

# HOUSE BILL No. 1187

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1; IC 25-14.5.

**Synopsis:** Licensure of dietitians. Requires, with certain exceptions, an individual who: (1) professes to be a licensed dietitian; (2) implies by words or letters that the individual is a licensed dietitian; or (3) engages in the practice of dietetics; to be licensed. Repeals provisions providing for certification of dietitians. Changes the name of the Indiana dietitians certification board to the Indiana dietitians licensing board. Specifies that an individual who is a certified dietician on June 30, 2012, becomes a licensed dietician beginning July 1, 2012. Makes other conforming changes.

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

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**Welch, Bacon, Brown T, Brown C**

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January 9, 2012, read first time and referred to Committee on Public Health.

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Second Regular Session 117th General Assembly (2012)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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# HOUSE BILL No. 1187



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

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

- 1 SECTION 1. IC 25-1-2-6, AS AMENDED BY P.L.197-2011,
- 2 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2012]: Sec. 6. (a) As used in this section, "license" includes
- 4 all occupational and professional licenses, registrations, permits, and
- 5 certificates issued under the Indiana Code, and "licensee" includes all
- 6 occupational and professional licensees, registrants, permittees, and
- 7 certificate holders regulated under the Indiana Code.
- 8 (b) This section applies to the following entities that regulate
- 9 occupations or professions under the Indiana Code:
- 10 (1) Indiana board of accountancy.
- 11 (2) Indiana grain buyers and warehouse licensing agency.
- 12 (3) Indiana auctioneer commission.
- 13 (4) Board of registration for architects and landscape architects.
- 14 (5) State board of cosmetology and barber examiners.
- 15 (6) Medical licensing board of Indiana.
- 16 (7) Secretary of state.
- 17 (8) State board of dentistry.



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

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



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1 (d) Notwithstanding any other law, the entities included in  
 2 subsection (b) shall send notice of the expiration of a license to each  
 3 individual whose license has expired within thirty (30) days following  
 4 the expiration of the license. The notice must meet the following  
 5 requirements:

- 6 (1) Inform the individual of the following:  
 7 (A) That the individual's license has expired.  
 8 (B) Any requirements that must be met before reinstatement  
 9 of a license may occur.  
 10 (2) Be sent electronically. However, if the entity does not have an  
 11 electronic mail address on record for the individual, the notice  
 12 must be sent via United States mail.

13 SECTION 2. IC 25-1-4-0.3, AS AMENDED BY P.L.84-2010,  
 14 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 0.3. As used in this chapter, "board" means any of  
 16 the following:

- 17 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 18 (2) Board of registration for architects and landscape architects  
 19 (IC 25-4-1-2).  
 20 (3) Indiana athletic trainers board (IC 25-5.1-2-1).  
 21 (4) Indiana auctioneer commission (IC 25-6.1-2-1).  
 22 (5) Board of chiropractic examiners (IC 25-10-1).  
 23 (6) State board of cosmetology and barber examiners  
 24 (IC 25-8-3-1).  
 25 (7) State board of dentistry (IC 25-14-1).  
 26 (8) Indiana dietitians ~~certification~~ **licensing** board  
 27 (IC 25-14.5-2-1).  
 28 (9) State board of registration for professional engineers  
 29 (IC 25-31-1-3).  
 30 (10) State board of funeral and cemetery service (IC 25-15-9).  
 31 (11) Indiana state board of health facility administrators  
 32 (IC 25-19-1).  
 33 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).  
 34 (13) Home inspectors licensing board (IC 25-20.2-3-1).  
 35 (14) State board of registration for land surveyors  
 36 (IC 25-21.5-2-1).  
 37 (15) Manufactured home installer licensing board (IC 25-23.7).  
 38 (16) Medical licensing board of Indiana (IC 25-22.5-2).  
 39 (17) Indiana state board of nursing (IC 25-23-1).  
 40 (18) Occupational therapy committee (IC 25-23.5).  
 41 (19) Indiana optometry board (IC 25-24).  
 42 (20) Indiana board of pharmacy (IC 25-26).



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- 1 (21) Indiana physical therapy committee (IC 25-27-1).
- 2 (22) Physician assistant committee (IC 25-27.5).
- 3 (23) Indiana plumbing commission (IC 25-28.5-1-3).
- 4 (24) Board of podiatric medicine (IC 25-29-2-1).
- 5 (25) Private investigator and security guard licensing board
- 6 (IC 25-30-1-5.2).
- 7 (26) State psychology board (IC 25-33).
- 8 (27) Indiana real estate commission (IC 25-34.1-2).
- 9 (28) Real estate appraiser licensure and certification board
- 10 (IC 25-34.1-8).
- 11 (29) Respiratory care committee (IC 25-34.5).
- 12 (30) Behavioral health and human services licensing board
- 13 (IC 25-23.6).
- 14 (31) Speech-language pathology and audiology board
- 15 (IC 25-35.6-2).
- 16 (32) Indiana board of veterinary medical examiners
- 17 (IC 25-38.1-2).

18 SECTION 3. IC 25-1-5-3, AS AMENDED BY P.L.84-2010,  
 19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2012]: Sec. 3. (a) There is established the Indiana professional  
 21 licensing agency. The agency shall perform all administrative  
 22 functions, duties, and responsibilities assigned by law or rule to the  
 23 executive director, secretary, or other statutory administrator of the  
 24 following:

- 25 (1) Board of chiropractic examiners (IC 25-10-1).
- 26 (2) State board of dentistry (IC 25-14-1).
- 27 (3) Indiana state board of health facility administrators
- 28 (IC 25-19-1).
- 29 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 30 (5) Indiana state board of nursing (IC 25-23-1).
- 31 (6) Indiana optometry board (IC 25-24).
- 32 (7) Indiana board of pharmacy (IC 25-26).
- 33 (8) Board of podiatric medicine (IC 25-29-2-1).
- 34 (9) Speech-language pathology and audiology board
- 35 (IC 25-35.6-2).
- 36 (10) State psychology board (IC 25-33).
- 37 (11) Indiana board of veterinary medical examiners
- 38 (IC 25-38.1-2).
- 39 (12) Committee of hearing aid dealer examiners (IC 25-20).
- 40 (13) Indiana physical therapy committee (IC 25-27).
- 41 (14) Respiratory care committee (IC 25-34.5).
- 42 (15) Occupational therapy committee (IC 25-23.5).



