



Reprinted  
April 5, 2013

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## ENGROSSED HOUSE BILL No. 1242

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DIGEST OF HB 1242 (Updated April 4, 2013 2:20 pm - DI 104)

**Citations Affected:** IC 25-1; IC 25-14.3; IC 35-51.

**Synopsis:** Licensing of diabetes educators. Creates the diabetes educators board, and provides for the licensure of diabetes educators. Makes a technical correction.

**Effective:** July 1, 2013.

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### Frizzell, Shackelford

(SENATE SPONSORS — MILLER PATRICIA, CRIDER)

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January 23, 2013, read first time and referred to Committee on Public Health.  
February 12, 2013, amended, reported — Do Pass.  
February 18, 2013, read second time, amended, ordered engrossed.  
February 19, 2013, engrossed. Read third time, passed. Yeas 61, nays 35.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Health and Provider Services.  
March 28, 2013, amended, reported favorably — Do Pass.  
April 4, 2013, read second time, amended, ordered engrossed.

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Reprinted  
April 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1242

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 25-1-1.1-4, AS AMENDED BY P.L.28-2012,  
2 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2013]: Sec. 4. (a) This section applies to an individual who is  
4 applying for, or will be applying for, an initial license or an initial  
5 certificate under one (1) of the following:  
6 (1) IC 25-2.5 (acupuncturists).  
7 (2) IC 25-10 (chiropractors).  
8 (3) IC 25-13 (dental hygienists).  
9 (4) IC 25-14 (dentists).  
10 **(5) IC 25-14.3 (diabetes educators).**  
11 ~~(5) (6)~~ IC 25-14.5 (dietitians).  
12 ~~(6) (7)~~ IC 25-17.3 (genetic counselors).  
13 ~~(7) (8)~~ IC 25-19 (health facility and residential care facility  
14 administrators).  
15 ~~(8) (9)~~ IC 25-21.8 (massage therapists).  
16 ~~(9) (10)~~ IC 25-22.5 (physicians).  
17 ~~(10) (11)~~ IC 25-23 (nurses).

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- 1           ~~(11)~~ **(12)** IC 25-23.5 (occupational therapists).  
 2           ~~(12)~~ **(13)** IC 25-23.6 (social workers, marriage and family  
 3           therapists, and counselors).  
 4           ~~(13)~~ **(14)** IC 25-24 (optometrists).  
 5           ~~(14)~~ **(15)** IC 25-26 (pharmacists).  
 6           ~~(15)~~ **(16)** IC 25-27 (physical therapists).  
 7           ~~(16)~~ **(17)** IC 25-27.5 (physician assistants).  
 8           ~~(17)~~ **(18)** IC 25-29 (podiatrists).  
 9           ~~(18)~~ **(19)** IC 25-33 (psychologists).  
 10          ~~(19)~~ **(20)** IC 25-34.5 (respiratory care practitioners).  
 11          ~~(20)~~ **(21)** IC 25-35.6 (speech pathologists and audiologists).  
 12          ~~(21)~~ **(22)** IC 25-38.1 (veterinarians).
- 13           (b) As used in this chapter, "national criminal history background  
 14          check" means the criminal history record system maintained by the  
 15          Federal Bureau of Investigation based on fingerprint identification or  
 16          any other method of positive identification.
- 17           (c) An individual applying for an initial license or initial certificate  
 18          specified in subsection (a) shall submit to a national criminal history  
 19          background check at the cost of the individual.
- 20           (d) The state police department shall release the results of a national  
 21          criminal history background check conducted under this section to the  
 22          Indiana professional licensing agency.
- 23           (e) A board, a commission, or a committee may conduct a random  
 24          audit and require an individual seeking a renewal of a license or a  
 25          certificate specified in subsection (a) to submit to a national criminal  
 26          history background check at the cost of the individual.
- 27          SECTION 2. IC 25-1-2-2.1, AS AMENDED BY P.L.84-2010,  
 28          SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29          JULY 1, 2013]: Sec. 2.1. Rather than being issued annually, the  
 30          following permits, licenses, certificates of registration, or evidences of  
 31          authority granted by a state agency must be issued for a period of two  
 32          (2) years or for the period specified in the article under which the  
 33          permit, license, certificate of registration, or evidence of authority is  
 34          issued if the period specified in the article is longer than two (2) years:
- 35           (1) Certified public accountants, public accountants, and  
 36           accounting practitioners.  
 37           (2) Architects and landscape architects.  
 38           (3) Dry cleaners.  
 39           (4) Professional engineers.  
 40           (5) Land surveyors.  
 41           (6) Real estate brokers.  
 42           (7) Real estate agents.



