State Board of Barber Examiners

Licensure Law and Regulations

A compilation from the Indiana Code and Indiana Administrative Code

2009 Edition

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NOTICE: This compilation incorporates the most recent revisions of the statutory provisions and administrative rules governing the barbering profession, as of July 1, 2009. Note that this compilation is not an official version of the Indiana Code. It is distributed as a general guide to barbering professionals regulated by the State Board of Barber Examiners and the Indiana Professional Licensing Agency. It is not intended to be offered as legal advice, and it may contain typographical errors. Neither the State Board of Barber Examiners, nor the Indiana Professional Licensing Agency are able to provide legal advice on issues contained herein. For legal advice, please consult an attorney. To obtain official copies of the Indiana Code or Indiana Administrative Code, please contact your nearest public library or visit the website of the Indiana General Assembly at www.in.gov/legislative.

STATE BOARD OF BARBER EXAMINERS

July 2009 Edition

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INDIANA CODE § 25-7

ARTICLE 7. BARBERS

INDIANA CODE § 25-7-1

Chapter 1. Regulation of Barbers, Schools and Shops; Creation of Board (Repealed)

INDIANA CODE § 25-7-2

Chapter 2. Barber Schools and Colleges; Conditions for Approval (Repealed)

INDIANA CODE § 25-7-3

Chapter 3. Applicability

IC 25-7-3-1 Exempt occupations and persons

Sec. 1. This article does not apply to any of the following:

(1) A cosmetologist licensed under IC 25-8-9.
(2) A chiropractor (as defined in IC 25-10-1-1(2)).
(3) An embalmer (as defined in IC 25-15-2-8).
(4) A funeral director (as defined in IC 25-15-2-12).
(5) A physician (as defined in IC 25-22.5-1-1.1(g)).
(6) A registered nurse (as defined in IC 25-23-1-1.1(a)).
(7) A licensed practical nurse (as defined in IC 25-23-1-1.2).
(8) A commissioned medical or surgical officer of the United States armed forces.
(9) A student in a barbering school.

As added by P.L.234-1995, SEC.6.

INDIANA CODE § 25-7-4

Chapter 4. Definitions

IC 25-7-4-1 Applicability of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-2 "Agency"

Sec. 2. "Agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

As added by P.L.234-1995, SEC.7. Amended by P.L.1-2006, SEC.423.

IC 25-7-4-3 "Barber"

Sec. 3. "Barber" means a person licensed under IC 25-7-10.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-4 "Barber instructor"

Sec. 4. "Barber instructor" means a person licensed under IC 25-7-8 to teach barbering.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-5 "Barber school"

Sec. 5. "Barber school" means an establishment licensed under IC 25-7-7 that offers training in barbering.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-6 "Barber shop"

Sec. 6. "Barber shop" means an establishment licensed under IC 25-7-9 that offers barbering to the public.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-7 "Barbering"

Sec. 7. (a) "Barbering" does not include performing any of the acts described in subsection (b) when done:

(1) in treating illness or disease;
(2) as a student in a barber school that complies with the notice requirements set forth in IC 25-7-7; or
(3) without compensation.

(b) "Barbering" means performing one (1) or more of the following practices upon the head, face, or neck of a person:

(1) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
(2) Shaving or trimming beards and mustaches.
(3) Applying oils, creams, antiseptics, clays, powders, lotions, or other preparations, either by hand or by mechanical appliances, in the performance of facial or scalp massage.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-8 "Board"

Sec. 8. "Board" refers to the state board of barber examiners.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-9 "License"

Sec. 9. "License" means a document issued by the agency and the board to permit a person to engage in an activity regulated under this article.

As added by P.L.234-1995, SEC.7.

IC 25-7-4-10 "Licensed"

Sec. 10. "Licensed" means possessing a valid license issued under this article.

As added by P.L.234-1995, SEC.7.

INDIANA CODE § 25-7-5

Chapter 5. State Board of Barber Examiners

IC 25-7-5-1 Establishment of board

Sec. 1. The state board of barber examiners is established.

As added by P.L.234-1995, SEC.8.

IC 25-7-5-2 Number of members; appointment

Sec. 2. The board consists of four (4) members appointed by the governor.

As added by P.L.234-1995, SEC.8.

IC 25-7-5-3 Qualifications of members

Sec. 3. (a) The members of the board must be residents of Indiana.

(b) Three (3) members of the board must:

(1) possess a current barber license; and
(2) have practiced barbering in Indiana continuously for at least five (5) years immediately before appointment.

(c) One (1) member appointed to the board must have no association with barbering except as a consumer.

As added by P.L.234-1995, SEC.8.

IC 25-7-5-4 Political affiliation of members

Sec. 4. Not more than two (2) members of the board may be affiliated with the same political party.

As added by P.L.234-1995, SEC.8.

