



February 19, 2013

HOUSE BILL No. 1272

DIGEST OF HB 1272 (Updated February 18, 2013 3:18 pm - DI 77)

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

Synopsis: Dietitian licensure. Requires that, with certain exceptions, an individual who: (1) professes to be a licensed dietitian; or (2) implies by words or letters that the individual is a licensed dietitian; must 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 dietitian on June 30, 2013, becomes a licensed dietitian beginning July 1, 2013. Makes other conforming changes.

Effective: Upon passage; July 1, 2013.

Bacon, Brown C, Frizzell, Davisson

January 23, 2013, read first time and referred to Committee on Public Health.
February 19, 2013, amended, reported — Do Pass.

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HB 1272—LS 7131/DI 14+



February 19, 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.

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HOUSE BILL No. 1272

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, 2013]: 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.

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- 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]: 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, 2013]. 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, 2013]: 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 a United States regionally**
- 22 **accredited body recognized by the council for higher education**
- 23 **accreditation and the United States department of education at the**
- 24 **time the degree is received.**

25 SECTION 12. IC 25-14.5-1-7 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2013]: 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, 2013]: 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. shall be administered by the commission on dietetic~~
 6 **registration.**

7 SECTION 14. IC 25-14.5-1-8.5 IS ADDED TO THE INDIANA
 8 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 9 **[EFFECTIVE JULY 1, 2013]: Sec. 8.5. "Licensed dietitian" refers**
 10 **to a person licensed under this article to practice dietetics.**
 11 **Activities of a licensed dietitian do not include the medical**
 12 **differential diagnoses of the health status of an individual.**

13 SECTION 15. IC 25-14.5-1-9 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. "Medical nutrition
 15 therapy" means the component of nutrition therapy that concerns:

- 16 (1) ~~determining and recommending nutrient needs based on~~
 17 ~~nutritional assessment and medical problems relative to medically~~
 18 ~~prescribed diets, including:~~
 - 19 (A) tube feedings;
 - 20 (B) specialized intravenous solutions; and
 - 21 (C) specialized oral feedings;
- 22 (2) interactions of prescription drugs with food and nutrients; or
- 23 (3) developing and managing food services operations that have
 24 the chief function of providing nutrition therapy services and
 25 providing medically prescribed diets.

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

- 29 (1) **interpreting dietary data and recommending nutrient**
 30 **needs relative to medically prescribed diets, including:**
 - 31 (A) tube feedings;
 - 32 (B) specialized intravenous solutions; and
 - 33 (C) specialized oral feedings;
- 34 (2) **identifying food prescription drug interactions; and**
- 35 (3) **developing and managing food service operations, the chief**
 36 **function of which is nutrition care and the provision of**
 37 **medically prescribed diets.**

38 SECTION 16. IC 25-14.5-1-10 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. "Medically
 40 prescribed diet" means a diet that is:

- 41 (1) prescribed when specific food or nutrient levels need to be
 42 monitored or altered, or both, as a component of a treatment

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1 ~~regimen~~ **program** for an individual whose health status is
 2 impaired or at risk due to disease, injury, or surgery; and
 3 (2) performed **only** as initiated by or in consultation with a
 4 physician licensed to practice medicine in Indiana.

5 SECTION 17. IC 25-14.5-1-11.1 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2013]: **Sec. 11.1. "Nutrition assessment"**
 8 **means the systematic process of obtaining, verifying, and**
 9 **interpreting biochemical, anthropometric, physical, and dietary**
 10 **data in order to make decisions about the nature and cause of**
 11 **nutrition related problems. Nutrition assessment is an ongoing,**
 12 **dynamic process that involves not only initial data collection, but**
 13 **also reassessment and analysis of client or community needs and**
 14 **provides the foundation for nutrition diagnosis and nutritional**
 15 **recommendation including enteral and parenteral nutrition.**

16 SECTION 18. IC 25-14.5-1-11.2 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2013]: **Sec. 11.2. "Nutrition care process"**
 19 **means the systematic problem solving method that dietitians use to**
 20 **think critically and make decisions when providing medical**
 21 **nutrition therapy or addressing nutrition related problems and**
 22 **provide safe, effective, and high quality care. The nutrition care**
 23 **process consists of the following four (4) distinct but interrelated**
 24 **steps:**

- 25 (1) Nutrition assessment.
- 26 (2) Nutrition diagnosis.
- 27 (3) Nutrition intervention.
- 28 (4) Nutrition monitoring and evaluation.