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- 1 (8) Security dealers' licenses issued by the securities  
 2 commissioner.  
 3 (9) Dental hygienists.  
 4 (10) Dentists.  
 5 (11) Veterinarians.  
 6 (12) Physicians.  
 7 (13) Chiropractors.  
 8 (14) Physical therapists.  
 9 (15) Optometrists.  
 10 (16) Pharmacists and assistants, drugstores or pharmacies.  
 11 (17) Motels and mobile home community licenses.  
 12 (18) Nurses.  
 13 (19) Podiatrists.  
 14 (20) Occupational therapists and occupational therapy assistants.  
 15 (21) Respiratory care practitioners.  
 16 (22) Social workers, marriage and family therapists, and mental  
 17 health counselors.  
 18 (23) Real estate appraiser licenses and certificates issued by the  
 19 real estate appraiser licensure and certification board.  
 20 (24) Wholesale legend drug distributors.  
 21 (25) Physician assistants.  
 22 (26) Dietitians.  
 23 (27) Athlete agents.  
 24 (28) Manufactured home installers.  
 25 (29) Home inspectors.  
 26 (30) Massage therapists.  
 27 (31) Interior designers.  
 28 (32) Genetic counselors.  
 29 **(33) Diabetes educators.**  
 30 SECTION 3. IC 25-1-2-6, AS AMENDED BY P.L.197-2011,  
 31 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2013]: Sec. 6. (a) As used in this section, "license" includes  
 33 all occupational and professional licenses, registrations, permits, and  
 34 certificates issued under the Indiana Code, and "licensee" includes all  
 35 occupational and professional licensees, registrants, permittees, and  
 36 certificate holders regulated under the Indiana Code.  
 37 (b) This section applies to the following entities that regulate  
 38 occupations or professions under the Indiana Code:  
 39 (1) Indiana board of accountancy.  
 40 (2) Indiana grain buyers and warehouse licensing agency.  
 41 (3) Indiana auctioneer commission.  
 42 (4) Board of registration for architects and landscape architects.

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- 1 (5) State board of cosmetology and barber examiners.  
 2 (6) Medical licensing board of Indiana.  
 3 (7) Secretary of state.  
 4 (8) State board of dentistry.  
 5 (9) State board of funeral and cemetery service.  
 6 (10) Worker's compensation board of Indiana.  
 7 (11) Indiana state board of health facility administrators.  
 8 (12) Committee of hearing aid dealer examiners.  
 9 (13) Indiana state board of nursing.  
 10 (14) Indiana optometry board.  
 11 (15) Indiana board of pharmacy.  
 12 (16) Indiana plumbing commission.  
 13 (17) Board of podiatric medicine.  
 14 (18) Private investigator and security guard licensing board.  
 15 (19) State board of registration for professional engineers.  
 16 (20) State psychology board.  
 17 (21) Indiana real estate commission.  
 18 (22) Speech-language pathology and audiology board.  
 19 (23) Department of natural resources.  
 20 (24) Board of chiropractic examiners.  
 21 (25) Mining board.  
 22 (26) Indiana board of veterinary medical examiners.  
 23 (27) State department of health.  
 24 (28) Indiana physical therapy committee.  
 25 (29) Respiratory care committee.  
 26 (30) Occupational therapy committee.  
 27 (31) Behavioral health and human services licensing board.  
 28 (32) Real estate appraiser licensure and certification board.  
 29 (33) State board of registration for land surveyors.  
 30 (34) Physician assistant committee.  
 31 (35) Indiana dietitians certification board.  
 32 (36) Attorney general (only for the regulation of athlete agents).  
 33 (37) Manufactured home installer licensing board.  
 34 (38) Home inspectors licensing board.  
 35 (39) State board of massage therapy.  
 36 **(40) Diabetes educators.**  
 37 ~~(40)~~ **(41)** Any other occupational or professional agency created  
 38 after June 30, 1981.  
 39 (c) Notwithstanding any other law, the entities included in  
 40 subsection (b) shall send a notice of the upcoming expiration of a  
 41 license to each licensee at least sixty (60) days prior to the expiration  
 42 of the license. The notice must inform the licensee of the need to renew

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1 and the requirement of payment of the renewal fee. If this notice of  
 2 expiration is not sent by the entity, the licensee is not subject to a  
 3 sanction for failure to renew if, once notice is received from the entity,  
 4 the license is renewed within forty-five (45) days of the receipt of the  
 5 notice.

