

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Appropriations, to which was referred Senate Bill No. 1, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 15, line 32, after "IC 4-33-4-14," insert "**IC 4-33-22-12**,".
- 2 Page 22, line 24, delete "17" and insert "**18**".
- 3 Page 31, line 25, after "section" insert "**32 or**".
- 4 Page 32, between lines 37 and 38, begin a new paragraph and insert:
- 5 "**Sec. 42. A licensee shall comply with the standards established**
- 6 **by the commission. A practitioner is subject to the disciplinary**
- 7 **sanctions under section 43 of this chapter if, after a hearing, the**
- 8 **commission finds any of the following concerning the practitioner:**
- 9 (1) **Failure, without just cause, to observe the terms of any**
- 10 **contract required to be on file with the commission.**
- 11 (2) **Violation of any of the provisions of the statutes, rules, or**
- 12 **the orders of the commission.**
- 13 (3) **Interference with the official duties of other licensees, the**
- 14 **commission, or any administrative officer or representative**
- 15 **of the commission.**
- 16 (4) **Gambling that is otherwise prohibited by law on the result**
- 17 **of any bout permitted by the commission.**
- 18 (5) **Noncompetitive boxing, sparring, or unarmed combat or**
- 19 **the solicitation of noncompetitive boxers or unarmed**
- 20 **competitors.**
- 21 (6) **Failure to appear at designated times and places as**

- 1 **required by the commission.**
- 2 **(7) Bribery or attempted bribery of any licensee, employee, or**
- 3 **member of the commission.**
- 4 **(8) Employing or knowingly cooperating in fraud or material**
- 5 **deception in order to obtain any license or permit issued by**
- 6 **the commission.**
- 7 **(9) Has been convicted of a crime that has a direct bearing on**
- 8 **the applicant's or licensee's ability to perform acts that**
- 9 **require a license or permit issued by the commission.**
- 10 **(10) Unlicensed or unpermitted participation in any activity**
- 11 **in Indiana for which a license or permit issued by the**
- 12 **commission is required.**
- 13 **(11) Participating, directly or indirectly, in any agreement to**
- 14 **circumvent any rules or ruling of the commission.**
- 15 **(12) Any activity that undermines the integrity of boxing,**
- 16 **sparring, or unarmed combat.**
- 17 **Sec. 43. (a) The commission may impose any of the following**
- 18 **sanctions, singly or in combination, if the commission finds that a**
- 19 **licensee is subject to disciplinary sanctions under section 42 of this**
- 20 **chapter:**
- 21 **(1) Permanently revoke a licensee's license.**
- 22 **(2) Suspend a licensee's license.**
- 23 **(3) Censure a licensee.**
- 24 **(4) Issue a letter of reprimand.**
- 25 **(5) Place a licensee on probation status and require the**
- 26 **licensee to:**
- 27 **(A) report regularly to the commission upon the matters**
- 28 **that are the basis of probation;**
- 29 **(B) limit the licensee's participation at boxing, sparring, or**
- 30 **unarmed combat events to those areas prescribed by the**
- 31 **commission; or**
- 32 **(C) perform any acts, including community restitution or**
- 33 **service without compensation, or refrain from performing**
- 34 **any acts, that the commission considers appropriate to the**
- 35 **public interest or to the rehabilitation or treatment of the**
- 36 **licensee.**
- 37 **(6) Assess a civil penalty against the licensee for not more**
- 38 **than one thousand dollars (\$1,000) for each violation listed in**

1 **section 42 of this chapter.**

2 **(7) Order a licensee to pay consumer restitution to a person**
3 **who suffered damages as a result of the conduct or omission**
4 **that was the basis for the disciplinary sanctions under this**
5 **chapter.**

6 **(b) When imposing a civil penalty under subsection (a)(6), the**
7 **commission shall consider a licensee's ability to pay the amount**
8 **assessed. If the licensee fails to pay the civil penalty within the time**
9 **specified by the commission, the commission may suspend the**
10 **licensee's license without additional proceedings. However, a**
11 **suspension may not be imposed if the sole basis for the suspension**
12 **is the licensee's inability to pay a civil penalty.**

