

TITLE 847 STATE BOARD OF MASSAGE THERAPY

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Rule 1. Definitions

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847 IAC 1-1-1 Applicability

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-21.8](#)

Sec. 1. The definitions in this rule apply throughout this title. (*State Board of Massage Therapy; 847 IAC 1-1-1; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#)*)

847 IAC 1-1-2 "Board" defined (Repealed)

Sec. 2. (*Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#)*)

847 IAC 1-1-3 "Certificate holder" defined (Repealed)

Sec. 3. (*Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#)*)

847 IAC 1-1-4 "Client" defined

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-21.8](#)

Sec. 4. "Client" means a person:

- (1) requesting;
- (2) receiving; or
- (3) who has received;

massage therapy. (*State Board of Massage Therapy; 847 IAC 1-1-4; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#)*)

847 IAC 1-1-5 "Draping" defined

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 5. "Draping" means covering a client with an opaque material that is sufficiently large to protect the client's personal privacy. (*State Board of Massage Therapy*; 847 IAC 1-1-5; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-1-6 "Licensing agency" defined (Repealed)

Sec. 6. (*Repealed by State Board of Massage Therapy*; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

847 IAC 1-1-7 "Massage therapist" defined (Repealed)

Sec. 7. (*Repealed by State Board of Massage Therapy*; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

847 IAC 1-1-8 "Massage therapy" defined (Repealed)

Sec. 8. (*Repealed by State Board of Massage Therapy*; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

847 IAC 1-1-9 "On-site massage therapy" defined

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 9. "On-site massage therapy" means the provision of massage therapy services at a place other than the licensee's usual place of practice, or the place of practice in which the licensee is employed, but instead at a site mutually agreed upon by the massage therapist and the client. (*State Board of Massage Therapy*; 847 IAC 1-1-9; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

Rule 2. Standards for Competent Practice

847 IAC 1-2-1	Purpose
847 IAC 1-2-2	General requirements
847 IAC 1-2-3	Client assessment and consent
847 IAC 1-2-4	Confidentiality of client information
847 IAC 1-2-5	Boundaries; ethical conduct; sexual misconduct
847 IAC 1-2-6	Environment
847 IAC 1-2-7	Reporting violations

847 IAC 1-2-1 Purpose

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 1. This rule establishes standards for the competent practice of massage therapy. (*State Board of Massage Therapy*; 847 IAC 1-2-1; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-2-2 General requirements

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-1-11](#); [IC 25-21.8](#)

Sec. 2. (a) A license holder, in the conduct of the license holder's practice of massage therapy, shall do the following:

(1) Comply with the following:

(A) This rule.

(B) The professional licensing standards of practice set forth in [IC 25-1-11](#) and [IC 25-21.8](#).

(C) The legal requirements of the city, town, or other jurisdiction where massage therapy is practiced.

(2) Practice massage therapy within the scope of the massage therapist's education and training and not misrepresent professional qualifications relating to:

(A) licensure;

(B) education;

(C) experience; and

(D) areas of competence.

(3) Practice massage therapy with that level of care, skill, and treatment recognized by a reasonably prudent massage therapist as being acceptable under similar circumstances and conditions.

(4) Acknowledge the limitations and contraindications of massage therapy.

(b) A license holder, in the conduct of the license holder's practice of massage therapy, shall not do the following:

(1) Delegate massage therapy responsibilities to a person who is not qualified.

(2) Encourage or permit another person to use:

(A) the title "Certified Massage Therapist", "Massage Therapist", "Licensed Massage Therapist", "Medical Massage Therapist", "Clinical Massage Therapist", "Masseuse", "Masseur", "Bodyworker", "Muscle Mechanic", or a similar term; or

(B) the abbreviation "CMT", "MT", "LMT", "MMT", or other words, letters, abbreviations, or insignia to imply that the individual is a licensed massage therapist or practices massage therapy;

if such person is not licensed under this article.

(3) Knowingly allow another person to use the license holder's license.

(c) A license holder that advertises massage therapy services in any medium, public or private, in a written, electronic, televised, or audio form, shall do so in the following manner:

(1) The advertisement shall include:

(A) the massage therapist's name; and

(B) the massage therapist's license number.

(2) The advertisement shall be:

(A) accurate;

(B) free of deception;

(C) free of fraud; and

(D) representative of the services that can be provided.

(d) If the massage therapist is providing on-site massage therapy, the massage therapist will have in their possession a copy of proof of licensure for presentation on demand. (*State Board of Massage Therapy; 847 IAC 1-2-2; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))*

847 IAC 1-2-3 Client assessment and consent

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 3. (a) Prior to providing massage therapy, the license holder shall obtain the following from the client:

(1) Information about the reasons and expectations for the massage therapy session.

- (2) Health history and current health status to determine the indications and contraindications for the application of massage therapy.
- (3) Voluntary and informed consent, either oral, written, or electronic, for the agreed upon massage therapy services.
- (4) Consent of a parent or guardian for any massage therapy services to be provided to a client less than eighteen (18) years of age.
- (b) The license holder shall do the following:
 - (1) Request from the client only information that is relevant to the professional client-massage therapist relationship.
 - (2) Display a fee schedule or discuss fees and payment with the client prior to providing massage therapy services.
 - (3) Maintain documentation for each massage therapy session, when practicable, including the following:
 - (A) The date of service.
 - (B) Client assessment.
 - (C) Nature of treatment and services provided.
 - (D) Treatment plan, when applicable.
 - (4) Refer the client to a licensed health care professional when appropriate.
 - (5) Respect the client's right to refuse, modify, or terminate services at any point, regardless of the client's prior consent.
- (c) The license holder shall not do the following:
 - (1) Massage the breasts of a female client unless the license holder has:
 - (A) training in techniques related to therapeutic massage of mammary tissue; and
 - (B) first obtained informed written or electronic consent for the treatment from the client.
 - (2) Perform pregnancy massage unless the license holder has:
 - (A) training in techniques related to pregnancy or prenatal massage; and
 - (B) first obtained informed written or electronic consent for the treatment from the client.
 - (3) Perform therapies done in the mouth or ears unless the license holder has:
 - (A) training in techniques related to therapeutic massage of the interior of the mouth or ears; and
 - (B) first obtained informed written or electronic consent for the treatment from the client.

