

Emergency Rule
LSA Document #11-359(E)

DIGEST

Temporarily adds rules concerning the regulation of amateur mixed martial arts, including licensure of promoters and sanctioning bodies. Statutory authority: [IC 4-33-22-18](#). *NOTE: The original emergency document, LSA Document #11-168(E), posted at [20110330-IR-068110168ERA](#), effective March 17, 2011, expired June 15, 2011. Effective June 14, 2011.*

SECTION 1. (a) This SECTION applies to amateur mixed martial arts.

(b) The following definitions apply throughout this document unless otherwise indicated:

(1) "Amateur mixed martial artist" means an individual participating in mixed martial arts under [IC 4-33-22-18](#) who:

(A) has never received a purse or prize with a value greater than one hundred dollars (\$100) in any state, country, or tribal nation; and

(B) does not hold a license as a professional mixed martial artist or professional boxer issued by any state, country, or tribal nation.

(2) "Amateur mixed martial arts bout" means a bout in which only:

(A) mixed martial arts is conducted; and

(B) amateur mixed martial artists participate.

(3) "Amateur mixed martial arts event" means an event in which only a series of amateur mixed martial arts bouts occur.

(4) "Commission" means the Indiana gaming commission.

(5) "Commission representative" means any individual appointed by the executive director or his designee to attend an event for purposes of ensuring compliance with all requirements of [IC 4-33-22](#) and this document.

(6) "Company" means:

(A) a sole proprietorship;

(B) a general partnership;

(C) a corporation;

(D) a limited liability company;

(E) a limited partnership;

(F) a limited liability partnership;

(G) a firm;

(H) a club; or

(I) an association.

(7) "Confirmed positive test result" means a result of a test, conducted in accordance with the procedures in this document, indicating the presence of a prohibited drug.

(8) "Drug" means a substance that is one (1) of the following:

(A) Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official national formulary, or a supplement to one (1) or more of them.

(B) Intended for use in the:

(i) diagnosis;

(ii) cure;

(iii) mitigation;

(iv) treatment; or

(v) prevention;

of disease in humans or other animals.

(C) Intended to affect the structure or a function of the body of a human or other animal, not including food.

(D) Intended for use as a component of another substance described in clause (A), (B), or (C).

(9) "Event" means:

(A) a professional-amateur mixed martial arts match, contest, exhibition, or performance; or

(B) an amateur mixed martial arts match, contest, exhibition, or performance.

(10) "Event physician" means an individual licensed as a physician under [IC 25-22.5](#) who has been:

(A) retained by a promoter; and

(B) approved by the sanctioning body;

to serve as the physician at an event.

(11) "Executive director" means the executive director of the Indiana gaming commission.

(12) "Fighting area" means a:

- (A) roped area; or
- (B) caged area;

in which amateur mixed martial arts bouts are conducted.

(13) "Key person" means any:

- (A) officer;
- (B) director;
- (C) executive;
- (D) employee;
- (E) trustee;
- (F) substantial owner;
- (G) independent contractor; or
- (H) agent;

of a business entity, having the power to exercise, either alone or in conjunction with others, management or operating authority over a business entity or affiliate or affiliates thereof.

(14) "Laboratory" means a health care facility which conducts testing for:

- (A) the presence of antibodies to the human immunodeficiency virus (HIV);
- (B) the presence of the surface antigen of the hepatitis B virus;
- (C) the presence of antibodies to the hepatitis C virus;
- (D) pregnancy; and
- (E) the presence of drugs.

(15) "Officials" means the judges, referees, and timekeepers serving in an official capacity during an event.

(16) "Professional-amateur mixed martial arts event" means an event in which both amateur mixed martial arts bouts and professional mixed martial arts bouts occur.

(17) "Professional mixed martial artist" means a person who:

- (A) has received, has been eligible to receive, or is presently eligible to receive a purse or prize with a value greater than one hundred dollars (\$100) for participating in a mixed martial arts bout or boxing bout in any other state, country, or tribal nation; and
- (B) satisfies the commission's requirements for licensure as a professional mixed martial artist.

(18) "Professional mixed martial arts bout" means a mixed martial arts bout in which only professional mixed martial artists participate.

(19) "Prohibited drugs" means a drug that falls within one (1) of the following classes or types of substances:

- (A) Opiates.
- (B) Methadone.
- (C) Barbiturates.
- (D) Amphetamines.
- (E) Benzodiazepines.
- (F) Propoxyphene.
- (G) Cocaine.
- (H) PCP.

(I) Anabolic steroids.

(J) Performance enhancing drugs.