13 **(c) The commission may withdraw or modify the probation**
14 **under subsection (a)(5) if the commission finds after a hearing that**
15 **the deficiency that required disciplinary action has been remedied**
16 **or that changed circumstances warrant a modification of the order.**

17 **Sec. 44. (a) The commission may summarily suspend a licensee's**
18 **license for ninety (90) days before a final adjudication or during**
19 **the appeals process if the commission finds that a licensee**
20 **represents a clear and immediate danger to the public's health,**
21 **safety, or property if the licensee is allowed to continue to**
22 **participate in boxing, sparring, or unarmed combat matches,**
23 **contests, or exhibitions. The summary suspension may be renewed**
24 **upon a hearing before the commission, and each renewal may be**
25 **for not more than ninety (90) days.**

26 **(b) Before the commission may summarily suspend a license**
27 **under this section, the commission shall make a reasonable attempt**
28 **to notify the licensee of:**

29 **(1) a hearing by the commission to suspend the licensee's**
30 **license; and**

31 **(2) information regarding the allegation against the licensee.**

32 **The commission shall also notify the licensee that the licensee may**
33 **provide a written or an oral statement to the commission on the**
34 **licensee's behalf before the commission issues an order for**
35 **summary suspension. A reasonable attempt to notify the licensee**
36 **is made if the commission attempts to notify the licensee by**
37 **telephone or facsimile at the last telephone number or facsimile**
38 **number of the licensee on file with the commission.**

1 **Sec. 45. The commission may reinstate a license that has been**
2 **suspended under this chapter if, after a hearing, the commission is**
3 **satisfied that the applicant is able to participate at a boxing,**
4 **sparring, or unarmed combat match, contest, or exhibition in a**
5 **professional manner and with reasonable skill. As a condition of**
6 **reinstatement, the commission may impose disciplinary or**
7 **corrective measures authorized under this chapter.**

8 **Sec. 46. The commission may not reinstate a license that has**
9 **been revoked under this chapter. An individual whose license has**
10 **been revoked under this chapter may not apply for a new license**
11 **until seven (7) years after the date of revocation.**

12 **Sec. 47. A licensee may petition the commission to accept the**
13 **surrender of the licensee's license instead of having a hearing**
14 **before the commission. The licensee may not surrender the**
15 **licensee's license without the written approval of the commission,**
16 **and the commission may impose any conditions appropriate to the**
17 **surrender or reinstatement of a surrendered license.**

18 **Sec. 48. A licensee who has been subjected to disciplinary**
19 **sanctions may be required by the commission to pay the costs of**
20 **the proceeding. The licensee's ability to pay shall be considered**
21 **when costs are assessed. If the licensee fails to pay the costs, a**
22 **suspension may not be imposed solely upon the licensee's inability**
23 **to pay the amount assessed. These costs are limited to costs for the**
24 **following:**

- 25 **(1) Court reporters.**
- 26 **(2) Transcripts.**
- 27 **(3) Certification of documents.**
- 28 **(4) Photo duplication.**
- 29 **(5) Witness attendance and mileage fees.**
- 30 **(6) Postage.**
- 31 **(7) Expert witnesses.**
- 32 **(8) Depositions.**
- 33 **(9) Notarizations.**
- 34 **(10) Administrative law judges.**

35 **Sec. 49. (a) The commission may refuse to issue a license or may**
36 **issue a probationary license to an applicant for licensure if:**

- 37 **(1) the applicant has:**
 - 38 **(A) been disciplined by a licensing entity of another state**

1 or jurisdiction; or
 2 **(B) committed an act that would have subjected the**
 3 **applicant to the disciplinary process if the applicant had**
 4 **been licensed in Indiana when the act occurred; and**
 5 **(2) the violation for which the applicant was or could have**
 6 **been disciplined has a bearing on the applicant's ability to**
 7 **competently and professionally participate in a boxing,**
 8 **sparring, or unarmed combat match, contest, or exhibition in**
 9 **Indiana.**