IC 25-7-5-5 Term of office

Sec. 5. Each board member serves a term of three (3) years, beginning on the date of appointment and continuing until:

(1) the member is removed under section 6 of this chapter; or
(2) a successor is appointed.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-6 Removal of members
Sec. 6. The governor may remove a board member for:
(1) incompetency; or
(2) failure to perform the member's duties under this article.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-7 Appointment of successor
Sec. 7. If a member of the board is removed under section 6 of this chapter, the governor shall appoint a successor within thirty (30) days to fill the resulting vacancy. The successor shall serve for the remainder of the unexpired term.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-8 Meetings
Sec. 8. The board shall meet on a regular basis throughout the year.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-9 Election of officers
Sec. 9. (a) The board shall, at the board's first meeting of each year, elect a president, vice president, and secretary from among the board's membership. Election of an officer under this section requires a vote of three (3) members of the board.
(b) The officers elected under subsection (a) serve terms of one (1) year, beginning upon election and ending upon the election of a successor.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-10 Vacancies
Sec. 10. If an office described in section 9 of this chapter becomes vacant, the board may fill the vacancy at the next meeting of the board.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-11 Quorum
Sec. 11. (a) Three (3) members of the board constitute a quorum.
(b) The affirmative vote of at least three (3) members is necessary for the board to take official action.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-12 Compensation of members
Sec. 12. (a) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
(b) Each member of the board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-13 Seal
Sec. 13. The board shall adopt a seal to authenticate the board's orders and records.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-14 Implementation of article
Sec. 14. The board may adopt rules under IC 4-22-2 to implement this article.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-15 Adoption of rules
Sec. 15. The board shall adopt rules under IC 4-22-2 to:
(1) prescribe sanitary requirements for:
(A) barber shops; and
(B) barber schools;
(2) establish standards for the competent practice of barbering and the operation of:
(A) barber shops; and
(B) barber schools;
As added by P.L.234-1995, SEC.8. Amended by P.L.177-2009, SEC.19.

IC 25-7-5-16 Copies of rules; posting rules
Sec. 16. (a) The board shall furnish each person licensed to operate a:
(1) barber shop; or
(2) barber school;
with a copy of the rules concerning sanitary requirements described in section 15(1) of this chapter.
(b) A person operating a:
(1) barber shop; or
(2) barber school;
shall post the rules described in subsection (a) in a conspicuous place in the shop or school.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-17 Duties of agency
Sec. 17. The agency shall do the following:
(1) Furnish the board with suitable quarters to conduct the board's business.
(2) Maintain a record of:
(A) the proceedings of the board;
(B) each person licensed under this article, including the person's name and address; and
(C) the licenses issued under this article, including the:
(i) number assigned to the license by the agency;
(ii) date the license was issued; and
(iii) actions taken by the board concerning the license, including any renewal or action taken under IC 25-1-11.
As added by P.L.234-1995, SEC.8. Amended by P.L.157-2006, SEC.26.

IC 25-7-5-18 Enforcement personnel
Sec. 18. (a) The agency shall provide inspectors, investigators, and clerks to enforce this article.
(b) For each position described in subsection (a), the agency shall:
(1) fix the compensation; and
(2) reimburse a person in the position for necessary expenses incurred in enforcing this article;
by payments from the state general fund under appropriations designated for that purpose.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-19 Deposit of money
Sec. 19. All money received under this article must be paid to the agency. The agency shall deposit the money in the state general fund.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-20 Payment of expenses
Sec. 20. The agency shall pay the expenses for administering this article from the state general fund under appropriations designated for that purpose.
As added by P.L.234-1995, SEC.8.

IC 25-7-5-21 Inspections
Sec. 21. (a) A:
(1) member of the board;
(2) state inspector; or
(3) state investigator;
may inspect a barber shop or barber school during the shop's or school's regular business hours.

(b) A member of the board, state inspector, or state investigator may inspect:
(1) a barber shop; or
(2) a barber school;
before an initial license is issued.
As added by P.L.234-1995, SEC.8. Amended by P.L.177-2009, SEC.20.

INDIANA CODE § 25-7-6

Chapter 6. Barber Licenses; General Provisions

IC 25-7-6-1 Reciprocity
Sec. 1. (a) If the board determines that:
(1) a person possesses a valid license from another jurisdiction to perform acts that require a license under this article; and
(2) the jurisdiction issuing the license imposes substantially equivalent requirements on applicants for the license as are imposed on applicants for an Indiana license;
the board may issue a license to perform those acts in Indiana to the person upon payment of the fee established by the board under IC 25-1-8-2.
(b) This subsection applies only to applications for a barber license under IC 25-7-10. If the jurisdiction issuing the license does not impose substantially equivalent requirements as required under subsection (a)(2), the board may approve a combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed a minimum of one thousand (1,000) hours of education.
As added by P.L.234-1995, SEC.9. Amended by P.L.194-2005, SEC.23.

