

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR EHB 1186**

**Citations Affected:** IC 4-22-2-37.1; IC 9-19-14.5-1; IC 9-30-6-6; IC 16-18-2; IC 16-31; IC 21-14-1-6; IC 25-22.5-1-2; IC 34-6-2; IC 34-18-2; IC 35-42-2-6.

**Synopsis:** Emergency medical services personnel. Conference committee report for EHB 1186. Authorizes the Indiana emergency medical services commission (commission) to implement an emergency services personnel certification program through emergency rules. Provides for the licensure of paramedics by the emergency medical services commission. (Current law provides for the certification of paramedics by the emergency medical services commission.) Renames "emergency medical technician-intermediate" as "advanced emergency medical technician". Deletes the term "emergency medical technician-basic advanced". Renames "first responders" as "emergency medical responders". Requires that an emergency medical dispatcher must have completed training that meets specified standards and removes language in which the commission certified an emergency medical dispatch agency. Allows an individual who is currently certified as: (1) an emergency medical technician-basic advanced; or (2) an emergency medical technician-intermediate; two years to comply with new certification requirements for emergency medical services personnel. Provides that certain provisions relating to the unlawful or unauthorized practice of medicine do not apply to respiratory care practitioners practicing respiratory care. Requires the health finance commission to study during the 2012 legislative interim issues concerning the licensing of paramedics. Makes conforming changes. **(This conference committee report: (1) adds SB 371 concerning the renaming of various emergency medical personnel and the emergency services certification program; and (2) addresses conflict issues.)**

**Effective:** Upon passage; July 1, 2012.

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1186 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 4-22-2-37.1, AS AMENDED BY P.L.229-2011,
- 3 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2012]: Sec. 37.1. (a) This section applies to a rulemaking
- 5 action resulting in any of the following rules:
- 6 (1) An order adopted by the commissioner of the Indiana
- 7 department of transportation under IC 9-20-1-3(d) or
- 8 IC 9-21-4-7(a) and designated by the commissioner as an
- 9 emergency rule.
- 10 (2) An action taken by the director of the department of natural
- 11 resources under IC 14-22-2-6(d) or IC 14-22-6-13.
- 12 (3) An emergency temporary standard adopted by the
- 13 occupational safety standards commission under
- 14 IC 22-8-1.1-16.1.
- 15 (4) An emergency rule adopted by the solid waste management
- 16 board under IC 13-22-2-3 and classifying a waste as hazardous.
- 17 (5) A rule, other than a rule described in subdivision (6), adopted
- 18 by the department of financial institutions under IC 24-4.5-6-107
- 19 and declared necessary to meet an emergency.
- 20 (6) A rule required under IC 24-4.5-1-106 that is adopted by the
- 21 department of financial institutions and declared necessary to
- 22 meet an emergency under IC 24-4.5-6-107.

- 1 (7) A rule adopted by the Indiana utility regulatory commission to
- 2 address an emergency under IC 8-1-2-113.
- 3 (8) An emergency rule adopted by the state lottery commission
- 4 under IC 4-30-3-9.
- 5 (9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the
- 6 executive board of the state department of health declares is
- 7 necessary to meet an emergency.
- 8 (10) An emergency rule adopted by the Indiana finance authority
- 9 under IC 8-21-12.
- 10 (11) An emergency rule adopted by the insurance commissioner
- 11 under IC 27-1-23-7 or IC 27-1-12.1.
- 12 (12) An emergency rule adopted by the Indiana horse racing
- 13 commission under IC 4-31-3-9.
- 14 (13) An emergency rule adopted by the air pollution control
- 15 board, the solid waste management board, or the water pollution
- 16 control board under IC 13-15-4-10(4) or to comply with a
- 17 deadline required by or other date provided by federal law,
- 18 provided:
  - 19 (A) the variance procedures are included in the rules; and
  - 20 (B) permits or licenses granted during the period the
  - 21 emergency rule is in effect are reviewed after the emergency
  - 22 rule expires.
- 23 (14) An emergency rule adopted by the Indiana election
- 24 commission under IC 3-6-4.1-14.
- 25 (15) An emergency rule adopted by the department of natural
- 26 resources under IC 14-10-2-5.
- 27 (16) An emergency rule adopted by the Indiana gaming
- 28 commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3,
- 29 IC 4-33-4-14, IC 4-33-22-12, or IC 4-35-4-2.
- 30 (17) An emergency rule adopted by the alcohol and tobacco
- 31 commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or
- 32 IC 7.1-3-20-24.4.
- 33 (18) An emergency rule adopted by the department of financial
- 34 institutions under IC 28-15-11.
- 35 (19) An emergency rule adopted by the office of the secretary of
- 36 family and social services under IC 12-8-1-12.
- 37 (20) An emergency rule adopted by the office of the children's
- 38 health insurance program under IC 12-17.6-2-11.
- 39 (21) An emergency rule adopted by the office of Medicaid policy
- 40 and planning under IC 12-15-41-15.
- 41 (22) An emergency rule adopted by the Indiana state board of
- 42 animal health under IC 15-17-10-9.
- 43 (23) An emergency rule adopted by the board of directors of the
- 44 Indiana education savings authority under IC 21-9-4-7.
- 45 (24) An emergency rule adopted by the Indiana board of tax
- 46 review under IC 6-1.1-4-34 (repealed).
- 47 (25) An emergency rule adopted by the department of local
- 48 government finance under IC 6-1.1-4-33 (repealed).
- 49 (26) An emergency rule adopted by the boiler and pressure vessel
- 50 rules board under IC 22-13-2-8(c).

- 1 (27) An emergency rule adopted by the Indiana board of tax  
 2 review under IC 6-1.1-4-37(l) (repealed) or an emergency rule  
 3 adopted by the department of local government finance under  
 4 IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.
- 5 (28) An emergency rule adopted by the board of the Indiana  
 6 economic development corporation under IC 5-28-5-8.
- 7 (29) A rule adopted by the department of financial institutions  
 8 under IC 34-55-10-2.5.
- 9 (30) A rule adopted by the Indiana finance authority:  
 10 (A) under IC 8-15.5-7 approving user fees (as defined in  
 11 IC 8-15.5-2-10) provided for in a public-private agreement  
 12 under IC 8-15.5;  
 13 (B) under IC 8-15-2-17.2(a)(10):  
 14 (i) establishing enforcement procedures; and  
 15 (ii) making assessments for failure to pay required tolls;  
 16 (C) under IC 8-15-2-14(a)(3) authorizing the use of and  
 17 establishing procedures for the implementation of the  
 18 collection of user fees by electronic or other nonmanual  
 19 means; or  
 20 (D) to make other changes to existing rules related to a toll  
 21 road project to accommodate the provisions of a public-private  
 22 agreement under IC 8-15.5.
- 23 (31) An emergency rule adopted by the board of the Indiana  
 24 health informatics corporation under IC 5-31-5-8.
- 25 (32) An emergency rule adopted by the department of child  
 26 services under IC 31-25-2-21, IC 31-27-2-4, IC 31-27-4-2, or  
 27 IC 31-27-4-3.
- 28 (33) An emergency rule adopted by the Indiana real estate  
 29 commission under IC 25-34.1-2-5(15).
- 30 (34) A rule adopted by the department of financial institutions  
 31 under IC 24-4.4-1-101 and determined necessary to meet an  
 32 emergency.
- 33 (35) An emergency rule adopted by the state board of pharmacy  
 34 regarding returning unused medication under IC 25-26-23.
- 35 (36) An emergency rule adopted by the department of local  
 36 government finance under IC 6-1.1-12.6 or IC 6-1.1-12.8.
- 37 (37) An emergency rule adopted by the office of the secretary of  
 38 family and social services or the office of Medicaid policy and  
 39 planning concerning the following:  
 40 (A) Federal Medicaid waiver program provisions.  
 41 (B) Federal programs administered by the office of the  
 42 secretary.
- 43 **(38) An emergency rule adopted by the Indiana emergency**  
 44 **medical services commission under IC 16-31-3-24.**
- 45 (b) The following do not apply to rules described in subsection (a):  
 46 (1) Sections 24 through 36 of this chapter.  
 47 (2) IC 13-14-9.
- 48 (c) After a rule described in subsection (a) has been adopted by the  
 49 agency, the agency shall submit the rule to the publisher for the  
 50 assignment of a document control number. The agency shall submit the

1 rule in the form required by section 20 of this chapter and with the  
2 documents required by section 21 of this chapter. The publisher shall  
3 determine the format of the rule and other documents to be submitted  
4 under this subsection.

5 (d) After the document control number has been assigned, the  
6 agency shall submit the rule to the publisher for filing. The agency  
7 shall submit the rule in the form required by section 20 of this chapter  
8 and with the documents required by section 21 of this chapter. The  
9 publisher shall determine the format of the rule and other documents  
10 to be submitted under this subsection.

11 (e) Subject to section 39 of this chapter, the publisher shall:

12 (1) accept the rule for filing; and

13 (2) electronically record the date and time that the rule is  
14 accepted.

15 (f) A rule described in subsection (a) takes effect on the latest of the  
16 following dates:

17 (1) The effective date of the statute delegating authority to the  
18 agency to adopt the rule.

19 (2) The date and time that the rule is accepted for filing under  
20 subsection (e).

21 (3) The effective date stated by the adopting agency in the rule.

22 (4) The date of compliance with every requirement established by  
23 law as a prerequisite to the adoption or effectiveness of the rule.

24 (g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6,  
25 IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in  
26 subsections (j), (k), and (l), a rule adopted under this section expires  
27 not later than ninety (90) days after the rule is accepted for filing under  
28 subsection (e). Except for a rule adopted under subsection (a)(13),  
29 (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting  
30 another rule under this section, but only for one (1) extension period.  
31 The extension period for a rule adopted under subsection (a)(28) may  
32 not exceed the period for which the original rule was in effect. A rule  
33 adopted under subsection (a)(13) may be extended for two (2)  
34 extension periods. Subject to subsection (j), a rule adopted under  
35 subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited  
36 number of extension periods. Except for a rule adopted under  
37 subsection (a)(13), for a rule adopted under this section to be effective  
38 after one (1) extension period, the rule must be adopted under:

39 (1) sections 24 through 36 of this chapter; or

40 (2) IC 13-14-9;

41 as applicable.

42 (h) A rule described in subsection (a)(8), (a)(12), (a)(19), (a)(20),  
43 (a)(21), (a)(29), or (a)(37) expires on the earlier of the following dates:

44 (1) The expiration date stated by the adopting agency in the rule.

45 (2) The date that the rule is amended or repealed by a later rule  
46 adopted under sections 24 through 36 of this chapter or this  
47 section.

48 (i) This section may not be used to readopt a rule under IC 4-22-2.5.

49 (j) A rule described in subsection (a)(24) or (a)(25) expires not later  
50 than January 1, 2006.

1 (k) A rule described in subsection (a)(28) expires on the expiration  
 2 date stated by the board of the Indiana economic development  
 3 corporation in the rule.

4 (l) A rule described in subsection (a)(30) expires on the expiration  
 5 date stated by the Indiana finance authority in the rule.

6 (m) A rule described in subsection (a)(5) or (a)(6) expires on the  
 7 date the department is next required to issue a rule under the statute  
 8 authorizing or requiring the rule.

9 SECTION 2. IC 9-19-14.5-1, AS AMENDED BY P.L.138-2009,  
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 1. A privately owned vehicle belonging to a  
 12 ~~certified licensed~~ paramedic, certified **advanced** emergency medical  
 13 ~~technician-intermediate, certified emergency medical technician-basic~~  
 14 ~~advanced, technician,~~ certified emergency medical technician,  
 15 certified emergency medical service driver, or certified emergency  
 16 medical ~~service first~~ responder while traveling in the line of duty in  
 17 connection with emergency medical services activities may display  
 18 flashing or revolving green lights, subject to the following restrictions  
 19 and conditions:

20 (1) The lights may not have a light source less than fifty (50)  
 21 candlepower.

