

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 223 be amended to read as follows:

- 1 Page 2, between lines 1 and 2, begin a new paragraph and insert:  
2 "SECTION 2. IC 25-1-2-6, AS AMENDED BY P.L.84-2010,  
3 SECTION 7, AND AS AMENDED BY P.L.113-2010, SECTION 100,  
4 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2011]: 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) (5) State board of cosmetology and barber examiners.~~
  - 19 ~~(7) (6) Medical licensing board of Indiana.~~
  - 20 ~~(8) (7) Secretary of state.~~
  - 21 ~~(9) (8) State board of dentistry.~~
  - 22 ~~(10) (9) State board of funeral and cemetery service.~~
  - 23 ~~(11) (10) Worker's compensation board of Indiana.~~
  - 24 ~~(12) (11) Indiana state board of health facility administrators.~~

- 1           ~~(13)~~ (12) Committee of hearing aid dealer examiners.  
 2           ~~(14)~~ (13) Indiana state board of nursing.  
 3           ~~(15)~~ (14) Indiana optometry board.  
 4           ~~(16)~~ (15) Indiana board of pharmacy.  
 5           ~~(17)~~ (16) Indiana plumbing commission.  
 6           ~~(18)~~ (17) Board of podiatric medicine.  
 7           ~~(19)~~ (18) Private investigator and security guard licensing board.  
 8           ~~(20)~~ (19) State board of registration for professional engineers.  
 9           ~~(21)~~ **(20)** *Board of environmental health specialists.*  
 10          ~~(22)~~ ~~(20)~~ **(21)** State psychology board.  
 11          ~~(23)~~ ~~(21)~~ **(22)** Indiana real estate commission.  
 12          ~~(24)~~ ~~(22)~~ **(23)** Speech-language pathology and audiology board.  
 13          ~~(25)~~ ~~(23)~~ **(24)** Department of natural resources.  
 14          ~~(26)~~ ~~(24)~~ *State athletic commission.*  
 15          ~~(26)~~ (25) Board of chiropractic examiners.  
 16          ~~(27)~~ (26) Mining board.  
 17          ~~(28)~~ (27) Indiana board of veterinary medical examiners.  
 18          ~~(29)~~ (28) State department of health.  
 19          ~~(30)~~ (29) Indiana physical therapy committee.  
 20          ~~(31)~~ (30) Respiratory care committee.  
 21          ~~(32)~~ (31) Occupational therapy committee.  
 22          ~~(33)~~ (32) Behavioral health and human services licensing board.  
 23          ~~(34)~~ (33) Real estate appraiser licensure and certification board.  
 24          ~~(35)~~ (34) State board of registration for land surveyors.  
 25          ~~(36)~~ (35) Physician assistant committee.  
 26          ~~(37)~~ (36) Indiana dietitians certification board.  
 27          ~~(38)~~ *Indiana hypnotist committee.*  
 28          ~~(39)~~ (37) Attorney general (only for the regulation of athlete  
 29          agents).  
 30          ~~(40)~~ (38) Manufactured home installer licensing board.  
 31          ~~(41)~~ (39) Home inspectors licensing board.  
 32          ~~(42)~~ (40) State board of massage therapy.  
 33          ~~(43)~~ (41) Any other occupational or professional agency created  
 34          after June 30, 1981.

35           (c) Notwithstanding any other law, the entities included in  
 36          subsection (b) shall send a notice of the upcoming expiration of a  
 37          license to each licensee at least sixty (60) days prior to the expiration  
 38          of the license. The notice must inform the licensee of the need to renew  
 39          and the requirement of payment of the renewal fee. If this notice of  
 40          expiration is not sent by the entity, the licensee is not subject to a  
 41          sanction for failure to renew if, once notice is received from the entity,  
 42          the license is renewed within forty-five (45) days of the receipt of the  
 43          notice.

44           SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.84-2010,  
 45          SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 46          JULY 1, 2011]: Sec. 0.3. As used in this chapter, "board" means any of