29 SECTION 19. IC 25-14.5-1-11.3 IS ADDED TO THE INDIANA
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2013]: **Sec. 11.3. "Nutrition care services"**
 32 **refers to the following:**

- 33 (1) Assessing the nutrition needs of individuals and groups to
 34 determine what resources and constraints exist.
- 35 (2) Establishing priorities, goals, and objectives that meet
 36 nutrition needs and are consistent with available resources
 37 and constraints.
- 38 (3) Providing nutrition counseling in health and disease.
- 39 (4) Developing, implementing, and managing nutrition care
 40 systems.
- 41 (5) Evaluating, making changes in, and maintaining
 42 appropriate standards of quality in food and nutrition care



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- 1 **services.**
- 2 SECTION 20. IC 25-14.5-1-11.4 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2013]: **Sec. 11.4. "Nutrition counseling"**
- 5 **means advising and assisting individuals or groups on appropriate**
- 6 **nutrition intake by integrating information from the nutrition**
- 7 **assessment with information on:**
- 8 **(1) food and other sources of nutrients; and**
- 9 **(2) meal preparation;**
- 10 **while being cognizant of cultural background and socioeconomic**
- 11 **status.**
- 12 SECTION 21. IC 25-14.5-1-11.5 IS ADDED TO THE INDIANA
- 13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 2013]: **Sec. 11.5. "Nutrition diagnosis"**
- 15 **means identifying and labeling nutritional problems that a licensed**
- 16 **dietitian is responsible for treating independently.**
- 17 SECTION 22. IC 25-14.5-1-11.6 IS ADDED TO THE INDIANA
- 18 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 19 [EFFECTIVE JULY 1, 2013]: **Sec. 11.6. "Nutrition intervention"**
- 20 **refers to purposefully planned actions intended to positively**
- 21 **change nutrition related behavior, risk factors, environmental**
- 22 **conditions, or aspects of health status for:**
- 23 **(1) an individual;**
- 24 **(2) an individual's family or caregiver;**
- 25 **(3) target groups; or**
- 26 **(4) the community at large.**
- 27 SECTION 23. IC 25-14.5-1-11.7 IS ADDED TO THE INDIANA
- 28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 29 [EFFECTIVE JULY 1, 2013]: **Sec. 11.7. "Nutrition monitoring and**
- 30 **evaluation"** means identifying patient or client outcomes relevant
- 31 **to the nutrition diagnosis and intervention plans and goals**
- 32 **established for the patient or client and comparing those outcomes**
- 33 **with the previous status, intervention goals, or a reference**
- 34 **standard to determine the progress made in achieving the desired**
- 35 **outcomes or nutrition care and determining whether planned**
- 36 **interventions for the patient or client should be continued or**
- 37 **revised.**
- 38 SECTION 24. IC 25-14.5-1-13 IS AMENDED TO READ AS
- 39 FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 13. "Practice**
- 40 **experience"** means a preprofessional, documented, supervised practice
- 41 **in dietetics services that is acceptable to the board in compliance with**
- 42 **requirements for certification- licensure. It may be or may Practice**

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1 **experience must** include a documented, supervised practice
2 experience that is a component of the educational requirements for
3 ~~certification~~: **licensure**.