IC 25-7-6-2 Transferability of licenses
Sec. 2. A license issued under this article may not be transferred unless:
(1) the license is a barber shop license; and
(2) the person holding the license was required to change the location of the barber shop under circumstances that the board determines were beyond the control of that person.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-3 License application form
Sec. 3. A person who wishes to obtain a license issued under this article must complete a license application form prescribed by the board and file the application with the secretary of the board.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-4 Verified statement
Sec. 4. In addition to the application described in section 3 of this chapter, the applicant must file a verified statement that the applicant has not engaged in an activity that would subject the applicant to disciplinary procedures under IC 25-1-11.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-5 Examinations
Sec. 5. (a) The board shall conduct a written examination of the applicants for a barber license at least four (4) times each year. The examinations described in this section:
(1) shall be conducted at the times and places determined by the board; and
(2) must concern the licensed activity of barbering, as the licensed activity is customarily taught in a barber school.
The examination may be administered through computer based testing.
(b) Each applicant must pass a practical examination of the acts permitted by the license. The practical examination must be administered by the applicant's barber school.
As added by P.L.234-1995, SEC.9. Amended by P.L.157-2006, SEC.27.

IC 25-7-6-6 Requirements for license issuance
Sec. 6. The board shall issue a license to an applicant who:
(1) receives a passing score of at least seventy-five percent (75%) on the practical examination described in section 5 of this chapter;
(2) receives a passing score of at least seventy-five percent (75%) on the written examination described in section 5 of this chapter; and
(3) complies with the remaining requirements for a license set forth in this article.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-7 Change of address
Sec. 7. A person who holds a license issued under this article shall inform the board of a change of address by submitting a written statement to the board that sets forth the person's new address not more than thirty (30) days following the change.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-8 Display of sign at barber school
Sec. 8. (a) A person who holds a barber school license shall display a sign that complies with standards prescribed by the board on the premises of the establishment indicating that the establishment is a barber school licensed under this article. The following or similar language may be used: "This barber school is licensed under Indiana law.".
(b) The sign described in subsection (a) must be visible to a customer entering the main entrance of the establishment.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-9 Display of license
Sec. 9. A person who holds a license issued under this chapter, except the license described in section 8 of this chapter, shall display the license in a place clearly visible to a customer present in the work area of the barber shop or barber school where the licensed person is employed.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-10 Duplicate license
Sec. 10. (a) The board may issue a duplicate license to a person licensed under this article if the person:
(1) files a verified statement with the board that the original license has been lost or destroyed; and
(2) pays the fee required under IC 25-7-11-6.
(b) A duplicate license issued under subsection (a) has the same registration number as the original license issued to the person.
As added by P.L.234-1995, SEC.9.

IC 25-7-6-11 Term of license
Sec. 11. (a) Except for an instructor license issued under subsection (c) or IC 25-7-8-1, a license issued under this article is valid for four (4) years.
(b) A license issued to an instructor under IC 25-8-6-1 expires at the time that the instructor's barber license expires. The board shall renew an instructor's license under this subsection concurrently with the instructor's barber license.
(c) Initial provisional licenses are valid for a length of time determined by the board, but not to exceed two (2) years.
As added by P.L.234-1995, SEC.9. Amended by P.L.177-2009, SEC.21.

IC 25-7-6-12 Renewal
Sec. 12. (a) A person who holds a license under this article may apply for renewal of the license.
(b) A license expires on the date established by the licensing agency under IC 25-1-6-4.
(c) The board shall renew a license if the license holder pays the fee established by the board under IC 25-1-8-2 to renew the license before the license expires.
As added by P.L.234-1995, SEC.9. Amended by P.L.105-2008, SEC.19.

IC 25-7-6-13 Expiration
(Repealed by P.L.105-2008, SEC.67)

IC 25-7-6-14 Reinstatement

Sec. 14. (a) The holder of an expired license may have the license reinstated by meeting the requirements of IC 25-1-8-6(c) not later than five (5) years after the expiration date of the license.

(b) If more than five (5) years have elapsed since the date license expired under this chapter, the license may be reinstated only if the holder of the license satisfies the requirements for reinstatement under IC 25-1-8-6(d).

As added by P.L.234-1995, SEC.9. Amended by P.L.194-2005, SEC.24; P.L.157-2006, SEC.28; P.L.105-2008, SEC.20.

IC 25-7-6-15 Denial of petition to reinstate license

(Repealed by P.L.105-2008, SEC.67)

IC 25-7-6-16 Restriction on location of license holder's business

Sec. 16. A person may not engage in an activity licensed under this article in a structure that contains a residence unless the residence:

(1) is separated from the place where the licensed activity occurs by a substantial floor to ceiling partition; and

(2) has a separate entrance.

As added by P.L.234-1995, SEC.9.

IC 25-7-6-17

Sec. 17. (a) This section applies only to applications for a barber license under IC 25-7-10.