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- 1 (16) Behavioral health and human services licensing board
- 2 (IC 25-23.6).
- 3 (17) Physician assistant committee (IC 25-27.5).
- 4 (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- 5 (19) Indiana dietitians ~~certification~~ **licensing** board
- 6 (IC 25-14.5-2-1).
- 7 (b) Nothing in this chapter may be construed to give the agency
- 8 policy making authority, which authority remains with each board.
- 9 SECTION 4. IC 25-1-5-10, AS AMENDED BY P.L.84-2010,
- 10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2012]: Sec. 10. (a) As used in this section, "provider" means
- 12 an individual licensed, certified, registered, or permitted by any of the
- 13 following:
- 14 (1) Board of chiropractic examiners (IC 25-10-1).
- 15 (2) State board of dentistry (IC 25-14-1).
- 16 (3) Indiana state board of health facility administrators
- 17 (IC 25-19-1).
- 18 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 19 (5) Indiana state board of nursing (IC 25-23-1).
- 20 (6) Indiana optometry board (IC 25-24).
- 21 (7) Indiana board of pharmacy (IC 25-26).
- 22 (8) Board of podiatric medicine (IC 25-29-2-1).
- 23 (9) Speech-language pathology and audiology board
- 24 (IC 25-35.6-2).
- 25 (10) State psychology board (IC 25-33).
- 26 (11) Indiana board of veterinary medical examiners
- 27 (IC 25-38.1-2).
- 28 (12) Indiana physical therapy committee (IC 25-27).
- 29 (13) Respiratory care committee (IC 25-34.5).
- 30 (14) Occupational therapy committee (IC 25-23.5).
- 31 (15) Behavioral health and human services licensing board
- 32 (IC 25-23.6).
- 33 (16) Physician assistant committee (IC 25-27.5).
- 34 (17) Indiana athletic trainers board (IC 25-5.1-2-1).
- 35 (18) Indiana dietitians ~~certification~~ **licensing** board
- 36 (IC 25-14.5-2-1).
- 37 (b) The agency shall create and maintain a provider profile for each
- 38 provider described in subsection (a).
- 39 (c) A provider profile must contain the following information:
- 40 (1) The provider's name.
- 41 (2) The provider's license, certification, registration, or permit
- 42 number.

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- 1 (3) The provider's license, certification, registration, or permit  
2 type.
- 3 (4) The date the provider's license, certification, registration, or  
4 permit was issued.
- 5 (5) The date the provider's license, certification, registration, or  
6 permit expires.
- 7 (6) The current status of the provider's license, certification,  
8 registration, or permit.
- 9 (7) The provider's city and state of record.
- 10 (8) A statement of any disciplinary action taken against the  
11 provider within the previous ten (10) years by a board or  
12 committee described in subsection (a).
- 13 (d) The agency shall make provider profiles available to the public.
- 14 (e) The computer gateway administered by the office of technology  
15 established by IC 4-13.1-2-1 shall make the information described in  
16 subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally  
17 available to the public on the Internet.
- 18 (f) The agency may adopt rules under IC 4-22-2 to implement this  
19 section.
- 20 SECTION 5. IC 25-1-7-1, AS AMENDED BY P.L.42-2011,  
21 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2012]: Sec. 1. As used in this chapter:
- 23 "Board" means the appropriate agency listed in the definition of  
24 regulated occupation in this section.
- 25 "Director" refers to the director of the division of consumer  
26 protection.
- 27 "Division" refers to the division of consumer protection, office of  
28 the attorney general.
- 29 "Licensee" means a person who is:
- 30 (1) licensed, certified, or registered by a board listed in this  
31 section; and
- 32 (2) the subject of a complaint filed with the division.
- 33 "Person" means an individual, a partnership, a limited liability  
34 company, or a corporation.
- 35 "Regulated occupation" means an occupation in which a person is  
36 licensed, certified, or registered by one (1) of the following:
- 37 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 38 (2) Board of registration for architects and landscape architects  
39 (IC 25-4-1-2).
- 40 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 41 (4) Board of chiropractic examiners (IC 25-10-1).
- 42 (5) State board of cosmetology and barber examiners

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- 1 (IC 25-8-3-1).
- 2 (6) State board of dentistry (IC 25-14-1).
- 3 (7) State board of funeral and cemetery service (IC 25-15-9).
- 4 (8) State board of registration for professional engineers
- 5 (IC 25-31-1-3).
- 6 (9) Indiana state board of health facility administrators
- 7 (IC 25-19-1).
- 8 (10) Medical licensing board of Indiana (IC 25-22.5-2).
- 9 (11) Indiana state board of nursing (IC 25-23-1).
- 10 (12) Indiana optometry board (IC 25-24).
- 11 (13) Indiana board of pharmacy (IC 25-26).
- 12 (14) Indiana plumbing commission (IC 25-28.5-1-3).
- 13 (15) Board of podiatric medicine (IC 25-29-2-1).
- 14 (16) State psychology board (IC 25-33).
- 15 (17) Speech-language pathology and audiology board
- 16 (IC 25-35.6-2).
- 17 (18) Indiana real estate commission (IC 25-34.1-2).
- 18 (19) Indiana board of veterinary medical examiners (IC 25-38.1).
- 19 (20) Department of natural resources for purposes of licensing
- 20 water well drillers under IC 25-39-3.
- 21 (21) Respiratory care committee (IC 25-34.5).
- 22 (22) Private investigator and security guard licensing board
- 23 (IC 25-30-1-5.2).
- 24 (23) Occupational therapy committee (IC 25-23.5).
- 25 (24) Behavioral health and human services licensing board
- 26 (IC 25-23.6).
- 27 (25) Real estate appraiser licensure and certification board
- 28 (IC 25-34.1-8).
- 29 (26) State board of registration for land surveyors
- 30 (IC 25-21.5-2-1).
- 31 (27) Physician assistant committee (IC 25-27.5).
- 32 (28) Indiana athletic trainers board (IC 25-5.1-2-1).
- 33 (29) Indiana dietitians ~~certification~~ **licensing** board
- 34 (IC 25-14.5-2-1).
- 35 (30) Indiana physical therapy committee (IC 25-27).
- 36 (31) Manufactured home installer licensing board (IC 25-23.7).
- 37 (32) Home inspectors licensing board (IC 25-20.2-3-1).
- 38 (33) State department of health, for out-of-state mobile health
- 39 care entities.
- 40 (34) State board of massage therapy (IC 25-21.8-2-1).
- 41 (35) Any other occupational or professional agency created after
- 42 June 30, 1981.