6 (d) Notwithstanding any other law, the entities included in  
 7 subsection (b) shall send notice of the expiration of a license to each  
 8 individual whose license has expired within thirty (30) days following  
 9 the expiration of the license. The notice must meet the following  
 10 requirements:

11 (1) Inform the individual of the following:

12 (A) That the individual's license has expired.

13 (B) Any requirements that must be met before reinstatement  
 14 of a license may occur.

15 (2) Be sent electronically. However, if the entity does not have an  
 16 electronic mail address on record for the individual, the notice  
 17 must be sent via United States mail.

18 SECTION 4. IC 25-1-6-3, AS AMENDED BY P.L.42-2011,  
 19 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2013]: Sec. 3. (a) The licensing agency shall perform all  
 21 administrative functions, duties, and responsibilities assigned by law  
 22 or rule to the executive director, secretary, or other statutory  
 23 administrator of the following:

24 (1) Indiana board of accountancy (IC 25-2.1-2-1).

25 (2) Board of registration for architects and landscape architects  
 26 (IC 25-4-1-2).

27 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

28 (4) State board of cosmetology and barber examiners  
 29 (IC 25-8-3-1).

30 (5) State board of funeral and cemetery service (IC 25-15-9).

31 (6) State board of registration for professional engineers  
 32 (IC 25-31-1-3).

33 (7) Indiana plumbing commission (IC 25-28.5-1-3).

34 (8) Indiana real estate commission (IC 25-34.1).

35 (9) Real estate appraiser licensure and certification board  
 36 (IC 25-34.1-8-1).

37 (10) Private investigator and security guard licensing board  
 38 (IC 25-30-1-5.2).

39 (11) State board of registration for land surveyors  
 40 (IC 25-21.5-2-1).

41 (12) Manufactured home installer licensing board (IC 25-23.7).

42 (13) Home inspectors licensing board (IC 25-20.2-3-1).

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1 (14) State board of massage therapy (IC 25-21.8-2-1).

2 **(15) Indiana diabetes educators board (IC 25-14.3-2-1).**

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

5 SECTION 5. IC 25-1-7-1, AS AMENDED BY P.L.42-2011,  
6 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2013]: Sec. 1. As used in this chapter:

8 "Board" means the appropriate agency listed in the definition of  
9 regulated occupation in this section.

10 "Director" refers to the director of the division of consumer  
11 protection.

12 "Division" refers to the division of consumer protection, office of  
13 the attorney general.

14 "Licensee" means a person who is:

15 (1) licensed, certified, or registered by a board listed in this  
16 section; and

17 (2) the subject of a complaint filed with the division.

18 "Person" means an individual, a partnership, a limited liability  
19 company, or a corporation.

20 "Regulated occupation" means an occupation in which a person is  
21 licensed, certified, or registered by one (1) of the following:

22 (1) Indiana board of accountancy (IC 25-2.1-2-1).

23 (2) Board of registration for architects and landscape architects  
24 (IC 25-4-1-2).

25 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

26 (4) Board of chiropractic examiners (IC 25-10-1).

27 (5) State board of cosmetology and barber examiners  
28 (IC 25-8-3-1).

29 (6) State board of dentistry (IC 25-14-1).

30 (7) State board of funeral and cemetery service (IC 25-15-9).

31 (8) State board of registration for professional engineers  
32 (IC 25-31-1-3).

33 (9) Indiana state board of health facility administrators  
34 (IC 25-19-1).

35 (10) Medical licensing board of Indiana (IC 25-22.5-2).

36 (11) Indiana state board of nursing (IC 25-23-1).

37 (12) Indiana optometry board (IC 25-24).

38 (13) Indiana board of pharmacy (IC 25-26).

39 (14) Indiana plumbing commission (IC 25-28.5-1-3).

40 (15) Board of podiatric medicine (IC 25-29-2-1).

41 (16) State psychology board (IC 25-33).

