

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 224 be amended to read as follows:

- 1 Page 4, between lines 9 and 10, begin a new paragraph and insert:
2 "SECTION 2. IC 25-22.5-2-8, AS ADDED BY P.L.149-2011,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 8. (a) The board shall implement a program to
5 investigate and assess a civil penalty of not more than one thousand
6 dollars (\$1,000) against a physician licensed under this article for the
7 following violations:
8 (1) Licensure renewal fraud.
9 (2) Improper termination of a physician and patient relationship.
10 (3) Practicing with an expired medical license.
11 (4) Providing office based anesthesia without the proper
12 accreditation.
13 (5) Failure to perform duties required for issuing birth or death
14 certificates.
15 **(6) Failure to disclose, or negligent omission of,**
16 **documentation requested for licensure renewal.**
17 (b) An individual who is investigated by the board and found by the
18 board to have committed a violation specified in subsection (a) may
19 appeal the determination made by the board in accordance with
20 IC 4-21.5.
21 (c) In accordance with the federal Health Care Quality Improvement
22 Act (42 U.S.C. 11132), the board shall report a disciplinary board
23 action that is subject to reporting to the National Practitioner Data
24 Bank. However, the board may not report board action against a

1 physician for only an administrative penalty described in subsection
2 (a). The board's action concerning disciplinary action or an
3 administrative penalty described in subsection (a) shall be conducted
4 at a hearing that is open to the public.

5 (d) The physician compliance fund is established to provide funds
6 for administering and enforcing the investigation of violations specified
7 in subsection (a). The fund shall be administered by the Indiana
8 professional licensing agency.

9 (e) The expenses of administering the physician compliance fund
10 shall be paid from the money in the fund. The fund consists of penalties
11 collected through investigations and assessments by the board
12 concerning violations specified in subsection (a). Money in the fund at
13 the end of a state fiscal year does not revert to the state general fund.".

14 Renumber all SECTIONS consecutively.

(Reference is to ESB 224 as printed February 24, 2012.)

Representative Crouch