- 1 the following:
- 2 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 3 (2) Board of registration for architects and landscape architects
- 4 (IC 25-4-1-2).
- 5 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 6 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 7 (5) Board of chiropractic examiners (IC 25-10-1).
- 8 (6) State board of cosmetology and barber examiners
- 9 (IC 25-8-3-1).
- 10 (7) State board of dentistry (IC 25-14-1).
- 11 (8) Indiana dietitians certification board (IC 25-14.5-2-1).
- 12 (9) State board of registration for professional engineers
- 13 (IC 25-31-1-3).
- 14 (10) State board of funeral and cemetery service (IC 25-15-9).
- 15 (11) Indiana state board of health facility administrators
- 16 (IC 25-19-1).
- 17 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- 18 (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 19 (14) State board of registration for land surveyors
- 20 (IC 25-21.5-2-1).
- 21 (15) Manufactured home installer licensing board (IC 25-23.7).
- 22 (16) Medical licensing board of Indiana (IC 25-22.5-2).
- 23 (17) Indiana state board of nursing (IC 25-23-1).
- 24 (18) Occupational therapy committee (IC 25-23.5).
- 25 (19) Indiana optometry board (IC 25-24).
- 26 (20) Indiana board of pharmacy (IC 25-26).
- 27 (21) Indiana physical therapy committee (IC 25-27-1).
- 28 (22) Physician assistant committee (IC 25-27.5).
- 29 (23) Indiana plumbing commission (IC 25-28.5-1-3).
- 30 (24) Board of podiatric medicine (IC 25-29-2-1).
- 31 (25) Private investigator and security guard licensing board
- 32 (IC 25-30-1-5.2).
- 33 **(26) Board of environmental health specialists**
- 34 **(IC 25-32.1-1-6).**
- 35 ~~(26)~~ (27) State psychology board (IC 25-33).
- 36 ~~(27)~~ (28) Indiana real estate commission (IC 25-34.1-2).
- 37 ~~(28)~~ (29) Real estate appraiser licensure and certification board
- 38 (IC 25-34.1-8).
- 39 ~~(29)~~ (30) Respiratory care committee (IC 25-34.5).
- 40 ~~(30)~~ (31) Behavioral health and human services licensing board
- 41 (IC 25-23.6).
- 42 ~~(31)~~ (32) Speech-language pathology and audiology board
- 43 (IC 25-35.6-2).
- 44 ~~(32)~~ (33) Indiana board of veterinary medical examiners
- 45 (IC 25-38.1-2).
- 46 SECTION 4. IC 25-1-5-3, AS AMENDED BY P.L.84-2010,

1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2011]: Sec. 3. (a) There is established the Indiana professional  
3 licensing agency. The agency shall perform all administrative  
4 functions, duties, and responsibilities assigned by law or rule to the  
5 executive director, secretary, or other statutory administrator of the  
6 following:

- 7 (1) Board of chiropractic examiners (IC 25-10-1).
- 8 (2) State board of dentistry (IC 25-14-1).
- 9 (3) Indiana state board of health facility administrators  
10 (IC 25-19-1).
- 11 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 12 (5) Indiana state board of nursing (IC 25-23-1).
- 13 (6) Indiana optometry board (IC 25-24).
- 14 (7) Indiana board of pharmacy (IC 25-26).
- 15 (8) Board of podiatric medicine (IC 25-29-2-1).
- 16 (9) Speech-language pathology and audiology board  
17 (IC 25-35.6-2).
- 18 (10) State psychology board (IC 25-33).
- 19 (11) Indiana board of veterinary medical examiners  
20 (IC 25-38.1-2).
- 21 (12) Committee of hearing aid dealer examiners (IC 25-20).
- 22 (13) Indiana physical therapy committee (IC 25-27).
- 23 (14) Respiratory care committee (IC 25-34.5).
- 24 (15) Occupational therapy committee (IC 25-23.5).
- 25 (16) Behavioral health and human services licensing board  
26 (IC 25-23.6).
- 27 (17) Physician assistant committee (IC 25-27.5).
- 28 (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- 29 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- 30 **(20) Board of environmental health specialists**  
31 **(IC 25-32.1-1-6).**

32 (b) Nothing in this chapter may be construed to give the agency  
33 policy making authority, which authority remains with each board.

34 SECTION 5. IC 25-1-5-10, AS AMENDED BY P.L.84-2010,  
35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2011]: Sec. 10. (a) As used in this section, "provider" means  
37 an individual licensed, certified, registered, or permitted by any of the  
38 following:

- 39 (1) Board of chiropractic examiners (IC 25-10-1).
- 40 (2) State board of dentistry (IC 25-14-1).
- 41 (3) Indiana state board of health facility administrators  
42 (IC 25-19-1).
- 43 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 44 (5) Indiana state board of nursing (IC 25-23-1).
- 45 (6) Indiana optometry board (IC 25-24).
- 46 (7) Indiana board of pharmacy (IC 25-26).

