognized therapeutic amounts (9810).

12 **(9) Any material, compound, mixture, or preparation**
13 **containing Buprenorphine (9064).**

14 (f) Anabolic steroid (as defined in 21 U.S.C. 802(41)(A) and 21
15 U.S.C. 802(41)(B)).

16 (g) The board shall except by rule any compound, mixture, or
17 preparation containing any stimulant or depressant substance listed in
18 subsections (b) through (e) from the application of any part of this
19 article if the compound, mixture, or preparation contains one (1) or
20 more active medicinal ingredients not having a stimulant or depressant
21 effect on the central nervous system, and if the admixtures are included
22 therein in combinations, quantity, proportion, or concentration that
23 vitiate the potential for abuse of the substances which have a stimulant
24 or depressant effect on the central nervous system.

25 (h) Any material, compound, mixture, or preparation which contains
26 any quantity of Ketamine.

27 SECTION 87. IC 35-48-2-10 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. (a) The controlled
29 substances listed in this section are included in schedule IV.

30 (b) Narcotic drugs. Unless specifically excepted in a rule adopted
31 by the board or unless listed in another schedule, any material,
32 compound, mixture, or preparation containing any of the following
33 narcotic drugs, or their salts calculated as the free anhydrous base or
34 alkaloid, in the following limited quantities:

35 (1) Not more than 1 milligram of difenoxin (~~9618~~) and not less
36 than 25 micrograms of atropine sulfate per dosage unit (**9617**).

37 (2) D e x t r o p r o p o x y p h e n e (a l p h a -
38 (+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-
39 propionoxybutane (~~9273~~): (**9278**).

40 (c) Depressants. Unless specifically excepted in a rule adopted by
41 the board or unless listed in another schedule, any material, compound,
42 mixture, or preparation which contains any quantity of the following
43 substances, including its salts, isomers, and salts of isomers whenever
44 the existence of such salts, isomers, and salts of isomers is possible
45 within the specific chemical designation:

46 Alprazolam (2882).

47 Barbitol (2145).

1	Bromazepam (2748).
2	Camazepam (2749).
3	Carisoprodol.
4	Chloral betaine (2460).
5	Chloral hydrate (2465).
6	Chlordiazepoxide (2744).
7	Clobazam (2751).
8	Clonazepam (2737).
9	Clorazepate (2768).
10	Clotiazepam (2752).
11	Cloxazolam (2753).
12	Delorazepam (2754).
13	Diazepam (2765).
14	Dichloralphenazone (2467).
15	Estazolam (2756).
16	Ethchlorvynol (2540).
17	Ethinamate (2545).
18	Ethyl loflazepate (2758).
19	Fludiazepam (2759).
20	Flunitrazepam (2763).
21	Flurazepam (2767).
22	Halazepam (2762).
23	Haloxazolam (2771).
24	Ketazolam (2772).
25	Loprazolam (2773).
26	Lorazepam (2885).
27	Lormetazepam (2774).
28	Mebutamate (2800).
29	Medazepam (2836).
30	Meprobamate (2820).
31	Methohexital (2264).
32	Methylphenobarbital (mephobarbital) (2250).
33	Midazolam (2884).
34	Nimetazepam (2837).
35	Nitrazepam (2834).
36	Nordiazepam (2838).
37	Oxazepam (2835).
38	Oxazolam (2839).
39	Paraldehyde (2585).
40	Petrichloral (2591).
41	Phenobarbital (2285).
42	Pinazepam (2883).
43	Prazepam (2764).
44	Quazepam (2881).
45	Temazepam (2925).
46	Tetrazepam (2886).
47	Triazolam (2887).

1 **Zaleplon (2781).**

2 Zolpidem (Ambien) (2783).

3 **Zopiclone (2784).**

4 (d) Fenfluramine. Any material, compound, mixture, or preparation
5 which contains any quantity of the following substances, including its
6 salts, isomers (whether optical, position, or geometric), and salts of
7 such isomers, whenever the existence of such salts, isomers, and salts
8 of isomers is possible.

9 (1) Fenfluramine (1670).