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

- 11 **(1) refuse to issue a license; or**
 12 **(2) issue a probationary license;**

13 **to an applicant for licensure if the applicant participated in a**
 14 **boxing, sparring, or unarmed combat match, contest, or exhibition**
 15 **in Indiana without a license in violation of the law.**

16 **(c) Whenever the commission issues a probationary license, the**
 17 **commission may require a licensee to do any of the following:**

- 18 **(1) Report regularly to the commission upon the matters that**
 19 **are the basis of the discipline of the other state or jurisdiction.**
 20 **(2) Limit participation in a boxing, sparring, or unarmed**
 21 **combat match, contest, or exhibition to the areas prescribed**
 22 **by the commission.**
 23 **(3) Engage in community restitution or service without**
 24 **compensation for the number of hours specified by the**
 25 **commission.**
 26 **(4) Perform or refrain from performing an act that the**
 27 **commission considers appropriate to the public interest or to**
 28 **the rehabilitation or treatment of the applicant.**

29 **(d) The commission shall remove any limitations placed on a**
 30 **probationary license under this section if the commission finds**
 31 **after a public hearing that the deficiency that required disciplinary**
 32 **action has been remedied."**

33 Page 40, between lines 18 and 19, begin a new paragraph and insert:
 34 "SECTION 33. IC 10-17-9-8 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 8. (a) Each member,
 36 the estate of a deceased member, or the estate of a member under
 37 guardianship is liable for the costs of maintenance of the member in an
 38 amount up to one hundred percent (100%) of the daily per capita cost

1 of personal services and all other operating expenses for the preceding
 2 fiscal year. The per capita charge may be adjusted to reflect the level
 3 of care provided.

4 (b) The level of care must be as consistent as possible with:

5 (1) the care category of the facility in which the member is
 6 placed;

7 (2) the rules of the Indiana health facilities, **home health care,**
 8 **and hospice** council adopted under IC 16-28; and

9 (3) the applicable code of the federal government covering
 10 reimbursement from the United States Department of Veterans'
 11 Affairs or another department of the federal government.

12 (c) The liability created for the costs of maintenance of a member
 13 constitutes a lien upon the real property of the member if the lien is
 14 recorded as provided in this chapter. The lien has priority over all liens
 15 subsequently acquired."

16 Page 40, between lines 35 and 36, begin a new paragraph and insert:

17 "SECTION 35. IC 12-10-6-5, AS AMENDED BY P.L.99-2007,
 18 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2010]: Sec. 5. (a) An individual who is determined under
 20 section 2.1(a)(2) of this chapter to be incapable of residing in the
 21 individual's own home because of mental illness may be admitted to a
 22 home or facility that provides residential care to the extent that money
 23 is available for the care.

24 (b) Within thirty (30) days after an individual with a mental illness
 25 is placed in a home or facility that provides residential care, a
 26 comprehensive care plan must be developed for the individual.

27 (c) The residential care facility, in cooperation with the community
 28 mental health center or an individual's managed care provider (as
 29 defined in IC 12-7-2-127(b)) serving the area in which the residential
 30 care facility is located, shall develop the comprehensive care plan for
 31 the individual. The plan must include the following:

32 (1) Psychosocial rehabilitation services that are provided within
 33 the community.

34 (2) A comprehensive range of activities to meet multiple levels of
 35 need, including the following:

36 (A) Recreational and socialization activities.

37 (B) Social skills.

38 (C) Educational, training, occupational, and work programs.

1 (D) Opportunities for progression into less restrictive and
2 more independent living arrangements.

3 (3) Appropriate alternate placement if the individual's needs
4 cannot be met by the facility.

5 (d) The **Indiana** health facilities, **home health care, and hospice**
6 council shall, in coordination with the division of mental health and
7 addiction and the division, adopt rules under IC 4-22-2 to govern:

8 (1) residential care; and

9 (2) the comprehensive care plan;

10 provided to individuals with a mental illness who reside under this
11 chapter in a home or facility that provides residential care.