22 (2) All lights must be prominently displayed on the top of the  
 23 vehicle.

24 (3) Not more than two (2) green lights may be displayed on a  
 25 vehicle, and each light must be of the flashing or revolving type  
 26 and visible at three hundred sixty (360) degrees.

27 (4) The lights must consist of:

28 (A) a lamp with a green lens; or

29 (B) a green light emitting diode (LED).

30 However, the revolving lights may contain multiple bulbs.

31 (5) The green lights may not be a part of the regular head lamps  
 32 displayed on the vehicle.

33 (6) For a person to be authorized under this chapter to display a  
 34 flashing or revolving green light on the person's vehicle, the  
 35 person must first secure a written permit from the executive  
 36 director of the department of homeland security to use the light.  
 37 The permit must be carried by the person when the light is  
 38 displayed.

39 SECTION 3. IC 9-30-6-6, AS AMENDED BY P.L.36-2010,  
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2012]: Sec. 6. (a) A physician or a person trained in obtaining  
 42 bodily substance samples and acting under the direction of or under a  
 43 protocol prepared by a physician, who:

44 (1) obtains a blood, urine, or other bodily substance sample from  
 45 a person, regardless of whether the sample is taken for diagnostic  
 46 purposes or at the request of a law enforcement officer under this  
 47 section; or

48 (2) performs a chemical test on blood, urine, or other bodily  
 49 substance obtained from a person;

50 shall deliver the sample or disclose the results of the test to a law

1 enforcement officer who requests the sample or results as a part of a  
2 criminal investigation. Samples and test results shall be provided to a  
3 law enforcement officer even if the person has not consented to or  
4 otherwise authorized their release.

5 (b) A physician, a hospital, or an agent of a physician or hospital is  
6 not civilly or criminally liable for any of the following:

- 7 (1) Disclosing test results in accordance with this section.
- 8 (2) Delivering a blood, urine, or other bodily substance sample in  
9 accordance with this section.
- 10 (3) Obtaining a blood, urine, or other bodily substance sample in  
11 accordance with this section.
- 12 (4) Disclosing to the prosecuting attorney or the deputy  
13 prosecuting attorney for use at or testifying at the criminal trial of  
14 the person as to facts observed or opinions formed.
- 15 (5) Failing to treat a person from whom a blood, urine, or other  
16 bodily substance sample is obtained at the request of a law  
17 enforcement officer if the person declines treatment.
- 18 (6) Injury to a person arising from the performance of duties in  
19 good faith under this section.

20 (c) For the purposes of this chapter, IC 9-30-5, or IC 9-30-9:

- 21 (1) the privileges arising from a patient-physician relationship do  
22 not apply to the samples, test results, or testimony described in  
23 this section; and
- 24 (2) samples, test results, and testimony may be admitted in a  
25 proceeding in accordance with the applicable rules of evidence.

26 (d) The exceptions to the patient-physician relationship specified in  
27 subsection (c) do not affect those relationships in a proceeding not  
28 covered by this chapter, IC 9-30-5, or IC 9-30-9.

29 (e) The test results and samples obtained by a law enforcement  
30 officer under subsection (a) may be disclosed only to a prosecuting  
31 attorney or a deputy prosecuting attorney for use as evidence in a  
32 criminal proceeding under this chapter, IC 9-30-5, or IC 9-30-9.

33 (f) This section does not require a physician or a person under the  
34 direction of a physician to perform a chemical test.

35 (g) A physician or a person trained in obtaining bodily substance  
36 samples and acting under the direction of or under a protocol prepared  
37 by a physician shall obtain a blood, urine, or other bodily substance  
38 sample if the following exist:

- 39 (1) A law enforcement officer requests that the sample be  
40 obtained.
- 41 (2) The law enforcement officer has certified in writing the  
42 following:
  - 43 (A) That the officer has probable cause to believe the person  
44 from whom the sample is to be obtained has violated  
45 IC 9-30-5.
  - 46 (B) That the person from whom the sample is to be obtained  
47 has been involved in a motor vehicle accident that resulted in  
48 the serious bodily injury or death of another.
  - 49 (C) That the accident that caused the serious bodily injury or  
50 death of another occurred not more than three (3) hours before

- 1 the time the sample is requested.
- 2 (3) Not more than the use of reasonable force is necessary to
- 3 obtain the sample.
- 4 (h) If the person:
- 5 (1) from whom the bodily substance sample is to be obtained
- 6 under this section does not consent; and
- 7 (2) resists the taking of a sample;
- 8 the law enforcement officer may use reasonable force to assist an
- 9 individual, who must be authorized under this section to obtain a
- 10 sample, in the taking of the sample.
- 11 (i) The person authorized under this section to obtain a bodily
- 12 substance sample shall take the sample in a medically accepted
- 13 manner.
- 14 (j) This subsection does not apply to a bodily substance sample
- 15 taken at a licensed hospital (as defined in IC 16-18-2-179(a) and
- 16 IC 16-18-2-179(b)). A law enforcement officer may transport the
- 17 person to a place where the sample may be obtained by any of the
- 18 following persons who are trained in obtaining bodily substance
- 19 samples and who have been engaged to obtain samples under this
- 20 section:
- 21 (1) A physician holding an unlimited license to practice medicine
- 22 or osteopathy.
- 23 (2) A registered nurse.
- 24 (3) A licensed practical nurse.
- 25 (4) An **advanced** emergency medical ~~technician-basic advanced~~
- 26 **technician** (as defined in ~~IC 16-18-2-112.5~~; **IC 16-18-2-6.5**).
- 27 ~~(5) An emergency medical technician-intermediate (as defined in~~
- 28 ~~IC 16-18-2-112.7).~~
- 29 ~~(6) (5) A paramedic (as defined in IC 16-18-2-266).~~
- 30 SECTION 4. IC 16-18-2-6.5 IS ADDED TO THE INDIANA CODE
- 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 32 1, 2012]: **Sec. 6.5. "Advanced emergency medical technician", for**
- 33 **purposes of IC 16-31, means an individual who can perform at**
- 34 **least one (1) procedure but not all the procedures of a paramedic**
- 35 **and who:**
- 36 **(1) has completed a prescribed course in advanced life**
- 37 **support;**
- 38 **(2) has been certified by the Indiana emergency medical**
- 39 **services commission;**
- 40 **(3) is associated with a single supervising hospital; and**
- 41 **(4) is affiliated with a provider organization.**
- 42 SECTION 5. IC 16-18-2-7 IS AMENDED TO READ AS
- 43 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) "Advanced life
- 44 support", for purposes of IC 16-31, means care that is given:
- 45 (1) at the scene of:
- 46 (A) an accident;
- 47 (B) an act of terrorism (as defined in ~~IC 35-41-1-26.5~~;
- 48 **IC 35-31.5-2-329**), if the governor has declared a disaster
- 49 emergency under IC 10-14-3-12 in response to the act of
- 50 terrorism; or
- 51 (C) an illness;

- 1 (2) during transport; or  
 2 (3) at a hospital;  
 3 by a paramedic or an **advanced** emergency medical  
 4 ~~technician-intermediate technician~~ and that is more advanced than the  
 5 care usually provided by an emergency medical technician. ~~or an~~  
 6 ~~emergency medical technician-basic advanced.~~
- 7 (b) The term may include any of the following:  
 8 (1) Defibrillation.  
 9 (2) Endotracheal intubation.  
 10 (3) Parenteral injections of appropriate medications.  
 11 (4) Electrocardiogram interpretation.  
 12 (5) Emergency management of trauma and illness.
- 13 SECTION 6. IC 16-18-2-33.5, AS AMENDED BY P.L.74-2006,  
 14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 33.5. (a) "Basic life support", for purposes of  
 16 IC 16-31, means the following:  
 17 (1) Assessment of emergency patients.  
 18 (2) Administration of oxygen.  
 19 (3) Use of mechanical breathing devices.  
 20 (4) Application of anti-shock trousers.  
 21 (5) Performance of cardiopulmonary resuscitation.  
 22 (6) Application of dressings and bandage materials.  
 23 (7) Application of splinting and immobilization devices.  
 24 (8) Use of lifting and moving devices to ensure safe transport.  
 25 (9) Administration ~~by an emergency medical technician or~~  
 26 ~~emergency medical technician-basic advanced~~ of epinephrine  
 27 through an auto-injector.  
 28 ~~(10) For an emergency medical technician-basic advanced, the~~  
 29 ~~following:~~  
 30 ~~(A) Electrocardiogram interpretation.~~  
 31 ~~(B) Manual external defibrillation.~~  
 32 ~~(C) Intravenous fluid therapy.~~  
 33 ~~(H) (10) Other procedures authorized by the Indiana emergency~~  
 34 ~~medical services commission, including procedures contained in~~  
 35 ~~the revised national emergency medical technician basic training~~  
 36 ~~curriculum guide.~~
- 37 (b) Except as provided by:  
 38 (1) subsection (a)(9) and the training and certification standards  
 39 established under IC 16-31-2-9(3); **and**  
 40 ~~(2) subsection (a)(10)(C); and~~  
 41 ~~(3) (2) the training standards established under IC 16-31-2-9(4);~~  
 42 the term does not include invasive medical care techniques or advanced  
 43 life support.
- 44 SECTION 7. IC 16-18-2-109.8 IS ADDED TO THE INDIANA  
 45 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 46 [EFFECTIVE JULY 1, 2012]: **Sec. 109.8. "Emergency medical**  
 47 **responder", for purposes of IC 16-31, means an individual who is:**  
 48 **(1) certified under IC 16-31 and who meets the Indiana**  
 49 **emergency medical services commission's standards for**  
 50 **emergency medical responder certification; and**

1           **(2) the first individual to respond to an incident requiring**  
 2           **emergency medical services.**

3           SECTION 8. IC 16-18-2-112.5 IS REPEALED [EFFECTIVE JULY  
 4 1, 2012]. Sec. 112.5: "~~Emergency medical technician-basic advanced~~";  
 5 for purposes of IC 16-31, means an individual who is certified under  
 6 IC 16-31 to provide basic life support at the scene of an accident or  
 7 illness or during transport.

8           SECTION 9. IC 16-18-2-112.7 IS REPEALED [EFFECTIVE JULY  
 9 1, 2012]. Sec. 112.7: "~~Emergency medical technician-intermediate~~"; for  
 10 purposes of IC 16-31, means an individual who can perform at least  
 11 one (1) of but not all the procedures of a paramedic and who:

- 12           (1) has completed a prescribed course in advanced life support;  
 13           (2) has been certified by the Indiana emergency medical services  
 14           commission;  
 15           (3) is associated with a single supervising hospital; and  
 16           (4) is affiliated with a provider organization.

17           SECTION 10. IC 16-18-2-131 IS REPEALED [EFFECTIVE JULY  
 18 1, 2012]. Sec. 131: "~~First responder~~"; for purposes of IC 16-31, means  
 19 an individual who is:

- 20           (1) certified under IC 16-31 and who meets the Indiana  
 21           emergency medical services commission's standards for first  
 22           responder certification; and  
 23           (2) the first individual to respond to an incident requiring  
 24           emergency medical services.