(K) Any drug identified on the most current edition of the Prohibited List published by the World Anti-Doping Agency.

(L) A drug other than one that has been either:

- (i) purchased legally without a prescription, if a medical professional acting within the scope of his or her license or certification has certified that the drug will not affect the amateur mixed martial artist's ability to participate safely in a bout and the event physician agrees; or
- (ii) obtained by the amateur mixed martial artist under a valid prescription or order of a licensed or certified medical professional acting within the scope of his or her license or certification, if the medical professional has certified that the drug will not affect the amateur mixed martial artist's ability to participate safely in a bout and the event physician agrees.

(20) "Purse" means:

- (A) a monetary payment; or
- (B) any good or service with pecuniary value;

received for participating in a mixed martial arts bout.

(21) "Sanctioning body" means an individual or company licensed by the commission under [IC 4-33-](#)

[22-18](#) and this document, and selected by a promoter, to provide oversight of:

- (A) the amateur mixed martial arts bouts at a professional-amateur mixed martial arts event; and
- (B) an amateur mixed martial arts event.

(22) "Substantial owner" means any:

- (A) person who is not an institutional investor, who holds any direct, indirect, or attributed legal or beneficial interest, and whose combined direct, indirect, or attributed interest is five percent (5%) or more ownership interest in a business entity; or
- (B) institutional investor holding fifteen percent (15%) or more ownership interest in a business entity.

SECTION 2. (a) This SECTION applies to amateur mixed martial arts.

(b) All applications for licensure and renewal are subject to the following nonrefundable, nontransferable fees, which are to be paid to the commission:

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|---|-------|
| (1) Mixed martial arts promoter | \$300 |
| (2) Amateur mixed martial arts sanctioning body | \$500 |

(c) The licenses listed in subsection (b) expire on September 30 of each year.

(d) All licenses must be renewed by paying the renewal fee and submitting the completed appropriate renewal form on or before the expiration date of the license.

(e) If a licensee fails to pay the renewal fee and submit the completed renewal form on or before the expiration date of the license, the license becomes invalid.

(f) For an amateur mixed martial artist to obtain or renew a mixed martial arts national identification card, he or she must pay a nonrefundable, nontransferable fee of ten dollars (\$10) to the commission.

(g) An amateur mixed martial artist must pay to the commission a replacement fee of twenty dollars (\$20) for each replacement mixed martial arts national identification card.

SECTION 3. (a) This SECTION applies to amateur mixed martial arts.

(b) Any individual or company who seeks to act as a promoter for an event must first obtain a license as a promoter from the commission under [IC 4-33-22](#).

(c) An applicant for a promoter's license must submit to the commission the following:

- (1) A completed promoter's application form, as prescribed by the commission.
- (2) A clear photocopy of a current government issued photographic identification card, which affirms that the:

- (A) individual, if the applicant is a sole proprietorship; or
- (B) principal owner, if the applicant is a company;

is at least twenty-one (21) years of age.

(3) One (1) digital photograph of:

- (A) the individual, if the applicant is a sole proprietorship; or
- (B) if the applicant is a company, all substantial owners or key persons, as defined in this document, identified by the executive director or his designee;

which shows head and shoulders only, without a hat, and in a natural pose.

(4) The application fee required under this document.

(5) Any information necessary for the commission to conduct a criminal history background check for the following:

- (A) the individual, if the applicant is a sole proprietorship; or
- (B) if the applicant is a company, all substantial owners or key persons, as defined in this document, identified by the executive director or his designee.

(6) Any additional information requested by the commission which is necessary to determine applicant's suitability to act as a promoter under [IC 4-33-22-18](#) and this document.

SECTION 4. (a) This SECTION applies to amateur mixed martial arts.

(b) Any individual or company who seeks to act as a sanctioning body for an event must first obtain a

license as a sanctioning body from the commission.

(c) An applicant for a sanctioning body license must submit to the commission the following:

- (1) A completed sanctioning body application form, as prescribed by the commission.
- (2) A clear photocopy of a current government issued photographic identification card, which affirms that the:
 - (A) individual, if the applicant is a sole proprietorship; or
 - (B) principal owner, if the applicant is a company;is at least twenty-one (21) years of age.
- (3) One (1) digital photograph of the:
 - (A) individual, if the applicant is a sole proprietorship; or
 - (B) if the applicant is a company, all substantial owners or key persons, as defined in this document, identified by the executive director or his designee;which shows head and shoulders only, without a hat, and in a natural pose.
- (4) The application fee required under this document.
- (5) Any information necessary for the commission to conduct a criminal history background check for:
 - (A) the individual, if the applicant is a sole proprietorship; or
 - (B) if the applicant is a company, all substantial owners or key persons, as defined in this document, identified by the executive director or his designee.
- (6) Any additional information requested by the commission which is necessary to determine applicant's suitability to act as a promoter.