(b) If an applicant comes from a jurisdiction that does not issue a barber license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as a barber.

(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.

(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed barber.

(d) A person who holds an initial provisional license may apply for renewal of a barber license under section 12 of this chapter.

(e) The holder of a provisional license may petition the board for the issuance of a barber license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from terms of the provisional license and is entitled to hold a license under IC 25-7-10-1.

As added by P.L.177-2009, SEC.22.

INDIANA CODE § 25-7-7

Chapter 7. Barber School Licenses

IC 25-7-7-1 Power of board to issue license

Sec. 1. The board may issue a license under this article to operate a barber school.

As added by P.L.234-1995, SEC.10.

IC 25-7-7-2 Verified application

Sec. 2. A person must file a verified application with the board on a form prescribed by the board to obtain a barber school license.

As added by P.L.234-1995, SEC.10.

IC 25-7-7-3 Contents of applications

Sec. 3. The application described in section 2 of this chapter must state that:

(1) the proposed school will require students to successfully complete at least one thousand five hundred (1,500) hours of course work as a requirement for graduation;

(2) not more than ten (10) hours of course work may be taken by a student during one (1) day;

(3) the course work will provide instruction to students in all theories and practical applications of barbering, including:

(A) the scientific fundamentals for barbering, hygiene, and bacteriology;

(B) the histology of hair, skin, muscles, and nerves;

(C) the structure of the head, face, and neck;

(D) elementary chemistry relating to sterilization and antiseptics;

(E) cutting, shaving, arranging, dressing, coloring, bleaching, tinting, and permanent waving of the hair; and

(F) at least ten (10) hours of study on skin and diseases of the skin under a certified dermatologist;

(4) the school will provide one (1) instructor for each group of twenty (20) or fewer students;

(5) the school will be operated under the personal supervision of a licensed barber instructor;

(6) the applicant has obtained:

(A) a building permit;

(B) a certificate of occupancy; or

(C) any other planning approval required under IC 22-15-3 and IC 36-7-4;

required to operate the school;

(7) the school, if located in the same building as a residence, will:

(A) be separated from the residence by a substantial floor to ceiling partition; and

(B) have a separate entrance;

(8) as a requirement for graduation, the proposed school must:

(A) administer; and

(B) require the student to pass;

a final practical demonstration examination of the acts permitted by the license; and

(9) the applicant has paid the fee set forth in IC 25-7-11-2.

As added by P.L.234-1995, SEC.10. Amended by P.L.157-2006, SEC.29; P.L.197-2007, SEC.28.

IC 25-7-7-3.5 License examination; practical knowledge

Sec. 3.5. (a) A barber school licensed under this chapter shall require each student for graduation to pass a final examination that tests the student's practical knowledge of the curriculum studied.

(b) The board shall consider an applicant for the barbering professional examination as fulfilling the practical examination requirement established in IC 25-7-6-5 after successfully completing the final practical demonstration examination.

(c) A passing score of at least seventy-five percent (75%) is required on the final practical demonstration examination.

(d) A barber school licensed under this chapter shall allow each student for graduation at least three (3) attempts to pass the final practical demonstration examination.

(e) The board may monitor the administration of the final practical demonstration examination for any of the following purposes:

(1) As a result of a complaint received.

(2) As part of random observations.

(3) To collect data.

As added by P.L.157-2006, SEC.30.

IC 25-7-7-4 Adoption of rules

Sec. 4. The board may adopt rules under IC 4-22-2 requiring that the curriculum offered by a barber school licensed under this chapter provide a minimum number of hours of instruction in each of the subjects described in section 3(3) of this chapter.

As added by P.L.234-1995, SEC.10.

IC 25-7-7-5 Display of sign at barber school

Sec. 5. A barber school licensed under this chapter shall display a sign:

(1) that complies with standards established by the board;

(2) at each entrance used by the school's customers; and

(3) that states that students perform barbering in the establishment.

As added by P.L.234-1995, SEC.10.

INDIANA CODE § 25-7-8

Chapter 8. Instructor Licenses

IC 25-7-8-1 Power of board to issue licenses
Sec. 1. The board may license a person to be an instructor.
As added by P.L.234-1995, SEC.11.

IC 25-7-8-2 Verified application
Sec. 2. A person must file a verified application with the board on a form prescribed by the board to obtain an instructor license.
As added by P.L.234-1995, SEC.11.

IC 25-7-8-3 Contents of application
Sec. 3. The application described in section 2 of this chapter must state that the applicant:
(1) holds a barber license issued under this article;
(2) has graduated from high school or received a high school equivalency certificate;
(3) has successfully completed at least nine hundred (900) hours of instruction in the theory and practice of instructor training as a student in a barber school;
(4) has received a satisfactory grade (as described in IC 25-7-6-6) on an examination for instructor license applicants prescribed by the board; and
(5) has paid the fee set forth in IC 25-7-11-3 for the issuance of a license under this chapter.
As added by P.L.234-1995, SEC.11.