- 1 (8) Board of podiatric medicine (IC 25-29-2-1).  
 2 (9) Speech-language pathology and audiology board  
 3 (IC 25-35.6-2).  
 4 **(10) Board of environmental health specialists**  
 5 **(IC 25-32.1-1-6).**  
 6 ~~(10)~~ (11) State psychology board (IC 25-33).  
 7 ~~(11)~~ (12) Indiana board of veterinary medical examiners  
 8 (IC 25-38.1-2).  
 9 ~~(12)~~ (13) Indiana physical therapy committee (IC 25-27).  
 10 ~~(13)~~ (14) Respiratory care committee (IC 25-34.5).  
 11 ~~(14)~~ (15) Occupational therapy committee (IC 25-23.5).  
 12 ~~(15)~~ (16) Behavioral health and human services licensing board  
 13 (IC 25-23.6).  
 14 ~~(16)~~ (17) Physician assistant committee (IC 25-27.5).  
 15 ~~(17)~~ (18) Indiana athletic trainers board (IC 25-5.1-2-1).  
 16 ~~(18)~~ (19) Indiana dietitians certification board (IC 25-14.5-2-1).  
 17 (b) The agency shall create and maintain a provider profile for each  
 18 provider described in subsection (a).  
 19 (c) A provider profile must contain the following information:  
 20 (1) The provider's name.  
 21 (2) The provider's license, certification, registration, or permit  
 22 number.  
 23 (3) The provider's license, certification, registration, or permit  
 24 type.  
 25 (4) The date the provider's license, certification, registration, or  
 26 permit was issued.  
 27 (5) The date the provider's license, certification, registration, or  
 28 permit expires.  
 29 (6) The current status of the provider's license, certification,  
 30 registration, or permit.  
 31 (7) The provider's city and state of record.  
 32 (8) A statement of any disciplinary action taken against the  
 33 provider within the previous ten (10) years by a board or  
 34 committee described in subsection (a).  
 35 (d) The agency shall make provider profiles available to the public.  
 36 (e) The computer gateway administered by the office of technology  
 37 established by IC 4-13.1-2-1 shall make the information described in  
 38 subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally  
 39 available to the public on the Internet.  
 40 (f) The agency may adopt rules under IC 4-22-2 to implement this  
 41 section.  
 42 SECTION 6. IC 25-1-7-1, AS AMENDED BY P.L.84-2010,  
 43 SECTION 12, AND AS AMENDED BY P.L.113-2010, SECTION  
 44 101, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 45 [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter:  
 46 "Board" means the appropriate agency listed in the definition of

- 1 regulated occupation in this section.
- 2 "Director" refers to the director of the division of consumer  
3 protection.
- 4 "Division" refers to the division of consumer protection, office of  
5 the attorney general.
- 6 "Licensee" means a person who is:
- 7 (1) licensed, certified, or registered by a board listed in this  
8 section; and
- 9 (2) the subject of a complaint filed with the division.
- 10 "Person" means an individual, a partnership, a limited liability  
11 company, or a corporation.
- 12 "Regulated occupation" means an occupation in which a person is  
13 licensed, certified, or registered by one (1) of the following:
- 14 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 15 (2) Board of registration for architects and landscape architects  
16 (IC 25-4-1-2).
- 17 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 18 ~~(4) State board of barber examiners (IC 25-7-5-1).~~
- 19 ~~(4) State athletic commission (IC 25-9-1).~~
- 20 ~~(5) (4) Board of chiropractic examiners (IC 25-10-1).~~
- 21 ~~(6) (5) State board of cosmetology and barber examiners~~  
22 ~~(IC 25-8-3-1).~~
- 23 ~~(7) (6) State board of dentistry (IC 25-14-1).~~
- 24 ~~(8) (7) State board of funeral and cemetery service (IC 25-15-9).~~
- 25 ~~(9) (8) State board of registration for professional engineers~~  
26 ~~(IC 25-31-1-3).~~
- 27 ~~(10) (9) Indiana state board of health facility administrators~~  
28 ~~(IC 25-19-1).~~
- 29 ~~(11) (10) Medical licensing board of Indiana (IC 25-22.5-2).~~
- 30 ~~(12) (11) Indiana state board of nursing (IC 25-23-1).~~
- 31 ~~(13) (12) Indiana optometry board (IC 25-24).~~
- 32 ~~(14) (13) Indiana board of pharmacy (IC 25-26).~~
- 33 ~~(15) (14) Indiana plumbing commission (IC 25-28.5-1-3).~~
- 34 ~~(16) (15) Board of podiatric medicine (IC 25-29-2-1).~~
- 35 ~~(17) (16) Board of environmental health specialists (IC 25-32-1).~~  
36 **(IC 25-32.1-1).**
- 37 ~~(18) (17) State psychology board (IC 25-33).~~
- 38 ~~(19) (18) Speech-language pathology and audiology board~~  
39 ~~(IC 25-35.6-2).~~
- 40 ~~(20) (19) Indiana real estate commission (IC 25-34.1-2).~~
- 41 ~~(21) (20) Indiana board of veterinary medical examiners~~  
42 ~~(IC 25-38.1).~~
- 43 ~~(22) (21) Department of natural resources for purposes of~~  
44 ~~licensing water well drillers under IC 25-39-3.~~
- 45 ~~(23) (22) Respiratory care committee (IC 25-34.5).~~
- 46 ~~(24) (23) Private investigator and security guard licensing board~~