25           SECTION 11. IC 16-18-2-163, AS AMENDED BY P.L.108-2007,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2012]: Sec. 163. (a) "Health care provider", for purposes of  
 28 IC 16-21 and IC 16-41, means any of the following:

- 29           (1) An individual, a partnership, a corporation, a professional  
 30           corporation, a facility, or an institution licensed or legally  
 31           authorized by this state to provide health care or professional  
 32           services as a licensed physician, a psychiatric hospital, a hospital,  
 33           a health facility, an emergency ambulance service (IC 16-31-3),  
 34           a dentist, a registered or licensed practical nurse, a midwife, an  
 35           optometrist, a pharmacist, a podiatrist, a chiropractor, a physical  
 36           therapist, a respiratory care practitioner, an occupational therapist,  
 37           a psychologist, a paramedic, an emergency medical technician, an  
 38           **advanced** emergency medical technician-basic advanced, an  
 39           **emergency medical technician-intermediate**, **technician**, or a  
 40           person who is an officer, employee, or agent of the individual,  
 41           partnership, corporation, professional corporation, facility, or  
 42           institution acting in the course and scope of the person's  
 43           employment.  
 44           (2) A college, university, or junior college that provides health  
 45           care to a student, a faculty member, or an employee, and the  
 46           governing board or a person who is an officer, employee, or agent  
 47           of the college, university, or junior college acting in the course  
 48           and scope of the person's employment.  
 49           (3) A blood bank, community mental health center, community  
 50           mental retardation center, community health center, or migrant

- 1 health center.
- 2 (4) A home health agency (as defined in IC 16-27-1-2).
- 3 (5) A health maintenance organization (as defined in  
4 IC 27-13-1-19).
- 5 (6) A health care organization whose members, shareholders, or  
6 partners are health care providers under subdivision (1).
- 7 (7) A corporation, partnership, or professional corporation not  
8 otherwise qualified under this subsection that:
- 9 (A) provides health care as one (1) of the corporation's,  
10 partnership's, or professional corporation's functions;
- 11 (B) is organized or registered under state law; and
- 12 (C) is determined to be eligible for coverage as a health care  
13 provider under IC 34-18 for the corporation's, partnership's, or  
14 professional corporation's health care function.
- 15 Coverage for a health care provider qualified under this subdivision is  
16 limited to the health care provider's health care functions and does not  
17 extend to other causes of action.
- 18 (b) "Health care provider", for purposes of IC 16-35, has the  
19 meaning set forth in subsection (a). However, for purposes of IC 16-35,  
20 the term also includes a health facility (as defined in section 167 of this  
21 chapter).
- 22 (c) "Health care provider", for purposes of IC 16-36-5, means an  
23 individual licensed or authorized by this state to provide health care or  
24 professional services as:
- 25 (1) a licensed physician;
- 26 (2) a registered nurse;
- 27 (3) a licensed practical nurse;
- 28 (4) an advanced practice nurse;
- 29 (5) a licensed nurse midwife;
- 30 (6) a paramedic;
- 31 (7) an emergency medical technician;
- 32 (8) an **advanced** emergency medical ~~technician-basic advanced;~~  
33 **technician; or**
- 34 ~~(9) an emergency medical technician-intermediate; or~~  
35 ~~(10) (9) a first an emergency medical responder, as defined~~  
36 ~~under IC 16-18-2-131. by section 109.8 of this chapter.~~
- 37 The term includes an individual who is an employee or agent of a  
38 health care provider acting in the course and scope of the individual's  
39 employment.
- 40 (d) "Health care provider", for purposes of IC 16-40-4, means any  
41 of the following:
- 42 (1) An individual, a partnership, a corporation, a professional  
43 corporation, a facility, or an institution licensed or authorized by  
44 the state to provide health care or professional services as a  
45 licensed physician, a psychiatric hospital, a hospital, a health  
46 facility, an emergency ambulance service (IC 16-31-3), an  
47 ambulatory outpatient surgical center, a dentist, an optometrist, a  
48 pharmacist, a podiatrist, a chiropractor, a psychologist, or a  
49 person who is an officer, employee, or agent of the individual,  
50 partnership, corporation, professional corporation, facility, or

- 1 institution acting in the course and scope of the person's  
 2 employment.  
 3 (2) A blood bank, laboratory, community mental health center,  
 4 community mental retardation center, community health center,  
 5 or migrant health center.  
 6 (3) A home health agency (as defined in IC 16-27-1-2).  
 7 (4) A health maintenance organization (as defined in  
 8 IC 27-13-1-19).  
 9 (5) A health care organization whose members, shareholders, or  
 10 partners are health care providers under subdivision (1).  
 11 (6) A corporation, partnership, or professional corporation not  
 12 otherwise specified in this subsection that:  
 13 (A) provides health care as one (1) of the corporation's,  
 14 partnership's, or professional corporation's functions;  
 15 (B) is organized or registered under state law; and  
 16 (C) is determined to be eligible for coverage as a health care  
 17 provider under IC 34-18 for the corporation's, partnership's, or  
 18 professional corporation's health care function.  
 19 (7) A person that is designated to maintain the records of a person  
 20 described in subdivisions (1) through (6).  
 21 (e) "Health care provider", for purposes of IC 16-45-4, has the  
 22 meaning set forth in 47 CFR 54.601(a).

23 SECTION 12. IC 16-18-2-266 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 266. "Paramedic", for  
 25 purposes of IC 16-31, means an individual who:

- 26 (1) is:  
 27 (A) affiliated with a certified paramedic organization;  
 28 (B) employed by a sponsoring hospital approved by the  
 29 commission; or  
 30 (C) employed by a supervising hospital with a contract for  
 31 inservice education with a sponsoring hospital approved by the  
 32 commission;  
 33 (2) has completed a prescribed course in advanced life support;  
 34 and  
 35 (3) has been ~~certified~~ **licensed** by the Indiana emergency medical  
 36 services commission.

37 SECTION 13. IC 16-18-2-295, AS AMENDED BY P.L.41-2007,  
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2012]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8,  
 40 has the meaning set forth in IC 16-21-8-0.5.

41 (b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for  
 42 IC 16-39-7), ~~and~~ IC 16-41-1 through IC 16-41-9, and IC 16-41-37,  
 43 means any of the following:

- 44 (1) An individual (other than an individual who is an employee or  
 45 a contractor of a hospital, a facility, or an agency described in  
 46 subdivision (2) or (3)) who is licensed, registered, or certified as  
 47 a health care professional, including the following:  
 48 (A) A physician.  
 49 (B) A psychotherapist.  
 50 (C) A dentist.

- 1 (D) A registered nurse.  
 2 (E) A licensed practical nurse.  
 3 (F) An optometrist.  
 4 (G) A podiatrist.  
 5 (H) A chiropractor.  
 6 (I) A physical therapist.  
 7 (J) A psychologist.  
 8 (K) An audiologist.  
 9 (L) A speech-language pathologist.  
 10 (M) A dietitian.  
 11 (N) An occupational therapist.  
 12 (O) A respiratory therapist.  
 13 (P) A pharmacist.  
 14 (Q) A sexual assault nurse examiner.
- 15 (2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or  
 16 described in IC 12-24-1 or IC 12-29.  
 17 (3) A health facility licensed under IC 16-28-2.  
 18 (4) A home health agency licensed under IC 16-27-1.  
 19 (5) An employer of a certified emergency medical technician, a  
 20 certified **advanced** emergency medical ~~technician-basic~~  
 21 ~~advanced; a certified emergency medical technician-intermediate;~~  
 22 **technician**, or a **certified licensed** paramedic.  
 23 (6) The state department or a local health department or an  
 24 employee, agent, designee, or contractor of the state department  
 25 or local health department.
- 26 (c) "Provider", for purposes of IC 16-39-7-1, has the meaning set  
 27 forth in IC 16-39-7-1(a).
- 28 **(d) "Provider", for purposes of IC 16-48-1, has the meaning set**  
 29 **forth in IC 16-48-1-3.**
- 30 SECTION 14. IC 16-18-2-337 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 337. "Sponsoring" or  
 32 "supervising hospital", for purposes of IC 16-31, means a hospital:  
 33 (1) that is licensed under IC 16-21-2 or under the licensing law of  
 34 another state; and  
 35 (2) that has been certified by the emergency medical services  
 36 commission to sponsor or supervise paramedics, **advanced**  
 37 emergency medical ~~technicians-intermediate;~~ **technicians**, and  
 38 provider organizations in providing advanced life support.
- 39 SECTION 15. IC 16-31-2-2, AS AMENDED BY P.L.68-2009,  
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2012]: Sec. 2. (a) The commission is composed of thirteen  
 42 (13) members. The governor shall appoint the members for four (4)  
 43 year terms as follows:  
 44 (1) One (1) must be appointed from a volunteer fire department  
 45 that provides emergency medical service.  
 46 (2) One (1) must be appointed from a full-time municipal fire or  
 47 police department that provides emergency medical service.  
 48 (3) One (1) must be a nonprofit provider of emergency ambulance  
 49 services organized on a volunteer basis other than a volunteer fire  
 50 department.

- 1 (4) One (1) must be a provider of private ambulance services.  
 2 (5) One (1) must be a state ~~certified~~ **licensed** paramedic.  
 3 (6) One (1) must be a licensed physician who:  
 4 (A) has a primary interest, training, and experience in  
 5 emergency medical services; and  
 6 (B) is currently practicing in an emergency medical services  
 7 facility.  
 8 (7) One (1) must be a chief executive officer of a hospital that  
 9 provides emergency ambulance services.  
 10 (8) One (1) must be a registered nurse who has supervisory or  
 11 administrative responsibility in a hospital emergency department.  
 12 (9) One (1) must be a licensed physician who:  
 13 (A) has a primary interest, training, and experience in trauma  
 14 care; and  
 15 (B) is practicing in a trauma facility.  
 16 (10) One (1) must be a state certified emergency medical service  
 17 technician.  
 18 (11) One (1) must be an individual who:  
 19 (A) represents the public at large; and  
 20 (B) is not in any way related to providing emergency medical  
 21 services.  
 22 (12) One (1) must be a program director (as defined in 836  
 23 IAC 4-2-2(12)(B)(iii)) for a commission certified advanced life  
 24 support training institution.  
 25 (13) One (1) must be the deputy executive director appointed  
 26 under IC 10-19-5-3 to manage the division of preparedness and  
 27 training of the department of homeland security or the designee  
 28 of the deputy executive director.  
 29 (b) The chief executive officer of a hospital appointed under  
 30 subsection (a)(7) may designate another administrator of the hospital  
 31 to serve for the chief executive officer on the commission.  
 32 (c) Not more than seven (7) members may be from the same  
 33 political party.  
 34 SECTION 16. IC 16-31-2-7, AS AMENDED BY P.L.20-2008,  
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2012]: Sec. 7. The commission shall do the following:  
 37 (1) Develop and promote, in cooperation with state, regional, and  
 38 local public and private organizations, agencies, and persons, a  
 39 statewide program for the provision of emergency medical  
 40 services that must include the following:  
 41 (A) Preparation of state, regional, and local emergency  
 42 ambulance service plans.  
 43 (B) Provision of consultative services to state, regional, and  
 44 local organizations and agencies in developing and  
 45 implementing emergency ambulance service programs.  
 46 (C) Promotion of a statewide system of emergency medical  
 47 service facilities by developing minimum standards,  
 48 procedures, and guidelines in regard to personnel, equipment,  
 49 supplies, communications, facilities, and location of such  
 50 centers.