42 (17) Speech-language pathology and audiology board

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- 1 (IC 25-35.6-2).  
 2 (18) Indiana real estate commission (IC 25-34.1-2).  
 3 (19) Indiana board of veterinary medical examiners (IC 25-38.1).  
 4 (20) Department of natural resources for purposes of licensing  
 5 water well drillers under IC 25-39-3.  
 6 (21) Respiratory care committee (IC 25-34.5).  
 7 (22) Private investigator and security guard licensing board  
 8 (IC 25-30-1-5.2).  
 9 (23) Occupational therapy committee (IC 25-23.5).  
 10 (24) Behavioral health and human services licensing board  
 11 (IC 25-23.6).  
 12 (25) Real estate appraiser licensure and certification board  
 13 (IC 25-34.1-8).  
 14 (26) State board of registration for land surveyors  
 15 (IC 25-21.5-2-1).  
 16 (27) Physician assistant committee (IC 25-27.5).  
 17 (28) Indiana athletic trainers board (IC 25-5.1-2-1).  
 18 (29) Indiana dietitians certification board (IC 25-14.5-2-1).  
 19 (30) Indiana physical therapy committee (IC 25-27).  
 20 (31) Manufactured home installer licensing board (IC 25-23.7).  
 21 (32) Home inspectors licensing board (IC 25-20.2-3-1).  
 22 (33) State department of health, for out-of-state mobile health  
 23 care entities.  
 24 (34) State board of massage therapy (IC 25-21.8-2-1).  
 25 **(35) Indiana diabetes educators board (IC 25-14.3-2-1).**  
 26 ~~(35)~~ **(36)** Any other occupational or professional agency created  
 27 after June 30, 1981.  
 28 SECTION 6. IC 25-1-8-1, AS AMENDED BY P.L.42-2011,  
 29 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of  
 31 the following:  
 32 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 33 (2) Board of registration for architects and landscape architects  
 34 (IC 25-4-1-2).  
 35 (3) Indiana auctioneer commission (IC 25-6.1-2-1).  
 36 (4) Board of chiropractic examiners (IC 25-10-1).  
 37 (5) State board of cosmetology and barber examiners  
 38 (IC 25-8-3-1).  
 39 (6) State board of dentistry (IC 25-14-1).  
 40 (7) State board of funeral and cemetery service (IC 25-15).  
 41 (8) State board of registration for professional engineers  
 42 (IC 25-31-1-3).

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- 1 (9) Indiana state board of health facility administrators  
 2 (IC 25-19-1).  
 3 (10) Medical licensing board of Indiana (IC 25-22.5-2).  
 4 (11) Mining board (IC 22-10-1.5-2).  
 5 (12) Indiana state board of nursing (IC 25-23-1).  
 6 (13) Indiana optometry board (IC 25-24).  
 7 (14) Indiana board of pharmacy (IC 25-26).  
 8 (15) Indiana plumbing commission (IC 25-28.5-1-3).  
 9 (16) State psychology board (IC 25-33).  
 10 (17) Speech-language pathology and audiology board  
 11 (IC 25-35.6-2).  
 12 (18) Indiana real estate commission (IC 25-34.1-2-1).  
 13 (19) Indiana board of veterinary medical examiners  
 14 (IC 25-38.1-2-1).  
 15 (20) Department of insurance (IC 27-1).  
 16 (21) State police department (IC 10-11-2-4), for purposes of  
 17 certifying polygraph examiners under IC 25-30-2.  
 18 (22) Department of natural resources for purposes of licensing  
 19 water well drillers under IC 25-39-3.  
 20 (23) Private investigator and security guard licensing board  
 21 (IC 25-30-1-5.2).  
 22 (24) Occupational therapy committee (IC 25-23.5-2-1).  
 23 (25) Behavioral health and human services licensing board  
 24 (IC 25-23.6-2-1).  
 25 (26) Real estate appraiser licensure and certification board  
 26 (IC 25-34.1-8).  
 27 (27) State board of registration for land surveyors  
 28 (IC 25-21.5-2-1).  
 29 (28) Physician assistant committee (IC 25-27.5).  
 30 (29) Indiana athletic trainers board (IC 25-5.1-2-1).  
 31 (30) Board of podiatric medicine (IC 25-29-2-1).  
 32 (31) Indiana dietitians certification board (IC 25-14.5-2-1).  
 33 (32) Indiana physical therapy committee (IC 25-27).  
 34 (33) Manufactured home installer licensing board (IC 25-23.7).  
 35 (34) Home inspectors licensing board (IC 25-20.2-3-1).  
 36 (35) State board of massage therapy (IC 25-21.8-2-1).  
 37 **(36) Indiana diabetes educators board (IC 25-14.3-2-1).**  
 38 ~~(36)~~ **(37)** Any other occupational or professional agency created  
 39 after June 30, 1981.  
 40 SECTION 7. IC 25-1-11-1, AS AMENDED BY P.L.42-2011,  
 41 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of