(State Board of Massage Therapy; 847 IAC 1-2-3; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-2-4 Confidentiality of client information

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 4. The license holder shall do the following:

- (1) Maintain the confidentiality of client information at all times and not disclose the client's identity or other information unless the release of information is:
 - (A) consented to in writing by the client;
 - (B) required for purposes of immediate medical treatment of the client by a third party; or
 - (C) required by law.
- (2) Maintain client files and business records, including accurate financial records, for at least six (6) years from the date of service and in a manner that secures client confidentiality.
- (3) Dispose of client records in a secure manner that prevents disclosure of personal information.

(State Board of Massage Therapy; 847 IAC 1-2-4; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-2-5 Boundaries; ethical conduct; sexual misconduct

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

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Sec. 5. (a) When providing massage therapy, a license holder shall do the following:

- (1) Wear clothing that is clean, modest, and professional.
- (2) Provide privacy for the client while the client is dressing and undressing.
- (3) Provide draping in a manner that ensures the safety, comfort, and privacy of the client.
- (4) Use draping so that the:
 - (A) gluteal cleft and genital areas of male and female clients; and
 - (B) breasts of female clients;

are not exposed.

(b) Draping is not required when the client remains fully clothed during the massage therapy session.

(c) With prior voluntary and informed consent of the client, the gluteal cleft and breast draping may be temporarily moved in order to perform therapeutic treatment to structures in those areas.

(d) A license holder shall not do the following:

- (1) Perform massage therapy while under the influence of alcohol, drugs, or controlled substances, except for prescribed medications that do not impair the massage therapist's ability to perform massage therapy.
- (2) Engage in any behavior with a client that is verbally, physically, or emotionally abusive.
- (3) Exert influence or take unfair advantage of a client for financial or other gain.
- (4) Exploit the client-massage therapist relationship.
- (5) Engage in sexual activity with a client:
 - (A) during a massage therapy session;
 - (B) at an establishment where massage therapy is conducted; or
 - (C) at any on-site location where massage therapy is being conducted.
- (6) Permit any other person to engage in sexual activity with a client:
 - (A) during a massage therapy session;
 - (B) at an establishment where massage therapy is conducted; or
 - (C) at any on-site location where massage therapy is being conducted.
- (7) Initiate, agree to, or ask the client to engage in sexual activity or behave verbally or nonverbally in a manner intended to solicit sexual activity with a client.
- (8) Expose, touch, or massage the genitalia of a client.
- (9) Enter a client's bodily orifices, external body hole, or opening with any device, apparatus, tool, or body part at any time during a massage therapy session, with the exception of therapy done in the mouth or ears pursuant to consent from the client:
 - (A) during a massage therapy session;
 - (B) at an establishment where the individual practices massage; or
 - (C) at any on-site location where the massage therapy is conducted.

(e) A license holder may:

- (1) terminate a massage therapy session; or
- (2) refuse to treat any person or part of the body;

for just and reasonable cause. (*State Board of Massage Therapy; 847 IAC 1-2-5; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))*

847 IAC 1-2-6 Environment

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 16-41-11-4](#); [IC 25-21.8](#)

Sec. 6. A license holder shall do the following:

- (1) Provide an environment that is safe, clean, and comfortable for the client.
- (2) Maintain all facilities, equipment, and products used in the practice of massage therapy in a safe, clean, and sanitary condition.

- (3) Comply with the legal requirements of the city, town, or other jurisdiction for sanitation, health, and safety that are applicable to the location or establishment where massage therapy is conducted.
- (4) Utilize proper hygienic practices that, at a minimum, include the following:
 - (A) Hand washing before and after each client.
 - (B) Storing and dispensing products in a manner that prevents contamination.
 - (C) Using only materials furnished for the personal use of the client during treatment, including towels, linens, or gowns, that:
 - (i) have been laundered and sanitized before reuse; or
 - (ii) are single-use items disposed of after each use.
- (5) Use universal precautions if required by [IC 16-41-11-4](#) and in accordance with rules adopted by the Indiana department of health at 410 IAC 1-4.

(State Board of Massage Therapy; 847 IAC 1-2-6; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-2-7 Reporting violations

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-21.8](#)

Sec. 7. (a) The license holder shall notify the board or other appropriate authorities of any violations of [IC 25-21.8](#) or this article of which the license holder has personal knowledge.

(b) The license holder shall cooperate, within the limits of the law, with any investigative proceedings of alleged violations of [IC 25-21.8](#) or this article. *(State Board of Massage Therapy; 847 IAC 1-2-7; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))*

Rule 3. Certification

847 IAC 1-3-1	Requirements for certification (Repealed)
847 IAC 1-3-2	Education and training (Repealed)
847 IAC 1-3-3	Examination required for certification (Repealed)
847 IAC 1-3-4	Certification by endorsement (Repealed)
847 IAC 1-3-5	Notification of changes
847 IAC 1-3-6	Certification expiration and renewal (Repealed)
847 IAC 1-3-7	Reinstatement of delinquent certificate (Repealed)

847 IAC 1-3-1 Requirements for certification (Repealed)

Sec. 1. *(Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))*

847 IAC 1-3-2 Education and training (Repealed)

Sec. 2. *(Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))*

847 IAC 1-3-3 Examination required for certification (Repealed)

Sec. 3. *(Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))*

847 IAC 1-3-4 Certification by endorsement (Repealed)

Sec. 4. (Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

847 IAC 1-3-5 Notification of changes

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-21.8](#)

Sec. 5. Each license holder is responsible for submitting a change of address or change of name to the board not later than thirty (30) days after the change occurs. (State Board of Massage Therapy; 847 IAC 1-3-5; filed Jan 13, 2009, 11:54 a.m.: [20090211-IR-847080351FRA](#); readopted filed Nov 20, 2015, 3:30 p.m.: [20151216-IR-847150225RFA](#); readopted filed Nov 5, 2021, 8:41 a.m.: [20211201-IR-847210378RFA](#); filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-3-6 Certification expiration and renewal (Repealed)

Sec. 6. (Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

847 IAC 1-3-7 Reinstatement of delinquent certificate (Repealed)

Sec. 7. (Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

Rule 4. Compliance with Standards; Failure to Comply (Repealed)

(Repealed by State Board of Massage Therapy; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#))

Rule 5. Continuing Education Requirements

[847 IAC 1-5-1](#)

General continuing education requirements

[847 IAC 1-5-2](#)

"Continuing education activities" defined

847 IAC 1-5-1 General continuing education requirements

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-1-4](#); [IC 25-1-11](#); [IC 25-21.8-6](#)

Sec. 1. (a) A minimum of twenty-four (24) hours of continuing education activities are required for the quadrennial renewal period, which must include two (2) hours in ethics, which may include boundaries and safety.