4 SECTION 25. IC 25-14.5-1-14 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 14. (a) "Practice of
6 dietetics" means the integration and application of the principles
7 derived from the sciences of nutrition, biochemistry, food, physiology,
8 management, and behavioral and social sciences to achieve and
9 maintain people's health through the provision of nutrition therapy
10 services. **The practice of dietetics includes:**

- 11 (1) **conducting nutrition assessments;**
- 12 (2) **engaging in nutrition care processes;**
- 13 (3) **providing nutrition care services;**
- 14 (4) **providing nutrition counseling;**
- 15 (5) **making nutrition diagnoses;**
- 16 (6) **engaging in nutrition interventions; and**
- 17 (7) **providing nutrition monitoring and evaluation.**

18 (b) **A licensed dietitian shall do the following:**

- 19 (1) **Engage in the nutrition care process that is a systematic**
- 20 **problem solving method that dietetics professionals use to**
- 21 **think critically and make decisions to address nutrition**
- 22 **related problems and provide safe and effective quality**
- 23 **nutrition care services and medical nutrition therapy.**
- 24 (2) **Develop a plan of care for each patient who is referred and**
- 25 **be responsible for implementation and modification of the**
- 26 **plan.**
- 27 (3) **Consult with the referring practitioner regarding any**
- 28 **contraindicated or unjustified treatment.**
- 29 (4) **Practice in accordance with the standards established by**
- 30 **the board and the commission on dietetic registration**
- 31 **regulating the profession.**

32 SECTION 26. IC 25-14.5-2-1 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The Indiana
34 dietitians ~~certification~~ **licensing** board is established.

35 SECTION 27. IC 25-14.5-2-2 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. The board consists
37 of seven (7) members appointed by the governor as follows:

- 38 (1) Four (4) members who are ~~certified~~ **licensed** under this article
39 and currently provide and have provided services in the practice
40 of dietetics in Indiana for a minimum of three (3) years.
- 41 (2) One (1) member who is a physician licensed under IC 25-22.5.
- 42 (3) One (1) member who is a registered nurse licensed under

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1 IC 25-23.

2 (4) One (1) member representing the public who is a resident of
3 Indiana and has never been associated with dietetics in any way
4 other than as a consumer.

5 SECTION 28. IC 25-14.5-2-5 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) The board shall
7 adopt rules under IC 4-22-2 establishing standards for:

8 (1) professional responsibility or a code of ethics for the
9 profession of dietetics;

10 (2) applicant qualifications of a **certified licensed** dietitian;

11 (3) the administration of this article;

12 (4) the number of hours of continuing education needed for
13 renewal of **certification licensure** and the procedures for
14 approving continuing education courses and programs; and

15 (5) establishing fees under IC 25-1-8-2 as described in subsection
16 (b).

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

19 (1) the filing of an application for a **certificate license** under this
20 article;

21 (2) the original issuance of a **certificate license** under this article;

22 (3) a renewal of a **certificate license** issued in accordance with
23 this article;

24 (4) the replacement of a **certificate license** or renewal **certificate**
25 **license** lost or destroyed; and

26 (5) any other purposes prescribed by IC 25-1-8-2.

27 SECTION 29. IC 25-14.5-2-5.1 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2013]: **Sec. 5.1. (a) The rules adopted by the**
30 **Indiana dietitians certification board before July 1, 2013,**
31 **concerning certification of dietitians are considered after June 30,**
32 **2013, the rules of the Indiana dietitians licensing board. However,**
33 **the terms "certify", "certified", or "certification" in the rules must**
34 **be construed as "license", "licensed", or "licensure" to be**
35 **consistent with this chapter.**

36 (b) Before July 1, 2014, the Indiana dietitians licensing board
37 shall revise, update, or repeal the rules described in this section to
38 reflect the change from certification to licensure by legislation
39 enacted in the 2013 session of the general assembly.

40 (c) This section expires December 31, 2014.