10 (e) Stimulants. Unless specifically excepted in a rule adopted by the
11 board or unless listed in another schedule, any material, compound,
12 mixture, or preparation which contains any quantity of the following
13 substances having a stimulant effect on the central nervous system,
14 including its salts, isomers (whether optical, position, or geometric),
15 and salts of such isomers whenever the existence of such salts, isomers,
16 and salts of isomers is possible within the specific chemical
17 designation:

18 (1) **Cathine ((+)-norpseudoephedrine) (1230).**

19 ~~(1)~~ (2) Diethylpropion ~~(1608)~~: (1610).

20 (3) **Fencamfamin (1760).**

21 (4) **Fenproporex (1575).**

22 ~~(2)~~ (5) Mazindol (1605).

23 (6) **Mefenorex (1580).**

24 (7) **Modafinil (1680).**

25 ~~(3)~~ (8) Phentermine (1640).

26 ~~(4)~~ (9) Pemoline (including organometallic complexes and
27 chelates thereof) (1530).

28 ~~(5)~~ (10) Pipradrol (1750).

29 (11) **Sibutramine (1675).**

30 ~~(6)~~ (12) SPA ((-)-1-dimethylamino-1,2-diphenylethane (1635).

31 (f) Other substances. Unless specifically excepted or unless listed
32 in another schedule, any material, compound, mixture, or preparation
33 which contains any quantity of the following substances including its
34 salts:

35 (1) Pentazocine (9709).

36 (2) **Butorphanol (including its optical isomers) (9720).**

37 (g) The board may except by rule any compound, mixture, or
38 preparation containing any depressant substance listed in subsection
39 (b), (c), (d), (e), or (f) from the application of any part of this article if
40 the compound, mixture, or preparation contains one (1) or more active
41 medicinal ingredients not having a depressant effect on the central
42 nervous system, and if the admixtures are included therein in
43 combinations, quantity, proportion, or concentration that vitiate the
44 potential for abuse of the substances which have a depressant effect on
45 the central nervous system.

46 SECTION 88. IC 35-48-2-12 IS AMENDED TO READ AS
47 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) The controlled

1 substances listed in this section are included in schedule V.

2 (b) Narcotic drugs containing nonnarcotic active medicinal
3 ingredients. Any compound, mixture, or preparation containing any of
4 the following narcotic drugs, or their salts calculated as the free
5 anhydrous base or alkaloid, in the following quantities, which shall
6 include one (1) or more nonnarcotic active medicinal ingredients in
7 sufficient proportion to confer upon the compound, mixture, or
8 preparation, valuable medicinal qualities other than those possessed by
9 the narcotic drug alone:

10 (1) Not more than 200 milligrams of codeine per 100 milliliters
11 or per 100 grams.

12 (2) Not more than 100 milligrams of dihydrocodeine per 100
13 milliliters or per 100 grams.

14 (3) Not more than 100 milligrams of ethylmorphine per 100
15 milliliters or per 100 grams.

16 (4) Not more than 2.5 milligrams of diphenoxylate and not less
17 than 25 micrograms of atropine sulfate per dosage unit.

18 (5) Not more than 100 milligrams of opium per 100 milliliters or
19 per 100 grams.

20 (6) Not more than 0.5 milligrams of difenoxin (9168), and not less
21 than 25 micrograms of atropine sulfate per dosage unit.

22 ~~(c) Buprenorphine (9064):~~

23 **(c) Stimulants. Unless specifically exempted, excluded, or listed**
24 **in another schedule, any material, compound mixture, or**
25 **preparation that contains any quantity of the following substances**
26 **having a stimulant effect on the central nervous system, including**
27 **its salts, isomers, and salts of isomers:**

28 (1) Pyrovalerone (1485).

29 **(d) Depressants. Unless specifically exempted, excluded, or listed**
30 **in another schedule, any material, compound, mixture, or**
31 **preparation that contains any quantity of the following substances**
32 **having a depressant effect on the central nervous system, including**
33 **salts:**

34 (1) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]
35 (2782).