- 1 (IC 25-30-1-5.2).  
 2 ~~(24) (25)~~ Occupational therapy committee (IC 25-23.5).  
 3 ~~(25) (26)~~ Behavioral health and human services licensing board  
 4 (IC 25-23.6).  
 5 ~~(26) (27)~~ Real estate appraiser licensure and certification board  
 6 (IC 25-34.1-8).  
 7 ~~(27) (28)~~ State board of registration for land surveyors  
 8 (IC 25-21.5-2-1).  
 9 ~~(28) (29)~~ Physician assistant committee (IC 25-27.5).  
 10 ~~(29) (30)~~ Indiana athletic trainers board (IC 25-5.1-2-1).  
 11 ~~(30) (31)~~ Indiana dietitians certification board (IC 25-14.5-2-1).  
 12 ~~(32) Indiana hypnotist committee (IC 25-20.5-1-7).~~  
 13 ~~(31) (33)~~ Indiana physical therapy committee (IC 25-27).  
 14 ~~(32) (34)~~ Manufactured home installer licensing board  
 15 (IC 25-23.7).  
 16 ~~(33) (35)~~ Home inspectors licensing board (IC 25-20.2-3-1).  
 17 ~~(34) (36)~~ State department of health, for out-of-state mobile health  
 18 care entities.  
 19 ~~(35) (37)~~ State board of massage therapy (IC 25-21.8-2-1).  
 20 ~~(36) (38)~~ Any other occupational or professional agency created  
 21 after June 30, 1981."

22 Page 3, between lines 17 and 18, begin a new paragraph and insert:  
 23 "SECTION 10. IC 25-1-8-1, AS AMENDED BY P.L.84-2010,  
 24 SECTION 14, AND AS AMENDED BY P.L.113-2010, SECTION  
 25 102, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter, "board"  
 27 means any of the following:

- 28 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 29 (2) Board of registration for architects and landscape architects  
 30 (IC 25-4-1-2).  
 31 (3) Indiana auctioneer commission (IC 25-6.1-2-1).  
 32 ~~(4) State board of barber examiners (IC 25-7-5-1).~~  
 33 ~~(4) State athletic commission (IC 25-9-1).~~  
 34 ~~(5) (4)~~ Board of chiropractic examiners (IC 25-10-1).  
 35 ~~(6) (5)~~ State board of cosmetology *and barber* examiners  
 36 (IC 25-8-3-1).  
 37 ~~(7) (6)~~ State board of dentistry (IC 25-14-1).  
 38 ~~(8) (7)~~ State board of funeral and cemetery service (IC 25-15).  
 39 ~~(9) (8)~~ State board of registration for professional engineers  
 40 (IC 25-31-1-3).  
 41 ~~(10) (9)~~ Indiana state board of health facility administrators  
 42 (IC 25-19-1).  
 43 ~~(11) (10)~~ Medical licensing board of Indiana (IC 25-22.5-2).  
 44 ~~(12) (11)~~ Mining board (IC 22-10-1.5-2).  
 45 ~~(13) (12)~~ Indiana state board of nursing (IC 25-23-1).  
 46 ~~(14) (13)~~ Indiana optometry board (IC 25-24).

- 1           ~~(15)~~ **(14)** Indiana board of pharmacy (IC 25-26).  
 2           ~~(16)~~ **(15)** Indiana plumbing commission (IC 25-28.5-1-3).  
 3           ~~(17)~~ **(16)** *Board of environmental health specialists* ~~(IC 25-32-1)~~.  
 4           **(IC 25-32.1-1)**  
 5           ~~(17)~~ ~~(18)~~ State psychology board (IC 25-33).  
 6           ~~(18)~~ ~~(19)~~ Speech-language pathology and audiology board  
 7           (IC 25-35.6-2).  
 8           ~~(19)~~ ~~(20)~~ Indiana real estate commission (IC 25-34.1-2-1).  
 9           ~~(20)~~ ~~(21)~~ Indiana board of veterinary medical examiners  
 10           (IC 25-38.1-2-1).  
 11           ~~(21)~~ ~~(22)~~ Department of insurance (IC 27-1).  
 12           ~~(22)~~ ~~(23)~~ State police department (IC 10-11-2-4), for purposes of  
 13           certifying polygraph examiners under IC 25-30-2.  
 14           ~~(23)~~ ~~(24)~~ Department of natural resources for purposes of  
 15           licensing water well drillers under IC 25-39-3.  
 16           ~~(24)~~ ~~(25)~~ Private investigator and security guard licensing board  
 17           (IC 25-30-1-5.2).  
 18           ~~(25)~~ ~~(26)~~ Occupational therapy committee (IC 25-23.5-2-1).  
 19           ~~(26)~~ ~~(27)~~ Behavioral health and human services licensing board  
 20           (IC 25-23.6-2-1).  
 21           ~~(27)~~ ~~(28)~~ Real estate appraiser licensure and certification board  
 22           (IC 25-34.1-8).  
 23           ~~(28)~~ ~~(29)~~ State board of registration for land surveyors  
 24           (IC 25-21.5-2-1).  
 25           ~~(29)~~ ~~(30)~~ Physician assistant committee (IC 25-27.5).  
 26           ~~(30)~~ ~~(31)~~ Indiana athletic trainers board (IC 25-5.1-2-1).  
 27           ~~(31)~~ ~~(32)~~ Board of podiatric medicine (IC 25-29-2-1).  
 28           ~~(32)~~ ~~(33)~~ Indiana dietitians certification board (IC 25-14.5-2-1).  
 29           ~~(33)~~ ~~(34)~~ Indiana physical therapy committee (IC 25-27).  
 30           ~~(34)~~ ~~(35)~~ Manufactured home installer licensing board  
 31           (IC 25-23.7).  
 32           ~~(35)~~ ~~(36)~~ Home inspectors licensing board (IC 25-20.2-3-1).  
 33           ~~(36)~~ ~~(37)~~ State board of massage therapy (IC 25-21.8-2-1).  
 34           ~~(37)~~ ~~(38)~~ Any other occupational or professional agency created  
 35           after June 30, 1981.