41 SECTION 30. IC 25-14.5-2-6 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) The board shall

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1 hold meetings as follows:
 2 (1) A meeting for the purpose of organization must be held not
 3 more than thirty (30) days after the board members are appointed.
 4 (2) The board shall hold at least ~~two (2)~~ **four (4)** regular meetings
 5 each calendar year. At the first regular meeting each year, the
 6 board shall elect a chairperson and vice chairperson.
 7 (3) Special meetings may be held at the discretion of the
 8 chairperson.
 9 (4) Meetings may be held at such time as the board or chairperson
 10 shall determine.
 11 (b) A quorum of the board consists of four (4) members.
 12 (c) A secretary of the board shall be elected by the board and shall
 13 hold office at the pleasure of the board.
 14 **(d) The board shall receive and process complaints and**
 15 **investigate alleged violations of this article. The board may:**
 16 **(1) issue subpoenas;**
 17 **(2) examine witnesses; and**
 18 **(3) administer oaths.**
 19 **(e) If:**
 20 **(1) the board receives a complaint against a person who is not**
 21 **licensed under this article; and**
 22 **(2) after review of the complaint, the board believes that**
 23 **further action may be necessary;**
 24 **the board shall refer the matter to the office of the attorney general**
 25 **for investigation and any necessary legal action.**
 26 SECTION 31. IC 25-14.5-3-1 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The board ~~may~~ **shall**
 28 require a person who applies for a ~~certified~~ dietitian ~~certificate~~ **license**
 29 to have:
 30 (1) completed a major course of study in human nutrition,
 31 nutrition education, **public health nutrition**, food and nutrition,
 32 ~~and~~ dietetics, ~~or~~ food systems management, **or an equivalent**
 33 **major course of study as approved by the board; and**
 34 (2) received a baccalaureate or higher degree from a regionally
 35 accredited college or university located in the United States or its
 36 territories; **and**
 37 **(3) successfully completed the registration examination for**
 38 **dietitians administered by the commission on dietetic**
 39 **registration.**
 40 SECTION 32. IC 25-14.5-3-2 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. The board ~~may~~ **shall**
 42 require a person who:

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- 1 (1) applies for a ~~certificate~~ **license** as a ~~certified~~ **licensed** dietitian;
- 2 and
- 3 (2) has obtained the person's education outside of the United
- 4 States and its territories;
- 5 to have the person's academic degree or degrees validated by an
- 6 organization approved by the board. The validating organization must
- 7 state that the degree is equivalent to a baccalaureate or master's degree
- 8 conferred by a regionally accredited college or university located in the
- 9 United States.

10 SECTION 33. IC 25-14.5-3-3 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The board may
 12 require a person who applies for a ~~certificate~~ **license** as a ~~certified~~
 13 **licensed** dietitian to have completed a documented, supervised practice
 14 experience of not less than ~~nine hundred (900)~~ **one thousand two**
 15 **hundred (1,200)** hours under the supervision of a certified dietitian, ~~or~~
 16 a registered dietitian, **or a licensed dietitian.**

17 SECTION 34. IC 25-14.5-4-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. To qualify for a
 19 ~~certificate~~ **license** under this article, an individual must do the
 20 following:

- 21 (1) Satisfy the requirements of IC 25-14.5-3.
- 22 (2) Satisfactorily complete an application for ~~certification,~~
 23 **licensure** furnished by the board, in accordance with the rules
 24 adopted by the board. The application must be verified by the
 25 applicant and filed at least thirty (30) days before the
 26 administration of the examination.
- 27 (3) Pay the application, examination, and ~~certification~~ **licensure**
 28 fees established by the board.
- 29 (4) Except to the extent that section 4 of this chapter applies,
 30 successfully pass the qualifying examination adopted by the board
 31 as described in IC 25-14.5-5.
- 32 **(5) Provide proof that the individual is at least twenty-one (21)**
 33 **years of age.**

34 SECTION 35. IC 25-14.5-4-2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a)** Except as
 36 provided in section 3 of this chapter, the board shall issue a ~~certificate~~
 37 **license** to an individual who:

- 38 (1) meets the conditions set forth in section 1 of this chapter; and
- 39 (2) is otherwise qualified for ~~certification~~ **licensure** under this
 40 article.
- 41 **(b) Beginning July 1, 2013, the board shall waive the**
 42 **examination requirement and shall grant a license to any applicant**

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who:
(1) makes satisfactory application to the board and is registered with the commission on dietetic registration; or
(2) received a baccalaureate or post-baccalaureate degree from an accredited college or university in the United States with:
(A) a program in dietetics or nutrition; or
(B) an equivalent major course of study as approved by the board;
and has completed an approved educational experience and met the educational requirement of the commission on dietetic registration.

SECTION 36. IC 25-14.5-4-3.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3.2. (a) The board may grant a temporary or provisional license to an applicant who meets the qualifications for licensure under this article.

(b) A temporary or provisional license issued under subsection (a) is valid only until the next regularly scheduled meeting of the board.

SECTION 37. IC 25-14.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) Except as provided in subsection (b), the board may issue a ~~certificate~~ **license** to an applicant for ~~certification~~ **licensure** if the applicant presents evidence that the applicant has been issued a certificate, **license, or registration** in a state that has requirements for certification, **licensure, or registration** that are, by the board's determination, equivalent to the requirements for ~~certification~~ **licensure** in Indiana. An applicant applying for a ~~certificate~~ **license** under this subsection is not required to take an examination given by the board under IC 25-14.5-5.

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

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

SECTION 38. IC 25-14.5-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. All ~~certificates~~ **licenses** shall be effective when issued by the board.

SECTION 39. IC 25-14.5-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) A ~~certified~~ **licensed** dietitian must display the ~~certificate~~ **license** in a conspicuous

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1 part of the office in which the ~~certified~~ **licensed** dietitian practices
2 nutrition therapy services.

3 (b) Whenever practicing the profession of dietetics outside of or
4 away from the office or place of business, the ~~certified~~ **licensed**
5 dietitian shall make available to each patient the ~~certified~~ **licensed**
6 dietitian's name, office address, and the number of the ~~certificate~~.
7 **license**.

8 SECTION 40. IC 25-14.5-4-7 IS ADDED TO THE INDIANA
9 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
10 [EFFECTIVE JULY 1, 2013]: **Sec. 7. (a) The board may issue a**
11 **license to an applicant for licensure if the applicant presents**
12 **evidence that the applicant has been issued a license in a state that**
13 **has requirements for licensure that are equivalent to or more**
14 **stringent than the requirements for licensure in Indiana.**

15 (b) **An applicant under subsection (a) shall pay a fee set by the**
16 **board.**

17 (c) **If the board determines that the license in the issuing state is**
18 **equivalent to or more stringent than the requirements of Indiana,**
19 **the applicant is not required to take an examination if all other**
20 **requirements are met.**

21 (d) **The board may refuse to issue a license under subsection (a)**
22 **if the applicant has at any time failed an examination given by the**
23 **board.**

24 SECTION 41. IC 25-14.5-4-8 IS ADDED TO THE INDIANA
25 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
26 [EFFECTIVE UPON PASSAGE]: **Sec. 8. (a) A certified dietitian who**
27 **holds a certification under this article on June 30, 2013, becomes**
28 **a licensed dietitian beginning July 1, 2013, as provided in this**
29 **article.**

30 (b) **This section expires December 31, 2016.**

31 SECTION 42. IC 25-14.5-5-2 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2. The board shall**
33 **determine:**

- 34 (1) a date and time when;
35 (2) a location in Indiana where; and
36 (3) the supervision under which;

37 applicants for ~~certification~~ **licensure** shall be examined.