(d) A key person, substantial owner, or employee of a promoter is prohibited from obtaining a license as a sanctioning body.

SECTION 5. (a) This SECTION applies to amateur mixed martial arts.

(b) In addition to items required under SECTION 4 of this document, an applicant for a license as a sanctioning body must provide to the commission its proposed policies, rules, and regulations for providing oversight of an event.

(c) The proposed policies, rules, and regulations required under this SECTION must include:

- (1) The fees to be charged by the applicant for providing oversight at an event.
- (2) The criteria for assigning officials to amateur mixed martial arts bouts at an event.
- (3) Information concerning any training programs or certifications the applicant requires of officials it assigns to an event.
- (4) Identification of the types of actions that will be considered a foul during an amateur mixed martial arts bout.
- (5) Information regarding:
 - (A) weight classes;
 - (B) maximum weight differentials between opponents in different weight classes; and
 - (C) official weigh-in requirements;for amateur mixed martial artists at an event.
- (6) A procedure to ensure the promoter provides adequate security for the protection of the participants at an event.
- (7) A procedure for the administration of screening tests for illegal drugs of amateur mixed martial artists participating at an event.
- (8) A procedure to ensure that professional mixed martial artists do not participate in any amateur mixed martial arts bouts.
- (9) The proposed bout restrictions for nonchampionship and championship bouts, which shall not exceed:
 - (A) three (3) rounds of not more than three (3) minutes duration per round for nonchampionship bouts; and
 - (B) five (5) rounds of not more than three (3) minutes duration per round for championship bouts.
- (10) The proposed mandatory rest period each amateur mixed martial artist must take between competing in each mixed martial arts event, which shall be no fewer than seven (7) days.
- (11) The proposed scoring system to be used by judges of an amateur mixed martial arts bout.
- (12) A requirement that each amateur mixed martial artist competing in an event has obtained a mixed martial arts national identification card from any state, country, or tribal nation recognized by the Association of Boxing Commissions.

- (13) A requirement that no participant in an event is less than eighteen (18) years of age.
- (14) A procedure for approving or denying fight cards.
- (15) A procedure for verifying pre-fight medical tests occur timely.
- (16) A procedure outlining action to be taken against an amateur mixed martial artist who has been found to have a prohibited drug in his or her system.
- (17) A procedure for ensuring that no amateur mixed martial artist participates in an event while under suspension in the website registry certified and operated by the Association of Boxing Commissions.
- (18) A procedure for determining any suspensions against an amateur mixed martial artist which may be issued by the sanctioning body.
- (19) Any information necessary for the commission, the executive director, or the executive director's designee to determine that the sanctioning body is suitable to ensure the integrity of amateur mixed martial arts and the safety of amateur mixed martial artists.

(d) The commission may deny a license to an applicant if the policies and procedures submitted to the commission under this SECTION are insufficient to ensure the safety of amateur mixed martial artists or the integrity of amateur mixed martial arts.

(e) In determining the sufficiency of an applicant's proposed policies, rules, and regulations, paramount consideration will be given to whether the policies, rules, and regulations are likely to adequately ensure the:

- (1) Integrity of amateur mixed martial arts.
- (2) Safety of the amateur mixed martial artists.

(f) A sanctioning body must submit all amendments of the policies and procedures required under this SECTION to the commission for approval.

(g) Failure of a sanctioning body to enforce the policies submitted to and approved by the commission under this SECTION may result in disciplinary action against the sanctioning body under [IC 4-33-22](#), [IC 4-21.5](#), and this document.

SECTION 6. (a) This SECTION applies to amateur mixed martial arts.

(b) A promoter who wishes to promote an event must provide to the commission the following information not fewer than fourteen (14) days before the proposed event:

- (1) The name and license number of the mixed martial arts promoter.
- (2) The proposed date and starting time of the event.
- (3) The name of the venue, including the address, where the event will take place.
- (4) The name of the sanctioning body that will be providing regulatory oversight at the event, including the:
 - (A) name;
 - (B) telephone number; and
 - (C) e-mail address;of the primary contact person for that event.

SECTION 7. (a) This SECTION applies to amateur mixed martial arts.