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- 1 the following:
- 2 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 3 (2) Board of registration for architects and landscape architects
- 4 (IC 25-4-1-2).
- 5 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 6 (4) State board of cosmetology and barber examiners
- 7 (IC 25-8-3-1).
- 8 (5) State board of registration for land surveyors (IC 25-21.5-2-1).
- 9 (6) State board of funeral and cemetery service (IC 25-15-9).
- 10 (7) State board of registration for professional engineers
- 11 (IC 25-31-1-3).
- 12 (8) Indiana plumbing commission (IC 25-28.5-1-3).
- 13 (9) Indiana real estate commission (IC 25-34.1-2-1).
- 14 (10) Real estate appraiser licensure and certification board
- 15 (IC 25-34.1-8).
- 16 (11) Private investigator and security guard licensing board
- 17 (IC 25-30-1-5.2).
- 18 (12) Manufactured home installer licensing board (IC 25-23.7).
- 19 (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 20 (14) State board of massage therapy (IC 25-21.8-2-1).

21 **(15) Indiana diabetes educators board (IC 25-14.3-2-1).**

22 SECTION 8. IC 25-14.3 IS ADDED TO THE INDIANA CODE AS  
 23 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 24 2013]:

25 **ARTICLE 14.3. DIABETES EDUCATORS**

26 **Chapter 1. Definitions**

27 **Sec. 1. The definitions in this chapter apply throughout this**  
 28 **article.**

29 **Sec. 2. "Agency" refers to the Indiana professional licensing**  
 30 **agency established by IC 25-1-5-3.**

31 **Sec. 3. "Board" refers to the Indiana diabetes educators board**  
 32 **established by IC 25-14.3-2-1.**

33 **Sec. 4. "Diabetes education" means a collaborative process**  
 34 **through which persons with or at risk for diabetes mellitus gain the**  
 35 **knowledge and skills needed to modify behavior and successfully**  
 36 **self-manage diabetes and conditions related to diabetes.**

37 **Sec. 5. "Licensed diabetes educator" refers to an individual who**  
 38 **is licensed under this article.**

39 **Chapter 2. Indiana Diabetes Educators Board**

40 **Sec. 1. The Indiana diabetes educators board is established.**

41 **Sec. 2. The board consists of seven (7) members appointed by**  
 42 **the governor as follows:**

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- 1           (1) One (1) member who is a physician licensed under
- 2           IC 25-22.5.
- 3           (2) One (1) member who is a registered nurse licensed under
- 4           IC 25-23.
- 5           (3) One (1) member who is a pharmacist licensed under
- 6           IC 25-26 who has experience in diabetes education.
- 7           (4) One (1) member who is a dietitian certified under
- 8           IC 25-14.5.
- 9           (5) One (1) member who:
  - 10           (A) is a citizen at large;
  - 11           (B) is not employed in the health care field; and
  - 12           (C) either:
    - 13           (i) has diabetes; or
    - 14           (ii) cares for an individual who has diabetes.
- 15           (6) One (1) member who is a nutritionist and is certified by
- 16           either:
  - 17           (A) the Certification Board for Nutrition Specialists; or
  - 18           (B) the American College of Nutrition.
- 19           (7) One (1) member who is a psychologist licensed under
- 20           IC 25-33.

21           One (1) of the members appointed under subdivisions (2) through

22           (4) must have completed either the credentialing program of the

23           American Association of Diabetes Educators or the National

24           Certification Board for Diabetes Educators.

25           Sec. 3. Each member of the board serves a term of four (4) years

26           or until a successor is appointed. The governor shall initially

27           appoint:

- 28           (1) three (3) members for a term of four (4) years;
- 29           (2) three (3) members for a term of three (3) years; and
- 30           (3) one (1) member for a term of two (2) years.

31           Sec. 4. A member of the board may not serve for more than two

32           (2) consecutive terms.

33           Sec. 5. The board shall organize annually and elect one (1) of the

34           members as chairperson and one (1) of the members as secretary.

35           The agency shall staff the board and arrange for the first meeting

36           of the board at which the chairperson and secretary are elected.

37           Sec. 6. A quorum of the board consists of four (4) members. A

38           majority of the board members is required to take any action.

39           Sec. 7. The board shall meet at least semiannually and upon the

40           call of the chairperson or at the request of two (2) members.

41           Sec. 8. (a) The board shall adopt rules under IC 4-22-2

42           establishing:

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- 1 (1) standards for professional responsibility or a code of ethics
- 2 for the profession of diabetes educator;
- 3 (2) standards of practice that are based upon policies and
- 4 positions adopted by the American Association of Diabetes
- 5 Educators; and
- 6 (3) standards for continuing education requirements for
- 7 diabetes educators.