36           SECTION 11. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,  
 37           SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38           JULY 1, 2011]: Sec. 6. (a) As used in this section, "board" means any  
 39           of the following:

- 40           (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 41           (2) Board of registration for architects and landscape architects  
 42           (IC 25-4-1-2).  
 43           (3) Indiana athletic trainers board (IC 25-5.1-2-1).  
 44           (4) Indiana auctioneer commission (IC 25-6.1-2-1).  
 45           (5) Board of chiropractic examiners (IC 25-10-1).  
 46           (6) State board of cosmetology and barber examiners

- 1 (IC 25-8-3-1).  
 2 (7) State board of dentistry (IC 25-14-1).  
 3 (8) Indiana dietitians certification board (IC 25-14.5-2-1).  
 4 (9) State board of registration for professional engineers  
 5 (IC 25-31-1-3).  
 6 (10) State board of funeral and cemetery service (IC 25-15-9).  
 7 (11) Indiana state board of health facility administrators  
 8 (IC 25-19-1).  
 9 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).  
 10 (13) Home inspectors licensing board (IC 25-20.2-3-1).  
 11 (14) State board of registration for land surveyors  
 12 (IC 25-21.5-2-1).  
 13 (15) Manufactured home installer licensing board (IC 25-23.7).  
 14 (16) Medical licensing board of Indiana (IC 25-22.5-2).  
 15 (17) Indiana state board of nursing (IC 25-23-1).  
 16 (18) Occupational therapy committee (IC 25-23.5).  
 17 (19) Indiana optometry board (IC 25-24).  
 18 (20) Indiana board of pharmacy (IC 25-26).  
 19 (21) Indiana physical therapy committee (IC 25-27).  
 20 (22) Physician assistant committee (IC 25-27.5).  
 21 (23) Indiana plumbing commission (IC 25-28.5-1-3).  
 22 (24) Board of podiatric medicine (IC 25-29-2-1).  
 23 (25) Private investigator and security guard licensing board  
 24 (IC 25-30-1-5.2).  
 25 **(26) Board of environmental health specialists**  
 26 **(IC 25-32.1-1-6).**  
 27 ~~(26)~~ (27) State psychology board (IC 25-33).  
 28 ~~(27)~~ (28) Indiana real estate commission (IC 25-34.1-2).  
 29 ~~(28)~~ (29) Real estate appraiser licensure and certification board  
 30 (IC 25-34.1-8).  
 31 ~~(29)~~ (30) Respiratory care committee (IC 25-34.5).  
 32 ~~(30)~~ (31) Behavioral health and human services licensing board  
 33 (IC 25-23.6).  
 34 ~~(31)~~ (32) Speech-language pathology and audiology board  
 35 (IC 25-35.6-2).  
 36 ~~(32)~~ (33) Indiana board of veterinary medical examiners  
 37 (IC 25-38.1).  
 38 ~~(33)~~ (34) State board of massage therapy (IC 25-21.8-2-1).  
 39 (b) This section does not apply to a license, certificate, or  
 40 registration that has been revoked or suspended.  
 41 (c) Notwithstanding any other law regarding the reinstatement of a  
 42 delinquent or lapsed license, certificate, or registration and except as  
 43 provided in section 8 of this chapter, the holder of a license, certificate,  
 44 or registration that was issued by the board that is three (3) years or less  
 45 delinquent must be reinstated upon meeting the following  
 46 requirements:

- 1 (1) Submission of the holder's completed renewal application.
- 2 (2) Payment of the current renewal fee established by the board
- 3 under section 2 of this chapter.
- 4 (3) Payment of a reinstatement fee established by the Indiana
- 5 professional licensing agency.
- 6 (4) If a law requires the holder to complete continuing education
- 7 as a condition of renewal, the holder:
- 8 (A) shall provide the board with a sworn statement, signed by
- 9 the holder, that the holder has fulfilled the continuing
- 10 education requirements required by the board; or
- 11 (B) shall, if the holder has not complied with the continuing
- 12 education requirements, meet any requirements imposed under
- 13 IC 25-1-4-5 and IC 25-1-4-6.
- 14 (d) Notwithstanding any other law regarding the reinstatement of a
- 15 delinquent or lapsed license, certificate, or registration and except as
- 16 provided in section 8 of this chapter, unless a statute specifically does
- 17 not allow a license, certificate, or registration to be reinstated if it has
- 18 lapsed for more than three (3) years, the holder of a license, certificate,
- 19 or registration that was issued by the board that is more than three (3)
- 20 years delinquent must be reinstated upon meeting the following
- 21 requirements:
- 22 (1) Submission of the holder's completed renewal application.
- 23 (2) Payment of the current renewal fee established by the board
- 24 under section 2 of this chapter.
- 25 (3) Payment of a reinstatement fee equal to the current initial
- 26 application fee.
- 27 (4) If a law requires the holder to complete continuing education
- 28 as a condition of renewal, the holder:
- 29 (A) shall provide the board with a sworn statement, signed by
- 30 the holder, that the holder has fulfilled the continuing
- 31 education requirements required by the board; or
- 32 (B) shall, if the holder has not complied with the continuing
- 33 education requirements, meet any requirements imposed under
- 34 IC 25-1-4-5 and IC 25-1-4-6.
- 35 (5) Complete such remediation and additional training as deemed
- 36 appropriate by the board given the lapse of time involved.
- 37 (6) Any other requirement that is provided for in statute or rule
- 38 that is not related to fees.
- 39 SECTION 12. IC 25-1-9-1, AS AMENDED BY P.L.84-2010,
- 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2011]: Sec. 1. As used in this chapter, "board" means any of
- 42 the following:
- 43 (1) Board of chiropractic examiners (IC 25-10-1).
- 44 (2) State board of dentistry (IC 25-14-1).
- 45 (3) Indiana state board of health facility administrators
- 46 (IC 25-19-1).

- 1 (4) Medical licensing board of Indiana (IC 25-22.5-2).  
 2 (5) Indiana state board of nursing (IC 25-23-1).  
 3 (6) Indiana optometry board (IC 25-24).  
 4 (7) Indiana board of pharmacy (IC 25-26).  
 5 (8) Board of podiatric medicine (IC 25-29-2-1).  
 6 (9) Speech-language pathology and audiology board  
 7 (IC 25-35.6-2).  
 8 (10) State psychology board (IC 25-33).  
 9 (11) Indiana board of veterinary medical examiners  
 10 (IC 25-38.1-2).  
 11 (12) Indiana physical therapy committee (IC 25-27-1).  
 12 (13) Respiratory care committee (IC 25-34.5).  
 13 (14) Occupational therapy committee (IC 25-23.5).  
 14 (15) Behavioral health and human services licensing board  
 15 (IC 25-23.6).  
 16 (16) Physician assistant committee (IC 25-27.5).  
 17 (17) Indiana athletic trainers board (IC 25-5.1-2-1).  
 18 (18) Indiana dietitians certification board (IC 25-14.5-2-1).  
 19 **(19) Board of environmental health specialists**  
 20 **(IC 25-32.1-1-6)."**

21 Page 4, between lines 23 and 24, begin a new paragraph and insert:  
 22 "SECTION 15. IC 25-32.1 IS ADDED TO THE INDIANA CODE  
 23 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY  
 24 1, 2011]:

25 **ARTICLE 32.1. ENVIRONMENTAL HEALTH SPECIALISTS**

26 **Chapter 1. Environmental Health Specialists**

27 **Sec. 1. As used in this chapter, "board" means the board of**  
 28 **environmental health specialists.**

29 **Sec. 2. As used in this chapter, "certificate of registration"**  
 30 **refers to a document issued by the board as evidence of**  
 31 **registration and qualifications to practice as a registered**  
 32 **environmental health specialist.**

33 **Sec. 3. As used in this chapter, "environmental health specialist**  
 34 **trainee" means a person who possesses the necessary educational**  
 35 **qualifications as prescribed in this chapter for registration as an**  
 36 **environmental health specialist, but who has not completed the**  
 37 **experience requirements in the fields of environmental sanitation**  
 38 **as required for registration.**

39 **Sec. 4. As used in this chapter, "environmental sanitation"**  
 40 **means the application of scientific principles to the control of air,**  
 41 **water, waste, food, milk, shelter, vermin, and other external**  
 42 **conditions of human surroundings that promote and preserve**  
 43 **health, safety, comfort, and well-being and prolong human life.**

44 **Sec. 5. As used in this chapter, "registered environmental health**  
 45 **specialist" means a person who:**

- 46 (1) is skilled in the science of public health and sanitary  
 47 science;

- 1           **(2) practices as an environmental health specialist to improve**  
 2           **the hygienic condition of human surroundings in Indiana to**  
 3           **control epidemic and other diseases which may be spread by**  
 4           **insanitary and unhealthful conditions; and**  
 5           **(3) is registered under this chapter.**