38 SECTION 43. IC 25-14.5-5-3 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 3. Examinations shall**
40 **be given at least two (2) times each year. conducted online and may**
41 **be conducted after a student receives approval from the**
42 **commission on dietetic registration to take the examination.**



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1 SECTION 44. IC 25-14.5-5-4 IS REPEALED [EFFECTIVE JULY
2 1, 2013]. Sec. 4. (a) The board shall give notice at least sixty (60) days
3 before the administration of each examination in a manner the board
4 considers appropriate.

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

8 SECTION 45. IC 25-14.5-6-1, AS AMENDED BY P.L.1-2006,
9 SECTION 437, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) A ~~certificate~~ **license** issued
11 by the board expires on a date established by the agency under
12 IC 25-1-5-4 in the next even-numbered year following the year in
13 which the ~~certificate~~ **license** was issued.

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

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

19 SECTION 46. IC 25-14.5-6-2 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A ~~certified licensed~~
21 dietitian may renew a ~~certificate~~ **license** by:

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

26 SECTION 47. IC 25-14.5-6-3 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The board shall
28 mail an application for renewal to a ~~certified licensed~~ dietitian at least
29 sixty (60) days before the date on which the ~~certified licensed~~
30 dietitian's ~~certificate~~ **license** expires.

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

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

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

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

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

- 42 (1) verify the accuracy of the application;

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- 1 (2) determine whether the continuing education requirement has
- 2 been met; and
- 3 (3) verify that all other requirements under this article have been
- 4 met.

5 (e) When the board is satisfied that all conditions under subsection
 6 (d) have been met, the board shall issue to the applicant a notice of
 7 ~~certificate~~ **license** renewal that shall be valid for two (2) years.

8 SECTION 48. IC 25-14.5-6-4, AS AMENDED BY P.L.105-2008,
 9 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]: Sec. 4. (a) A ~~certificate~~ **license** may be reinstated by
 11 the board not later than three (3) years after its expiration if the
 12 applicant for reinstatement meets the requirements under
 13 IC 25-1-8-6(c).

14 (b) A ~~certificate~~ **license** that has been expired for more than three
 15 (3) years may be reinstated by the board if the holder of the ~~certificate~~
 16 **license** satisfies the requirements for reinstatement under
 17 IC 25-1-8-6(d).

18 SECTION 49. IC 25-14.5-6-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) The board may
 20 classify a ~~certificate~~ **license** as inactive if the board receives written
 21 notification from a ~~certified licensed~~ dietitian stating that the ~~certified~~
 22 **licensed** dietitian will not maintain an office or practice dietetics in
 23 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 50. IC 25-14.5-6-7 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2013]: 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 51. IC 25-14.5-7-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2013]: 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.

41 SECTION 52. IC 25-14.5-7-1.3 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2013]: **Sec. 1.3. (a) This article may not be**
2 **construed to limit the practice of dietetics by a person who does not**
3 **use a title specified in this article and who is one (1) of the**
4 **following:**

5 (1) **A health care professional licensed, registered, or certified**
6 **under this title.**

7 (2) **A student enrolled in a commission on accreditation for**
8 **dietetic education accredited program in dietetics pursuing a**
9 **course of study to gain licensure under this article, if the**
10 **activities the student is engaged in are performed under the**
11 **supervision of a licensed dietitian.**

12 (3) **A nonresident of Indiana if the person performs service in**
13 **Indiana for not more than five (5) days in any one (1) month**
14 **and not more than fifteen (15) days in one (1) calendar year**
15 **and the person is authorized to perform the services under the**
16 **laws of the state or country in which the person is a resident.**

17 (4) **A person or a retailer who furnishes oral or written**
18 **nutrition information related to food, food materials, or**
19 **dietary supplements or the marketing of food, food materials,**
20 **or dietary supplements.**

21 (5) **A person providing weight control services through a**
22 **program that:**

- 23 (A) **has been reviewed by a licensed dietitian; and**
- 24 (B) **provides consultation from a dietitian licensed under**
- 25 **this article or from another state, or a physician licensed**
- 26 **under IC 25-22.5.**