(b) Only activities that have been approved under this article will be accepted as credit for license renewal.

(c) Continuing education hours:

(1) must be obtained within the quadrennial renewal period; and

(2) may not be carried over from one (1) renewal period to another.

(d) If a license is valid for:

(1) twelve (12) months or less, no continuing education activity is required;

(2) thirteen (13) to twenty-four (24) months, twelve (12) hours are required;

(3) twenty-five (25) months to thirty-six (36) months, eighteen (18) hours are required; or

(4) thirty-seven (37) months to forty-eight (48) months, twenty-four (24) hours are required;

for renewal.

(e) Audits for compliance with continuing education requirements and actions regarding noncompliance will be conducted as provided for in [IC 25-1-4](#).

(f) Continuing education activities ordered by the board pursuant to a disciplinary proceeding held under to [sic] [IC 25-1-11](#) may not be counted towards the quadrennial requirement.

(g) Indiana massage therapy license holders that hold a current Board Certification in Therapeutic Massage and Bodywork (BCTMB) credential issued by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) can submit that credential identification for meeting Indiana requirements for continuing education. (State Board of Massage Therapy; 847 IAC

1-5-1; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-5-2 "Continuing education activities" defined

Authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-1-4-0.2](#); [IC 25-21.8-6](#)

Sec. 2. (a) Continuing education subject matter for massage therapists should be educational and relating directly to the theory or clinical application of massage therapy and bodywork for the betterment of performance and public safety. The continuing education hours may be from the following topics:

- (1) Massage and bodywork techniques.
- (2) Use of thermal modalities, topical preparations, and mechanical assistive devices/appliances.
- (3) Stretching and gymnastics that lengthen and shorten soft tissues.
- (4) Posture and movement assessment.
- (5) Anatomy and physiology of the human body.
- (6) Kinesiology of the human body.
- (7) Pathology of the human body.
- (8) Cultural competency.
- (9) Body mechanics.
- (10) Somatic education.
- (11) CPR/first aid.
- (12) Sanitation, communicable disease control, and universal and standard precaution.
- (13) Medication.
- (14) Research in the field of the massage therapy profession.
- (15) Professional ethics, boundaries, safety, or communication.
- (16) Indiana state law and rules as it pertains to the massage therapy profession.
- (17) Management, administration, or supervision of a business practice, which:
 - (A) relates directly to the operation of a massage therapy business.
 - (B) does not include instruction on computer skills; and
 - (C) is limited to three (3) hours per quadrennium.
- (18) Any other subject approved by the board.

(b) The board may approve continuing education activities if it determines that the activity:

- (1) contributes directly to professional education;
- (2) relates directly to the practice, management, or education of massage therapy practitioners; and
- (3) is conducted by individuals who have demonstrated expertise in the subject matter of the program.

(c) As used in this rule, "continuing education activities" must be at least one (1) hour in length, be relevant to the practice of massage therapy, and include the following:

- (1) Formally organized courses.
- (2) Workshops.
- (3) Seminars.
- (4) Symposia.
- (5) Home study correspondence course programs, or distance learning, including approved computer, audio, and video instructional programs, such as webinars and streamed programs, designed by board-approved organizations and subject to board verification and approval procedures.
- (6) Approved for credit courses that are related to the practice of massage therapy from an approved organization as defined in [IC 25-1-4-0.2](#).
- (d) The following conversion will be used for continuing education credit:
 - (1) One (1) semester hour equals fifteen (15) continuing education hours.
 - (2) One (1) quarter hour equals ten (10) continuing education hours.
 - (3) One (1) trimester hour equals twelve and one-half (12 1/2) continuing education hours.

(State Board of Massage Therapy; 847 IAC 1-5-2; filed Jun 13, 2022, 9:49 a.m.: [20220713-IR-847210507FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

Rule 6. Convictions of Concern

847 IAC 1-6-1	Scope
847 IAC 1-6-2	Issuance of license
847 IAC 1-6-3	Authority to issue license on probation
847 IAC 1-6-4	Convictions of concern
847 IAC 1-6-5	Convictions in another jurisdiction
847 IAC 1-6-6	Prelicensure determinations; fee

847 IAC 1-6-1 Scope

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-1-1.1-6](#); [IC 25-28.1](#)

Sec. 1. This rule implements [IC 25-1-1.1-6](#) regarding convictions of concern, which may disqualify an individual for licensure, and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license issued under [IC 25-28.1](#). (State Board of Massage Therapy; 847 IAC 1-6-1; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-6-2 Issuance of license

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-1-1.1-6](#); [IC 25-28.1](#)

Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in [IC 25-1-1.1-6\(h\)](#). (State Board of Massage Therapy; 847 IAC 1-6-2; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-6-3 Authority to issue license on probation

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)
Affected: [IC 25-1-1.1-6](#); [IC 25-1-11-19](#); [IC 25-28.1](#)

Sec. 3. This rule and [IC 25-1-1.1-6](#) do not limit the authority of a board or committee to issue a license on probation if appropriate under [IC 25-1-11-19](#) or any other applicable statute. (State Board of Massage Therapy; 847 IAC 1-6-3; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-6-4 Convictions of concern

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)
Affected: [IC 6-3-6-11](#); [IC 7.1-5-1-3](#); [IC 7.1-5-7-8](#); [IC 9-30-5-4](#); [IC 9-30-5-5](#); [IC 11-8-8-17](#); [IC 11-8-8-18](#); [IC 12-17.2-5-1](#); [IC 12-24-17-3](#); [IC 12-24-17-7](#); [IC 16-36-5-27](#); [IC 16-36-5-28](#); [IC 16-42-19](#); [IC 23-0.5-2-9](#); [IC 23-19-5-2](#); [IC 25](#); [IC 31-33-22](#); [IC 31-34-2.3-7](#); [IC 31-34-2.3-8](#); [IC 35](#)

Sec. 4. The following are convictions of concern:

- (1) Crimes involving sexual acts that can be considered without respect to age of conviction as follows:
 - (A) Child molesting ([IC 35-42-4-3](#)).
 - (B) Child seduction ([IC 35-42-4-7](#)).
 - (C) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
 - (D) Incest ([IC 35-46-1-3](#)).
 - (E) Making an unlawful proposition ([IC 35-45-4-3](#)).
 - (F) Prostitution ([IC 35-45-4-2](#)).