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1 SECTION 6. IC 25-1-8-1, AS AMENDED BY P.L.42-2011,  
 2 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 1. As used in this chapter, "board" means any of  
 4 the following:

- 5 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 6 (2) Board of registration for architects and landscape architects  
 7 (IC 25-4-1-2).
- 8 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 9 (4) Board of chiropractic examiners (IC 25-10-1).
- 10 (5) State board of cosmetology and barber examiners  
 11 (IC 25-8-3-1).
- 12 (6) State board of dentistry (IC 25-14-1).
- 13 (7) State board of funeral and cemetery service (IC 25-15).
- 14 (8) State board of registration for professional engineers  
 15 (IC 25-31-1-3).
- 16 (9) Indiana state board of health facility administrators  
 17 (IC 25-19-1).
- 18 (10) Medical licensing board of Indiana (IC 25-22.5-2).
- 19 (11) Mining board (IC 22-10-1.5-2).
- 20 (12) Indiana state board of nursing (IC 25-23-1).
- 21 (13) Indiana optometry board (IC 25-24).
- 22 (14) Indiana board of pharmacy (IC 25-26).
- 23 (15) Indiana plumbing commission (IC 25-28.5-1-3).
- 24 (16) State psychology board (IC 25-33).
- 25 (17) Speech-language pathology and audiology board  
 26 (IC 25-35.6-2).
- 27 (18) Indiana real estate commission (IC 25-34.1-2-1).
- 28 (19) Indiana board of veterinary medical examiners  
 29 (IC 25-38.1-2-1).
- 30 (20) Department of insurance (IC 27-1).
- 31 (21) State police department (IC 10-11-2-4), for purposes of  
 32 certifying polygraph examiners under IC 25-30-2.
- 33 (22) Department of natural resources for purposes of licensing  
 34 water well drillers under IC 25-39-3.
- 35 (23) Private investigator and security guard licensing board  
 36 (IC 25-30-1-5.2).
- 37 (24) Occupational therapy committee (IC 25-23.5-2-1).
- 38 (25) Behavioral health and human services licensing board  
 39 (IC 25-23.6-2-1).
- 40 (26) Real estate appraiser licensure and certification board  
 41 (IC 25-34.1-8).
- 42 (27) State board of registration for land surveyors

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- 1 (IC 25-21.5-2-1).  
 2 (28) Physician assistant committee (IC 25-27.5).  
 3 (29) Indiana athletic trainers board (IC 25-5.1-2-1).  
 4 (30) Board of podiatric medicine (IC 25-29-2-1).  
 5 (31) Indiana dietitians ~~certification~~ **licensing** board  
 6 (IC 25-14.5-2-1).  
 7 (32) Indiana physical therapy committee (IC 25-27).  
 8 (33) Manufactured home installer licensing board (IC 25-23.7).  
 9 (34) Home inspectors licensing board (IC 25-20.2-3-1).  
 10 (35) State board of massage therapy (IC 25-21.8-2-1).  
 11 (36) Any other occupational or professional agency created after  
 12 June 30, 1981.
- 13 SECTION 7. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,  
 14 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 6. (a) As used in this section, "board" means any  
 16 of the following:
- 17 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 18 (2) Board of registration for architects and landscape architects  
 19 (IC 25-4-1-2).  
 20 (3) Indiana athletic trainers board (IC 25-5.1-2-1).  
 21 (4) Indiana auctioneer commission (IC 25-6.1-2-1).  
 22 (5) Board of chiropractic examiners (IC 25-10-1).  
 23 (6) State board of cosmetology and barber examiners  
 24 (IC 25-8-3-1).  
 25 (7) State board of dentistry (IC 25-14-1).  
 26 (8) Indiana dietitians ~~certification~~ **licensing** board  
 27 (IC 25-14.5-2-1).  
 28 (9) State board of registration for professional engineers  
 29 (IC 25-31-1-3).  
 30 (10) State board of funeral and cemetery service (IC 25-15-9).  
 31 (11) Indiana state board of health facility administrators  
 32 (IC 25-19-1).  
 33 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).  
 34 (13) Home inspectors licensing board (IC 25-20.2-3-1).  
 35 (14) State board of registration for land surveyors  
 36 (IC 25-21.5-2-1).  
 37 (15) Manufactured home installer licensing board (IC 25-23.7).  
 38 (16) Medical licensing board of Indiana (IC 25-22.5-2).  
 39 (17) Indiana state board of nursing (IC 25-23-1).  
 40 (18) Occupational therapy committee (IC 25-23.5).  
 41 (19) Indiana optometry board (IC 25-24).  
 42 (20) Indiana board of pharmacy (IC 25-26).