8 (b) The board shall adopt rules under IC 4-22-2 to establish fees  
 9 under IC 25-1-8-2 for:

- 10 (1) filing an application for licensure under this article;
- 11 (2) issuing an original license under this article;
- 12 (3) renewing a license issued under this article;
- 13 (4) replacing a license that has been lost or destroyed; and
- 14 (5) any other purposes prescribed by IC 25-1-8-2.

15 (c) The board shall investigate alleged violations brought under  
 16 this article, conduct investigations, and schedule and conduct  
 17 administrative hearings under IC 4-21.5.

- 18 (d) The board shall keep a record of:
- 19 (1) the proceedings of the board; and
  - 20 (2) all individuals licensed by the board.

21 **Chapter 3. License Requirements**

22 **Sec. 1.** After July 1, 2014, a person may not use the title of  
 23 "licensed diabetes educator" or profess to be a licensed diabetes  
 24 educator unless the person holds a license under this article.

25 **Sec. 2.** An applicant for a license must file a written application  
 26 with the board on forms provided by the board.

27 **Sec. 3.** An applicant must provide evidence to the board showing  
 28 successful completion of one (1) of the following:

- 29 (1) The American Association of Diabetes Educators core
- 30 concepts course with demonstrable experience in the care of
- 31 individuals with diabetes under supervision that meets
- 32 requirements specified in rules adopted by the board.
- 33 (2) The credentialing program of the American Association of
- 34 Diabetes Educators or the National Certification Board for
- 35 Diabetes Educators.
- 36 (3) An equivalent credentialing program as determined by the
- 37 board.

38 **Sec. 4.** Requirements established by the board for licensure  
 39 under this article must include a core body of knowledge and skills  
 40 in:

- 41 (1) the disease diabetes mellitus;
- 42 (2) the biological and social sciences;

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- 1           **(3) communication;**
- 2           **(4) counseling;**
- 3           **(5) education; and**
- 4           **(6) experience in the care of individuals with diabetes.**

5           **Sec. 5. A license issued under this chapter is valid for two (2)**  
 6 **years after the date of issuance.**

7           **Sec. 6. The board shall require each licensee to complete**  
 8 **annually fifteen (15) hours of board approved continuing**  
 9 **education.**

10           **Chapter 4. License Revocation or Suspension**

11           **Sec. 1. For purposes of this chapter, "unprofessional conduct"**  
 12 **includes the following:**

- 13           **(1) Obtaining or attempting to obtain a license by fraud,**  
 14 **misrepresentation, concealment of material facts, or making**  
 15 **a false statement to the board.**
- 16           **(2) Conviction of a felony if the conviction has direct bearing**  
 17 **on whether the person is trustworthy to serve the public as a**  
 18 **licensed diabetes educator.**
- 19           **(3) Violation of any lawful order issued or rule adopted by the**  
 20 **board.**

21           **Sec. 2. The board may:**

- 22           **(1) suspend or revoke a license; or**
- 23           **(2) issue a reprimand;**

24 **if the licensee engages in unprofessional conduct that has**  
 25 **endangered or is likely to endanger the health, welfare, or safety of**  
 26 **the public.**

27           **Chapter 5. Unlawful Practices**

28           **Sec. 1. A person who recklessly, knowingly, or intentionally**  
 29 **violates this article commits a Class A misdemeanor.**

30           **SECTION 9. IC 35-51-25-1, AS ADDED BY P.L.70-2011,**  
 31 **SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**  
 32 **JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 25:**

- 33           **IC 25-2.1-13-3 (Concerning accountants).**
- 34           **IC 25-2.5-3-4 (Concerning acupuncturists).**
- 35           **IC 25-5.1-4-2 (Concerning athletic trainers).**
- 36           **IC 25-5.2-2-12 (Concerning athlete agents).**
- 37           **IC 25-6.1-7-1 (Concerning auctioneers and auctions).**
- 38           **IC 25-6.1-7-2 (Concerning auctioneers and auctions).**
- 39           **IC 25-8-15.4-25 (Concerning beauty culture).**
- 40           **IC 25-10-1-11 (Concerning chiropractors).**
- 41           **IC 25-11-1-12 (Concerning collection agencies).**
- 42           **IC 25-13-1-3 (Concerning dental hygienists).**