- (G) Rape ([IC 35-42-4-1](#)).
- (H) Sexual misconduct with a minor ([IC 35-42-4-9\(a\)](#)).
- (2) Crimes of violence that can be considered without respect to age of conviction as follows:
 - (A) Aggravated battery ([IC 35-42-2-1.5](#)).
 - (B) Attempted murder ([IC 35-41-5-1](#)).
 - (C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony ([IC 35-43-2-1](#)).
 - (D) Child exploitation as a Level 5 felony under [IC 35-42-4-4\(b\)](#) or a Level 4 felony under [IC 35-42-4-4\(c\)](#).
 - (E) Child molesting ([IC 35-42-4-3](#)).
 - (F) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
 - (G) Involuntary manslaughter ([IC 35-42-1-4](#)).
 - (H) Kidnapping ([IC 35-42-3-2](#)).
 - (I) Murder ([IC 35-42-1-1](#)).
 - (J) Operating a vehicle while intoxicated. Penalties; death or catastrophic injury; death of a law enforcement animal ([IC 9-30-5-5](#)).
 - (K) Operating a vehicle while intoxicated. Classification of offense; serious bodily injury ([IC 9-30-5-4](#)).
 - (L) Rape ([IC 35-42-4-1](#)).
 - (M) Reckless homicide ([IC 35-42-1-5](#)).
 - (N) Resisting law enforcement ([IC 35-44.1-3-1](#)).
 - (O) Robbery ([IC 35-42-5-1](#)).
 - (P) Sexual misconduct with a minor as a Level 1 felony under [IC 35-42-4-9\(a\)\(2\)](#) or a Level 2 felony under [IC 35-42-4-9\(b\)\(2\)](#).
 - (Q) Unlawful possession of firearm by serious violent felon ([IC 35-47-4-5](#)).
 - (R) Voluntary manslaughter ([IC 35-42-1-3](#)).
- (3) Abuse of corpse ([IC 35-45-11-2](#)).
- (4) Adoption deception ([IC 35-46-1-9.5](#)).
- (5) Agricultural terrorism ([IC 35-47-12-2](#) (before its repeal) or [IC 35-46.5-2-2](#)).
- (6) Armor-piercing ammunition; offense; exceptions ([IC 35-47-5-11.5](#)).
- (7) Arson ([IC 35-43-1-1](#)).
- (8) Assisting a criminal ([IC 35-44.1-2-5](#)).
- (9) Assisting suicide ([IC 35-42-1-2.5](#)).
- (10) Attempt under [IC 35-41-5-1](#) to commit an offense listed in this section.
- (11) Attempting to purchase handgun by ineligible person ([IC 35-47-2.5-15](#)) (before its repeal).
- (12) Auto theft ([IC 35-43-4-2.5](#)) (before its repeal).
- (13) Battery ([IC 35-42-2-1](#)).
- (14) Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosure; referrals; retaliation ([IC 35-46-1-13](#)).
- (15) Bestiality ([IC 35-46-3-14](#)).
- (16) Bribery ([IC 35-44.1-1-2](#)).
- (17) Burglary ([IC 35-43-2-1](#)).
- (18) Carjacking ([IC 35-42-5-2](#)) (before its repeal).
- (19) Carrying a handgun without being licensed; exceptions; person convicted of domestic battery ([IC 35-47-2-1](#)).
- (20) Causing suicide ([IC 35-42-1-2](#)).
- (21) Check deception ([IC 35-43-5-5](#)) (before its repeal).
- (22) Check fraud ([IC 35-43-5-12](#)) (before its repeal).
- (23) Child exploitation; possession of child pornography; exemptions; defenses ([IC 35-42-4-4](#)).
- (24) Child sexual trafficking ([IC 35-42-3.5-1.3](#)).
- (25) Child solicitation ([IC 35-42-4-6](#)).
- (26) "Chinese throwing star" defined; related offenses ([IC 35-47-5-12](#)).
- (27) Conspiracy under [IC 35-41-5-2](#) to commit an offense listed in this section.
- (28) Consumer product tampering; offenses ([IC 35-45-8-3](#)).

