

Notice of First Public Comment Period

LSA Document #24-114

REQUIREMENTS TO PRACTICE AS A FORENSIC NURSE; CONTINUING EDUCATION

PURPOSE OF NOTICE

The Indiana State Board of Nursing (board) is soliciting public comment on adding rules at [848 IAC 1-2-25](#) concerning requirements to practice as a forensic nurse, and continuing education for forensic nurses. The board seeks comment on the affected citations listed and any other provisions of Title 848 that may be affected by this rulemaking.

CITATIONS AFFECTED: [848 IAC 1-2-25](#)

AUTHORITY: [IC 25-23-1-35](#)

OVERVIEW

Basic Purpose and Background

The forensic nurse license is a new license type created by [IC 25-23-1-35](#), which outlines the requirements for individuals to practice as a forensic nurse. The statute requires that individuals who wish to practice as a forensic nurse complete a biennial forensic nursing educational program. The statute requires the board to determine the criteria and requirements for biennial continuing education for a sexual assault nurse examiner, which is why the board needs to promulgate a rule.

For purposes of [IC 4-22-2-28.1](#), small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

Elizabeth Walker
Small Business Regulatory Coordinator
Indiana Professional Licensing Agency
402 West Washington Street, Room W072
Indianapolis, IN 46204
(317) 234-2912
elwalker@pla.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Matthew Jaworowski
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 650-0126
majaworowski@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

REQUEST FOR PUBLIC COMMENTS

At this time, the board is soliciting public comments on the proposed rule. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

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Nick Hart, JD
402 West Washington Street, Room W072
Indianapolis, IN 46204

(2) By electronic mail to nhart@pla.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.**

(3) Attend scheduled public hearing.

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than May 3, 2024.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the office of the Indiana Professional Licensing Agency.

If the board does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

ADDITIONAL DOCUMENTS

Regulatory Analysis: [20240403-IR-848240114RAA](#)

Notice of Public Hearing: [20240403-IR-848240114PHA](#)

PROPOSED RULE

SECTION 1. [848 IAC 1-2-25](#) IS ADDED TO READ AS FOLLOWS:

[848 IAC 1-2-25](#) Requirements to practice as a forensic nurse; continuing education

Authority: [IC 25-23-1-35](#)

Affected: [IC 25-23-1-35](#)

Sec. 25. (a) For purposes of [IC 25-23-1-35\(a\)\(2\)\(B\)](#), "substantially equivalent" means:

- (1) an out-of-state sexual assault nurse examiner (SANE) training program offering didactic and clinical components meeting the requirements of [IC 25-23-1-35\(a\)\(2\)\(A\)](#);
- (2) a graduate degree program in forensic nursing, offering clinical and didactic components meeting the requirements of [IC 25-23-1-35\(a\)\(2\)\(A\)](#); or
- (3) a SANE training course approved by the International Association of Forensic Nurses in addition to clinical components meeting the requirements of [IC 25-23-1-35\(a\)\(2\)\(A\)](#).

(b) A candidate program intending to apply for board approval shall submit a completed application on forms provided by the board, and request an appearance before the board. The application must include evidence of resources necessary to start a program, including:

- (1) the address for the program;
- (2) the identities and qualifications of faculty;
- (3) curriculum requirements; and
- (4) the number of clinical and didactic hours in the program.

(c) After an appearance with the candidate program, the board shall approve or disapprove the application for program approval based on evidence:

- (1) submitted in the application; and
- (2) presented at the board appearance.

(d) This subsection applies to individuals whose registered nurse license has not been renewed since submitting a certificate of completion of a SANE training program as follows:

- (1) For an individual who submitted an initial proof of completion of a SANE program less than twelve (12) months before the expiration date of their underlying registered nurse license, continuing education is not required.
- (2) For an individual who submitted an initial proof of completion of a SANE program at least twelve (12) months before the expiration date of their underlying registered nurse license, the individual shall submit proof of completion of at least six (6) contact hours of continuing education along with their registered nurse renewal application.

(e) This subsection applies to an individual whose underlying registered nurse license has been renewed at least once since submitting a certificate of completion of a SANE program. The individual shall submit proof of completion of twelve (12) contact hours of continuing education along with their registered nurse renewal application.

(f) Contact hours of continuing education must be approved by a nationally approved sponsor of continuing education for nurses and be relevant to the practice of a forensic nurse, as determined by the board.

(Indiana State Board of Nursing; [848 IAC 1-2-25](#))

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