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- 1 IC 25-14-1-25 (Concerning dentists).  
 2 **IC 25-14.3-5-1 (Concerning diabetes educators).**  
 3 IC 25-14-4-6 (Concerning dentists).  
 4 IC 25-14.5-7-2 (Concerning dietitians).  
 5 IC 25-16-1-18 (Concerning employment services).  
 6 IC 25-17.3-5-3 (Concerning genetic counselors).  
 7 IC 25-17.6-8-2 (Concerning geologists).  
 8 IC 25-18-1-19 (Concerning distress sales).  
 9 IC 25-20-1-21 (Concerning hearing aid dealers).  
 10 IC 25-20.7-5-1 (Concerning interior designers).  
 11 IC 25-21.5-5-10 (Concerning land surveyors).  
 12 IC 25-21.5-13-2 (Concerning land surveyors).  
 13 IC 25-21.8-7-1 (Concerning massage therapists).  
 14 IC 25-22.5-8-2 (Concerning physicians).  
 15 IC 25-22.5-8-3 (Concerning physicians).  
 16 IC 25-23-1-27 (Concerning nurses).  
 17 IC 25-23.5-3-2 (Concerning occupational therapists).  
 18 IC 25-23.6-3-3 (Concerning marriage and family therapists).  
 19 IC 25-23.6-4-4 (Concerning marriage and family therapists).  
 20 IC 25-23.6-4.5-4 (Concerning marriage and family therapists).  
 21 ~~IC 25-23.6-4.7-7~~ **IC 25-23.6-7-7** (Concerning marriage and  
 22 family therapists).  
 23 IC 25-23.6-10.1-6 (Concerning marriage and family therapists).  
 24 IC 25-23.6-11-1 (Concerning marriage and family therapists).  
 25 IC 25-23.6-11-2 (Concerning marriage and family therapists).  
 26 IC 25-23.6-11-3 (Concerning marriage and family therapists).  
 27 IC 25-23.7-7-5 (Concerning manufactured home installers).  
 28 IC 25-24-1-18 (Concerning optometrists).  
 29 IC 25-24-3-17 (Concerning optometrists).  
 30 IC 25-26-13-29 (Concerning pharmacists, pharmacies, and drug  
 31 stores).  
 32 IC 25-26-14-23 (Concerning pharmacists, pharmacies, and drug  
 33 stores).  
 34 IC 25-26-14-25 (Concerning pharmacists, pharmacies, and drug  
 35 stores).  
 36 IC 25-26-14-26 (Concerning pharmacists, pharmacies, and drug  
 37 stores).  
 38 IC 25-26-14-27 (Concerning pharmacists, pharmacies, and drug  
 39 stores).  
 40 IC 25-26-19-9 (Concerning pharmacists, pharmacies, and drug  
 41 stores).  
 42 IC 25-26-21-11 (Concerning pharmacists, pharmacies, and drug

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- 1 stores).
- 2 IC 25-27-1-12 (Concerning physical therapists).
- 3 IC 25-27.5-7-2 (Concerning physician assistants).
- 4 IC 25-28.5-1-31 (Concerning plumbers).
- 5 IC 25-29-9-1 (Concerning podiatrists).
- 6 IC 25-30-1-21 (Concerning private investigator firms, security
- 7 guards, and polygraph examiners).
- 8 IC 25-30-1.3-23 (Concerning private investigator firms, security
- 9 guards, and polygraph examiners).
- 10 IC 25-31-1-13 (Concerning engineers).
- 11 IC 25-31-1-27 (Concerning engineers).
- 12 IC 25-31.5-8-7 (Concerning soil scientists).
- 13 IC 25-33-1-15 (Concerning psychologists).
- 14 IC 25-34.5-3-2 (Concerning respiratory care specialists).
- 15 IC 25-35.6-3-10 (Concerning speech pathologists and
- 16 audiologists).
- 17 IC 25-36.1-1-2 (Concerning surgical technologists).
- 18 IC 25-36.5-1-10 (Concerning timber buyers).
- 19 IC 25-36.5-1-15 (Concerning timber buyers).
- 20 IC 25-38.1-4-10 (Concerning veterinarians).
- 21 IC 25-38.1-4-11 (Concerning veterinarians).
- 22 IC 25-39-5-1 (Concerning water well drilling contractors).
- 23 IC 25-39-5-7 (Concerning water well drilling contractors).
- 24 IC 25-41-1-2 (Concerning behavior analysts).

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 8, line 40, delete "five (5)" and insert "**seven (7)**".

Page 9, between lines 9 and 10, begin a new line block indented and insert:

**"(6) One (1) member who is a nutritionist and is certified by either:**

**(A) the Certification Board for Nutrition Specialists; or  
(B) the American College of Nutrition.**

**(7) One (1) member who is a psychologist licensed under IC 25-33."**

Page 9, line 17, delete "two (2)" and insert "**three (3)**".

Page 9, line 18, delete "two (2)" and insert "**three (3)**".

Page 9, line 24, delete "three (3)" and insert "**four (4)**".

