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**TITLE 844 MEDICAL LICENSING BOARD OF INDIANA**

**Administrative Rules Oversight Committee Notice  
60 Day Requirement ([IC 4-22-2-19](#))  
LSA Document #08-71**

April 15, 2008

Honorable Representative Scott Pelath, Chairperson  
Administrative Rules Oversight Committee  
Indiana Legislative Services Agency  
200 West Washington Street, Suite 301  
Indianapolis, IN 46204-2789  
Attn: Allen Morford

RE: LSA Document Number 08-71

Dear Representative Pelath:

On behalf of the Medical Licensing Board of Indiana (Board), Indiana Professional Licensing Agency, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#) which requires an agency to begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule.

The Board published its notice of intent to adopt a rule, LSA document number 08-71, at [20080213-IR-844080071NIA](#), on February 13, 2008, after the required sixty (60) days to allow additional time to study the impact of the legislation following the enactment date prior to any rule promulgation by the Board.

The 2007 legislative changes authorizing a qualified, licensed physician assistant to prescribe was implemented July 1, 2007, by the Physician Assistant Committee (Committee), the effective date of the legislation. It was determined by the Physician Assistant Committee and the Indiana Professional Licensing Agency that at the time of the effective date current practice regulations were adequate to allow physician assistants to apply for and receive the authority to prescribe. In the months following the implementation of prescriptive authority, the Committee has met with interested parties to discuss possible rule changes to enhance the implemented legislation. The proposed rule is a product of those discussions. The proposed rule was approved by the Committee and presented to the Board on January 24, 2008. The Board approved the rule promulgation process to move forward.

The proposed rule amends [844 IAC 2.2](#) to implement 2007 legislative changes to [IC 25-27.5](#) regarding requirements for prescriptive authority for qualified licensed physician assistants. It makes other nonsubstantive changes to [844 IAC 2.2](#) by updating rule language and clarifying requirements. The proposed rule also amends [844 IAC 2.2-1](#) to add definitions relating to anesthesia under [IC 25-27.5-5-4\(f\)](#), amends [844 IAC 2.2-2](#) to add fee requirements for both prescriptive authority and controlled substance registration applications, and finally repeals [844 IAC 2.2-1-1](#) through 5.

Your understanding of these circumstances is greatly appreciated. If you need additional information, please do not hesitate to contact me at 234-2011.

Sincerely,

Michael Rinebold  
Director  
Medical Licensing Board of Indiana

Cc: Frances L. Kelly, Executive Director  
Kristen Kelley, Deputy Director  
Barbara M. McNutt, Chief Counsel

*Posted: 04/30/2008 by Legislative Services Agency*  
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