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- 1 (21) Indiana physical therapy committee (IC 25-27).
- 2 (22) Physician assistant committee (IC 25-27.5).
- 3 (23) Indiana plumbing commission (IC 25-28.5-1-3).
- 4 (24) Board of podiatric medicine (IC 25-29-2-1).
- 5 (25) Private investigator and security guard licensing board
- 6 (IC 25-30-1-5.2).
- 7 (26) State psychology board (IC 25-33).
- 8 (27) Indiana real estate commission (IC 25-34.1-2).
- 9 (28) Real estate appraiser licensure and certification board
- 10 (IC 25-34.1-8).
- 11 (29) Respiratory care committee (IC 25-34.5).
- 12 (30) Behavioral health and human services licensing board
- 13 (IC 25-23.6).
- 14 (31) Speech-language pathology and audiology board
- 15 (IC 25-35.6-2).
- 16 (32) Indiana board of veterinary medical examiners (IC 25-38.1).
- 17 (33) State board of massage therapy (IC 25-21.8-2-1).
- 18 (b) This section does not apply to a license, certificate, or
- 19 registration that has been revoked or suspended.
- 20 (c) Notwithstanding any other law regarding the reinstatement of a
- 21 delinquent or lapsed license, certificate, or registration and except as
- 22 provided in section 8 of this chapter, the holder of a license, certificate,
- 23 or registration that was issued by the board that is three (3) years or less
- 24 delinquent must be reinstated upon meeting the following
- 25 requirements:
- 26 (1) Submission of the holder's completed renewal application.
- 27 (2) Payment of the current renewal fee established by the board
- 28 under section 2 of this chapter.
- 29 (3) Payment of a reinstatement fee established by the Indiana
- 30 professional licensing agency.
- 31 (4) If a law requires the holder to complete continuing education
- 32 as a condition of renewal, the holder:
- 33 (A) shall provide the board with a sworn statement, signed by
- 34 the holder, that the holder has fulfilled the continuing
- 35 education requirements required by the board; or
- 36 (B) shall, if the holder has not complied with the continuing
- 37 education requirements, meet any requirements imposed under
- 38 IC 25-1-4-5 and IC 25-1-4-6.
- 39 (d) Notwithstanding any other law regarding the reinstatement of a
- 40 delinquent or lapsed license, certificate, or registration and except as
- 41 provided in section 8 of this chapter, unless a statute specifically does
- 42 not allow a license, certificate, or registration to be reinstated if it has

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1       lapsed for more than three (3) years, the holder of a license, certificate,  
2       or registration that was issued by the board that is more than three (3)  
3       years delinquent must be reinstated upon meeting the following  
4       requirements:

- 5           (1) Submission of the holder's completed renewal application.
- 6           (2) Payment of the current renewal fee established by the board
- 7           under section 2 of this chapter.
- 8           (3) Payment of a reinstatement fee equal to the current initial
- 9           application fee.
- 10          (4) If a law requires the holder to complete continuing education
- 11          as a condition of renewal, the holder:
- 12            (A) shall provide the board with a sworn statement, signed by
- 13            the holder, that the holder has fulfilled the continuing
- 14            education requirements required by the board; or
- 15            (B) shall, if the holder has not complied with the continuing
- 16            education requirements, meet any requirements imposed under
- 17            IC 25-1-4-5 and IC 25-1-4-6.
- 18          (5) Complete such remediation and additional training as deemed
- 19          appropriate by the board given the lapse of time involved.
- 20          (6) Any other requirement that is provided for in statute or rule
- 21          that is not related to fees.

22       SECTION 8. IC 25-1-9-1, AS AMENDED BY P.L.84-2010,  
23       SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24       JULY 1, 2012]: Sec. 1. As used in this chapter, "board" means any of  
25       the following:

- 26           (1) Board of chiropractic examiners (IC 25-10-1).
- 27           (2) State board of dentistry (IC 25-14-1).
- 28           (3) Indiana state board of health facility administrators
- 29           (IC 25-19-1).
- 30           (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 31           (5) Indiana state board of nursing (IC 25-23-1).
- 32           (6) Indiana optometry board (IC 25-24).
- 33           (7) Indiana board of pharmacy (IC 25-26).
- 34           (8) Board of podiatric medicine (IC 25-29-2-1).
- 35           (9) Speech-language pathology and audiology board
- 36           (IC 25-35.6-2).
- 37           (10) State psychology board (IC 25-33).
- 38           (11) Indiana board of veterinary medical examiners
- 39           (IC 25-38.1-2).
- 40           (12) Indiana physical therapy committee (IC 25-27-1).
- 41           (13) Respiratory care committee (IC 25-34.5).
- 42           (14) Occupational therapy committee (IC 25-23.5).

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- 1 (15) Behavioral health and human services licensing board  
2 (IC 25-23.6).
- 3 (16) Physician assistant committee (IC 25-27.5).
- 4 (17) Indiana athletic trainers board (IC 25-5.1-2-1).
- 5 (18) Indiana dietitians ~~certification~~ **licensing** board  
6 (IC 25-14.5-2-1).
- 7 SECTION 9. IC 25-14.5-1-2 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. "Board" refers to the  
9 Indiana dietitians ~~certification~~ **licensing** board established by  
10 IC 25-14.5-2-1.
- 11 SECTION 10. IC 25-14.5-1-4 IS REPEALED [EFFECTIVE JULY  
12 1, 2012]. Sec. 4. ~~"Certified dietitian" refers to a person certified under  
13 this article to practice dietetics. Activities of a certified dietitian do not  
14 include the medical differential diagnoses of the health status of an  
15 individual.~~
- 16 SECTION 11. IC 25-14.5-1-6 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. "Degree" means a  
18 degree received from a college or university that  
19 (1) ~~was located in the United States; and~~  
20 (2) ~~was regionally accredited;~~  
21 **at the time the degree was conferred: is accredited by a body**  
22 **recognized by the council for higher education accreditation and**  
23 **the United States department of education at the time the degree**  
24 **is received.**
- 25 SECTION 12. IC 25-14.5-1-7 IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. "Dietetics" means  
27 the integration, and application of principles derived from the science  
28 of food and nutrition to provide for all aspects of nutrition therapy for  
29 individuals and groups; including nutrition therapy services (as defined  
30 in section 12 of this chapter) and medical nutrition therapy (as defined  
31 in section 9 of this chapter): **application, and communication of**  
32 **principles derived from:**
- 33 (1) **food;**  
34 (2) **nutrition;**  
35 (3) **social sciences;**  
36 (4) **business; and**  
37 (5) **basic sciences;**
- 38 **to achieve and maintain optimal nutrition status for individuals**  
39 **through the development, provision, and management of effective**  
40 **food and nutrition services in a variety of settings.**
- 41 SECTION 13. IC 25-14.5-1-8 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. "Examination"

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1 means an examination for the ~~certification~~ licensure of dietitians used  
2 or approved by the board. The examination may be created by the  
3 board, created by a person as determined by and approved by the board,  
4 or created in part by the board and in part by a person or entity other  
5 than the board.

6 SECTION 14. IC 25-14.5-1-8.3 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2012]: **Sec. 8.3. "General nonmedical  
9 nutrition information" includes information on the following:**

- 10 (1) Principles of good nutrition and food preparation.
- 11 (2) Food to be included in the normal daily diet.
- 12 (3) The essential nutrients needed by the body.
- 13 (4) Recommended amounts of the essential nutrients based on  
14 established standards.
- 15 (5) The actions of nutrients on the body.
- 16 (6) The effects of deficiencies or excesses of nutrients.
- 17 (7) Food and supplements that are good sources of essential  
18 nutrients.