IC 25-7-8-4 Failure to pass examination
Sec. 4. (a) If a person does not receive a satisfactory grade on the examination described in IC 25-7-6-5, the person may repeat the examination subject to the rules governing the examination adopted by the board.
(b) If a person does not receive a satisfactory grade on the examination described in subsection (a), the board may:
(1) refuse to permit the person to take the examination again; or
(2) permit the person to take the examination again subject to the rules governing the examination adopted by the board.
As added by P.L.234-1995, SEC.11.

INDIANA CODE § 25-7-9

Chapter 9. Barber Shop Licenses

IC 25-7-9-1 Power of board to issue license
Sec. 1. The board may issue a license under this article to operate a barber shop.
As added by P.L.234-1995, SEC.12.

IC 25-7-9-2 Requirements for license
Sec. 2. A person who wishes to obtain a barber shop license must:
(1) select a site for the barber shop that, if located in the same building as a residence:
(A) is separated from the residence by a substantial floor to ceiling partition; and
(B) has a separate entrance from the residence;
(2) obtain:
(A) a building permit;
(B) a certificate of occupancy; or
(C) any other approval action required under IC 22-15-3 and IC 36-7-4;
required to operate the barber shop;
(3) install furnishings and obtain shop equipment required under rules adopted by the board; and
(4) submit a verified statement on a form prescribed by the board that the barber shop will be under the personal supervision of a barber licensed under this article.
As added by P.L.234-1995, SEC.12.

IC 25-7-9-3 Issuance of license
Sec. 3. The board may issue a license under this chapter if the applicant has:
(1) complied with section 2 of this chapter; and
(2) paid the fee for the license set forth in IC 25-7-11.
As added by P.L.234-1995, SEC.12.

IC 25-7-9-4 Display of sign
Sec. 4. A person holding a license issued under this chapter shall display a sign complying with standards prescribed by the board. The sign must:
(1) be clearly visible to a customer entering the establishment at the shop's main public entrance; and
(2) state in legible printing that the establishment is licensed as a barber shop.
As added by P.L.234-1995, SEC.12.

IC 25-7-9-5 Temporary license
Sec. 5. (a) If:
(1) the board cannot determine whether an applicant has complied with section 2 of this chapter at the time the application is filed; and
(2) the board determines that more than fifteen (15) days are required to determine if the applicant has complied with section 2 of this chapter;
then the board shall issue a temporary barber shop license to the applicant.
(b) A temporary license issued under subsection (a) is valid until:
(1) the board approves or denies the application for a license under this chapter; or
(2) three (3) months following issuance of the temporary license;
whichever occurs first.
As added by P.L.234-1995, SEC.12.

INDIANA CODE § 25-7-10

Chapter 10. Barber Licenses

IC 25-7-10-1 Power of board to issue license
Sec. 1. The board may license a person to be a barber.
As added by P.L.234-1995, SEC.13.

IC 25-7-10-2 Verified application
Sec. 2. A person must file a verified application with the board on a form prescribed by the board to obtain a barber license.
As added by P.L.234-1995, SEC.13.

IC 25-7-10-3 Contents of application
Sec. 3. The application described in section 2 of this chapter must state that the applicant:
(1) is either:
(A) at least eighteen (18) years of age; or
(B) at least seventeen (17) years of age and is a graduate of an accredited high school;
(2) has graduated from an approved barber school with not less than one thousand five hundred (1,500) hours of training;
(3) has received a satisfactory grade (as described in IC 25-7-6-6) on an examination for barber license applicants prescribed by the board;
(4) has not committed an act that could subject the applicant to discipline under IC 25-1-11; and
(5) has paid the fee set forth in IC 25-7-11 for the issuance of a license under this chapter.
As added by P.L.234-1995, SEC.13. Amended by P.L.157-2006, SEC.31.

IC 25-7-10-4 Failure to pass examination

Sec. 4. (a) If a person does not receive a satisfactory grade on the written examination described in IC 25-7-6-5, the person may repeat the examination not more than four (4) times without completing any additional study in barbering.

(b) If, after five (5) attempts, a person does not receive a satisfactory grade on the examination described in IC 25-7-6-5, the person will be permitted to repeat the examination only upon proof of completion of one hundred (100) additional hours of training at an approved barber school.

As added by P.L.234-1995, SEC.13. Amended by P.L.157-2006, SEC.32; P.L.177-2009, SEC.23.