- 1 (D) Promotion of programs for the training of personnel  
 2 providing emergency medical services and programs for the  
 3 education of the general public in first aid techniques and  
 4 procedures. The training shall be held in various local  
 5 communities of the state and shall be conducted by agreement  
 6 with publicly and privately supported educational institutions  
 7 or hospitals licensed under IC 16-21, wherever appropriate.  
 8 (E) Promotion of coordination of emergency communications,  
 9 resources, and procedures throughout Indiana and, in  
 10 cooperation with interested state, regional, and local public  
 11 and private agencies, organizations, and persons, the  
 12 development of an effective state, regional, and local  
 13 emergency communications system.  
 14 (F) Organizing and sponsoring a statewide emergency medical  
 15 services conference to provide continuing education for  
 16 persons providing emergency medical services.
- 17 (2) Regulate, inspect, and certify **or license** services, facilities,  
 18 and personnel engaged in providing emergency medical services  
 19 as provided in this article.  
 20 (3) Adopt rules required to implement an approved system of  
 21 emergency medical services.  
 22 (4) Adopt rules concerning triage and transportation protocols for  
 23 the transportation of trauma patients consistent with the field  
 24 triage decision scheme of the American College of Surgeons  
 25 Committee on Trauma.  
 26 (5) Apply for, receive, and accept gifts, bequests, grants-in-aid,  
 27 state, federal, and local aid, and other forms of financial  
 28 assistance for the support of emergency medical services.  
 29 (6) Employ necessary administrative staff.
- 30 SECTION 17. IC 16-31-2-8 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The commission may  
 32 do the following:  
 33 (1) Develop training and certification standards for ~~first~~  
 34 **emergency medical** responders under this article.  
 35 (2) Require ~~first emergency medical~~ responders to be certified  
 36 under the standards developed under subdivision (1).  
 37 (3) Develop reciprocal certification training standards for  
 38 individuals who have received medical training by a branch of the  
 39 United States armed forces.
- 40 SECTION 18. IC 16-31-2-9, AS AMENDED BY P.L.74-2006,  
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2012]: Sec. 9. The commission shall establish the following:  
 43 (1) Standards for persons who provide emergency medical  
 44 services and who are not licensed or regulated under IC 16-31-3.  
 45 (2) Training standards for the administration of antidotes,  
 46 vaccines, and antibiotics to prepare for or respond to a terrorist or  
 47 military attack.  
 48 (3) Training and certification standards for the administration of  
 49 epinephrine through an auto-injector by  
 50 ~~(A)~~ an emergency medical technician. ~~or~~

- 1                   ~~(B) an emergency medical technician-basic advanced.~~  
 2                   (4) Training standards to permit the use of antidote kits containing  
 3                   atropine and pralidoxime chloride for the treatment of exposure  
 4                   to nerve agents by ~~an emergency medical technician-basic~~  
 5                   ~~advanced~~, an emergency medical technician or a **first an**  
 6                   **emergency medical** responder.
- 7                   SECTION 19. IC 16-31-2-11 IS AMENDED TO READ AS  
 8                   FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The commission  
 9                   shall develop procedures for ongoing review of all emergency  
 10                  ambulance services.
- 11                  (b) The commission may review any pre-hospital ambulance rescue  
 12                  or report record regarding an emergency patient that is utilized or  
 13                  compiled by an emergency ambulance service employing paramedics,  
 14                  **advanced** emergency medical ~~technicians-intermediate, technicians,~~  
 15                  **or** emergency medical technicians. ~~or emergency medical~~  
 16                  ~~technicians-basic advanced.~~ However, except as provided in subsection  
 17                  (d), those records shall remain confidential and may be used solely for  
 18                  the purpose of compiling data and statistics. The use of such data or  
 19                  statistics is subject to IC 4-1-6.
- 20                  (c) The commission may develop and oversee experimental study  
 21                  projects conducted by ambulance service providers in limited  
 22                  geographic areas of Indiana. These study projects must be developed  
 23                  and conducted in accordance with rules adopted by the commission  
 24                  under IC 4-22-2. These study projects must be designed to test the  
 25                  efficacy of new patient care techniques and new ambulance service  
 26                  systems.
- 27                  (d) This subsection applies to emergency ambulance services that  
 28                  are provided by or under a contract with an entity that is a public  
 29                  agency for purposes of IC 5-14-3. The following information, if  
 30                  contained in a pre-hospital ambulance rescue or report record regarding  
 31                  an emergency patient, is public information and must be made  
 32                  available for inspection and copying under IC 5-14-3:
- 33                    (1) The date and time of the request for ambulance services.  
 34                    (2) The reason for the request for assistance.  
 35                    (3) The time and nature of the response to the request for  
 36                    ambulance services.  
 37                    (4) The time of arrival at the scene where the patient was located.  
 38                    (5) The time of departure from the scene where the patient was  
 39                    located.  
 40                    (6) The name of the facility, if any, to which the patient was  
 41                    delivered for further treatment and the time of arrival at that  
 42                    facility.
- 43                  SECTION 20. IC 16-31-2-12, AS ADDED BY P.L.101-2006,  
 44                  SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 45                  JULY 1, 2012]: Sec. 12. The commission may impose a reasonable fee  
 46                  for the issuance of a certification **or license** under this chapter. The  
 47                  commission shall deposit the fee in the emergency medical services  
 48                  fund established by IC 16-31-8.5-3.
- 49                  SECTION 21. IC 16-31-2-13 IS ADDED TO THE INDIANA  
 50                  CODE AS A **NEW** SECTION TO READ AS FOLLOWS

1 [EFFECTIVE UPON PASSAGE]: **Sec. 13. (a) The commission may**  
 2 **adopt initial rules for the licensure of paramedics in the same**  
 3 **manner that emergency rules are adopted under IC 4-22-2-37.1. A**  
 4 **rule adopted under this section expires on the earlier of the**  
 5 **following:**

6 (1) **The date that the rule is superseded, amended, or repealed**  
 7 **by a permanent rule adopted under IC 4-22-2 or another rule**  
 8 **adopted under this article.**

9 (2) **June 30, 2013.**

10 (b) **This section expires July 1, 2013.**

11 SECTION 22. IC 16-31-3-1, AS AMENDED BY P.L.74-2006,  
 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2012]: Sec. 1. (a) Except as provided in subsection (b), a  
 14 person other than:

15 (1) a licensed physician;

16 (2) a registered nurse or an individual acting under the  
 17 supervision of a licensed physician; or

18 (3) a person providing health care in a hospital or an ambulatory  
 19 outpatient surgical center licensed under IC 16-21;

20 may not furnish, operate, conduct, maintain, advertise, or otherwise be  
 21 engaged in providing emergency medical services, except for the use  
 22 of an automated external defibrillator, as a part of the regular course of  
 23 doing business, either paid or voluntary, unless that person holds a  
 24 valid certificate **or license** issued by the commission.

25 (b) A:

26 (1) licensed physician;

27 (2) registered nurse or an individual acting under the supervision  
 28 of a licensed physician; or

29 (3) person providing health care in a hospital or an ambulatory  
 30 outpatient surgical center licensed under IC 16-21;

31 who operates a business of transporting emergency patients by  
 32 ambulance or using a nontransporting emergency medical services  
 33 vehicle must hold a valid certificate issued by the commission under  
 34 this article.

35 SECTION 23. IC 16-31-3-2, AS AMENDED BY P.L.71-2008,  
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2012]: Sec. 2. The commission shall establish standards for  
 38 persons required to be certified **or licensed** by the commission to  
 39 provide emergency medical services. To be certified **or licensed**, a  
 40 person must meet the following minimum requirements:

41 (1) The personnel certified **or licensed** under this chapter must do  
 42 the following:

43 (A) Meet the standards for education and training established  
 44 by the commission by rule.

45 (B) Successfully complete a basic or an inservice course of  
 46 education and training on sudden infant death syndrome that  
 47 is certified by the commission in conjunction with the state  
 48 health commissioner.

49 (C) Beginning January 1, 2009, successfully complete a basic  
 50 or an inservice course of education and training on autism that  
 51 is certified by the commission.

1 (2) Ambulances to be used must conform with the requirements  
2 of the commission and must either be:

3 (A) covered by insurance issued by a company licensed to do  
4 business in Indiana in the amounts and under the terms  
5 required in rules adopted by the commission; or

6 (B) owned by a governmental entity covered under IC 34-13-3.

7 (3) Emergency ambulance service shall be provided in accordance  
8 with rules adopted by the commission. However, the rules  
9 adopted under this chapter may not prohibit the dispatch of an  
10 ambulance to aid an emergency patient because an emergency  
11 medical technician is not immediately available to staff the  
12 ambulance.

13 (4) Ambulances must be equipped with a system of emergency  
14 medical communications approved by the commission. The  
15 emergency medical communication system must properly  
16 integrate and coordinate appropriate local and state emergency  
17 communications systems and reasonably available area  
18 emergency medical facilities with the general public's need for  
19 emergency medical services.

20 (5) Emergency medical communications shall be provided in  
21 accordance with rules adopted by the commission.

22 (6) A nontransporting emergency medical services vehicle must  
23 conform with the commission's requirements.

24 SECTION 24. IC 16-31-3-3, AS AMENDED BY P.L.22-2005,  
25 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2012]: Sec. 3. (a) A certificate **or license** is not required for  
27 a person who provides emergency ambulance service, an emergency  
28 medical technician, ~~an emergency medical technician-basic advanced;~~  
29 an ambulance, a nontransporting emergency medical services vehicle,  
30 or advanced life support when doing any of the following:

31 (1) Providing assistance to persons certified to provide emergency  
32 ambulance service or to emergency medical technicians.

33 (2) Operating from a location or headquarters outside Indiana to  
34 provide emergency ambulance services to patients who are picked  
35 up outside Indiana for transportation to locations within Indiana.

36 (3) Providing emergency medical services during a major  
37 catastrophe or disaster with which persons or ambulances  
38 certified to provide emergency ambulance services are  
39 insufficient or unable to cope.

40 (b) An agency or instrumentality of the United States and any  
41 paramedic, **advanced** emergency medical ~~technician-intermediate,~~  
42 ~~emergency medical technician-basic advanced;~~ **technician**, emergency  
43 medical technician, or ~~first~~ **emergency medical** responder of the  
44 agency or instrumentality is not required to:

45 (1) be certified **or licensed**; or

46 (2) conform to the standards prescribed under this chapter.

47 SECTION 25. IC 16-31-3-5 IS AMENDED TO READ AS  
48 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) The commission  
49 shall waive any rule for a person who provides emergency ambulance  
50 service, an emergency medical technician, an **advanced** emergency

1 ~~medical technician-basic advanced, an emergency medical~~  
 2 ~~technician-intermediate, technician,~~ a paramedic, or an ambulance  
 3 when operating from a location in an adjoining state by contract with  
 4 an Indiana unit of government to provide emergency ambulance or  
 5 medical services to patients who are picked up or treated in Indiana.

6 (b) The commission may waive any rule, including a rule  
 7 establishing a fee, for a person who submits facts demonstrating that:

8 (1) compliance with the rule will impose an undue hardship on  
 9 the person; and

10 (2) either:

11 (A) noncompliance with the rule; or

12 (B) compliance with an alternative requirement approved by  
 13 the commission;

14 will not jeopardize the quality of patient care. However, the  
 15 commission may not waive a rule that sets forth educational  
 16 requirements for a person regulated under this article.

17 (c) A waiver granted under subsection (b)(2)(B) is conditioned upon  
 18 compliance with the alternative requirement approved under subsection  
 19 (b).

20 (d) The commission shall establish an expiration date for any waiver  
 21 that is granted.

22 (e) The commission may renew a waiver if the person makes the  
 23 same demonstration required for the original waiver.

24 SECTION 26. IC 16-31-3-6 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) As used in this  
 26 section, "volunteer fire department" has the meaning set forth in  
 27 IC 36-8-12-2.

28 (b) As used in this section, "volunteer firefighter" has the meaning  
 29 set forth in IC 36-8-12-2.

30 (c) A certificate **or paramedic license** is not required for a  
 31 volunteer fire department or volunteer firefighter to engage in  
 32 extrication or rescue services.

33 SECTION 27. IC 16-31-3-7 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The commission may  
 35 not withhold certification **or licensure** from a person providing  
 36 emergency medical services that include extrication and rescue  
 37 services because the person is not affiliated with a hospital, law  
 38 enforcement agency, or fire department.

39 SECTION 28. IC 16-31-3-8 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. An application for  
 41 a certificate **or license** must be made upon the forms, provide the  
 42 information, and be in accordance with the procedures prescribed by  
 43 the commission.