19 SECTION 15. IC 25-14.5-1-8.5 IS ADDED TO THE INDIANA  
20 CODE AS A NEW SECTION TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2012]: **Sec. 8.5. "Licensed dietitian" refers  
22 to a person licensed under this article to practice dietetics.  
23 Activities of a licensed dietitian do not include the medical  
24 differential diagnoses of the health status of an individual.**

25 SECTION 16. IC 25-14.5-1-9 IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 9. "Medical nutrition  
27 therapy" means the component of nutrition therapy that concerns:**

- 28 (1) determining and recommending nutrient needs based on  
29 nutritional assessment and medical problems relative to medically  
30 prescribed diets, including:
  - 31 (A) tube feedings;
  - 32 (B) specialized intravenous solutions; and
  - 33 (C) specialized oral feedings;
- 34 (2) interactions of prescription drugs with food and nutrients; or
- 35 (3) developing and managing food services operations that have  
36 the chief function of providing nutrition therapy services and  
37 providing medically prescribed diets.

38 **the use of specific nutrition services for the purpose of disease  
39 management to treat or rehabilitate an individual from an injury  
40 or physical condition. The term includes:**

- 41 (1) interpreting dietary data and recommending nutrient  
42 needs relative to medically prescribed diets, including:

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- 1 (A) tube feedings;
- 2 (B) specialized intravenous solutions; and
- 3 (C) specialized oral feedings;
- 4 (2) identifying food prescription drug interactions; and
- 5 (3) developing and managing food service operations, the chief
- 6 function of which is nutrition care and the provision of
- 7 medically prescribed diets.

8 SECTION 17. IC 25-14.5-1-10 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. "Medically  
 10 prescribed diet" means a diet that is:

- 11 (1) prescribed when specific food or nutrient levels need to be
- 12 monitored or altered, or both, as a component of a treatment
- 13 ~~regimen~~ **program** for an individual whose health status is
- 14 impaired or at risk due to disease, injury, or surgery; and
- 15 (2) performed **only** as initiated by or in consultation with a
- 16 physician licensed to practice medicine in Indiana.

17 SECTION 18. IC 25-14.5-1-11.1 IS ADDED TO THE INDIANA  
 18 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2012]: **Sec. 11.1. "Nutrition assessment"**  
 20 **means the systematic process of obtaining, verifying, and**  
 21 **interpreting biochemical, anthropometric, physical, and dietary**  
 22 **data in order to make decisions about the nature and cause of**  
 23 **nutrition related problems. Nutrition assessment is an ongoing,**  
 24 **dynamic process that involves not only initial data collection, but**  
 25 **also reassessment and analysis of client or community needs and**  
 26 **provides the foundation for nutrition diagnosis and nutritional**  
 27 **recommendation including enteral and parenteral nutrition.**

28 SECTION 19. IC 25-14.5-1-11.2 IS ADDED TO THE INDIANA  
 29 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2012]: **Sec. 11.2. "Nutrition care process"**  
 31 **means the systematic problem solving method that dietitians use to**  
 32 **critically think and make decisions when providing medical**  
 33 **nutrition therapy or addressing nutrition related problems and**  
 34 **provide safe, effective, and high quality care. The nutrition care**  
 35 **process consists of the following four (4) distinct but interrelated**  
 36 **steps:**

- 37 (1) **Nutrition assessment.**
- 38 (2) **Nutrition diagnosis.**
- 39 (3) **Nutrition intervention.**
- 40 (4) **Nutrition monitoring and evaluation.**

41 SECTION 20. IC 25-14.5-1-11.3 IS ADDED TO THE INDIANA  
 42 CODE AS A **NEW SECTION** TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2012]: **Sec. 11.3. "Nutrition care services"**  
 2 **refers to the following:**

3 **(1) Assessing the nutrition needs of individuals and groups to**  
 4 **determine what resources and constraints exist.**

5 **(2) Establishing priorities, goals, and objectives that meet**  
 6 **nutrition needs and are consistent with available resources**  
 7 **and constraints.**

8 **(3) Providing nutrition counseling in health and disease.**

9 **(4) Developing, implementing, and managing nutrition care**  
 10 **systems.**

11 **(5) Evaluating and making changes in and maintaining**  
 12 **appropriate standards of quality in food and nutrition care**  
 13 **services.**

14 SECTION 21. IC 25-14.5-1-11.4 IS ADDED TO THE INDIANA  
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2012]: **Sec. 11.4. "Nutrition counseling"**  
 17 **means advising and assisting individuals or groups on appropriate**  
 18 **nutrition intake by integrating information from the nutrition**  
 19 **assessment with information on:**

20 **(1) food and other sources of nutrients; and**

21 **(2) meal preparation;**

22 **while being cognizant of cultural background and socioeconomic**  
 23 **status.**

24 SECTION 22. IC 25-14.5-1-11.5 IS ADDED TO THE INDIANA  
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2012]: **Sec. 11.5. "Nutrition diagnosis"**  
 27 **means identifying and labeling nutritional problems that a licensed**  
 28 **dietitian is responsible for treating independently.**

29 SECTION 23. IC 25-14.5-1-11.6 IS ADDED TO THE INDIANA  
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2012]: **Sec. 11.6. "Nutrition intervention"**  
 32 **refers to purposefully planned actions intended to positively**  
 33 **change nutrition related behavior, risk factors, environmental**  
 34 **conditions, or aspects of health status for:**

35 **(1) an individual;**

36 **(2) an individual's family or caregiver;**

37 **(3) target groups; or**

38 **(4) the community at large.**

39 SECTION 24. IC 25-14.5-1-11.7 IS ADDED TO THE INDIANA  
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2012]: **Sec. 11.7. "Nutrition monitoring and**  
 42 **evaluation" means identifying patient or client outcomes relevant**

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1 to the nutrition diagnosis and intervention plans and goals  
 2 established for the patient or client and comparing those outcomes  
 3 with the previous status, intervention goals, or a reference  
 4 standard to determine the progress made in achieving the desired  
 5 outcomes or nutrition care and determining whether planned  
 6 interventions for the patient or client should be continued or  
 7 revised.