6           **Sec. 6. (a) The board of environmental health specialists is**  
 7           **established.**

8           **(b) The board shall register qualified environmental health**  
 9           **specialists whose duties in public health, sanitary science, and**  
 10           **community hygiene require knowledge of the physical, biological,**  
 11           **and sanitary sciences and whose professional duties and pursuits**  
 12           **are necessary to the promotion and preservation of life, health, and**  
 13           **welfare of Indiana citizens.**

14           **Sec. 7. (a) The board of environmental health specialists consists**  
 15           **of the following seven (7) members:**

16           **(1) One (1) member who is an environmental health specialist**  
 17           **eligible for registration under this chapter to be appointed by**  
 18           **the state department of health, with the approval of the**  
 19           **governor.**

20           **(2) Six (6) members appointed by the governor as follows:**

21           **(A) Four (4) members who are environmental health**  
 22           **specialists.**

23           **(B) Two (2) members who:**

24           **(i) are other interested citizens;**

25           **(ii) are residents of Indiana; and**

26           **(iii) have never been associated with the sanitarian**  
 27           **profession in any way other than as a consumer.**

28           **(b) Beginning July 1, 2012, the environmental health specialists**  
 29           **appointed to the board must be environmental health specialists**  
 30           **registered under this chapter.**

31           **Sec. 8. (a) Except as provided in subsection (d), the term for a**  
 32           **member of the board is four (4) years.**

33           **(b) Vacancies shall be filled by appointment for unexpired terms**  
 34           **as originally appointed.**

35           **(c) The governor may remove any member of the board for**  
 36           **misconduct in office, incompetency, neglect of duty, or other**  
 37           **sufficient cause after due notice and a hearing.**

38           **(d) Notwithstanding subsection (a), the initial board members**  
 39           **under section 7(a) of this chapter must be appointed for terms as**  
 40           **follows:**

41           **(1) One (1) member appointed for a term of one (1) year.**

42           **(2) Two (2) members appointed for terms of two (2) years.**

43           **(3) Two (2) members appointed for terms of three (3) years.**

44           **(4) Two (2) members appointed for terms of four (4) years.**

45           **The state department shall appoint each initial board member with**  
 46           **the approval of the governor.**

47           **Sec. 9. (a) The members of the board shall annually elect a**

- 1 chairman and vice chairman who are members of the board.
- 2 (b) The board shall supervise the enforcement of this chapter  
3 and have the authority to fulfill its duties in this chapter. The  
4 board may use on a full-time or part-time basis any employees that  
5 are necessary to maintain records pertinent to the examination and  
6 registration of environmental health specialists, or to assist in any  
7 manner in the performance of duties as required under this  
8 chapter. The board may also use the staff of the Indiana  
9 professional licensing agency.
- 10 (c) Subject to IC 25-1-7, the board may hold hearings for the  
11 purpose of administrative adjudication of any matters that may  
12 properly come before it, make the necessary determinations, and  
13 issue such orders as may be consistent with the findings.
- 14 (d) The board may establish the procedures for conducting  
15 examinations and for obtaining the certificates and permits  
16 required by this chapter and methods by which the qualifications  
17 of an applicant shall be evaluated.
- 18 (e) The board may adopt reasonable rules under IC 4-22-2 to  
19 carry out and enforce this chapter. The board shall adopt rules  
20 establishing standards for the competent practice of an  
21 environmental health specialist.
- 22 (f) The board shall issue a certificate of registration, upon the  
23 payment of the registration fee set by the board, to any applicant,  
24 who, in the opinion of the board, has satisfactorily met all  
25 requirements of this chapter. The certificate of registration must  
26 include the name of the registrant, date of issue, serial number, seal  
27 of the board, and signatures of the members of the board.
- 28 (g) The board shall meet at least once a year to transact  
29 necessary business. Four (4) members of the board constitute a  
30 quorum. Special meetings of the board may be called by the  
31 chairman or shall be called upon written request of any three (3)  
32 members of the board. A majority of a quorum may transact  
33 business.
- 34 (h) Each member of the board who is not a state employee is  
35 entitled to the minimum salary per diem provided by  
36 IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement  
37 for traveling expenses and other expenses actually incurred in  
38 connection with the member's duties, as provided in the state travel  
39 policies and procedures established by the Indiana department of  
40 administration and approved by the budget agency.
- 41 (i) Each member of the board who is a state employee but who  
42 is not a member of the general assembly is entitled to  
43 reimbursement for traveling expenses and other expenses actually  
44 incurred in connection with the member's duties, as provided in the  
45 state travel policies and procedures established by the Indiana  
46 department of administration and approved by the budget agency.
- 47 Sec. 10. (a) Any person desiring to be registered as an

1 environmental health specialist shall apply on a form prescribed by  
 2 the board. The application must be accepted if accompanied by the  
 3 required fees.

