

# **TITLE 810 INDIANA PROFESSIONAL LICENSING AGENCY**

## **ARTICLE 1. PILOT PROGRAM FOR STATE REGISTRATION OF PRIVATELY CERTIFIED INDIVIDUALS**

### **Rule 1. Pilot Program for State Registration of Privately Certified Individuals**

#### **810 IAC 1-1-1 Scope**

Authority: IC 25-1-5.5-5

Affected: IC 25-1-5.5

Sec. 1. This rule establishes the process to implement a pilot program for state registration of privately certified individuals including the process for approval, removal, and listing of supporting organizations and certified individuals on an electronic registry. (*Indiana Professional Licensing Agency; 810 IAC 1-1-1; filed Aug 10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA*)

#### **810 IAC 1-1-2 Definitions**

Authority: IC 25-1-5.5-5

Affected: IC 25-1-5.5

Sec. 2. (a) The definitions in IC 25-1-18 [*IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.*] and this section apply throughout this rule.

(b) "Pilot program" means a pilot program established by the agency to approve and remove supporting organizations and to approve, remove, and list on an electronic registry certified individuals. (*Indiana Professional Licensing Agency; 810 IAC 1-1-2; filed Aug 10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA*)

#### **810 IAC 1-1-3 Supporting organization application process and provision of list of members**

Authority: IC 25-1-5.5-5

Affected: IC 25-1-5.5

Sec. 3. A supporting organization shall submit an application on a form provided by the agency, which at a minimum shall include the information required by IC 25-1-18-12 [*IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.*] (*Indiana Professional Licensing Agency; 810 IAC 1-1-3; filed Aug 10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA*)

#### **810 IAC 1-1-4 Individual application process; fee**

Authority: IC 25-1-5.5-5

Affected: IC 25-1-5.5

Sec. 4. (a) An individual shall submit an application on a form provided by the agency, which shall at a minimum include the information required by IC 25-1-18-14 [*IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.*] and pay the required fee of fifty dollars (\$50) or a renewal fee of twenty-five dollars (\$25) and provide a copy of the individual's appropriate certification or credential.

(b) The agency shall notify a supporting organization of the name of any individual applicant purporting to be certified or credentialed by the supporting organization before the individual is placed on the registry. The supporting organization shall notify the agency in writing within ten (10) days of the notice if the individual is not certified or credentialed by the supporting organization.

(c) The agency shall furnish to each supporting organization at least quarterly a list of those individuals placed on the registry who are designated as being certified or credentialed by the supporting organization. The supporting organization shall notify the agency in writing within ten (10) days of notice if the individual is not certified or credentialed by the supporting organization.

(d) If a supporting organization notified the agency that an individual is not certified or credentialed by the supporting organization, the individual shall be removed from the registry. (*Indiana Professional Licensing Agency; 810 IAC 1-1-4; filed Aug*

10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA)

**810 IAC 1-1-5 Cancellation of approval of the supporting organization**

Authority: IC 25-1-5.5-5

Affected: IC 4-21.5; IC 25-1-5.5

Sec. 5. (a) The agency shall receive notice of and review any change in:

(1) an approved supporting organization's requirements for certification or credentialing of individuals; or

(2) the scope of practice of the occupation to which the approved supporting organization relates.

(b) Changes to a supporting organization's requirements for certification or changes to the scope of practice of the occupation to which the approved supporting organization relates shall be sent to the agency for review within ten (10) business days of the changes.

(c) A supporting organization's approval may be canceled for any reason for which a supporting organization seeking approval may be denied approval pursuant to IC 25-1-18-12 *[IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.]*. The agency shall provide written notification by certified mail to the supporting organization listed all reasons for its disqualification.

(d) If the executive director decides to cancel a supporting organization's approval, the supporting organization may appeal to the committee. The committee, by an affirmative vote of two-thirds (2/3) of the members, may reverse a determination made by the executive director.

(e) An action of the committee reversing the determination of the executive director under this subsection is a final agency action for purposes of IC 4-21.5.

(f) A supporting organization that is aggrieved by an action taken under IC 25-1-18 *[IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.]* has a right of review of the action under the procedures provided in IC 4-21.5. (*Indiana Professional Licensing Agency; 810 IAC 1-1-5; filed Aug 10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA*)

**810 IAC 1-1-6 Removal of individual from registry**

Authority: IC 25-1-5.5-5

Affected: IC 4-21.5; IC 25-1-5.5

Sec. 6. (a) The agency may remove an individual from the registry if:

(1) the individual does not meet the eligibility requirements set forth in IC 25-1-18-14(b) *[IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.]*;

(2) the supporting organization that awarded the certification or credential to the individual has lost its approval; or

(3) the office of the attorney general submits a written request to the agency to remove the individual from the registry because the individual poses a risk to the health, safety, or welfare of the public.

(b) The agency shall take whatever reasonable action it deems necessary to verify subsections *[subsection]* (a)(1), (a)(2), or (a)(3).

(c) If the executive director decides to remove an individual from the registry, the individual may appeal to the committee. The committee, by an affirmative vote of two-thirds (2/3) of the members, may reverse a determination of the executive director.

(d) An action by the committee reversing the determination of the executive director under this subsection is a final agency action for purposes of IC 4-21.5.

(e) An individual who is aggrieved by an action taken under IC 25-1-18 *[IC 25-1-18 was repealed by P.L.130-2018, SECTION 98, effective March 16, 2018.]* has a right of review of the action under the procedure provided by IC 4-21.5. (*Indiana Professional Licensing Agency; 810 IAC 1-1-6; filed Aug 10, 2016, 1:41 p.m.: 20160907-IR-810150373FRA*)

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