8 SECTION 25. IC 25-14.5-1-13 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. "Practice  
 10 experience" means a preprofessional, documented, supervised practice  
 11 in dietetics services that is acceptable to the board in compliance with  
 12 requirements for ~~certification~~. **licensure**. It may be or may include a  
 13 documented, supervised practice experience that is a component of the  
 14 educational requirements for ~~certification~~. **licensure**.

15 SECTION 26. IC 25-14.5-1-14 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. "Practice of  
 17 dietetics" means the integration and application of the principles  
 18 derived from the sciences of nutrition, biochemistry, food, physiology,  
 19 management, and behavioral and social sciences to achieve and  
 20 maintain people's health through the provision of nutrition therapy  
 21 services. **The practice of dietetics includes:**

- 22 (1) **conducting nutrition assessments;**
- 23 (2) **engaging in nutrition care processes;**
- 24 (3) **providing nutrition care services;**
- 25 (4) **providing nutrition counseling;**
- 26 (5) **making nutrition diagnoses;**
- 27 (6) **engaging in nutrition interventions; and**
- 28 (7) **providing nutrition monitoring and evaluation.**

29 SECTION 27. IC 25-14.5-2-1 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The Indiana  
 31 dietitians ~~certification~~ **licensing** board is established.

32 SECTION 28. IC 25-14.5-2-2 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The board consists  
 34 of seven (7) members appointed by the governor as follows:

- 35 (1) Four (4) members who are ~~certified~~ **licensed** under this article  
 36 and currently provide and have provided services in the practice  
 37 of dietetics in Indiana for a minimum of three (3) years.
- 38 (2) One (1) member who is a physician licensed under IC 25-22.5.
- 39 (3) One (1) member who is a registered nurse licensed under  
 40 IC 25-23.
- 41 (4) One (1) member representing the public who is a resident of  
 42 Indiana and has never been associated with dietetics in any way

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1 other than as a consumer.

2 SECTION 29. IC 25-14.5-2-5 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) The board shall  
4 adopt rules under IC 4-22-2 establishing standards for:

- 5 (1) professional responsibility or a code of ethics for the  
6 profession of dietetics;  
7 (2) applicant qualifications of a ~~certified~~ **licensed** dietitian;  
8 (3) the administration of this article;  
9 (4) the number of hours of continuing education needed for  
10 renewal of ~~certification~~ **licensure** and the procedures for  
11 approving continuing education courses and programs; and  
12 (5) establishing fees under IC 25-1-8-2 as described in subsection  
13 (b).

14 (b) The board shall establish, charge, and collect fees under  
15 IC 25-1-8-2 for:

- 16 (1) the filing of an application for a ~~certificate~~ **license** under this  
17 article;  
18 (2) the original issuance of a ~~certificate~~ **license** under this article;  
19 (3) a renewal of a ~~certificate~~ **license** issued in accordance with  
20 this article;  
21 (4) the replacement of a ~~certificate~~ **license** or renewal ~~certificate~~  
22 **license** lost or destroyed; and  
23 (5) any other purposes prescribed by IC 25-1-8-2.

24 SECTION 30. IC 25-14.5-2-5.1 IS ADDED TO THE INDIANA  
25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2012]: **Sec. 5.1. (a) The rules adopted by the**  
27 **Indiana dietitians certification board before July 1, 2012,**  
28 **concerning certification of dietitians are considered after June 30,**  
29 **2012, the rules of the Indiana dietitians licensing board. However,**  
30 **the terms "certify", "certified", or "certification" in the rules**  
31 **must be construed as "license", "licensed", or "licensure" as**  
32 **needed to be consistent with this chapter.**

33 **(b) Before July 1, 2013, the Indiana dietitians licensure board**  
34 **shall revise, update, or repeal as needed the rules described in this**  
35 **section to reflect the change from certification to licensure by this**  
36 **act.**

37 **(c) This section expires December 31, 2013.**

38 SECTION 31. IC 25-14.5-2-6 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The board shall  
40 hold meetings as follows:

- 41 (1) A meeting for the purpose of organization must be held not  
42 more than thirty (30) days after the board members are appointed.

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- 1 (2) The board shall hold at least ~~two (2)~~ **four (4)** regular meetings
- 2 each calendar year. At the first regular meeting each year, the
- 3 board shall elect a chairperson and vice chairperson.
- 4 (3) Special meetings may be held at the discretion of the
- 5 chairperson.
- 6 (4) Meetings may be held at such time as the board or chairperson
- 7 shall determine.

- 8 (b) A quorum of the board consists of four (4) members.
- 9 (c) A secretary of the board shall be elected by the board and shall
- 10 hold office at the pleasure of the board.

11 SECTION 32. IC 25-14.5-3-1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The board may  
 13 require a person who applies for a ~~certified~~ dietitian ~~certificate~~ **license**  
 14 to have:

- 15 (1) completed a major course of study in human nutrition,
- 16 nutrition education, **public health nutrition**, food and nutrition,
- 17 ~~and~~ dietetics, ~~or~~ food systems management, **or an equivalent**  
 18 **major course of study as approved by the board;** and
- 19 (2) received a baccalaureate or higher degree from a regionally
- 20 accredited college or university located in the United States or its
- 21 territories.

22 SECTION 33. IC 25-14.5-3-2 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The board may  
 24 require a person who:

- 25 (1) applies for a ~~certificate~~ **license** as a ~~certified~~ **licensed** dietitian;
- 26 and
- 27 (2) has obtained the person's education outside of the United
- 28 States and its territories;

29 to have the person's academic degree or degrees validated by an  
 30 organization approved by the board. The validating organization must  
 31 state that the degree is equivalent to a baccalaureate or master's degree  
 32 conferred by a regionally accredited college or university located in the  
 33 United States.

