

## SENATE BILL No. 362

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1-9-6.2.

**Synopsis:** Reuse of single use medical devices. Provides that a licensed or certified practitioner who reuses a single use medical device is subject to disciplinary action on the practitioner's license and commits a Class B infraction. Provides that the practitioner commits a Class D felony if the practitioner knowingly or intentionally reuses a single use medical device that results in serious bodily harm to a human patient.

**Effective:** July 1, 2011.

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**Becker, Leising, Gard**

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January 11, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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## SENATE BILL No. 362



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

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

1 SECTION 1. IC 25-1-9-6.2 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2011]: **Sec. 6.2. (a) As used in this section, "single use medical  
4 device" means a medical device that is intended to be used not  
5 more than one (1) time and may include the words "single use  
6 device" on the labeling of the device.**  
7 **(b) As used in this section, "reprocessed" means a medical  
8 device that has been:**  
9 **(1) previously used; and**  
10 **(2) subject to additional processing and manufacturing for the  
11 purposes of additional use of the device in accordance with  
12 the federal Medical Device User Fee and Modernization Act  
13 of 2002 (21 U.S.C. 301 et seq.).**  
14 **(c) This section does not apply to a single use medical device that  
15 has been reprocessed.**  
16 **(d) This subsection applies in addition to section 4 of this  
17 chapter. A practitioner who reuses a single use medical device on**



1 **a human patient:**  
2 **(1) is subject to the exercise of the disciplinary sanctions**  
3 **under section 9 of this chapter if, after a hearing, the board**  
4 **finds a practitioner violated this section; and**  
5 **(2) commits a Class B infraction.**  
6 **(e) A practitioner who knowingly or intentionally reuses a single**  
7 **use medical device resulting in serious bodily injury to a human**  
8 **individual commits unlawful reuse of a single use medical device,**  
9 **a Class D felony.**

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