IC 25-7-10-5 Restrictions on barbering in barber school

Sec. 5. A person licensed under this chapter may not engage in barbering in a barber school except as part of student instruction.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-6 Restrictions on barbering outside barber shop

Sec. 6. A person licensed under this chapter may not engage in barbering outside a barber shop unless the person:

(1) has the permission of a person who holds a barber shop license and:
(A) employs; or
(B) leases or subleases a part of a shop to;
the person licensed under this chapter; and
(2) complies with any other practice restrictions established by the board under this section.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-7 Temporary work permit

Sec. 7. The board may issue a temporary work permit to practice barbering.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-8 Application for temporary work permit

Sec. 8. A person must file a verified application with the board on a form prescribed by the board to obtain a temporary work permit.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-9 Contents of application for temporary work permit

Sec. 9. The application described in section 8 of this chapter must state that the applicant will practice barbering under the supervision of a barber, and:

(1) has filed an application under section 2 of this chapter, but has not taken the examination described in IC 25-7-6-5; or
(2) has filed an application under IC 25-7-6-1 and is awaiting board determination as described in IC 25-7-6-1.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-10 Expiration of work permit

Sec. 10. (a) Except when held by a barber applicant who has filed an application under IC 25-7-6-1, a work permit issued under section 7 of this chapter expires:

(1) three (3) months after the date of issuance; or
(2) thirty (30) days after the permit holder takes the examination described in IC 25-7-6-5;

whichever occurs first.

(b) A work permit held by a barber license applicant who has filed an application under IC 25-7-6-1 expires thirty (30) days after board determination as described in IC 25-7-6-1.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-11 Nonrenewability of work permits

Sec. 11. The board may not:

(1) renew or reinstate a work permit; or
(2) grant a person more than one (1) work permit;

issued under section 7 of this chapter.

As added by P.L.234-1995, SEC.13. Amended by P.L.194-2005, SEC.26.

IC 25-7-10-12 Registration following military service

Sec. 12. A person who:

(1) enters active military or naval service of the United States or of this state:
(A) in time of war or an emergency;
(B) for or during a period of training; or
(C) in connection with or under the operation of a system of selective service; and
(2) at the time of entry, holds a valid license as a registered barber;

shall be granted a like certificate of registration or license upon presenting to the board an honorable discharge from the military or naval service, dated not more than six (6) months before the time of the presentation. The like certificate or license shall be granted by the board upon payment of a fee established by the board.

As added by P.L.234-1995, SEC.13.

IC 25-7-10-13 Repealed

(*Repealed by P.L.157-2006, SEC.76.)*

IC 25-7-10-14 Repealed

(*Repealed by P.L.173-1996, SEC.17.)*

IC 25-7-10-15 Repealed

(*Repealed by P.L.173-1996, SEC.17.)*

IC 25-7-10-16 Repealed

(*Repealed by P.L.173-1996, SEC.17.)*

INDIANA CODE § 25-7-11

Chapter 11. Fees

IC 25-7-11-1 "Examination" defined

Sec. 1. As used in this chapter, "examination" includes the repeating of an examination by a person who did not receive a satisfactory grade (as described in IC 25-7-6-6) on a prior examination.

As added by P.L.234-1995, SEC.14.

IC 25-7-11-2 Barber school license fees

Sec. 2. (a) The board shall adopt rules under IC 4-22-2 to establish fees for the application, issuance, and renewal of barber school licenses under IC 25-1-8-2.

(b) In addition to the fee charged under subsection (a), the board shall charge a fee for reinstating a barber school license under IC 25-1-8-6.

(c) A barber school license may not be reinstated if at least one (1) year has passed since the license expired. However, the barber school may obtain a new license by:

(1) making application;
(2) meeting the requirements for licensure; and
(3) paying a fee established by the board under IC 25-1-8-2.

As added by P.L.234-1995, SEC.14. Amended by P.L.194-2005, SEC.27; P.L.157-2006, SEC.33.

IC 25-7-11-3 Instructor license fees

Sec. 3. The board shall adopt rules under IC 4-22-2 to establish fees related to an instructor's license under IC 25-1-8-2.

As added by P.L.234-1995, SEC.14. Amended by P.L.194-2005, SEC.28.

IC 25-7-11-4 Barber shop license fees

Sec. 4. (a) The board shall adopt rules under IC 4-22-2 to establish fees related to barber shop licenses under IC 25-1-8-2.

(b) A barber shop license may not be reinstated if at least one (1) year has passed since the license expired. However, the barber shop may obtain a new license by:

(1) making application;
(2) meeting the requirements for licensure; and
(3) paying the fees established under IC 25-1-8-2.
As added by P.L.234-1995, SEC.14. Amended by P.L.194-2005, SEC.29.

IC 25-7-11-5 Barber license fee
Sec. 5. (a) The board shall establish fees under IC 25-1-8-2 for providing an examination to an applicant for a barber license.
(b) The board shall establish fees under IC 25-1-8-2 for issuing or renewing a barber license.
(c) The board shall charge a fee established under IC 25-1-8-6 for reinstating a barber license.
As added by P.L.234-1995, SEC.14. Amended by P.L.194-2005, SEC.30; P.L.157-2006, SEC.34.