- (29) Contributing to the delinquency of a minor ([IC 35-46-1-8](#)).
- (30) Conversion ([IC 35-43-4-3](#)).
- (31) Corrupt business influence ([IC 35-45-6-2](#)).
- (32) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud ([IC 35-43-5-2](#)).
- (33) Criminal confinement ([IC 35-42-3-3](#)).
- (34) Criminal mischief; institutional criminal mischief; controlled substance criminal mischief ([IC 35-43-1-2](#)).
- (35) Criminal organization recruitment ([IC 35-45-9-5](#)).
- (36) Criminal parole violation by a sexual predator ([IC 35-44.1-3-9](#)).
- (37) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation ([IC 35-42-2-2](#)).
- (38) Criminal stalking ([IC 35-45-10-5](#)).
- (39) Criminal transfer of a firearm ([IC 35-47-2.5-16](#)).
- (40) Criminal trespass; denial of entry; denial by posting with purple marks; permission to enter; exceptions ([IC 35-43-2-2](#)).
- (41) Criminal use or possession of code grabbing device ([IC 35-45-12-2](#)).
- (42) Cruelty to a law enforcement animal ([IC 35-46-3-11](#)).
- (43) Cruelty to a search and rescue dog ([IC 35-46-3-11.3](#)).
- (44) Cruelty to a service animal ([IC 35-46-3-11.5](#)).
- (45) Dangerous control of a firearm ([IC 35-47-10-6](#)).
- (46) Dangerous possession and unlawful transfer of a firearm ([IC 35-47-10-5](#)).
- (47) Dealing in a controlled substance by a practitioner ([IC 35-48-4-1.5](#)).
- (48) Dealing in a controlled substance resulting in death ([IC 35-42-1-1.5](#)).
- (49) Dealing in a counterfeit substance ([IC 35-48-4-5](#)).
- (50) Dealing in a schedule I, II, or III controlled substance or controlled substance analog ([IC 35-48-4-2](#)).
- (51) Dealing in a schedule IV controlled substance or controlled substance analog ([IC 35-48-4-3](#)).
- (52) Dealing in a schedule V controlled substance or controlled substance analog ([IC 35-48-4-4](#)).
- (53) Dealing in a substance represented to be a controlled substance ([IC 35-48-4-4.5](#)) (before its repeal).
- (54) Dealing in a synthetic drug or synthetic drug lookalike substance ([IC 35-48-4-10.5](#)) (before its repeal).
- (55) Dealing in cocaine or narcotic drug ([IC 35-48-4-1](#)).
- (56) Dealing in marijuana, hash oil, hashish, or salvia ([IC 35-48-4-10](#)).
- (57) Dealing in methamphetamine ([IC 35-48-4-1.1](#)).
- (58) Dealing in paraphernalia ([IC 35-48-4-8.5](#)).
- (59) Deception ([IC 35-43-5-3](#)).
- (60) Deception with intent to cause withholding of CPR ([IC 16-36-5-28](#)).
- (61) Delivery of deadly weapon to intoxicated person ([IC 35-47-4-1](#)).
- (62) Deploying a booby trap ([IC 35-47.5-5-10](#)).
- (63) Destruction of declaration; forgery of revocation ([IC 16-36-5-27](#)).
- (64) Destructive device or explosive to kill, injure, or intimidate or to destroy property ([IC 35-47.5-5-8](#)).
- (65) Destructive devices ([IC 35-47.5-5-2](#)).
- (66) Directing laser pointer at public safety officer or state police motor carrier inspector ([IC 35-47-4.5-4](#)).
- (67) Disrupting operation of aircraft; Class B felony ([IC 35-47-6-1.6](#)).
- (68) Dissemination of matter or conducting performance harmful to minors ([IC 35-49-3-3](#)).
- (69) Distribution of destructive device, explosive, or detonator to a minor ([IC 35-47.5-5-5](#)).
- (70) Distribution of regulated explosives to persons convicted of felony ([IC 35-47.5-5-4](#)).
- (71) Domestic battery ([IC 35-42-2-1.3](#)).
- (72) Domestic violence animal cruelty ([IC 35-46-3-12.5](#)).
- (73) Dumping controlled substance waste ([IC 35-48-4-4.1](#)).
- (74) Duties of driver of motor vehicle involved in accident; sentencing ([IC 9-26-1-1.1](#)).
- (75) Decompression of animals ([IC 35-46-3-15](#)).
- (76) Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent ([IC 12-24-17-7](#)).
- (77) Evasion of tax; offenses; prosecution ([IC 6-3-6-11](#)).

- (78) Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification ([IC 35-46-1-12](#)).
- (79) Failure of carriers of dangerous communicable diseases to warn persons at risk ([IC 35-45-21-3](#)).
- (80) Failure to make report ([IC 31-33-22-1](#)).
- (81) False government issued identification ([IC 35-43-5-2.5](#)).
- (82) False identity statement ([IC 35-44.1-2-4](#)).
- (83) False reporting; false informing ([IC 35-44.1-2-3](#)).
- (84) False reports; criminal and civil liability; notification of prosecuting attorney ([IC 31-33-22-3](#)).
- (85) Feticide ([IC 35-42-1-6](#)).
- (86) Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft ([IC 35-47-6-1](#)).
- (87) Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport ([IC 35-47-6-1.3](#)).
- (88) Firearms and handguns; giving false information or offering false evidence of identity ([IC 35-47-2-17](#)).
- (89) Fraud ([IC 35-43-5-4](#)).
- (90) Fraud on financial institutions ([IC 35-43-5-8](#)) (before its repeal).
- (91) Harassment; "obscene message" defined ([IC 35-45-2-2](#)).
- (92) Hindering or obstructing detection, disarming, or destruction of destructive device ([IC 35-47.5-5-7](#)).
- (93) Hoax devices or replicas ([IC 35-47.5-5-6](#)).
- (94) Home improvement fraud; offense ([IC 35-43-6-12](#)) (before its repeal).
- (95) Homicide ([IC 35-42-1](#)).
- (96) Human organ trafficking ([IC 35-46-5-1](#)).
- (97) Human trafficking ([IC 35-42-3.5-1.4](#)).
- (98) Identity deception ([IC 35-43-5-3.5](#)).
- (99) Impersonation of a public servant ([IC 35-44.1-2-6](#)).
- (100) Inappropriate communication with a child ([IC 35-42-4-13](#)).
- (101) Inhaling toxic vapors ([IC 35-46-6-2](#)).
- (102) Inmate fraud ([IC 35-43-5-20](#)) (before its repeal).
- (103) Insurance fraud; insurance application fraud ([IC 35-43-5-4.5](#)) (before its repeal).
- (104) Insurance fraud ([IC 35-43-5-7.2](#)) (before its repeal).
- (105) Intentional signing of false document; sanctions ([IC 23-0.5-2-9](#)).
- (106) Interference with custody ([IC 35-42-3-4](#)).
- (107) Interference with the reporting of a crime ([IC 35-45-2-5](#)).
- (108) Interfering with drug or alcohol screening test ([IC 35-43-5-19](#)).
- (109) Intimidation ([IC 35-45-2-1](#)).
- (110) Invasion of privacy; offense; penalties ([IC 35-46-1-15.1](#)).
- (111) Knife with a detachable blade ([IC 35-47-5-2](#)).
- (112) Legend drug deception; penalty ([IC 35-43-10-3](#)).
- (113) Loansharking ([IC 35-45-7-2](#)).
- (114) Machine gun ([IC 35-47-5-8](#)).
- (115) Malicious mischief ([IC 35-45-16-2](#)).
- (116) Making a false sales document ([IC 35-43-5-16](#)) (before its repeal).
- (117) Making an unlawful proposition ([IC 35-45-4-3](#)).
- (118) Manufacture of paraphernalia ([IC 35-48-4-8.1](#)).
- (119) Manufacturing methamphetamine ([IC 35-48-4-1.2](#)).
- (120) Medicaid fraud ([IC 35-43-5-7.1](#)) (before its repeal).
- (121) Money laundering; defenses ([IC 35-45-15-5](#)).
- (122) Neglect, abuse, or maltreatment of a patient in a state institution; penalty ([IC 12-24-17-3](#)).
- (123) Neglect of a dependent; child selling ([IC 35-46-1-4](#)).
- (124) Nitrous oxide distribution; nonmedical purposes ([IC 35-46-6-3](#)).
- (125) Nonsupport of a dependent child ([IC 35-46-1-5](#)).
- (126) Nonsupport of a parent ([IC 35-46-1-7](#)).