12 SECTION 36. IC 12-11-2.1-1, AS AMENDED BY P.L.99-2007,
13 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2010]: Sec. 1. (a) The bureau shall determine whether or not
15 an individual has a developmental disability. For individuals for whom
16 there is not enough current information available to make a
17 determination of eligibility, the bureau shall use the results of a
18 diagnostic assessment in determining whether an individual has a
19 developmental disability. A diagnostic assessment must include the
20 following:

21 (1) Diagnostic information concerning the individual's
22 functioning level and medical and habilitation needs.

23 (2) All information necessary for the use of the office of Medicaid
24 policy and planning, the Indiana health facilities, **home health**
25 **care, and hospice** council, and the division.

26 (3) The use of all appropriate assessments conducted under rules
27 adopted under IC 16-28.

28 (b) An individual who is found not to have a developmental
29 disability may appeal the bureau's finding under IC 4-21.5.

30 (c) If an individual is determined to have a developmental disability,
31 the office shall determine whether the individual meets the appropriate
32 federal level of care requirements."

33 Page 42, between lines 37 and 38, begin a new paragraph and insert:

34 "SECTION 40. IC 12-28-5-10, AS AMENDED BY P.L.99-2007,
35 SECTION 147, IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2010]: Sec. 10. In conjunction with the division
37 of disability and rehabilitative services, the council shall do the
38 following:

- 1 (1) Determine the current and projected needs of each geographic
 2 area of Indiana for residential services for individuals with a
 3 developmental disability.
- 4 (2) Determine how the provision of developmental or vocational
 5 services for residents in these geographic areas affects the
 6 availability of developmental or vocational services to individuals
 7 with a developmental disability living in their own homes.
- 8 (3) Develop standards for licensure of supervised group living
 9 facilities regarding the following:
- 10 (A) A sanitary and safe environment for residents and
 11 employees.
- 12 (B) Classification of supervised group living facilities.
- 13 (C) Any other matters that will ensure that the residents will
 14 receive a residential environment.
- 15 (4) Develop standards for the approval of entities providing
 16 supported living services.
- 17 (5) Recommend social and habilitation programs to the Indiana
 18 health facilities, **home health care, and hospice** council for
 19 individuals with a developmental disability who reside in health
 20 facilities licensed under IC 16-28.
- 21 (6) Develop and update semiannually a report that identifies the
 22 numbers of individuals with a developmental disability who live
 23 in health facilities licensed under IC 16-28. The Indiana health
 24 facilities, **home health care, and hospice** council shall assist in
 25 developing and updating this report."
- 26 Page 43, delete lines 35 through 42.
- 27 Delete pages 44 through 47.
- 28 Page 48, delete lines 1 through 11.
- 29 Page 49, line 32, after "facilities" insert ", **home health care, and**
 30 **hospice**".
- 31 Page 49, after line 42, begin a new paragraph and insert:
- 32 "SECTION 46. IC 16-21-1-8 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 8. For that part of a
 34 hospital that functions as a health facility described by IC 16-28,
 35 IC 16-28 applies. The **Indiana** health facilities, **home health care, and**
 36 **hospice** council does not have greater authority to adopt rules
 37 concerning facilities that are licensed under this article than the health
 38 facilities council has with regard to health facilities licensed under

1 IC 16-28."

2 Page 50, line 5, after "facilities" insert "**, home health care, and**
3 **hospice**".

4 Page 50, between lines 5 and 6, begin a new paragraph and insert:

5 "SECTION 48. IC 16-28-1-1, AS AMENDED BY P.L.1-2007,
6 SECTION 133, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) The Indiana health facilities,
8 **home health care, and hospice** council is created. The council
9 consists of ~~fourteen (14)~~ **fifteen (15)** members as follows:

- 10 (1) One (1) ~~licensed~~ physician **licensed under IC 25-22.5.**
- 11 (2) ~~Two (2)~~ **administrators; One (1) administrator**, licensed
12 under IC 25-19-1, of a ~~proprietary~~ health facility licensed under
13 this article.
- 14 (3) One (1) ~~administrator, licensed under IC 25-19-1, of a~~
15 ~~nonproprietary health facility licensed under this article:~~
16 **individual who is engaged in the administration of a home**
17 **health agency or hospice.**
- 18 (4) One (1) registered nurse **who is** licensed under IC 25-23 **and**
19 **who has experience in long term care.**
- 20 (5) One (1) registered pharmacist licensed under IC 25-26.
- 21 (6) ~~Two (2)~~ **citizens One (1) individual** having knowledge or
22 experience in the field of gerontology.
- 23 (7) One (1) ~~representative of a statewide senior citizens~~
24 ~~organization:~~ **individual having knowledge or experience in**
25 **home health care or hospice care.**
- 26 (8) One (1) ~~citizen having knowledge or experience in the field of~~
27 ~~mental health:~~ **individual who is a mental health professional.**
- 28 (9) One (1) ~~nurse-educator of a practical nurse program:~~
29 **registered nurse who is licensed under IC 25-23 and who has**
30 **experience in home health care or hospice care.**
- 31 (10) The commissioner.
- 32 (11) ~~The director of the division of family resources state~~
33 **ombudsman (as defined in IC 12-10-13-6) or the director's state**
34 **ombudsman's** designee.
- 35 (12) The director of the division of aging or the director's
36 designee.
- 37 **(13) One (1) individual having knowledge of or experience in**
38 **long term care.**

1 **(14) One (1) individual having knowledge of or experience in**
 2 **health care quality improvement, patient safety, or health law.**

3 **(15) One (1) individual who is a health care educator in a**
 4 **nursing, allied health, or medical profession and who has**
 5 **experience at an accredited college or university in a health**
 6 **care education program.**

7 (b) The members of the council designated by subsection (a)(1)
 8 through (a)(9) **and subsection (a)(13) through (a)(15)** shall be
 9 appointed by the governor.

10 (c) Except for the members of the council designated by subsection
 11 (a)(10) through (a)(12), all appointments are for four (4) years. If a
 12 vacancy occurs, the appointee serves for the remainder of the
 13 unexpired term. A vacancy is filled from the same group that was
 14 represented by the outgoing member.

15 (d) Except for the members of the council designated by subsection
 16 (a)(2) through (a)(3), a member of the council may not have a
 17 pecuniary interest in the operation of or provide professional services
 18 through employment or under contract to a facility licensed under this
 19 article."

20 Page 50, between lines 36 and 37, begin a new paragraph and insert:

21 "SECTION 51. IC 16-29-4-3 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. The Indiana health
 23 facilities, **home health care, and hospice** council may recommend,
 24 before the conversion of existing health facility beds to ICF/MR beds
 25 or the construction of a new ICF/MR facility, that the state department
 26 issue a preliminary approval of the proposed project, but only if the
 27 council determines that there is an insufficient number of available
 28 beds to care for all the persons who are determined under IC 12-11-2.1
 29 to be appropriate for placement in an ICF/MR facility.

30 SECTION 52. IC 16-29-4-4 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. A proposed project
 32 that receives preliminary approval under this chapter may not add more
 33 beds than the number determined by the Indiana health facilities, **home**
 34 **health care, and hospice** council to be necessary to provide an
 35 available bed for each person determined under IC 12-11-2.1 to be
 36 appropriate for placement in an ICF/MR facility. Upon completion of
 37 the proposed project and compliance with the other requirements for
 38 licensure under IC 16-28, the state department shall issue a license to

1 the facility.

2 SECTION 53. IC 25-1-2-6, AS AMENDED BY P.L.122-2009,
 3 SECTION 1, AND AS AMENDED BY P.L.160-2009, SECTION 4, IS
 4 CORRECTED AND AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2010]: Sec. 6. (a) As used in this section,
 6 "license" includes all occupational and professional licenses,
 7 registrations, permits, and certificates issued under the Indiana Code,
 8 and "licensee" includes all occupational and professional licensees,
 9 registrants, permittees, and certificate holders regulated under the
 10 Indiana Code.