IC 25-7-11-6 Duplicate license fee
Sec. 6. The board shall establish a fee under IC 25-1-8-2 for issuing a duplicate license.
As added by P.L.234-1995, SEC.14. Amended by P.L.194-2005, SEC.31.

INDIANA CODE § 25-7-12

Chapter 12. Enforcement

IC 25-7-12-1 Power of board to refuse, suspend, or revoke license
Sec. 1. The board may under IC 4-21.5:
(1) refuse to issue, renew, or reinstate a license issued under this article; or
(2) suspend or revoke a license issued under this article;
if the board determines that the applicant or license holder has not complied with IC 25-1-11.
As added by P.L.234-1995, SEC.15. Amended by P.L.173-1996, SEC.9; P.L.194-2005, SEC.32.

IC 25-7-12-2 Repealed
(Repealed by P.L.173-1996, SEC.17.)

IC 25-7-12-3 Repealed
(Repealed by P.L.173-1996, SEC.17.)

IC 25-7-12-4 Repealed
(Repealed by P.L.173-1996, SEC.17.)

IC 25-7-12-5 Violations
Sec. 5. A person who knowingly or intentionally:
(1) violates a provision of this article; or
(2) performs an act authorized by a license issued under this article without possessing a valid license to do so;
commits a Class C misdemeanor.
As added by P.L.234-1995, SEC.15.

IC 25-7-12-6 Violations relating to contagious disease
Sec. 6. (a) A person who:
(1) is a barber or an instructor; and
(2) performs an act authorized by a license issued under this article while the person has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact during the practice of barbering;
commits a Class C infraction.
(b) A person who attends a barber school as a student while the person has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact commits a Class C infraction.
As added by P.L.234-1995, SEC.15.

IC 25-7-12-7 Equal treatment and access for persons with criminal records
Sec. 7. (a) The board may not make a rule establishing different standards for inmates or former inmates of penal institutions who apply for:
(1) admission to barber school; or
(2) a license as a registered barber.
(b) A person who graduates from a barber school operated by a penal institution shall not have the person's license denied or revoked as a result of the acts for which the person was convicted.
As added by P.L.234-1995, SEC.15.

INDIANA CODE § 25-1

ARTICLE 1. GENERAL PROVISIONS

INDIANA CODE § 25-1-1

Chapter 1. Evidence of License Applicant's Payment of Personal Property Taxes Required

IC 25-1-1-1 Issuance of license; evidence of payment of personal property tax

Sec. 1. It is unlawful for any board, officer, or person to issue any license, as defined in section 2 of this chapter, to any person who is a resident of this state, unless the applicant, at the time he applies for such license, submits, in addition to all other requirements prescribed by law, a receipt or other evidence showing that he has paid all his personal property taxes in full. "Other evidence" in the case of all licenses issued by the bureau of motor vehicles means a statement signed by the treasurer of the county in which the applicant is a resident that the applicant has paid all personal taxes assessed against him, including all delinquent personal property tax; or, if the applicant owns no personal property subject to taxation, a signed statement from the assessor of the county in which the applicant resides certifying that he has made an affidavit to the effect that he owes no delinquent personal property tax in any county in Indiana.
(Formerly: Acts 1931, c.124, s.1; Acts 1941, c.61, s.1; Acts 1943, c.124, s.1; Acts 1953, c.208, s.1.) As amended by Acts 1978, P.L.2, SEC.2501.

IC 25-1-1-2 License defined

Sec. 2. The term "license" as used in this chapter shall be construed to mean and include motor vehicle registration licenses, certificates of title showing the ownership of any motor vehicle, except those classed as passenger vehicles.
(Formerly: Acts 1931, c.124, s.2; Acts 1972, P.L.183, SEC.1.)

IC 25-1-1-3 Repealed

(*Repealed by Acts 1978, P.L.2, SEC.2570.)*

IC 25-1-1-4 Repealed

(*Repealed by Acts 1978, P.L.2, SEC.2570.)*

INDIANA CODE § 25-1-1.1

Chapter 1.1. Effect of Criminal Convictions on Licensed or Registered Persons

IC 25-1-1.1-1 Denial, revocation, or suspension of license or certificate of registration; conviction of crime

Sec. 1. Except as provided under sections 2 through 3 of this chapter, a license or certificate of registration that an individual is required by law to hold to engage in a business, profession, or occupation may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.
(Formerly: Acts 1973, P.L.249, SEC.1.) As amended by Acts 1978, P.L.2, SEC.2502; P.L.67-1990, SEC.6.