- 27 (6) **A dietitian serving in:**
- 28 (A) **the armed forces;**
- 29 (B) **the public health service of the United States; or**
- 30 (C) **the Veterans Administration.**

31 (7) **A person who has completed the educational and**
32 **preprofessional practice requirements to sit for the licensure**
33 **examination but who has not yet passed the examination, if**
34 **the person practices under the supervision of a dietitian**
35 **licensed under this article for a period of one (1) year after**
36 **completing the licensure education requirements.**

37 (8) **A person who provides nutritional or dietetic information**
38 **based upon information that is available to the public,**
39 **including the following:**

- 40 (A) **Principles of good nutrition and food preparation.**
- 41 (B) **Food to be included in the normal daily diet.**
- 42 (C) **The essential nutrients needed by the body.**

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- 1 **(D) Recommended amounts of the essential nutrients based**
- 2 **on published information, as long as the published**
- 3 **information and source are made available, upon request,**
- 4 **at the time of consultation.**
- 5 **(E) The actions of nutrients on the body.**
- 6 **(F) The effects of deficiencies or excesses of nutrients.**
- 7 **(G) Food and supplements that are good sources of**
- 8 **essential nutrients.**
- 9 **(9) A person who practices dietetics or nutrition care services**
- 10 **for a close relative (as defined by IC 2-7-1-1.7) or a person**
- 11 **living in the same household.**
- 12 **(b) This section does not prohibit a person referred to in**
- 13 **subsection (a) from qualifying for licensure under this article.**
- 14 SECTION 53. IC 25-14.5-7-3 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. ~~(a)~~ A dietitian
- 16 registered by the commission on dietetic registration may use the title
- 17 "registered dietitian" and the designation "RD" but may not profess to
- 18 be a certified dietitian when practicing dietetics in Indiana without
- 19 being certified by the board.
- 20 ~~(b)~~ Nothing in this article may be construed to prohibit or limit any
- 21 person from:
- 22 (1) **publishing information or disseminating published or free**
- 23 information;
- 24 (2) conducting a class or seminar; or
- 25 (3) giving a speech related to nutrition.
- 26 ~~(c)~~ Nothing in this article may be construed to require direct
- 27 third-party reimbursement to persons certified under this article.
- 28 SECTION 54. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1272, 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 13, delete lines 7 through 19.

Page 18, line 32, delete "The board may seek injunctive relief to prohibit any person" and insert "**If:**

(1) the board receives a complaint against a person who is not licensed under this article; and

(2) after review of the complaint, the board believes that further action may be necessary;

the board shall refer the matter to the office of the attorney general for investigation and any necessary legal action."

Page 18, delete lines 33 through 34.

Page 24, line 5, reset in roman "or".

Page 24, line 7, delete "; or" and insert ".".

Page 24, delete line 8.

Page 24, line 28, delete "general nonmedical".

Page 25, between lines 4 and 5, begin a new line block indented and insert:

"(8) A person who provides nutritional or dietetic information based upon information that is available to the public, including the following:

(A) Principles of good nutrition and food preparation.

(B) Food to be included in the normal daily diet.

(C) The essential nutrients needed by the body.

(D) Recommended amounts of the essential nutrients based on published information, as long as the published information and source are made available, upon request, at the time of consultation.

(E) The actions of nutrients on the body.

(F) The effects of deficiencies or excesses of nutrients.

(G) Food and supplements that are good sources of essential nutrients.

(9) A person who practices dietetics or nutrition care services for a close relative (as defined by IC 2-7-1-1.7) or a person living in the same household."

Page 25, line 8, strike "(a)".

Page 25, line 12, delete "Only a person licensed or otherwise".

Page 25, delete lines 13 through 15.

Page 25, line 16, strike "(b)".

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Page 25, line 18, after "(1)" insert "**publishing information or**".

Page 25, line 18, after "disseminating" insert "**published or**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1272 as introduced.)

CLERE, Chair

Committee Vote: yeas 11, nays 0.

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