44 SECTION 29. IC 16-31-3-9 IS AMENDED TO READ AS  
 45 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Except as otherwise  
 46 provided in this chapter, all certificates **and licenses** are valid for a  
 47 period specified by the commission unless earlier suspended, revoked,  
 48 or terminated.

49 SECTION 30. IC 16-31-3-10 IS AMENDED TO READ AS  
 50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) Except as

1 provided in subsection (b), to renew a certificate **or license** issued  
 2 under this chapter upon expiration of the certificate **or license** for any  
 3 reason, a person must comply with any continuing education  
 4 requirements that have been established by the commission. To renew  
 5 a certificate **or license** issued under this chapter after a revocation of  
 6 the certificate **or license**, a person must comply with all the  
 7 requirements of this chapter that apply to the original certification **or**  
 8 **licensure**.

9 (b) A renewal of an emergency medical technician ~~an~~ **or advanced**  
 10 emergency medical ~~technician-basic advanced; an emergency medical~~  
 11 ~~technician-intermediate~~ **or a paramedic technician** certificate **or a**  
 12 **paramedic license** shall be issued to an individual who meets the  
 13 following conditions:

14 (1) While holding a valid certificate **or license**, enters the armed  
 15 forces of the United States, including:

- 16 (A) the Army;
- 17 (B) the Navy;
- 18 (C) the Air Force;
- 19 (D) the Marines; or
- 20 (E) the Coast Guard;

21 but excluding the guard and reserve components of those forces.

22 (2) Is discharged from the armed forces of the United States  
 23 within forty-eight (48) months after the individual entered the  
 24 armed forces.

25 (3) Successfully completes, not more than nine (9) months after  
 26 the individual's discharge from the armed forces of the United  
 27 States, a refresher course approved by the commission.

28 (4) Applies for the certificate **or license** renewal not more than  
 29 one (1) year after the individual's discharge from the armed forces  
 30 of the United States.

31 (5) Passes the written and practical skills examinations.

32 (c) A renewal of an emergency medical technician ~~an~~ **or advanced**  
 33 emergency medical ~~technician-basic advanced; an emergency medical~~  
 34 ~~technician-intermediate~~ **or a paramedic technician** certificate **or a**  
 35 **paramedic license** must be issued to an individual who meets the  
 36 following conditions:

37 (1) While holding a valid certificate **or license**, the individual is  
 38 called to active military duty as a member of the Indiana National  
 39 Guard or a reserve component of the armed forces of the United  
 40 States, including:

- 41 (A) the Army;
- 42 (B) the Navy;
- 43 (C) the Air Force;
- 44 (D) the Marines; or
- 45 (E) the Coast Guard.

46 (2) The individual provides the emergency medical services  
 47 commission with a copy of the document from the armed forces  
 48 that called the individual to active duty.

49 (3) The individual applies for the certificate **or license** renewal  
 50 not more than one hundred twenty (120) days after the individual

1 leaves active duty.

2 SECTION 31. IC 16-31-3-11 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A certificate **or**  
4 **license** issued under this chapter is not assignable or transferable.

5 SECTION 32. IC 16-31-3-12 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. An official entry  
7 made upon a certificate **or license** may not be defaced, removed, or  
8 obliterated.

9 SECTION 33. IC 16-31-3-13.5, AS ADDED BY P.L.101-2006,  
10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2012]: Sec. 13.5. The commission may impose a reasonable  
12 fee for the issuance of a certification **or license** under this chapter. The  
13 commission shall deposit the fee in the emergency medical services  
14 fund established by IC 16-31-8.5-3.

15 SECTION 34. IC 16-31-3-14, AS AMENDED BY HEA 1196-2012,  
16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 14. (a) A person holding a certificate **or license**  
18 issued under this article must comply with the applicable standards and  
19 rules established under this article. A certificate holder **or license**  
20 **holder** is subject to disciplinary sanctions under subsection (b) if the  
21 department of homeland security determines that the certificate holder  
22 **or license holder**:

- 23 (1) engaged in or knowingly cooperated in fraud or material  
24 deception in order to obtain a certificate **or license**, including  
25 cheating on a certification **or licensure** examination;  
26 (2) engaged in fraud or material deception in the course of  
27 professional services or activities;  
28 (3) advertised services or goods in a false or misleading manner;  
29 (4) falsified or knowingly allowed another person to falsify  
30 attendance records or certificates of completion of continuing  
31 education courses required under this article or rules adopted  
32 under this article;  
33 (5) is convicted of a crime, if the act that resulted in the  
34 conviction has a direct bearing on determining if the certificate  
35 holder **or license holder** should be entrusted to provide  
36 emergency medical services;  
37 (6) is convicted of violating IC 9-19-14.5;  
38 (7) fails to comply and maintain compliance with or violates any  
39 applicable provision, standard, or other requirement of this article  
40 or rules adopted under this article;  
41 (8) continues to practice if the certificate holder **or license holder**  
42 becomes unfit to practice due to:  
43 (A) professional incompetence that includes the undertaking  
44 of professional activities that the certificate holder **or license**  
45 **holder** is not qualified by training or experience to undertake;  
46 (B) failure to keep abreast of current professional theory or  
47 practice;  
48 (C) physical or mental disability; or  
49 (D) addiction to, abuse of, or dependency on alcohol or other  
50 drugs that endanger the public by impairing the certificate

- 1 holder's **or license holder's** ability to practice safely;
- 2 (9) engages in a course of lewd or immoral conduct in connection
- 3 with the delivery of services to the public;
- 4 (10) allows the certificate holder's **or license holder's** name or a
- 5 certificate **or license** issued under this article to be used in
- 6 connection with a person who renders services beyond the scope
- 7 of that person's training, experience, or competence;
- 8 (11) is subjected to disciplinary action in another state or
- 9 jurisdiction on grounds similar to those contained in this chapter.
- 10 For purposes of this subdivision, a certified copy of a record of
- 11 disciplinary action constitutes prima facie evidence of a
- 12 disciplinary action in another jurisdiction;
- 13 (12) assists another person in committing an act that would
- 14 constitute a ground for disciplinary sanction under this chapter;
- 15 or
- 16 (13) allows a certificate **or license** issued by the commission to
- 17 be:
- 18 (A) used by another person; or
- 19 (B) displayed to the public when the certificate **or license** is
- 20 expired, inactive, invalid, revoked, or suspended.
- 21 (b) The department of homeland security may issue an order under
- 22 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if
- 23 the department of homeland security determines that a certificate
- 24 holder **or license holder** is subject to disciplinary sanctions under
- 25 subsection (a):
- 26 (1) Revocation of a certificate holder's certificate **or license**
- 27 **holder's license** for a period not to exceed seven (7) years.
- 28 (2) Suspension of a certificate holder's certificate **or license**
- 29 **holder's license** for a period not to exceed seven (7) years.
- 30 (3) Censure of a certificate holder **or license holder**.
- 31 (4) Issuance of a letter of reprimand.
- 32 (5) Assessment of a civil penalty against the certificate holder **or**
- 33 **license holder** in accordance with the following:
- 34 (A) The civil penalty may not exceed five hundred dollars
- 35 (\$500) per day per violation.
- 36 (B) If the certificate holder **or license holder** fails to pay the
- 37 civil penalty within the time specified by the department of
- 38 homeland security, the department of homeland security may
- 39 suspend the certificate holder's certificate **or license holder's**
- 40 **license** without additional proceedings.
- 41 (6) Placement of a certificate holder **or license holder** on
- 42 probation status and requirement of the certificate holder **or**
- 43 **license holder** to:
- 44 (A) report regularly to the department of homeland security
- 45 upon the matters that are the basis of probation;
- 46 (B) limit practice to those areas prescribed by the department
- 47 of homeland security;
- 48 (C) continue or renew professional education approved by the
- 49 department of homeland security until a satisfactory degree of
- 50 skill has been attained in those areas that are the basis of the

- 1                   probation; or  
 2                   (D) perform or refrain from performing any acts, including  
 3                   community restitution or service without compensation, that  
 4                   the department of homeland security considers appropriate to  
 5                   the public interest or to the rehabilitation or treatment of the  
 6                   certificate holder **or license holder**.
- 7                   The department of homeland security may withdraw or modify  
 8                   this probation if the department of homeland security finds after  
 9                   a hearing that the deficiency that required disciplinary action is  
 10                  remedied or that changed circumstances warrant a modification  
 11                  of the order.
- 12                  (c) If an applicant or a certificate holder **or license holder** has  
 13                  engaged in or knowingly cooperated in fraud or material deception to  
 14                  obtain a certificate **or license**, including cheating on the certification  
 15                  **or licensure** examination, the department of homeland security may  
 16                  rescind the certificate **or license** if it has been granted, void the  
 17                  examination or other fraudulent or deceptive material, and prohibit the  
 18                  applicant from reapplying for the certificate **or license** for a length of  
 19                  time established by the department of homeland security.
- 20                  (d) The department of homeland security may deny certification **or**  
 21                  **licensure** to an applicant who would be subject to disciplinary  
 22                  sanctions under subsection (b) if that person were a certificate holder  
 23                  **or license holder**, has had disciplinary action taken against the  
 24                  applicant or the applicant's certificate **or license** to practice in another  
 25                  state or jurisdiction, or has practiced without a certificate **or license** in  
 26                  violation of the law. A certified copy of the record of disciplinary  
 27                  action is conclusive evidence of the other jurisdiction's disciplinary  
 28                  action.
- 29                  (e) The department of homeland security may order a certificate  
 30                  holder **or license holder** to submit to a reasonable physical or mental  
 31                  examination if the certificate holder's **or license holder's** physical or  
 32                  mental capacity to practice safely and competently is at issue in a  
 33                  disciplinary proceeding. Failure to comply with a department of  
 34                  homeland security order to submit to a physical or mental examination  
 35                  makes a certificate holder **or license holder** liable to temporary  
 36                  suspension under subsection (i).
- 37                  (f) Except as provided under subsection (a), subsection (g), and  
 38                  section 14.5 of this chapter, a certificate **or license** may not be denied,  
 39                  revoked, or suspended because the applicant, ~~or~~ certificate holder, **or**  
 40                  **license holder** has been convicted of an offense. The acts from which  
 41                  the applicant's, ~~or~~ certificate holder's, **or license holder's** conviction  
 42                  resulted may be considered as to whether the applicant or certificate  
 43                  holder **or license holder** should be entrusted to serve the public in a  
 44                  specific capacity.
- 45                  (g) The department of homeland security may deny, suspend, or  
 46                  revoke a certificate **or license** issued under this article if the individual  
 47                  who holds or is applying for the certificate **or license** is convicted of  
 48                  any of the following:
- 49                      (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.  
 50                      (2) Possession of methamphetamine under IC 35-48-4-6.1.