4 (b) A person who meets the following qualifications is eligible  
 5 for registration under this chapter:

6 (1) Holds a baccalaureate degree from an accredited college  
 7 or university and has satisfactorily completed at least  
 8 forty-five (45) quarter hours or thirty (30) semester hours of  
 9 academic training in the basic physical, chemical, biological,  
 10 or sanitary sciences.

11 (2) Has been employed full time in the field of environmental  
 12 sanitation for a period of at least two (2) years within the  
 13 preceding five (5) years.

14 (3) Has not been convicted of:

15 (A) an act that would constitute a ground for disciplinary  
 16 sanctions under IC 25-1-9; or

17 (B) a crime that has a direct bearing on the person's ability  
 18 to practice competently.

19 (4) Has passed the examination given by the board under this  
 20 chapter.

21 (c) Notwithstanding subsection (b)(2), a person who holds a:

22 (1) master's degree in public health with a major in sanitary  
 23 science; or

24 (2) science degree higher than a baccalaureate degree;

25 and meets the science requirements in subsection (b)(1) may  
 26 substitute the master's or higher degree instead of one (1) year of  
 27 the experience requirements.

28 Sec. 11. (a) The board may issue permits to environmental  
 29 health specialist trainees. However, the permit expires three (3)  
 30 years after the date of issue and may not be renewed.

31 (b) An environmental health specialist trainee may qualify as a  
 32 registered environmental health specialist by meeting the  
 33 requirements in section 10 of this chapter, and upon payment of  
 34 the necessary fees.

35 Sec. 12. (a) The board shall prescribe examinations for  
 36 registration under this chapter. The examination must include  
 37 applicable subjects in the field of public health and sanitary science  
 38 and other subjects pertinent to environmental sanitation as  
 39 determined by the board. The board may use the services of a  
 40 testing company to prepare, conduct, and score examinations.

41 (b) If the applicant fails in the examination to meet the  
 42 minimum passing grade set by the board, the applicant shall not be  
 43 registered. The applicant may retake the examination at a time and  
 44 place specified by the board and upon resubmitting the applicant's  
 45 application accompanied by the necessary fees.

46 (c) Examinations must be given by the board not less than one  
 47 (1) time each calendar year at a date, time, and place in Indiana

1 determined by the board.

2 **Sec. 13. All registration fees and other fees and charges collected**  
 3 **under this chapter shall be deposited with the state treasurer. The**  
 4 **state treasurer shall deposit the amounts received in the state**  
 5 **general fund. All expenses incurred in the administration of this**  
 6 **chapter shall be paid from the state general fund upon**  
 7 **appropriation being made in the manner provided by law for the**  
 8 **making of appropriations.**

9 **Sec. 14. (a) The board shall prescribe and provide an**  
 10 **application form for the use of all applicants for registration. The**  
 11 **applicant shall pay at the time of application a registration fee in**  
 12 **an amount set by the board.**

13 **(b) All certificates of registration issued by the board expire**  
 14 **biennially on the date established by the licensing agency under**  
 15 **IC 25-1-5-4. A renewal fee specified by the board by rule must be**  
 16 **paid biennially on or before the date established by the licensing**  
 17 **agency. If the renewal fee is not paid on or before the date**  
 18 **established by the licensing agency, the certificate of registration**  
 19 **expires and becomes invalid without further action by the board.**

20 **(c) A certificate of registration that has been expired for not**  
 21 **more than three (3) years may be reinstated by the board if the**  
 22 **holder of the invalid certificate meets the requirements in**  
 23 **IC 25-1-8-6(c).**

24 **(d) If a certificate of registration has been expired for more than**  
 25 **three (3) years, the certificate of registration may be reinstated by**  
 26 **the board if the holder of the certificate of registration meets the**  
 27 **requirements for reinstatement in IC 25-1-8-6(d).**

28 **Sec. 15. The board may, upon application and upon payment of**  
 29 **the registration fee issue a certificate of registration to any person**  
 30 **who holds a certificate of registration issued by the proper**  
 31 **authority of any:**

32 **(1) state, territory, or possession of the United States; or**

33 **(2) any country;**

34 **if the requirements for the registration of environmental health**  
 35 **specialists under which the certificate was issued do not conflict**  
 36 **with the provisions of this chapter and at the time the certificate**  
 37 **was granted were of a standard not lower than those specified in**  
 38 **this chapter.**

39 **Sec. 16. (a) A person may not use:**

40 **(1) the title of a registered environmental health specialist; or**

41 **(2) words or letters to indicate that the person is a registered**  
 42 **environmental health specialist;**

43 **unless the person is registered under this article.**

44 **(b) A person who knowingly or intentionally violates this section**  
 45 **commits a Class B misdemeanor. Each day a violation continues**  
 46 **constitutes a separate offense."**

47 **Renumber all SECTIONS consecutively.**

(Reference is to ESB 223 as printed April 8, 2011.)

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Representative Goodin