11 (b) This section applies to the following entities that regulate
 12 occupations or professions under the Indiana Code:

- 13 (1) Indiana board of accountancy.
- 14 (2) Indiana grain buyers and warehouse licensing agency.
- 15 (3) Indiana auctioneer commission.
- 16 (4) Board of registration for architects and landscape architects.
- 17 (5) State board of barber examiners.
- 18 (6) State board of cosmetology examiners.
- 19 (7) Medical licensing board of Indiana.
- 20 (8) Secretary of state.
- 21 (9) State board of dentistry.
- 22 (10) State board of funeral and cemetery service.
- 23 (11) Worker's compensation board of Indiana.
- 24 (12) Indiana state board of health facility administrators.
- 25 (13) Committee of hearing aid dealer examiners.
- 26 (14) Indiana state board of nursing.
- 27 (15) Indiana optometry board.
- 28 (16) Indiana board of pharmacy.
- 29 (17) Indiana plumbing commission.
- 30 (18) Board of podiatric medicine.
- 31 (19) Private investigator and security guard licensing board.
- 32 (20) State board of registration for professional engineers.
- 33 (21) Board of environmental health specialists.
- 34 (22) State psychology board.
- 35 (23) Indiana real estate commission.
- 36 (24) Speech-language pathology and audiology board.
- 37 (25) Department of natural resources.
- 38 ~~(26) State boxing athletic commission.~~

- 1 ~~(27)~~ **(26)** Board of chiropractic examiners.
 2 ~~(28)~~ **(27)** Mining board.
 3 ~~(29)~~ **(28)** Indiana board of veterinary medical examiners.
 4 ~~(30)~~ **(29)** State department of health.
 5 ~~(31)~~ **(30)** Indiana physical therapy committee.
 6 ~~(32)~~ **(31)** Respiratory care committee.
 7 ~~(33)~~ **(32)** Occupational therapy committee.
 8 ~~(34)~~ **(33)** *Social worker, marriage and family therapist, and*
 9 ~~mental health counselor Behavioral health and human services~~
 10 *licensing board.*
 11 ~~(35)~~ **(34)** Real estate appraiser licensure and certification board.
 12 ~~(36)~~ **(35)** State board of registration for land surveyors.
 13 ~~(37)~~ **(36)** Physician assistant committee.
 14 ~~(38)~~ **(37)** Indiana dietitians certification board.
 15 ~~(39)~~ **(38)** Indiana hypnotist committee.
 16 ~~(40)~~ **(39)** Attorney general (only for the regulation of athlete
 17 agents).
 18 ~~(41)~~ **(40)** Manufactured home installer licensing board.
 19 ~~(42)~~ **(41)** Home inspectors licensing board.
 20 ~~(43)~~ **(42)** State board of massage therapy.
 21 ~~(44)~~ **(43)** Any other occupational or professional agency created
 22 after June 30, 1981.

23 (c) Notwithstanding any other law, the entities included in
 24 subsection (b) shall send a notice of the upcoming expiration of a
 25 license to each licensee at least sixty (60) days prior to the expiration
 26 of the license. The notice must inform the licensee of the need to renew
 27 and the requirement of payment of the renewal fee. If this notice of
 28 expiration is not sent by the entity, the licensee is not subject to a
 29 sanction for failure to renew if, once notice is received from the entity,
 30 the license is renewed within forty-five (45) days of the receipt of the
 31 notice."