(b) The promoter of an event must submit to the sanctioning body, by the deadline established by the sanctioning body, the final proposed fight card for the event, including the following information for each amateur mixed martial artist:

- (1) Name.
- (2) Mixed martial arts national identification number.
- (3) Laboratory results, not more than one (1) year old from the date of the event, affirming the negative test results of the amateur mixed martial artist for:
 - (A) antibodies to the human immunodeficiency virus (HIV);
 - (B) the surface antigen of the hepatitis B virus; and
 - (C) antibodies to the hepatitis C virus.
- (4) A written statement from a licensed physician, not more than one (1) year old from the date of the event the amateur mixed martial artist seeks to participate in, affirming that the amateur mixed martial artist has undergone a thorough medical examination and is physically fit and qualified to participate in amateur mixed martial arts. This examination must take place at the office of the

licensed physician. Pre-bout physicals required under SECTION 9 of this document do not satisfy this requirement.

(5) For female amateur mixed martial artists:

(A) laboratory results, not more than five (5) days old from the date of the event, affirming the negative test results for pregnancy; or

(B) two (2) negative over-the-counter pregnancy tests, taken by the mixed martial artist, and approved by the sanctioning body and the event physician, on-site at the event.

(c) The sanctioning body must notify the commission immediately if the promoter has failed to submit any information required by this document by the sanctioning body's required deadline.

(d) An amateur mixed martial artist who fails to have the documentation required under this SECTION on file with the sanctioning body shall not be permitted to participate in a mixed martial arts bout.

SECTION 8. (a) This SECTION applies to amateur mixed martial arts.

(b) There must be present at each event a minimum of one (1) event physician licensed under [IC 25-22.5](#) who has been:

(1) selected by the promoter; and

(2) approved by the sanctioning body.

(c) The sanctioning body, at its discretion, may require the promoter to provide additional licensed physicians for the event.

(d) An event physician must be present directly outside the fighting area to provide immediate emergency medical care at all times a bout is in progress.

(e) An event physician must:

(1) enter the fighting area immediately after the conclusion of a bout to examine each amateur mixed martial artist; and

(2) recommend to the sanctioning body any medical suspensions for the amateur mixed martial artists that the physician determines appropriate.

SECTION 9. (a) This SECTION applies to amateur mixed martial arts.

(b) When scheduled to participate in an amateur mixed martial arts bout, an amateur mixed martial artist must be examined by the event physician no more than two (2) hours prior to the scheduled start time of the event.

(c) If the event physician so finds, he or she must certify, in writing, over his or her signature, that the amateur mixed martial artist is physically fit to participate in the event. The event physician's certification of physical fitness to participate must be delivered to a sanctioning body representative before the event.

(d) An amateur mixed martial artist who fails to obtain the event physician's certification of physical fitness required under this SECTION shall not be permitted to participate in a mixed martial arts bout.

SECTION 10. (a) This SECTION applies to amateur mixed martial arts.

(b) The promoter of an event must provide:

(1) a minimum of one (1) advanced life support ambulance, fully equipped in accordance with [836 IAC 2](#); and

(2) medical personnel to staff said ambulance who are certified under [IC 16-31-3](#) to provide advanced life support patient care;

to be present on-site at all times to provide emergency medical services to the event participants while a bout is in progress.

(c) Certified medical personnel from the ambulance must be present directly outside the fighting area with all equipment required by the current protocols established by the medical director, as defined in [836 IAC 1](#), to provide immediate emergency medical care at all times while a bout is in progress.

(d) The sanctioning body must ensure that the proposed venue for the event is an appropriate

distance from a hospital with a full-time emergency department and treatment facilities, as is determined by the sanctioning body.

SECTION 11. (a) This SECTION applies to amateur mixed martial arts.

(b) The promoter of an event must obtain:

(1) medical benefit coverage for each amateur mixed martial artist participating in an amateur mixed martial arts bout in an amount not less than five thousand dollars (\$5,000), which shall provide for medical, surgical, and hospital care for injuries sustained by the amateur mixed martial artist while participating in the bout; and

(2) accidental death benefit coverage for each amateur mixed martial artist participating in an amateur mixed martial arts bout in an amount not less than five thousand dollars (\$5,000), which shall be paid to the amateur mixed martial artist's estate in the event of the amateur mixed martial artist's death resulting from participation in the bout.

(c) Deductibles for the required medical benefit coverage must be paid by the promoter.

(d) The promoter must submit proof to the sanctioning body, by the deadline established by the sanctioning body, that the required medical and accidental death benefit coverage required under this SECTION has been obtained for each amateur mixed martial artist participating in an amateur mixed martial arts bout.

SECTION 12. (a) This SECTION applies to amateur mixed martial arts.

(b) There must be present at each event at least one (1) representative from the sanctioning body to provide for the on-site regulation of the event.

