

Adopted	Rejected
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## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on* Public Health, to which was referred Senate Bill 590, 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:

- 1 Page 5, line 12, strike "may" and insert "**shall**".
- 2 Page 6, line 4, delete "assures" and insert "**ensures**".
- 3 Page 6, line 9, delete "An advanced" and insert "**Advanced**".
- 4 Page 6, line 16, after "and" insert "**be**".
- 5 Page 6, line 21, delete "immediate".
- 6 Page 6, line 21, after "years" insert "**immediately**".
- 7 Page 7, line 12, delete "clinic;" and insert "**clinic at which the**
- 8 **individual will practice;**".
- 9 Page 9, line 6, delete "Except as provided in subsection (i), owns,
- 10 operates,".
- 11 Page 9, line 7, delete "conducts, or maintains a dental practice,
- 12 office, or clinic, or is" and insert "Is".
- 13 Page 11, delete lines 23 through 42, begin a new paragraph and
- 14 insert:
- 15 "SECTION 13. IC 25-14-1-25.5 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2013]: **Sec. 25.5. (a) As used in this section,**  
 3 **"active patient" applies and refers to a person whom the dentist**  
 4 **has examined, treated, cared for, or otherwise consulted with**  
 5 **during the two (2) year period prior to retirement, discontinuation**  
 6 **of practice, or moving from or leaving the community.**

7 **(b) This section does not apply to a dentist engaged solely in an**  
 8 **internship, residency, preceptorship, fellowship, teaching, or other**  
 9 **postgraduate dental education or training program.**

10 **(c) Upon retirement, discontinuation of practice, or leaving or**  
 11 **moving from a community, a dentist shall:**

12 **(1) notify all of the dentist's active patients in writing, or by**  
 13 **publication once a week for three (3) consecutive weeks in a**  
 14 **newspaper of general circulation in the community, that the**  
 15 **dentist intends to discontinue the dentist's practice of**  
 16 **dentistry in the community; and**

17 **(2) encourage the dentist's patients to seek the services of**  
 18 **another dentist.**

19 **(d) The dentist who is retiring, discontinuing practice, or leaving**  
 20 **or moving from a community shall make reasonable arrangements**  
 21 **with the dentist's active patients for the transfer of the dentist's**  
 22 **records, or copies of the records, to the succeeding dentist or, at the**  
 23 **written request of the patient, to the patient, in compliance with**  
 24 **IC 16-39.**

25 **(e) Nothing in this section supersedes the requirements of**  
 26 **IC 16-39.**

27 **(f) A person who intentionally prevents a dentist from**  
 28 **complying with the requirements in this section commits a Class A**  
 29 **misdemeanor.**

30 **(g) The attorney general may enforce this section by bringing a**  
 31 **civil action to enjoin a violation of this section."**

32 Delete page 12.

33 Page 13, delete lines 1 through 7.

34 Page 13, line 16, delete "AS ADDED BY P.L.70-2011," and insert  
 35 "AS AMENDED BY SEA 558-2013, SECTION 88,".

36 Page 13, line 17, delete "SECTION 1,".

37 Page 13, delete line 29.

38 Page 13, between lines 30 and 31, begin a new line block indented

- 1 and insert:
- 2 **"IC 25-14-1-25.5 (Concerning dentists)."**
- 3 Page 13, line 39, delete "land" and insert "professional".
- 4 Page 13, line 40, delete "land" and insert "professional".
- 5 Page 14, line 7, delete "IC 25-23.6-4.7-7 IC 25-23.6-7-7" and insert
- 6 "IC 25-23.6-7-7".
- 7 Renumber all SECTIONS consecutively.  
(Reference is to SB 590 as reprinted February 19, 2013.)

**and when so amended that said bill do pass.**

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Representative Clere