- 1 (3) Possession of a controlled substance under IC 35-48-4-7(a).  
 2 (4) Fraudulently obtaining a controlled substance under  
 3 IC 35-48-4-7(b).  
 4 (5) Manufacture of paraphernalia as a Class D felony under  
 5 IC 35-48-4-8.1(b).  
 6 (6) Dealing in paraphernalia as a Class D felony under  
 7 IC 35-48-4-8.5(b).  
 8 (7) Possession of paraphernalia as a Class D felony under  
 9 IC 35-48-4-8.3(b).  
 10 (8) Possession of marijuana, hash oil, hashish, salvia, or a  
 11 synthetic drug as a Class D felony under IC 35-48-4-11.  
 12 (9) Maintaining a common nuisance under IC 35-48-4-13.  
 13 (10) An offense relating to registration, labeling, and prescription  
 14 forms under IC 35-48-4-14.  
 15 (11) Conspiracy under IC 35-41-5-2 to commit an offense listed  
 16 in subdivisions (1) through (10).  
 17 (12) Attempt under IC 35-41-5-1 to commit an offense listed in  
 18 subdivisions (1) through (10).  
 19 (13) An offense in any other jurisdiction in which the elements of  
 20 the offense for which the conviction was entered are substantially  
 21 similar to the elements of an offense described by subdivisions (1)  
 22 through (12).
- 23 (h) A decision of the department of homeland security under  
 24 subsections (b) through (g) may be appealed to the commission under  
 25 IC 4-21.5-3-7.
- 26 (i) The department of homeland security may temporarily suspend  
 27 a certificate holder's certificate **or license holder's license** under  
 28 IC 4-21.5-4 before a final adjudication or during the appeals process if  
 29 the department of homeland security finds that a certificate holder **or**  
 30 **license holder** would represent a clear and immediate danger to the  
 31 public's health, safety, or property if the certificate holder **or license**  
 32 **holder** were allowed to continue to practice.
- 33 (j) On receipt of a complaint or information alleging that a person  
 34 certified **or licensed** under this chapter or IC 16-31-3.5 has engaged in  
 35 or is engaging in a practice that is subject to disciplinary sanctions  
 36 under this chapter, the department of homeland security must initiate  
 37 an investigation against the person.
- 38 (k) The department of homeland security shall conduct a factfinding  
 39 investigation as the department of homeland security considers proper  
 40 in relation to the complaint.
- 41 (l) The department of homeland security may reinstate a certificate  
 42 **or license** that has been suspended under this section if the department  
 43 of homeland security is satisfied that the applicant is able to practice  
 44 with reasonable skill, competency, and safety to the public. As a  
 45 condition of reinstatement, the department of homeland security may  
 46 impose disciplinary or corrective measures authorized under this  
 47 chapter.
- 48 (m) The department of homeland security may not reinstate a  
 49 certificate **or license** that has been revoked under this chapter.
- 50 (n) The department of homeland security must be consistent in the

1 application of sanctions authorized in this chapter. Significant  
 2 departures from prior decisions involving similar conduct must be  
 3 explained in the department of homeland security's findings or orders.

4 (o) A certificate holder may not surrender the certificate holder's  
 5 certificate, **and a license holder may not surrender the license**  
 6 **holder's license**, without the written approval of the department of  
 7 homeland security, and the department of homeland security may  
 8 impose any conditions appropriate to the surrender or reinstatement of  
 9 a surrendered certificate **or license**.

10 (p) For purposes of this section, "certificate holder" means a person  
 11 who holds:

- 12 (1) an unlimited certificate;
- 13 (2) a limited or probationary certificate; or
- 14 (3) an inactive certificate.

15 **(q) For purposes of this section, "license holder" means a person**  
 16 **who holds:**

- 17 **(1) an unlimited license;**
- 18 **(2) a limited or probationary license; or**
- 19 **(3) an inactive license.**

20 SECTION 35. IC 16-31-3-14.5, AS AMENDED BY HEA  
 21 1196-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2012]: Sec. 14.5. The department of homeland  
 23 security may issue an order under IC 4-21.5-3-6 to deny an applicant's  
 24 request for certification **or licensure** or permanently revoke a  
 25 certificate **or license** under procedures provided by section 14 of this  
 26 chapter if the individual who holds the certificate **or license** issued  
 27 under this title is convicted of any of the following:

- 28 (1) Dealing in or manufacturing cocaine or a narcotic drug under  
 29 IC 35-48-4-1.
- 30 (2) Dealing in methamphetamine under IC 35-48-4-1.1.
- 31 (3) Dealing in a schedule I, II, or III controlled substance under  
 32 IC 35-48-4-2.
- 33 (4) Dealing in a schedule IV controlled substance under  
 34 IC 35-48-4-3.
- 35 (5) Dealing in a schedule V controlled substance under  
 36 IC 35-48-4-4.
- 37 (6) Dealing in a substance represented to be a controlled  
 38 substance under IC 35-48-4-4.5.
- 39 (7) Knowingly or intentionally manufacturing, advertising,  
 40 distributing, or possessing with intent to manufacture, advertise,  
 41 or distribute a substance represented to be a controlled substance  
 42 under IC 35-48-4-4.6.
- 43 (8) Dealing in a counterfeit substance under IC 35-48-4-5.
- 44 (9) Dealing in marijuana, hash oil, hashish, salvia, or a synthetic  
 45 drug under IC 35-48-4-10(b).
- 46 (10) Conspiracy under IC 35-41-5-2 to commit an offense listed  
 47 in subdivisions (1) through (9).
- 48 (11) Attempt under IC 35-41-5-1 to commit an offense listed in  
 49 subdivisions (1) through (9).
- 50 (12) A crime of violence (as defined in IC 35-50-1-2(a)).

1 (13) An offense in any other jurisdiction in which the elements of  
 2 the offense for which the conviction was entered are substantially  
 3 similar to the elements of an offense described under subdivisions  
 4 (1) through (12).

5 SECTION 36. IC 16-31-3-16 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person who is not  
 7 certified **or licensed** under this chapter and identifies or holds out to  
 8 other persons that the person is:

9 (1) certified **or licensed** under this chapter; or

10 (2) authorized to do any act allowed under this chapter;  
 11 commits a Class C misdemeanor.

12 SECTION 37. IC 16-31-3-17, AS AMENDED BY P.L.1-2009,  
 13 SECTION 116, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) The department of homeland  
 15 security established by IC 10-19-2-1 may issue an order to a person  
 16 who has practiced without a certificate **or license** in violation of this  
 17 article imposing a civil penalty of not more than five hundred dollars  
 18 (\$500) per occurrence.

19 (b) A decision of the department of homeland security under  
 20 subsection (a) may be appealed to the commission under IC 4-21.5-3-7.

21 SECTION 38. IC 16-31-3-20 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. The commission  
 23 shall adopt rules under IC 4-22-2 that promote the orderly development  
 24 of advanced life support services in Indiana. The rules must include the  
 25 following:

26 (1) Requirements and procedures for the certification of provider  
 27 organizations, ~~paramedics,~~ **advanced** emergency medical  
 28 ~~technicians-intermediate, technicians,~~ and supervising hospitals.

29 **(2) Requirements and procedures for the licensure of**  
 30 **paramedics.**

31 ~~(2)~~ **(3)** Rules governing the operation of advanced life support  
 32 services, including the medications and procedures that may be  
 33 administered and performed by paramedics and **advanced**  
 34 emergency medical ~~technicians-intermediate,~~ **technicians.**

35 SECTION 39. IC 16-31-3-21 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) Notwithstanding  
 37 any other law, a ~~certified~~ **licensed** paramedic or a certified **advanced**  
 38 emergency medical ~~technician-intermediate~~ **technician** may perform  
 39 advanced life support in an emergency according to the rules of the  
 40 commission.

41 (b) Notwithstanding any other law, a person may, during a course  
 42 of instruction in advanced life support, perform advanced life support  
 43 according to the rules of the commission.

44 SECTION 40. IC 16-31-3-23 IS AMENDED TO READ AS  
 45 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. An emergency  
 46 medical technician **or emergency medical technician-basic** ~~advanced~~  
 47 who is certified under this article may administer epinephrine through  
 48 an auto-injector to an individual who is experiencing symptoms of an  
 49 allergic reaction or anaphylaxis.

50 SECTION 41. IC 16-31-3-24 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2012]: **Sec. 24. The commission may**  
 3 **implement a certification program for emergency services**  
 4 **personnel regulated by the commission through emergency rules**  
 5 **adopted under IC 4-22-2-37.1. An emergency rule adopted under**  
 6 **this section expires on the later of the following:**

7 (1) July 1, 2014.

8 (2) **The date permanent rules are adopted to replace the**  
 9 **emergency rules.**

10 SECTION 42. IC 16-31-3.5-1, AS AMENDED BY P.L.68-2009,  
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2012]: Sec. 1. (a) The definitions in this section apply  
 13 throughout this chapter.

14 (b) "Emergency medical dispatching" means the reception,  
 15 evaluation, processing, and provision of dispatch life support,  
 16 management of requests for emergency medical assistance, and  
 17 participation in ongoing evaluation and improvement of the emergency  
 18 medical dispatch process. This process includes identifying the nature  
 19 of the request, prioritizing the severity of the request, dispatching the  
 20 necessary resources, providing medical aid and safety instructions to  
 21 the callers, and coordinating the responding resources as needed, but  
 22 does not include call routing itself.

23 (c) "Emergency medical dispatch agency" means any person that  
 24 provides emergency medical dispatching for emergency medical  
 25 assistance. ~~that is certified under this chapter.~~

26 SECTION 43. IC 16-31-3.5-3, AS AMENDED BY P.L.68-2009,  
 27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2012]: Sec. 3. ~~After December 31, 2009,~~ A person may not  
 29 furnish, operate, conduct, maintain, or advertise services as an  
 30 emergency medical dispatcher or otherwise be engaged as an  
 31 emergency medical dispatch agency unless ~~certified by the commission~~  
 32 ~~as an emergency medical dispatch agency:~~ **the person performing the**  
 33 **emergency medical dispatch has completed training that meets or**  
 34 **exceeds the standards established by the National Highway Traffic**  
 35 **Safety Administration in the Emergency Medical Dispatch**  
 36 **Program Implementation and Administration Managers Guide, as**  
 37 **in effect July 1, 2012.**

38 SECTION 44. IC 16-31-3.5-5 IS REPEALED [EFFECTIVE JULY  
 39 1, 2012]. Sec. 5: (a) ~~To be certified as an emergency medical dispatch~~  
 40 ~~agency, a person must:~~

41 (1) ~~meet the standards established by the commission; and~~

42 (2) ~~pay the fee established by the commission.~~

43 (b) ~~An emergency medical dispatch agency certificate expires on the~~  
 44 ~~expiration date established when it is issued, which must be at least two~~  
 45 ~~(2) years after the date of its issuance. To renew a certificate, an~~  
 46 ~~emergency medical dispatch agency must:~~

47 (1) ~~meet the renewal requirements established by the commission;~~

48 ~~and~~

49 (2) ~~pay the fee established by the commission.~~

50 (c) ~~The emergency medical dispatch agency must be operated in a~~  
 51 ~~safe, efficient, and effective manner in accordance with commission~~

1 approved standards that include the following requirements:

2 (1) Before functioning alone in an online capacity, all personnel  
3 providing emergency medical dispatch services must be certified  
4 as emergency medical dispatchers through a training program that  
5 is:

6 (A) approved by the commission; and

7 (B) used by the department.

8 (2) The protocols, procedures, standards, and policies used by an  
9 emergency medical dispatch agency to dispatch emergency  
10 medical aid must comply with the requirements established by the  
11 commission.

12 (d) The commission may require the submission of periodic reports  
13 from an emergency medical dispatch agency. The emergency medical  
14 dispatch agency must submit the reports in the manner and with the  
15 frequency required by the commission.

16 (e) An emergency medical dispatch agency shall report to the  
17 commission whenever an action occurs that may justify the revocation  
18 or suspension of a certificate issued by the commission.

19 SECTION 45. IC 16-31-3.5-7 IS REPEALED [EFFECTIVE JULY  
20 1, 2012]. Sec. 7. The commission shall adopt rules under IC 4-22-2 to  
21 implement this chapter.

22 SECTION 46. IC 16-31-6-1 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A certified  
24 emergency medical technician or a certified emergency medical  
25 technician-basic advanced who provides emergency medical services  
26 to an emergency patient is not liable for an act or omission in providing  
27 those services unless the act or omission constitutes negligence or  
28 willful misconduct. If the emergency medical technician or emergency  
29 medical technician-basic advanced is not liable for an act or omission,  
30 no other person incurs liability by reason of an agency relationship with  
31 the emergency medical technician. or emergency medical  
32 technician-basic advanced.

33 (b) This section does not affect the liability of a driver of an  
34 ambulance for negligent operation of the ambulance.