(c) The sanctioning body may send as many representatives as it determines is necessary.

(d) Each sanctioning body representative assigned to an event under this SECTION must be responsible for ensuring that all provisions of [IC 4-33-22-18](#) and this document are strictly observed.

(e) The executive director or his designee may appoint a commission representative to be present at an event for purposes of ensuring compliance with [IC 4-33-22](#) and this document.

(f) Commission representatives must be admitted free of charge, upon presentation of credentials issued by the commission, to an event.

(g) Fighting area apron seats must be provided to commission representatives who have been assigned by the executive director or his designee to observe the event.

(h) The sanctioning body representative or commission representative assigned to an event may cancel or delay the event if it does not meet the requirements of [IC 4-33-22-18](#) or this document.

SECTION 13. (a) This SECTION applies to amateur mixed martial arts.

(b) For each event at which a sanctioning body is responsible for providing on-site regulation, the sanctioning body must file with the commission a completed event report on forms prescribed by the commission, within five (5) business days of the conclusion of the event.

SECTION 14. (a) This SECTION applies to amateur mixed martial arts.

(b) The following may not act as an event official for an amateur mixed martial arts bout if they hold a promoter's license in Indiana:

(1) A sole proprietor.

(2) A company's:

(A) principal owner;

(B) substantial owner;

(C) key person;

(D) employee; or

(E) agent.

SECTION 15. (a) This SECTION applies to amateur mixed martial arts.

(b) An amateur mixed martial artist is not permitted to participate at an event if the amateur mixed martial artist has a prohibited drug in his or her possession or control.

(c) The sanctioning body may order an amateur mixed martial artist scheduled to participate at an event to submit a test for the detection of a prohibited drug.

(d) Each amateur mixed martial artist participating in a championship amateur mixed martial arts bout must submit to a test for prohibited drugs.

(e) On the day of the event, a representative of the sanctioning body will inform the amateur mixed martial artist that he or she has been selected for a test. The amateur mixed martial artist must submit to a test at the conclusion of the bout.

(f) An amateur mixed martial artist may not refuse to submit to a test ordered under this document. An amateur mixed martial artist will be found to have failed the test if he or she refuses to submit to the testing procedures under this document.

SECTION 16. (a) This SECTION applies to amateur mixed martial arts.

(b) If an amateur mixed martial artist has:

(1) a confirmed positive drug test result from a sample taken immediately following the amateur mixed martial artist's bout; or

(2) failed to submit to a test;

and was declared the winner of the bout, the official bout result shall be changed to no contest.

(c) If an amateur mixed martial artist has:

(1) a confirmed positive drug test result from a sample taken immediately following the amateur mixed martial artist's bout; or

(2) failed to submit to a test;

and was declared the loser of the bout, the official bout result shall remain unchanged.

SECTION 17. (a) This SECTION applies to amateur mixed martial arts.

(b) A promoter must register each event with the website registry certified or operated by the Association of Boxing Commissions prior to the start of the event.

SECTION 18. (a) This SECTION applies to amateur mixed martial arts.

(b) The sanctioning body responsible for providing oversight of an event must:

(1) Ensure the provisions of [IC 4-33-22-18](#) and this document are enforced.

(2) Immediately advise the commission in the event the sanctioning body or a promoter violates a provision of [IC 4-33-22-18](#) or this document.

(3) Provide the commission with the final fight card prior to the start of the event.

(4) Submit the:

(A) official results for all amateur mixed martial arts bouts; and

(B) recommended medical and nonmedical suspensions of any amateur mixed martial artist; to the commission one (1) business day after the event for entry into the website registry certified or operated by the Association of Boxing Commissions.

(c) Failure of the sanctioning body or promoter to comply with the provisions of [IC 4-33-22-18](#) and this document may result in:

(1) Cancellation of:

(A) a professional-amateur mixed martial arts event; or

(B) an amateur mixed martial arts event.

(2) Disciplinary action, including license suspension, revocation, or denial under [IC 4-33-22](#) and [IC 4-21.5](#).

SECTION 19. (a) This SECTION applies to amateur mixed martial arts.

(b) The executive director or the commission may approve deviations from the provisions of this document if the executive director or the commission determines that the:

- (1) procedure or requirement is impractical or burdensome; and**
- (2) alternative means of satisfying the procedure or requirement:**
 - (A) fulfill the purpose of the document;**
 - (B) are in the best interest of the public and the mixed martial arts industry in Indiana; and**
 - (C) do not violate [IC 4-33-22](#).**

(c) If a licensee wishes to request a deviation from the provisions of this document, the licensee must do so in writing.

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