Page 10, line 16, delete "and".

Page 10, line 18, delete "subsection." and insert "**subsection; and**".

Page 10, between lines 18 and 19, begin a new line block indented and insert:

**"(6) a psychologist licensed under IC 25-33.**

and when so amended that said bill do pass.

(Reference is to HB 1242 as introduced.)

CLERE, Chair

Committee Vote: yeas 11, nays 0.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1242 be amended to read as follows:

Page 10, line 24, delete "and".

Page 10, line 25, delete "." and insert "**; and**".



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Page 10, between lines 25 and 26, begin a new line block indented and insert:

**"(7) a podiatrist licensed under IC 25-29."**

(Reference is to HB 1242 as printed February 12, 2013.)

SHACKLEFORD

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1242, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-1-1.1-4, AS AMENDED BY P.L.28-2012, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) This section applies to an individual who is applying for, or will be applying for, an initial license or an initial certificate under one (1) of the following:

- (1) IC 25-2.5 (acupuncturists).
- (2) IC 25-10 (chiropractors).
- (3) IC 25-13 (dental hygienists).
- (4) IC 25-14 (dentists).
- (5) IC 25-14.3 (diabetes educators).**
- ~~(5)~~ (6) IC 25-14.5 (dietitians).
- ~~(6)~~ (7) IC 25-17.3 (genetic counselors).
- ~~(7)~~ **(8) IC 25-19 (health facility and residential care facility administrators).**
- ~~(8)~~ (9) IC 25-21.8 (massage therapists).
- ~~(9)~~ (10) IC 25-22.5 (physicians).
- ~~(10)~~ (11) IC 25-23 (nurses).
- ~~(11)~~ (12) IC 25-23.5 (occupational therapists).
- ~~(12)~~ (13) IC 25-23.6 (social workers, marriage and family therapists, and counselors).
- ~~(13)~~ (14) IC 25-24 (optometrists).
- ~~(14)~~ (15) IC 25-26 (pharmacists).
- ~~(15)~~ (16) IC 25-27 (physical therapists).
- ~~(16)~~ (17) IC 25-27.5 (physician assistants).

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- ~~(17)~~ **(18)** IC 25-29 (podiatrists).
- ~~(18)~~ **(19)** IC 25-33 (psychologists).
- ~~(19)~~ **(20)** IC 25-34.5 (respiratory care practitioners).
- ~~(20)~~ **(21)** IC 25-35.6 (speech pathologists and audiologists).
- ~~(21)~~ **(22)** IC 25-38.1 (veterinarians).

(b) As used in this chapter, "national criminal history background check" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.

(c) An individual applying for an initial license or initial certificate specified in subsection (a) shall submit to a national criminal history background check at the cost of the individual.

(d) The state police department shall release the results of a national criminal history background check conducted under this section to the Indiana professional licensing agency.

(e) A board, a commission, or a committee may conduct a random audit and require an individual seeking a renewal of a license or a certificate specified in subsection (a) to submit to a national criminal history background check at the cost of the individual."

Page 8, line 33, after "diabetes" insert "**mellitus**".

Page 9, line 8, delete "who is a citizen at large who is not" and insert "**who:**

- (A) is a citizen at large;**
- (B) is not employed in the health care field; and**
- (C) either:**
  - (i) has diabetes; or**
  - (ii) cares for an individual who has diabetes."**

Page 9, delete line 9.

Page 9, line 23, delete "years;" and insert "**years;**".

Page 9, line 26, after "member" insert "**of the board**".

Page 9, line 29, after "secretary." insert "**The agency shall staff the board and arrange for the first meeting of the board at which the chairperson and secretary are elected.**".

Page 9, line 30, after "quorum" insert "**of the board**".

Page 9, line 30, after "members." insert "**A majority of the board members is required to take any action.**".

Page 10, delete lines 27 through 30.

Page 11, line 2, after "board" insert "**for licensure under this article**".

Page 11, line 4, after "(1)" insert "**the disease diabetes mellitus; (2)**".

Page 11, line 5, delete "(2)" and insert "**(3)**".



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Page 11, line 6, delete "(3)" and insert "(4)".

Page 11, line 7, delete "(4)" and insert "(5)".

Page 11, line 8, delete "(5)" and insert "(6)".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1242 as reprinted February 19, 2013.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 10, Nays 0.

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1242 be amended to read as follows:

Page 11, line 22, delete "(a)".

Page 11, delete lines 25 through 34.

(Reference is to EHB 1242 as printed March 29, 2013.)

MILLER PATRICIA

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