34 SECTION 34. IC 25-14.5-3-3 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The board may  
 36 require a person who applies for a ~~certificate~~ **license** as a ~~certified~~  
 37 **licensed** dietitian to have completed a documented, supervised practice  
 38 experience of not less than ~~nine hundred (900)~~ **one thousand two**  
 39 **hundred (1,200)** hours under the supervision of a certified dietitian, ~~or~~  
 40 a registered dietitian, **or a licensed dietitian.**

41 SECTION 35. IC 25-14.5-4-1 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. To qualify for a

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1 ~~certificate~~ **license** under this article, an individual must do the  
2 following:

- 3 (1) Satisfy the requirements of IC 25-14.5-3.
- 4 (2) Satisfactorily complete an application for ~~certification~~;  
5 **licensure** furnished by the board, in accordance with the rules  
6 adopted by the board. The application must be verified by the  
7 applicant and filed at least thirty (30) days before the  
8 administration of the examination.
- 9 (3) Pay the application, examination, and ~~certification~~ **licensure**  
10 fees established by the board.
- 11 (4) Except to the extent that section 4 of this chapter applies,  
12 successfully pass the qualifying examination adopted by the board  
13 as described in IC 25-14.5-5.
- 14 **(5) Provide proof that the individual is at least twenty-one (21)**  
15 **years of age.**

16 SECTION 36. IC 25-14.5-4-2 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Except as  
18 provided in section 3 of this chapter, the board shall issue a ~~certificate~~  
19 **license** to an individual who:

- 20 (1) meets the conditions set forth in section 1 of this chapter; and
- 21 (2) is otherwise qualified for ~~certification~~ **licensure** under this  
22 article.

23 **(b) Beginning July 1, 2012, the board shall waive the**  
24 **examination requirement and shall grant a license to any applicant**  
25 **who:**

- 26 (1) makes satisfactory application to the board and is  
27 registered with the commission on dietetic registration; or
- 28 (2) received a baccalaureate or post-baccalaureate degree  
29 from an accredited college or university in the United States  
30 with:

- 31 (A) a program in dietetics or nutrition; or
- 32 (B) an equivalent major course of study as approved by the  
33 board;
- 34 and has completed an approved educational experience and  
35 met the educational requirement of the commission on dietetic  
36 registration.

37 SECTION 37. IC 25-14.5-4-3.2 IS ADDED TO THE INDIANA  
38 CODE AS A NEW SECTION TO READ AS FOLLOWS  
39 [EFFECTIVE JULY 1, 2012]: Sec. 3.2. (a) The board may grant a  
40 temporary or provisional license to an applicant who meets the  
41 qualifications for licensure under this article.

42 (b) A temporary or provisional license issued under subsection

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1 (a) is valid only until the next regularly scheduled meeting of the  
2 board.

3 SECTION 38. IC 25-14.5-4-4 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Except as  
5 provided in subsection (b), the board may issue a ~~certificate~~ **license** to  
6 an applicant for ~~certification licensure~~ if the applicant presents  
7 evidence that the applicant has been issued a certificate, **license, or**  
8 **registration** in a state that has requirements for certification,  
9 **licensure, or registration** that are, by the board's determination,  
10 equivalent to the requirements for ~~certification licensure~~ in Indiana. An  
11 applicant applying for a ~~certificate~~ **license** under this subsection is not  
12 required to take an examination given by the board under IC 25-14.5-5.

13 (b) The board may refuse to issue a ~~certificate~~ **license** under  
14 subsection (a) if the applicant has failed an examination given by the  
15 board under IC 25-14.5-5.

16 (c) The fee an applicant for ~~certification licensure~~ must pay for a  
17 ~~certificate~~ **license** issued under subsection (a) shall be set by the board  
18 under IC 25-14.5-2-5.

19 SECTION 39. IC 25-14.5-4-5 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. All ~~certificates~~  
21 **licenses** shall be effective when issued by the board.

22 SECTION 40. IC 25-14.5-4-6 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A ~~certified~~  
24 **licensed** dietitian must display the ~~certificate~~ **license** in a conspicuous  
25 part of the office in which the ~~certified licensed~~ dietitian practices  
26 nutrition therapy services.

27 (b) Whenever practicing the profession of dietetics outside of or  
28 away from the office or place of business, the ~~certified licensed~~  
29 dietitian shall make available to each patient the ~~certified licensed~~  
30 dietitian's name, office address, and the number of the ~~certificate~~.  
31 **license.**

32 SECTION 41. IC 25-14.5-5-2 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The board shall  
34 determine:

- 35 (1) a date and time when;
  - 36 (2) a location in Indiana where; and
  - 37 (3) the supervision under which;
- 38 applicants for ~~certification licensure~~ shall be examined.

39 SECTION 42. IC 25-14.5-5-3 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Examinations shall  
41 be ~~given at least two (2) times each year.~~ **conducted online and may**  
42 **be conducted after a student receives approval from the**

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1 **commission on dietetic registration to take the examination.**

2 SECTION 43. IC 25-14.5-5-4 IS REPEALED [EFFECTIVE JULY  
3 1, 2012]. Sec. 4. (a) The board shall give notice at least sixty (60) days  
4 before the administration of each examination in a manner the board  
5 considers appropriate.

6 (b) The board shall notify each applicant for certification of the time  
7 and place of the administration of the first examination for which the  
8 applicant is eligible to sit.

9 SECTION 44. IC 25-14.5-6-1, AS AMENDED BY P.L.1-2006,  
10 SECTION 437, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A ~~certificate~~ **license** issued  
12 by the board expires on a date established by the agency under  
13 IC 25-1-5-4 in the next even-numbered year following the year in  
14 which the ~~certificate~~ **license** was issued.

15 (b) An individual may renew a ~~certificate~~ **license** by paying a  
16 renewal fee on or before the expiration date of the ~~certificate~~ **license**.

17 (c) If an individual fails to pay a renewal fee on or before the  
18 expiration date of a ~~certificate~~ **license**, the ~~certificate~~ **license** becomes  
19 invalid.

20 SECTION 45. IC 25-14.5-6-2 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A ~~certified licensed~~  
22 dietitian may renew a ~~certificate~~ **license** by:

- 23 (1) paying a renewal fee as set by the board; and  
24 (2) subject to IC 25-1-4-3, providing a sworn statement attesting  
25 that the ~~certified licensed~~ dietitian has completed the continuing  
26 education required by the board.

27 SECTION 46. IC 25-14.5-6-3 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The board shall  
29 mail an application for renewal to a ~~certified licensed~~ dietitian at least  
30 sixty (60) days before the date on which the ~~certified licensed~~  
31 dietitian's ~~certificate~~ **license** expires.