35 SECTION 47. IC 16-31-6-2 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Except for an act  
37 of negligence or willful misconduct, a certified first emergency  
38 medical responder who uses an automatic or semiautomatic  
39 defibrillator on an emergency patient according to the training  
40 procedures established by the commission under IC 16-31-2-9 is  
41 immune from civil liability for acts or omissions when rendering those  
42 services.

43 (b) If the first emergency medical responder is immune from civil  
44 liability for the first emergency medical responder's act or omission,  
45 a person who has only an agency relationship with the first emergency  
46 medical responder is also immune from civil liability for the act or  
47 omission.

48 SECTION 48. IC 16-31-6-3 IS AMENDED TO READ AS  
49 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. An act or omission  
50 of a paramedic or an advanced emergency medical

1 ~~technician-intermediate~~ **technician** done or omitted in good faith while  
 2 providing advanced life support to a patient or trauma victim does not  
 3 impose liability upon the paramedic or **advanced** emergency medical  
 4 ~~technician-intermediate~~, **technician**, the authorizing physician, the  
 5 hospital, or the officers, members of the staff, nurses, or other  
 6 employees of the hospital or the local governmental unit if the  
 7 advanced life support is provided:

8 (1) in connection with an emergency;

9 (2) in good faith; and

10 (3) under the written or oral direction of a licensed physician;

11 unless the act or omission was a result of negligence or willful  
 12 misconduct.

13 SECTION 49. IC 16-31-6-4, AS AMENDED BY SEA 26-2012,  
 14 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 4. (a) This section does not apply to an act or  
 16 omission that was a result of gross negligence or willful or intentional  
 17 misconduct.

18 (b) An act or omission of a paramedic, an **advanced** emergency  
 19 medical ~~technician-intermediate~~, an **emergency medical**  
 20 ~~technician-basic~~ **advanced**, **technician**, an emergency medical  
 21 technician, or a person with equivalent certification **or licensure** from  
 22 another state that is performed or made while providing advanced life  
 23 support or basic life support to a patient or trauma victim does not  
 24 impose liability upon the paramedic, the **advanced** emergency medical  
 25 ~~technician-intermediate~~, the **emergency medical** ~~technician-basic~~  
 26 **advanced**, **technician**, an emergency medical technician, the person  
 27 with equivalent certification **or licensure** from another state, a hospital,  
 28 a provider organization, a governmental entity, or an employee or other  
 29 staff of a hospital, provider organization, or governmental entity if the  
 30 advanced life support or basic life support is provided in good faith:

31 (1) in connection with a disaster emergency declared by the  
 32 governor under IC 10-14-3-12 in response to an act that the  
 33 governor in good faith believes to be an act of terrorism (as  
 34 defined in IC 35-31.5-2-329); and

35 (2) in accordance with the rules adopted by the Indiana  
 36 emergency medical services commission or the disaster  
 37 emergency declaration of the governor.

38 SECTION 50. IC 16-31-8-1 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The emergency  
 40 medical services restitution fund is established for the purpose of  
 41 reimbursing persons who:

42 (1) are certified **or licensed** under IC 16-31-3; and

43 (2) provided emergency medical services to individuals injured as  
 44 a result of an accident caused by an individual who:

45 (A) was operating a vehicle while intoxicated at the time the  
 46 accident occurred; and

47 (B) was subsequently convicted under IC 9-30-5 of that  
 48 offense.

49 SECTION 51. IC 21-14-1-6, AS ADDED BY P.L.2-2007,  
 50 SECTION 255, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JULY 1, 2012]: Sec. 6. "Public safety officer" means any  
2 of the following:

- 3 (1) A regular, paid law enforcement officer.
- 4 (2) A regular, paid firefighter.
- 5 (3) A volunteer firefighter (as defined in IC 36-8-12-2).
- 6 (4) A county police reserve officer.
- 7 (5) A city police reserve officer.
- 8 (6) A paramedic (as defined in IC 16-18-2-266).
- 9 (7) An emergency medical technician (as defined in  
10 IC 16-18-2-112).
- 11 (8) An advanced emergency medical technician (as defined in  
12 ~~IC 16-18-2-6~~ (repealed); **IC 16-18-2-6.5**); or
- 13 (9) A hazardous duty employee of the department of correction  
14 who:
  - 15 (A) works within a prison or juvenile facility; or
  - 16 (B) performs parole or emergency response operations and  
17 functions.

18 SECTION 52. IC 25-22.5-1-2, AS AMENDED BY SEA 26-2012,  
19 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2012]: Sec. 2. (a) This article, as it relates to the unlawful or  
21 unauthorized practice of medicine or osteopathic medicine, does not  
22 apply to any of the following:

- 23 (1) A student in training in a medical school approved by the  
24 board, or while performing duties as an intern or a resident in a  
25 hospital under the supervision of the hospital's staff or in a  
26 program approved by the medical school.
- 27 (2) A person who renders service in case of emergency where no  
28 fee or other consideration is contemplated, charged, or received.
- 29 (3) A paramedic (as defined in IC 16-18-2-266), an **advanced**  
30 emergency medical ~~technician-basic~~ **advanced technician** (as  
31 defined in ~~IC 16-18-2-112.5~~); an **emergency medical**  
32 ~~technician-intermediate~~ (as defined in ~~IC 16-18-2-112.7~~);  
33 **IC 16-18-2-6.5**), an emergency medical technician (as defined in  
34 IC 16-18-2-112), or a person with equivalent certification from  
35 another state who renders advanced life support (as defined in  
36 IC 16-18-2-7), or basic life support (as defined in  
37 IC 16-18-2-33.5):
  - 38 (A) during a disaster emergency declared by the governor  
39 under IC 10-14-3-12 in response to an act that the governor in  
40 good faith believes to be an act of terrorism (as defined in  
41 IC 35-31.5-2-329); and
  - 42 (B) in accordance with the rules adopted by the Indiana  
43 emergency medical services commission or the disaster  
44 emergency declaration of the governor.
- 45 (4) Commissioned medical officers or medical service officers of  
46 the armed forces of the United States, the United States Public  
47 Health Service, and medical officers of the United States  
48 Department of Veterans Affairs in the discharge of their official  
49 duties in Indiana.
- 50 (5) An individual who is not a licensee who resides in another

- 1 state or country and is authorized to practice medicine or  
2 osteopathic medicine there, who is called in for consultation by an  
3 individual licensed to practice medicine or osteopathic medicine  
4 in Indiana.
- 5 (6) A person administering a domestic or family remedy to a  
6 member of the person's family.
- 7 (7) A member of a church practicing the religious tenets of the  
8 church if the member does not make a medical diagnosis,  
9 prescribe or administer drugs or medicines, perform surgical or  
10 physical operations, or assume the title of or profess to be a  
11 physician.
- 12 (8) A school corporation and a school employee who acts under  
13 IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).
- 14 (9) A chiropractor practicing the chiropractor's profession under  
15 IC 25-10 or to an employee of a chiropractor acting under the  
16 direction and supervision of the chiropractor under IC 25-10-1-13.
- 17 (10) A dental hygienist practicing the dental hygienist's profession  
18 under IC 25-13.
- 19 (11) A dentist practicing the dentist's profession under IC 25-14.
- 20 (12) A hearing aid dealer practicing the hearing aid dealer's  
21 profession under IC 25-20.
- 22 (13) A nurse practicing the nurse's profession under IC 25-23.  
23 However, a certified registered nurse anesthetist (as defined in  
24 IC 25-23-1-1.4) may administer anesthesia if the certified  
25 registered nurse anesthetist acts under the direction of and in the  
26 immediate presence of a physician.
- 27 (14) An optometrist practicing the optometrist's profession under  
28 IC 25-24.
- 29 (15) A pharmacist practicing the pharmacist's profession under  
30 IC 25-26.
- 31 (16) A physical therapist practicing the physical therapist's  
32 profession under IC 25-27.
- 33 (17) A podiatrist practicing the podiatrist's profession under  
34 IC 25-29.
- 35 (18) A psychologist practicing the psychologist's profession under  
36 IC 25-33.
- 37 (19) A speech-language pathologist or audiologist practicing the  
38 pathologist's or audiologist's profession under IC 25-35.6.
- 39 (20) An employee of a physician or group of physicians who  
40 performs an act, a duty, or a function that is customarily within  
41 the specific area of practice of the employing physician or group  
42 of physicians, if the act, duty, or function is performed under the  
43 direction and supervision of the employing physician or a  
44 physician of the employing group within whose area of practice  
45 the act, duty, or function falls. An employee may not make a  
46 diagnosis or prescribe a treatment and must report the results of  
47 an examination of a patient conducted by the employee to the  
48 employing physician or the physician of the employing group  
49 under whose supervision the employee is working. An employee  
50 may not administer medication without the specific order of the

- 1 employing physician or a physician of the employing group.  
 2 Unless an employee is licensed or registered to independently  
 3 practice in a profession described in subdivisions (9) through  
 4 (18), nothing in this subsection grants the employee independent  
 5 practitioner status or the authority to perform patient services in  
 6 an independent practice in a profession.
- 7 (21) A hospital licensed under IC 16-21 or IC 12-25.
- 8 (22) A health care organization whose members, shareholders, or  
 9 partners are individuals, partnerships, corporations, facilities, or  
 10 institutions licensed or legally authorized by this state to provide  
 11 health care or professional services as:
- 12 (A) a physician;
  - 13 (B) a psychiatric hospital;
  - 14 (C) a hospital;
  - 15 (D) a health maintenance organization or limited service  
 16 health maintenance organization;
  - 17 (E) a health facility;
  - 18 (F) a dentist;
  - 19 (G) a registered or licensed practical nurse;
  - 20 (H) a midwife;
  - 21 (I) an optometrist;
  - 22 (J) a podiatrist;
  - 23 (K) a chiropractor;
  - 24 (L) a physical therapist; or
  - 25 (M) a psychologist.
- 26 (23) A physician assistant practicing the physician assistant  
 27 profession under IC 25-27.5.
- 28 (24) A physician providing medical treatment under  
 29 ~~IC 25-22.5-1-2.1~~ **section 2.1 of this chapter.**
- 30 (25) An attendant who provides attendant care services (as  
 31 defined in IC 16-18-2-28.5).
- 32 (26) A personal services attendant providing authorized attendant  
 33 care services under IC 12-10-17.1.
- 34 **(27) A respiratory care practitioner practicing the**  
 35 **practitioner's profession under IC 25-34.5.**
- 36 (b) A person described in subsection (a)(9) through (a)(18) is not  
 37 excluded from the application of this article if:
- 38 (1) the person performs an act that an Indiana statute does not  
 39 authorize the person to perform; and
  - 40 (2) the act qualifies in whole or in part as the practice of medicine  
 41 or osteopathic medicine.
- 42 (c) An employment or other contractual relationship between an  
 43 entity described in subsection (a)(21) through (a)(22) and a licensed  
 44 physician does not constitute the unlawful practice of medicine under  
 45 this article if the entity does not direct or control independent medical  
 46 acts, decisions, or judgment of the licensed physician. However, if the  
 47 direction or control is done by the entity under IC 34-30-15 (or  
 48 IC 34-4-12.6 before its repeal), the entity is excluded from the  
 49 application of this article as it relates to the unlawful practice of  
 50 medicine or osteopathic medicine.

1 (d) This subsection does not apply to a prescription or drug order for  
 2 a legend drug that is filled or refilled in a pharmacy owned or operated  
 3 by a hospital licensed under IC 16-21. A physician licensed in Indiana  
 4 who permits or authorizes a person to fill or refill a prescription or drug  
 5 order for a legend drug except as authorized in IC 16-42-19-11 through  
 6 IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A  
 7 person who violates this subsection commits the unlawful practice of  
 8 medicine under this chapter.

9 (e) A person described in subsection (a)(8) shall not be authorized  
 10 to dispense contraceptives or birth control devices.