- (127) Nonsupport of a spouse ([IC 35-46-1-6](#)).
- (128) Notario publico deception ([IC 35-43-5-3.7](#)).
- (129) Notary fraud; notarial fraud ([IC 35-43-5-23](#)).
- (130) Obscene performance ([IC 35-49-3-2](#)).
- (131) Obstruction of delivery of prescription drug ([IC 35-45-21-5](#)).
- (132) Obstruction of justice ([IC 35-44.1-2-2](#)).
- (133) Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation ([IC 31-33-22-2](#)).
- (134) Offenses concerning Social Security numbers ([IC 35-44.2-4-2](#)).
- (135) Offenses relating to registration labeling and prescription forms ([IC 35-48-4-14](#)).
- (136) Official misconduct ([IC 35-44.1-1-1](#)).
- (137) Operating a motorboat while intoxicated ([IC 35-46-9-6](#)).
- (138) Operating a vehicle while intoxicated ([IC 9-30-5](#)).
- (139) Operating loaded machine gun ([IC 35-47-5-9](#)).
- (140) Operation of home without proper licensure; prohibition ([IC 12-17.2-5-1](#)).
- (141) Participation in criminal organization; offense ([IC 35-45-9-3](#)).
- (142) Perjury ([IC 35-44.1-2-1](#)).
- (143) Permitting child to possess a firearm ([IC 35-47-10-7](#)).
- (144) Pointing firearm at another person ([IC 35-47-4-3](#)).
- (145) Possession of a controlled substance or controlled substance analog; obtaining a schedule V controlled substance ([IC 35-48-4-7](#)).
- (146) Possession of a dangerous device while incarcerated ([IC 35-44.1-3-7](#)).
- (147) Possession of a fraudulent sales document manufacturing device ([IC 35-43-5-15](#)) (before its repeal).
- (148) Possession of a knife on school property ([IC 35-47-5-2.5](#)).
- (149) Possession of cocaine or narcotic drug ([IC 35-48-4-6](#)).
- (150) Possession of device or substance to interfere with drug or alcohol screening test ([IC 35-43-5-18](#)).
- (151) Possession of firearms on school property or a school bus; defense to a prosecution; possession of firearms in a motor vehicle parked in a school parking lot ([IC 35-47-9-2](#)).
- (152) Possession of marijuana, hash oil, hashish, or salvia ([IC 35-48-4-11](#)).
- (153) Possession of methamphetamine ([IC 35-48-4-6.1](#)).
- (154) Possession of paraphernalia ([IC 35-48-4-8.3](#)).
- (155) Possession or sale of drug precursors ([IC 35-48-4-14.5](#)).
- (156) Profiting from adoption ([IC 35-46-1-9](#)).
- (157) "Machine gun"; prohibited sales or transfers of ownership ([IC 35-47-2-7](#)).
- (158) Promoting prostitution ([IC 35-45-4-4](#)).
- (159) Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child ([IC 35-42-3.5-1.2](#)).
- (160) Promotion of human labor trafficking ([IC 35-42-3.5-1](#)).
- (161) Promotion of human sexual trafficking ([IC 35-42-3.5-1.1](#)).
- (162) Public indecency ([IC 35-45-4-1](#)).
- (163) Public intoxication prohibited; failure to enforce by a law enforcement officer ([IC 7.1-5-1-3](#)).
- (164) Public nudity ([IC 35-45-4-1.5](#)).
- (165) "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties ([IC 35-46-5-3](#)).
- (166) Reckless supervision ([IC 35-46-1-4.1](#)).
- (167) Registration violations; penalty ([IC 11-8-8-17](#)).
- (168) Regulated explosives; persons convicted of felonies; prior unrelated convictions ([IC 35-47.5-5-3](#)).
- (169) Remote aerial harassment ([IC 35-45-10-6](#)).
- (170) Removal of attack dog's vocal cords; animal cruelty ([IC 35-46-3-13](#)).
- (171) Residential entry ([IC 35-43-2-1.5](#)).
- (172) Rioting ([IC 35-45-1-2](#)).
- (173) Robbery ([IC 35-42-5-1](#)).

- (174) Sale, distribution, or exhibition of obscene matter ([IC 35-49-3-1](#)).
- (175) Sale of kit or device for unauthorized use of cable television system services ([IC 35-43-5-6.5](#)) (before its repeal).
- (176) Sale or distribution of HIV testing equipment ([IC 35-45-21-2](#)).
- (177) Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited ([IC 7.1-5-7-8](#)).
- (178) Sex offender Internet offense ([IC 35-42-4-12](#)).
- (179) Sex offender residency restrictions ([IC 35-42-4-11](#)).
- (180) Sex offender unmanned aerial vehicle offense ([IC 35-42-4-12.5](#)).
- (181) Sexual battery ([IC 35-42-4-8](#)).
- (182) Sexual misconduct with a service provider ([IC 35-44.1-3-10](#)).
- (183) Sexually violent predator; duty to notify ([IC 11-8-8-18](#)).
- (184) Stolen valor fraud ([IC 35-43-5-22](#)) (before its repeal).
- (185) Strangulation ([IC 35-42-2-9](#)).
- (186) Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer ([IC 35-47-8-5](#)).
- (187) Synthetic drug or synthetic drug lookalike substance ([IC 35-48-4-11.5](#)) (before its repeal).
- (188) Synthetic identity deception ([IC 35-43-5-3.8](#)) (before its repeal).
- (189) "Synthetic urine" ([IC 35-43-5-19.5](#)).
- (190) Tampering with a water supply; poisoning ([IC 35-43-1-5](#)).
- (191) Terrorism ([IC 35-47-12-1](#) (before its repeal) or [IC 35-46.5-2-1](#)).
- (192) Terroristic deception ([IC 35-43-5-3.6](#) (before its repeal) or [IC 35-46.5-2-4](#)).
- (193) Terroristic mischief ([IC 35-47-12-3](#) (before its repeal) or [IC 35-46.5-2-3](#)).
- (194) Theft ([IC 35-43-4-2](#)).
- (195) Threats; refusal to join or withdrawal from organization; intimidation offense ([IC 35-45-9-4](#)).
- (196) Torture or mutilation of a vertebrate animal; killing a domestic animal ([IC 35-46-3-12](#)).
- (197) Trafficking with an inmate; carrying a deadly weapon into a correctional facility ([IC 35-44.1-3-5](#)).
- (198) Trafficking with an inmate outside a facility ([IC 35-44.1-3-6](#)).
- (199) Transferring contaminated body fluids ([IC 35-45-21-1](#)).
- (200) Unauthorized adoption advertising ([IC 35-46-1-21](#)).
- (201) Unauthorized adoption facilitation ([IC 35-46-1-22](#)).
- (202) Undisclosed transport of dangerous device ([IC 35-47-6-1.1](#)).
- (203) Unlawful documentation of a gift of organs, tissue, eyes, or body parts ([IC 35-46-5-4](#)).
- (204) Unlawful employment by a sexual predator ([IC 35-42-4-10](#)).
- (205) Unlawful entry of school property by a serious sex offender ([IC 35-42-4-14](#)).
- (206) Unlawful entry to restricted area of airport ([IC 35-47-6-1.4](#)).
- (207) Unlawful delivery, manufacture, distribution, or possession of a substance represented to be a controlled substance; factors ([IC 35-48-4-4.6](#)).
- (208) Unlawful participation in human cloning; exception ([IC 35-46-5-2](#)).
- (209) Unlawful photography and surveillance on private property ([IC 35-46-8.5-1](#)).
- (210) Unlawful possession of a card skimming device ([IC 35-43-5-4.3](#)) (before its repeal).
- (211) Unlawful possession of a firearm by a domestic batterer ([IC 35-47-4-6](#)).
- (212) Unlawful possession of a firearm by a serious violent felon ([IC 35-47-4-5](#)).
- (213) Unlawful practices; investment advisers and investment adviser representatives; investment advisory contract ([IC 23-19-5-2](#)).
- (214) Unlawful purchase of a handgun ([IC 35-47-2.5-14](#)) (before its repeal).
- (215) Unlawful sale or possession of a transaction manipulation device ([IC 35-43-5-4.6](#)) (before its repeal).
- (216) Unlawful transfer of fetal tissue ([IC 35-46-5-1.5](#)).
- (217) Unlawful use of a communications medium; definitions ([IC 35-45-2-3](#)) (before its repeal).
- (218) Unlawful use of body armor ([IC 35-47-5-13](#)).
- (219) Use of overpressure device ([IC 35-47.5-5-9](#)).
- (220) Use of regulated explosive in violation of commission rule ([IC 35-47.5-5-11](#)).