32 (b) The application must be mailed to the ~~certified licensed~~  
33 dietitian's most recent address as it appears on the record of the board.

34 (c) A ~~certified licensed~~ dietitian filing for renewal of a ~~certificate~~  
35 **license** must:

- 36 (1) satisfactorily complete the renewal application;  
37 (2) return the application to the board; and  
38 (3) submit to the board the required renewal fee;

39 before expiration of the ~~certified licensed~~ dietitian's current ~~certificate~~.  
40 **license**.

41 (d) Upon receipt of the application and fee submitted under  
42 subsection (c), the board shall:

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- 1 (1) verify the accuracy of the application;  
 2 (2) determine whether the continuing education requirement has  
 3 been met; and  
 4 (3) verify that all other requirements under this article have been  
 5 met.
- 6 (e) When the board is satisfied that all conditions under subsection  
 7 (d) have been met, the board shall issue to the applicant a notice of  
 8 ~~certificate~~ **license** renewal that shall be valid for two (2) years.
- 9 SECTION 47. IC 25-14.5-6-4, AS AMENDED BY P.L.105-2008,  
 10 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 4. (a) A ~~certificate~~ **license** may be reinstated by  
 12 the board not later than three (3) years after its expiration if the  
 13 applicant for reinstatement meets the requirements under  
 14 IC 25-1-8-6(c).
- 15 (b) A ~~certificate~~ **license** that has been expired for more than three  
 16 (3) years may be reinstated by the board if the holder of the ~~certificate~~  
 17 **license** satisfies the requirements for reinstatement under  
 18 IC 25-1-8-6(d).
- 19 SECTION 48. IC 25-14.5-6-6 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The board may  
 21 classify a ~~certificate~~ **license** as inactive if the board receives written  
 22 notification from a ~~certified licensed~~ **dietitian** stating that the certified  
 23 dietitian will not maintain an office or practice dietetics in Indiana.
- 24 (b) The renewal fee for an inactive ~~certificate~~ **license** must be  
 25 one-half (1/2) the ~~certificate~~ **license** renewal fee set by the board under  
 26 IC 25-14.5-2-5(b)(3).
- 27 (c) The holder of an inactive ~~certificate~~ **license** is not required to  
 28 fulfill continuing education requirements set by the board.
- 29 SECTION 49. IC 25-14.5-6-7 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The board may issue  
 31 a ~~certificate~~ **license** to the holder of an inactive ~~certificate~~ **license** under  
 32 section 6 of this chapter if the applicant meets the requirements under  
 33 IC 25-1-8-6.
- 34 SECTION 50. IC 25-14.5-7-1 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Except as provided  
 36 in section 3 of this chapter, an individual who is not ~~certified licensed~~  
 37 under this article may not:
- 38 (1) profess to be a ~~certified licensed~~ **dietitian**; or  
 39 (2) imply by words or letters such as "~~CD~~" "**LD**" that the  
 40 individual is a ~~certified licensed~~ **dietitian**; or  
 41 (3) **engage in the practice of dietetics.**
- 42 SECTION 51. IC 25-14.5-7-1.3 IS ADDED TO THE INDIANA

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1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2012]: **Sec. 1.3. (a) This article may not be**  
 3 **construed to limit the practice of dietetics by a person who does not**  
 4 **use a title specified in this article and who is one (1) of the**  
 5 **following:**

- 6 (1) A health care professional licensed under this title.  
 7 (2) A student enrolled in an accredited program in dietetics  
 8 pursuing a course of study to gain licensure under this article  
 9 if the activities the student is engaged in are performed under  
 10 the supervision of a licensed dietitian.  
 11 (3) A nonresident of Indiana if the person performs service in  
 12 Indiana for not more than five (5) days in any one (1) month  
 13 and not more than fifteen (15) days in one (1) calendar year  
 14 and the person is authorized to perform the services under the  
 15 laws of the state or country in which the person is a resident.  
 16 (4) A person or a retailer who furnishes oral or written  
 17 general nonmedial nutrition information related to food, food  
 18 materials, or dietary supplements or the marketing of food,  
 19 food materials, or dietary supplements.  
 20 (5) A person providing weight control services through a  
 21 program that:  
 22 (A) has been reviewed by a licensed dietitian; and  
 23 (B) provides consultation from a dietitian licensed under  
 24 this article or from another state, or a physician licensed  
 25 under IC 25-22.5.  
 26 (6) A dietitian serving in:  
 27 (A) the armed forces;  
 28 (B) the public health service of the United States; or  
 29 (C) the Veteran's Administration.  
 30 (7) A person who has completed the educational and  
 31 preprofessional practice requirements to sit for the licensure  
 32 examination but who has not yet passed the examination, if  
 33 the person practices under the supervision of a dietitian  
 34 licensed under this article for a period of one (1) year after  
 35 completing the licensure education requirements.

36 (b) This section does not prohibit a person referred to in  
 37 subsection (a) from qualifying for licensure under this article.

38 SECTION 52. IC 25-14.5-7-3 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 3. (a) A dietitian**  
 40 **registered by the commission on dietetic registration may use the title**  
 41 **"registered dietitian" and the designation "RD" but may not profess to**  
 42 **be a certified dietitian when practicing dietetics in Indiana without**

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1 being certified by the board. **Only a person licensed or otherwise**  
2 **authorized to practice under this article may practice dietetics or**  
3 **provide nutrition care services or use the title "dietitian" alone or**  
4 **in combination with the letters "LD".**

5 (b) Nothing in this article may be construed to prohibit or limit any  
6 person from:

- 7 (1) disseminating free information;
- 8 (2) conducting a class or seminar; or
- 9 (3) giving a speech related to nutrition.

10 (c) Nothing in this article may be construed to require direct  
11 third-party reimbursement to persons ~~certified~~ **licensed** under this  
12 article.

13 SECTION 53. [EFFECTIVE UPON PASSAGE] **(a) A certified**  
14 **dietitian who holds a certification under IC 25-14.5 on June 30,**  
15 **2012, becomes a licensed dietitian, beginning July 1, 2012 as**  
16 **provided in IC 25-14.5, as added by this act.**

17 **(b) This SECTION expires December 31, 2015.**

18 SECTION 54. **An emergency is declared for this act.**

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