32 Page 54, delete lines 25 through 42, begin a new paragraph and
 33 insert:

34 "SECTION 57. IC 25-1-14-2, AS AMENDED BY P.L.160-2009,
 35 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2010]: Sec. 2. (a) A member of a board, committee, or
 37 commission may participate in a meeting of the board, committee, or
 38 commission:

1 (1) except as provided in ~~subsections~~ **subsection (b)**, ~~and (c)~~; at
 2 which at least a quorum is physically present at the place where
 3 the meeting is conducted; and
 4 (2) by using a means of communication that permits:
 5 (A) all other members participating in the meeting; and
 6 (B) all members of the public physically present at the place
 7 where the meeting is conducted;
 8 to simultaneously communicate with each other during the
 9 meeting.
 10 (b) A member of a board, committee, or commission may participate
 11 in an emergency meeting of the board, committee, or commission to
 12 consider disciplinary sanctions under IC 25-1-9-10 or IC 25-1-11-13 by
 13 using a means of communication that permits:
 14 (1) all other members participating in the meeting; and
 15 (2) all members of the public physically present at the place
 16 where the meeting is conducted;
 17 to simultaneously communicate with each other during the meeting.
 18 ~~(c) A member of the state athletic commission may participate in~~
 19 ~~meetings of the commission to consider the final approval of a permit~~
 20 ~~for a particular boxing, sparring, or unarmed combat match or~~
 21 ~~exhibition under IC 25-9-1-6(b) by using a means of communication~~
 22 ~~that permits:~~
 23 ~~(1) all other members participating in the meeting; and~~
 24 ~~(2) all members of the public physically present at the place~~
 25 ~~where the meeting is conducted;~~
 26 ~~to simultaneously communicate with each other during the meeting.~~
 27 ~~(d) (c) A member who participates in a meeting under subsection~~
 28 ~~(b): or (c):~~
 29 (1) is considered to be present at the meeting;
 30 (2) shall be counted for purposes of establishing a quorum; and
 31 (3) may vote at the meeting.
 32 SECTION 58. IC 25-19-1-5, AS AMENDED BY P.L.54-2007,
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2010]: Sec. 5. (a) The Indiana health facilities, **home health**
 35 **care, and hospice** council, pursuant to authority provided by IC 16-28,
 36 has, by rule duly promulgated, classified health facilities into
 37 comprehensive health facilities and residential health facilities. The fee
 38 for a health facility administrator's license in either classification shall

1 be set by the board under section 8 of this chapter.

2 (b) Such fee and application shall be submitted to the board, and the
3 board shall transmit all such funds so received to the treasurer of state
4 to be deposited by him in the general fund of the state. All expenses
5 incurred in the administration of this chapter shall be paid from the
6 general fund upon appropriation being made therefor in the manner
7 provided by law for making such appropriations.

8 (c) The administrator of a comprehensive care facility must have a
9 comprehensive care facility administrator license issued by the board
10 in accordance with rules adopted under section 8 of this chapter.

11 (d) The administrator of a residential care facility must have one (1)
12 of the following licenses issued by the board under rules adopted under
13 section 8 of this chapter:

14 (1) A comprehensive care facility administrator license.

15 (2) A residential care facility administrator license."

16 Delete pages 55 through 56.

17 Page 57, delete lines 1 through 40.

18 Page 58, delete lines 25 through 42.

19 Delete pages 59 through 65.

20 Page 66, delete lines 1 through 30.

21 Page 66, line 33, delete "IC 4-23-24.2;"

22 Page 66, line 36, delete "IC 14-9-6;"

23 Page 66, line 36, delete "IC 14-21-1-5;"

24 Page 66, line 39, after "IC 16-41-35-17;" insert "IC 16-41-35-18;
25 IC 16-41-35-19; IC 16-41-35-20; IC 16-41-35-21; IC 16-41-35-22;
26 IC 16-41-35-23; IC 16-41-35-24;"

27 Page 66, line 39, after "IC 27-1-3-30" delete ";" and insert "."

28 Page 66, delete line 40.

29 Page 67, between lines 5 and 6, begin a new paragraph and insert:

30 **"(c) The rules adopted by the state athletic commission before**

- 1 **July 1, 2010, and in effect on June 30, 2010, shall be treated after**
- 2 **June 30, 2010, as the rules of the Indiana gaming commission."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 1 as printed January 15, 2010.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

Kenley

Chairperson