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- (221) Vicarious sexual gratification; sexual conduct in presence of a minor ([IC 35-42-4-5](#)).
- (222) Violation of certain no contact orders; offense; penalty ([IC 35-46-1-15.3](#)).
- (223) Violation of civil rights ([IC 35-46-2-1](#)).
- (224) Violation of [IC 25-2.1-12](#) (unauthorized practice of accounting) under [IC 25-2.1-13-3](#).
- (225) Violation of [IC 25-2.5](#) (unauthorized practice of acupuncture) under [IC 25-2.5-3-4](#).
- (226) Violation of [IC 25-3.7](#) (unauthorized practice of an anesthesiologist assistant) under [IC 25-3.7-3](#).
- (227) Violation of [IC 25-5.1-4-1](#) (unauthorized practice of athletic trainer) under [IC 25-5.1-4-2](#).
- (228) Violation of [IC 25-5.2-2-12](#) (misconduct by athlete agent) under [IC 25-5.2-2-12](#).
- (229) Violation of [IC 25-6.1-7-1](#) (unauthorized practice of auctioneering) under [IC 25-6.1-7-1](#).
- (230) Violation of [IC 25-6.1-7-2](#) (violation of auctioneering statute) under [IC 25-6.1-7-2](#).
- (231) Violation of [IC 25-8-15.4](#) (unauthorized operation of a tanning facility) under [IC 25-8-15.4-25](#).
- (232) Violation of [IC 25-10-1](#) (unauthorized practice of chiropractic) under [IC 25-10-1-11](#).
- (233) Violation of [IC 25-11-1](#) (violation of the collection agency statute) under [IC 25-11-1-12](#).
- (234) Violation of [IC 25-13-1](#) (unauthorized practice of dental hygienist) under [IC 25-13-1-3](#).
- (235) Violation of [IC 25-14-1](#) (unauthorized practice of dentistry) under [IC 25-14-1-25](#).
- (236) Violation of [IC 25-14-1-25.5](#) (retirement, discontinuation of practice, or moving from or leaving a community) under [IC 25-14-1-25.5](#).
- (237) Violation of [IC 25-14-4](#) (unlawful referral services for a dentist) under [IC 25-14-4-6](#).
- (238) Violation of [IC 25-14.3](#) (violation of diabetes educator statute) under [IC 25-14.3-5-1](#).
- (239) Violation of [IC 25-14.5](#) (unauthorized practice of dietitian) under [IC 25-14.5-7-2](#).
- (240) Violation of [IC 25-16-1](#) (violation of employment services statute) under [IC 25-16-1-18](#) [*IC 25-16 was repealed by P.L. 149-2023, SECTION 20, effective July 1, 2023.*].
- (241) Violation of [IC 25-17.3-5](#) (violation of genetic counselors statute) under [IC 25-17.3-5-3](#).
- (242) Violation of [IC 25-17.6-8-2](#) (unauthorized practice of professional geologist) under [IC 25-17.6-8-2](#).
- (243) Violation of [IC 25-20-1](#) (unauthorized practice of hearing aid dealer) under [IC 25-20-1-21](#).
- (244) Violation of [IC 25-20.7-5-1](#) (unauthorized practice of interior designer) under [IC 25-20.7-5-1](#).
- (245) Violation of [IC 25-21.5-5-10](#) (making false statements in an application to become a surveyor) under [IC 25-21.5-5-10](#).
- (246) Violation of [IC 25-21.5-13-2](#) (unauthorized practice of surveying) under [IC 25-21.5-13-2](#).
- (247) Violation of [IC 25-21.8](#) (unauthorized practice of massage therapy) under [IC 25-21.8-7-1](#).
- (248) Violation of [IC 25-22.5](#) (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistant) under [IC 25-22.5-8-1](#) and [IC 25-22.5-8-2](#).
- (249) Violation of [IC 25-22.5](#) (violation of temporary medical permit statute) under [IC 25-22.5-8-3](#).
- (250) Violation of [IC 25-23-1](#) (unauthorized practice of nursing) under [IC 25-23-1-27](#).
- (251) Violation of [IC 25-23.5-3](#) (unauthorized practice of occupational therapy) under [IC 25-23.5-3-2](#).
- (252) Violation of [IC 25-23.6-3](#) (unauthorized practice of marriage and family therapy) under [IC 25-23.6-3-3](#).
- (253) Violation of [IC 25-23.6-4](#) (unauthorized practice of social work) under [IC 25-23.6-4-4](#).
- (254) Violation of [IC 25-23.6-4.5](#) (violation of mental health counselor statute) under [IC 25-23.6-4.5-4](#).
- (255) Violation of [IC 25-23.6-7-6](#) (providing false information about counselor's educational background) under [IC 25-23.6-7-7](#).
- (256) Violation of [IC 25-23.6-10.1](#) (unauthorized practice of addiction counselor or therapist) under [IC 25-23.6-10.1-6](#).
- (257) Violation of [IC 25-23.6-11-1](#) (unauthorized use of term "psychotherapy" or "clinical psychology") under [IC 25-23.6-11-1](#).
- (258) Violation of [IC 25-23.6](#) (unauthorized use of license issued by behavioral health and human services board) under [IC 25-23.6-11-2](#).
- (259) Violation of [IC 25-23.6-11-3](#) (presenting false information to the behavioral health and human services board to obtain license) under [IC 25-23.6-11-3](#).
- (260) Violation of [IC 25-23.7-7-5](#) (unauthorized practice of manufactured home installing) under [IC 25-23.7-7-5](#).
- (261) Violation of [IC 25-23.4](#) (unauthorized practice of certified direct entry midwife) under [IC 25-23.4-3-7](#).
- (262) Violation of [IC 25-24-1](#) (unauthorized practice of optometry) under [IC 25-24-1-18](#).
- (263) Violation of [IC 25-26-13-29](#) (unauthorized practice of pharmacy or as a pharmacist) under [IC 25-26-13-29](#).