36 SECTION 89. IC 35-48-3-5 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. ~~Denial, Revocation,~~
38 ~~and Suspension of Registration:~~ (a) An application for registration or
39 re-registration submitted pursuant to and a registration issued under
40 section 3 of this chapter to manufacture, distribute, or dispense a
41 controlled substance may be denied, suspended, or revoked by the
42 board upon a finding by the advisory committee that the applicant or
43 registrant:

44 (1) has furnished false or fraudulent material information in any
45 application filed under this article;

46 (2) has violated any state or federal law relating to any controlled
47 substance;

1 (3) has had his federal registration suspended or revoked to
 2 manufacture, distribute, or dispense controlled substances; or
 3 (4) has failed to maintain reasonable controls against diversion of
 4 controlled substances into other than legitimate medical,
 5 scientific, or industrial channels.

6 (b) The board may limit revocation or suspension of a registration
 7 or the denial of an application for registration or re-registration to the
 8 particular controlled substance with respect to which grounds for
 9 revocation, suspension, or denial exist.

10 (c) If the board suspends or revokes a registration or denies an
 11 application for re-registration, all controlled substances owned or
 12 possessed by the registrant at the time of suspension or the effective
 13 date of the revocation or denial order may be placed under seal. The
 14 board may require the removal of such substances from the premises.
 15 No disposition may be made of substances under seal until the time for
 16 taking an appeal has elapsed or until all appeals have been concluded
 17 unless a court, upon application therefor, orders the sale of perishable
 18 substances and the deposit of the proceeds of the sale with the court.
 19 Upon a revocation or denial order becoming final, all controlled
 20 substances may be forfeited to the state.

21 (d) The board shall promptly notify the drug enforcement
 22 administration of all orders suspending or revoking registration, all
 23 orders denying any application for registration or re-registration, and
 24 all forfeitures of controlled substances.

25 **(e) If the Drug Enforcement Administration terminates, denies,**
 26 **suspends, or revokes a federal registration for the manufacture,**
 27 **distribution, or dispensing of controlled substances, a registration**
 28 **issued by the board under this chapter is automatically suspended.**

29 **(f) The board may reinstate a registration that has been**
 30 **suspended under subsection (e), after a hearing, if the board is**
 31 **satisfied that the applicant is able to manufacture, distribute, or**
 32 **dispense controlled substances with reasonable skill and safety to**
 33 **the public. As a condition of reinstatement, the board may impose**
 34 **disciplinary or corrective measures authorized under IC 25-1-9-9**
 35 **or this article.**

36 SECTION 90. THE FOLLOWING ARE REPEALED [EFFECTIVE
 37 JULY 1, 2007]: IC 25-8-4-22; IC 25-8-4-23; IC 25-8-4-24;
 38 IC 25-8-4-25; IC 25-8-4-26; IC 25-8-6.1; IC 25-8-6.2; IC 25-8-16.

39 SECTION 91. [EFFECTIVE JULY 1, 2007] **(a) The definitions in**
 40 **IC 25-35.6-1-2 apply throughout this SECTION.**

41 **(b) Notwithstanding IC 25-35.6, as amended by this act,**
 42 **concerning issuance of a license, the Indiana professional licensing**
 43 **agency shall issue a license in speech-language pathology as**
 44 **follows:**

45 **(1) To each individual who applies for licensure and meets all**
 46 **the following qualifications:**

47 **(A) Holds a license in speech and hearing therapy issued by**

- 1 **the division of professional standards established within**
2 **the department of education by IC 20-28-2-1.5 (referred to**
3 **as "the division of professional standards" in this**
4 **SECTION).**
5 **(B) Has a master's degree in speech-language pathology or**
6 **a related discipline.**
7 **(C) Has been employed as a speech-language pathologist**
8 **for at least nine (9) months in the last five (5) years.**
9 **(2) To each individual who applies for licensure and meets all**
10 **the following qualifications:**
11 **(A) Holds a life license in speech-language pathology issued**
12 **by the division of professional standards.**
13 **(B) Has:**
14 **(i) been employed as a speech-language pathologist for at**
15 **least nine (9) months in the last five (5) years; or**
16 **(ii) taken at least thirty-six (36) hours of continuing**
17 **education approved by the division of professional**
18 **standards or the Indiana professional licensing agency**
19 **after December 31, 2004, and before December 31, 2010.**
20 **(c) This SECTION expires July 1, 2010."**
21 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1821 as reprinted April 10, 2007.)

Senator MILLER