11 SECTION 53. IC 34-6-2-3.1 IS ADDED TO THE INDIANA CODE  
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13 1, 2012]: **Sec. 3.1. "Advanced emergency medical technician", for  
 14 purposes of IC 34-18, has the meaning set forth in IC 34-18-2-3.5.**

15 SECTION 54. IC 34-6-2-37.2 IS REPEALED [EFFECTIVE JULY  
 16 1, 2012]. ~~Sec. 37.2: "Emergency medical technician-basic advanced",  
 17 for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-12.1.~~

18 SECTION 55. IC 34-6-2-37.4 IS REPEALED [EFFECTIVE JULY  
 19 1, 2012]. ~~Sec. 37.4: "Emergency medical technician-intermediate", for  
 20 purposes of IC 34-18, has the meaning set forth in IC 34-18-2-12.2.~~

21 SECTION 56. IC 34-6-2-55, AS AMENDED BY P.L.138-2006,  
 22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 55. (a) "Health care services", for purposes of  
 24 IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a).

25 (b) "Health care services", for purposes of IC 34-30-13.5, means:

26 (1) any services provided by an individual licensed under:

27 (A) IC 25-2.5;

28 (B) IC 25-10;

29 (C) IC 25-13;

30 (D) IC 25-14;

31 (E) IC 25-22.5;

32 (F) IC 25-23;

33 (G) IC 25-23.5;

34 (H) IC 25-23.6;

35 (I) IC 25-24;

36 (J) IC 25-26;

37 (K) IC 25-27;

38 (L) IC 25-27.5;

39 (M) IC 25-29;

40 (N) IC 25-33;

41 (O) IC 25-34.5; or

42 (P) IC 25-35.6;

43 (2) services provided as the result of hospitalization;

44 (3) services incidental to the furnishing of services described in  
 45 subdivisions (1) or (2);

46 (4) any services by individuals: ~~certified as:~~

47 (A) **licensed as** paramedics;

48 (B) **certified as advanced** emergency medical  
 49 **technicians-intermediate; technicians; or**

50 ~~(C) emergency medical technicians-advanced;~~

- 1           ~~(D)~~ emergency medical technicians basic-advanced; or  
 2           ~~(E)~~ **(C) certified as** emergency medical technicians under  
 3           IC 16-31-2;  
 4           (5) any services provided by individuals certified as ~~first~~  
 5           **emergency medical** responders under IC 16-31-2; or  
 6           (6) any other services or goods furnished for the purpose of  
 7           preventing, alleviating, curing, or healing human illness, physical  
 8           disability, or injury.

9           SECTION 57. IC 34-18-2-3.5 IS ADDED TO THE INDIANA  
 10          CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 11          [EFFECTIVE JULY 1, 2012]: **Sec. 3.5. "Advanced emergency**  
 12          **medical technician" means an individual who can perform at least**  
 13          **one (1) procedure but not all the procedures of a paramedic and**  
 14          **who:**

- 15           **(1) has completed a prescribed course in advanced life**  
 16           **support;**  
 17           **(2) has been certified by the Indiana emergency medical**  
 18           **services commission;**  
 19           **(3) is associated with a single supervising hospital; and**  
 20           **(4) is affiliated with a provider organization.**

21          SECTION 58. IC 34-18-2-4 IS AMENDED TO READ AS  
 22          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. "Ambulance service"  
 23          means a person who employs:

- 24           (1) emergency medical technicians;  
 25           (2) **advanced** emergency medical ~~technicians-basic advanced;~~  
 26           **technicians; or**  
 27           ~~(3) emergency medical technicians-intermediate; or~~  
 28           ~~(4)~~ **(3) paramedics.**

29          SECTION 59. IC 34-18-2-12.1 IS REPEALED [EFFECTIVE JULY  
 30          1, 2012]. ~~Sec. 12.1: (a) "Emergency medical technician-basic~~  
 31          ~~advanced" has the meaning set forth in IC 16-18-2-112.5.~~

32           ~~(b) The term does not include a person while the person is operating~~  
 33           ~~an emergency vehicle.~~

34          SECTION 60. IC 34-18-2-12.2 IS REPEALED [EFFECTIVE JULY  
 35          1, 2012]. ~~Sec. 12.2: (a) "Emergency medical technician-intermediate"~~  
 36          ~~has the meaning set forth in IC 16-18-2-112.7.~~

37           ~~(b) The term does not include a person while the person is operating~~  
 38           ~~an emergency vehicle.~~

39          SECTION 61. IC 34-18-2-14 IS AMENDED TO READ AS  
 40          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. "Health care  
 41          provider" means any of the following:

- 42           (1) An individual, a partnership, a limited liability company, a  
 43           corporation, a professional corporation, a facility, or an institution  
 44           licensed or legally authorized by this state to provide health care  
 45           or professional services as a physician, psychiatric hospital,  
 46           hospital, health facility, emergency ambulance service (IC  
 47           16-18-2-107), dentist, registered or licensed practical nurse,  
 48           physician assistant, midwife, optometrist, podiatrist, chiropractor,  
 49           physical therapist, respiratory care practitioner, occupational  
 50           therapist, psychologist, paramedic, **advanced** emergency medical

- 1 ~~technician-intermediate,~~ **technician,** emergency medical  
 2 ~~technician-basic advanced,~~ or emergency medical technician, or  
 3 a person who is an officer, employee, or agent of the individual,  
 4 partnership, corporation, professional corporation, facility, or  
 5 institution acting in the course and scope of the person's  
 6 employment.
- 7 (2) A college, university, or junior college that provides health  
 8 care to a student, faculty member, or employee, and the governing  
 9 board or a person who is an officer, employee, or agent of the  
 10 college, university, or junior college acting in the course and  
 11 scope of the person's employment.
- 12 (3) A blood bank, community mental health center, community  
 13 mental retardation center, community health center, or migrant  
 14 health center.
- 15 (4) A home health agency (as defined in IC 16-27-1-2).
- 16 (5) A health maintenance organization (as defined in  
 17 IC 27-13-1-19).
- 18 (6) A health care organization whose members, shareholders, or  
 19 partners are health care providers under subdivision (1).
- 20 (7) A corporation, limited liability company, partnership, or  
 21 professional corporation not otherwise qualified under this section  
 22 that:
- 23 (A) as one (1) of its functions, provides health care;  
 24 (B) is organized or registered under state law; and  
 25 (C) is determined to be eligible for coverage as a health care  
 26 provider under this article for its health care function.
- 27 Coverage for a health care provider qualified under this  
 28 subdivision is limited to its health care functions and does not  
 29 extend to other causes of action.
- 30 SECTION 62. IC 35-42-2-6, AS AMENDED BY P.L.131-2009,  
 31 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 6. (a) As used in this section, "corrections officer"  
 33 includes a person employed by:
- 34 (1) the department of correction;  
 35 (2) a law enforcement agency;  
 36 (3) a probation department;  
 37 (4) a county jail; or  
 38 (5) a circuit, superior, county, probate, city, or town court.
- 39 (b) As used in this section, "firefighter" means a person who is a:  
 40 (1) full-time, salaried firefighter;  
 41 (2) part-time, paid firefighter; or  
 42 (3) volunteer firefighter (as defined in IC 36-8-12-2).
- 43 (c) As used in this section, ~~"first "~~**emergency medical** responder"  
 44 means a person who:  
 45 (1) is certified under IC 16-31 and who meets the Indiana  
 46 emergency medical services commission's standards for ~~first~~  
 47 **emergency medical** responder certification; and  
 48 (2) responds to an incident requiring emergency medical services.
- 49 (d) As used in this section, "human immunodeficiency virus (HIV)"  
 50 includes acquired immune deficiency syndrome (AIDS) and AIDS

- 1 related complex.
- 2 (e) A person who knowingly or intentionally in a rude, insolent, or  
 3 angry manner places blood or another body fluid or waste on a law  
 4 enforcement officer, firefighter, **first emergency medical** responder,  
 5 corrections officer, or department of child services employee, identified  
 6 as such and while engaged in the performance of official duties, or  
 7 coerces another person to place blood or another body fluid or waste on  
 8 the law enforcement officer, firefighter, **first emergency medical**  
 9 responder, corrections officer, or department of child services  
 10 employee, commits battery by body waste, a Class D felony. However,  
 11 the offense is:
- 12 (1) a Class C felony if the person knew or recklessly failed to  
 13 know that the blood, bodily fluid, or waste was infected with:
- 14 (A) hepatitis B or hepatitis C;  
 15 (B) HIV; or  
 16 (C) tuberculosis;
- 17 (2) a Class B felony if:
- 18 (A) the person knew or recklessly failed to know that the  
 19 blood, bodily fluid, or waste was infected with hepatitis B or  
 20 hepatitis C and the offense results in the transmission of  
 21 hepatitis B or hepatitis C to the other person; or  
 22 (B) the person knew or recklessly failed to know that the  
 23 blood, bodily fluid, or waste was infected with tuberculosis  
 24 and the offense results in the transmission of tuberculosis to  
 25 the other person; and
- 26 (3) a Class A felony if:
- 27 (A) the person knew or recklessly failed to know that the  
 28 blood, bodily fluid, or waste was infected with HIV; and  
 29 (B) the offense results in the transmission of HIV to the other  
 30 person.
- 31 (f) A person who knowingly or intentionally in a rude, an insolent,  
 32 or an angry manner places human blood, semen, urine, or fecal waste  
 33 on another person commits battery by body waste, a Class A  
 34 misdemeanor. However, the offense is:
- 35 (1) a Class D felony if the person knew or recklessly failed to  
 36 know that the blood, semen, urine, or fecal waste was infected  
 37 with:
- 38 (A) hepatitis B or hepatitis C;  
 39 (B) HIV; or  
 40 (C) tuberculosis;
- 41 (2) a Class C felony if:
- 42 (A) the person knew or recklessly failed to know that the  
 43 blood, semen, urine, or fecal waste was infected with hepatitis  
 44 B or hepatitis C and the offense results in the transmission of  
 45 hepatitis B or hepatitis C to the other person; or  
 46 (B) the person knew or recklessly failed to know that the  
 47 blood, semen, urine, or fecal waste was infected with  
 48 tuberculosis and the offense results in the transmission of  
 49 tuberculosis to the other person; and
- 50 (3) a Class B felony if:

- 1 (A) the person knew or recklessly failed to know that the  
 2 blood, semen, urine, or fecal waste was infected with HIV; and  
 3 (B) the offense results in the transmission of HIV to the other  
 4 person.

5 SECTION 63. [EFFECTIVE JULY 1, 2012] **(a) An individual**  
 6 **certified as:**

- 7 **(1) an emergency medical technician-basic advanced (as**  
 8 **defined in IC 16-18-2-112.5, before its repeal by this act); or**  
 9 **(2) an emergency medical technician-intermediate (as defined**  
 10 **in IC 16-18-2-112.7, before its repeal by this act);**

11 **on June 30, 2012, has two (2) years to comply with the new**  
 12 **requirements for certification under IC 16-31-3, as amended by**  
 13 **this act.**

14 **(b) This SECTION expires July 1, 2014.**

15 SECTION 64. [EFFECTIVE JULY 1, 2012] **(a) As used in this**  
 16 **SECTION, "commission" refers to the health finance commission**  
 17 **established by IC 2-5-23-3.**

18 **(b) The commission shall study during the 2012 legislative**  
 19 **interim issues concerning the licensing of paramedics.**

20 **(c) This SECTION expires December 31, 2012.**

21 SECTION 65. **An emergency is declared for this act.**

(Reference is to EHB 1186 as reprinted February 17, 2012.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1186**

**S**igned by:

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Representative Brown T  
Chairperson

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Senator Miller

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Representative Welch

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Senator Tallian

**House Conferees**

**Senate Conferees**