- (264) Violation of any state drug law related to wholesale legend drug distribution ([IC 25-26-14](#)).
- (265) Violation of [IC 25-26-19-9](#) (unauthorized practice of pharmacy technician) under [IC 25-26-19-9](#).
- (266) Violation of [IC 25-26-21](#) (unauthorized provision of home medical equipment services) under [IC 25-26-21-11](#).
- (267) Violation of [IC 25-27-1](#) (unauthorized practice of physical therapy) under [IC 25-27-1-12](#).
- (268) Violation of [IC 25-27.5-7](#) (unauthorized practice of physician assistant) under [IC 25-27.5-7-2](#).
- (269) Violation of [IC 25-28.5-1](#) (unauthorized practice of plumbing) under [IC 25-28.5-1-31](#).
- (270) Violation of [IC 25-29](#) (unauthorized practice of podiatry) under [IC 25-29-9-1](#).
- (271) Violation of [IC 25-30-1](#) (unauthorized practice of a private investigator firm) under [IC 25-30-1-21](#).
- (272) Violation of [IC 25-30-1.3](#) (unauthorized operation of a security agency) under [IC 25-30-1.3-23](#).
- (273) Violation of [IC 25-31-1-13](#) (making a false statement in an application to become an engineer) under [IC 25-31-1-13](#).
- (274) Violation of [IC 25-31-1](#) (unauthorized practice of engineering) under [IC 25-31-1-27](#).
- (275) Violation of [IC 25-31.5-8-7](#) (unauthorized practice as a registered professional soil scientist) under [IC 25-31.5-8-7](#).
- (276) Violation of [IC 25-33-1-14](#) (unlawful use of title "psychologist") under [IC 25-33-1-15](#).
- (277) Violation of [IC 25-34.5-3](#) (unauthorized practice of respiratory care) under [IC 25-34.5-3-2](#).
- (278) Violation of [IC 25-35.6](#) (unauthorized practice of speech-language pathology and audiology) under [IC 25-35.6-3-10](#).
- (279) Violation of [IC 25-36.1](#) (violation of certified surgical technology statute) under [IC 25-36.1-1-2](#).
- (280) Violation of [IC 25-36.5-1-10](#) (unauthorized practice of timber buying or timber buying agent) under [IC 25-36.5-1-10](#) and [IC 25-36.5-1-15](#).
- (281) Violation of [IC 25-38.1](#) (unauthorized practice of veterinary medicine) under [IC 25-38.1-4-10](#).
- (282) Violation of [IC 25-38.1](#) (unauthorized practice of veterinary technician) under [IC 25-38.1-4-11](#).
- (283) Violation of [IC 25-39-5](#) (unlawful drilling and well installation) under [IC 25-39-5](#).
- (284) Violation of [IC 25-41-1-1](#) (before its repeal) (unauthorized practice of behavior analyst) under [IC 25-41-1-2](#) (before its repeal).
- (285) Violation of Indiana Legend Drug Act ([IC 16-42-19](#)).
- (286) Violation of order by parent or other custodian of child ([IC 31-34-2.3-7](#)).
- (287) Violation of order by alleged perpetrator of child abuse or neglect ([IC 31-34-2.3-8](#)).
- (288) Violations ([IC 35-43-9-7](#)) (before its repeal).
- (289) Visiting a common nuisance; maintaining a common nuisance ([IC 35-45-1-5](#)).
- (290) Voyeurism; public voyeurism; aerial voyeurism ([IC 35-45-4-5](#)).
- (291) Welfare fraud ([IC 35-43-5-7](#)) (before its repeal).
- (292) Worker's compensation fraud ([IC 35-43-5-21](#)) (before its repeal).

(State Board of Massage Therapy; 847 IAC 1-6-4; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-6-5 Convictions in another jurisdiction

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-28.1](#)

Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that may disqualify an individual from receiving a license and therefore included on the list. (State Board of Massage Therapy; 847 IAC 1-6-5; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.: [20240403-IR-847230832RFA](#))

847 IAC 1-6-6 Prelicensure determinations; fee

Authority: [IC 25-1-1.1-6](#); [IC 25-21.8-3-1](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-28.1](#)

Sec. 6. The fee for a petition under [IC 25-1-1.1-6\(g\)](#) for a determination as to whether an individual's misdemeanor or felony conviction may disqualify the individual from receiving a license or certification is twenty-five dollars (\$25). (State Board of Massage Therapy; 847 IAC 1-6-6; filed Sep 7, 2023, 7:37 a.m.: [20231004-IR-847230034FRA](#); readopted filed Mar 8, 2024, 3:15 p.m.:

[20240403-IR-847230832RFA\)](#)

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