IC 25-1-1.1-2 Suspension or revocation of license or certificate; conviction for drug related offense

Sec. 2. A board, a commission, or a committee may suspend or revoke a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
(2) Possession of methamphetamine under IC 35-48-4-6.1.
(3) Possession of a controlled substance under IC 35-48-4- 7(a).
(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b).
(5) Manufacture of paraphernalia as a Class D felony under IC 35-48-4-8.1(b).
(6) Dealing in paraphernalia as a Class D felony under IC 35-48-4-8.5(b).
(7) Possession of paraphernalia as a Class D felony under IC 35-48-4-8.3(b).
(8) Possession of marijuana, hash oil, or hashish as a Class D felony under IC 35-48-4-11.
(9) Maintaining a common nuisance under IC 35-48-4- 13.
(10) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
(11) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (10).
(12) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (10).
(13) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (12).

As added by P.L.67-1990, SEC.7. Amended by P.L.1-1991, SEC.162; P.L.17-2001, SEC.5; P.L.151-2006, SEC.10.

IC 25-1-1.1-3 Suspension or revocation of license or certificate; conviction for additional drug related offenses

Sec. 3. A board, a commission, or a committee shall revoke or suspend a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate is convicted of any of the following:

(1) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.
(2) Dealing in methamphetamine under IC 35-48-4-1.1.
(3)Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.
(4) Dealing in a schedule IV controlled substance under IC 35-48-4-3.
(5) Dealing in a schedule V controlled substance under IC 35-48-4-4.
(6) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5.
(7) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.
(8) Dealing in a counterfeit substance under IC 35-48-4-5.
(9) Dealing in marijuana, hash oil, or hashish under IC 35-48-4-10(b).
(10) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (9).
(11) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (9).
(12) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (11).
(13) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

As added by P.L.67-1990, SEC.8. Amended by P.L.182-1991, SEC.1; P.L.17-2001, SEC.6; P.L.1-2002, SEC.94; P.L.151-2006, SEC.11.

INDIANA CODE § 25-1-1.2

Chapter 1.2. Effect of Delinquency in Child Support Payments on Licensed or Registered Persons

IC 25-1-1.2-1 "Applicant" defined

Sec. 1. As used in this chapter, "applicant" means a person who applies for:

(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit; or
(4) an intern permit;

issued by a board regulating a profession or an occupation.

As added by P.L.133-1995, SEC.19.

IC 25-1-1.2-2 "Board" defined

Sec. 2. As used in this chapter, "board" means an entity that regulates occupations or professions under this title and the department of education established by IC 20-19-3-1.

As added by P.L.133-1995, SEC.19. Amended by P.L. 1-2005, SEC. 191; P.L. 246-2005, SEC. 210.

IC 25-1-1.2-3 "Bureau" defined

Sec. 3. As used in this chapter, "bureau" means the child support bureau established by IC 31-25-3-1.

As added by P.L.133-1995, SEC.19. Amended by P.L.145-2006, SEC.157.

IC 25-1-1.2-4 "Delinquent" defined

Sec. 4. As used in this chapter, "delinquent" means at least:

(1) two thousand dollars ($2,000); or
(2) three (3) months;

past due on payment of court ordered child support.

As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.18.

IC 25-1-1.2-5 "License" defined

Sec. 5. As used in this chapter, "license" has the meaning set forth in IC 25-1-2-6.

As added by P.L.133-1995, SEC.19.

IC 25-1-1.2-6 "Practitioner" defined

Sec. 6. As used in this chapter, "practitioner" means a person that holds:

(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit; or
(4) an intern permit;

issued by a board regulating a profession or an occupation.

As added by P.L.133-1995, SEC.19.

IC 25-1-1.2-7 Order for suspension or denial of license; notice to practitioner; contents; reinstatement

Sec. 7. (a) Upon receiving an order of a court issued under IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or IC 31-6-6.1-16(k) before their repeal), the board shall:

(1) suspend the license of the practitioner; or
(2) deny the application of the applicant;

who is the subject of the order.

(b) Upon receiving an order of a court issued under IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or IC 31-6-6.1-16(k) before their repeal), the board shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(1) That the practitioner's license has been suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the board receives an order allowing reinstatement from the court that issued the suspension order.
(2) That the practitioner has the right to petition for reinstatement of the practitioner's license to the court that issued the order for suspension.

(c) The board may not reinstate a license suspended under this section until the board receives an order allowing reinstatement from the court that issued the order for suspension.

As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.19; P.L.1-1997, SEC.109.

IC 25-1-1.2-8 Notice of delinquency; contents; delinquency finding; probationary status; suspension; reinstatement

Sec. 8. (a) The board shall, upon receiving an order from the bureau under IC 31-25-4-32(e), send a notice to the practitioner identified by the bureau that includes the following:

(1) Specifies that the practitioner is delinquent and is subject to an order placing the practitioner on probationary status.
(2) Describes the amount of child support that the practitioner is in arrears.
(3) Explains that unless the practitioner contacts the bureau and:
  (A) pays the practitioner's child support arrearage in full;
  (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
  (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed, the board shall place the practitioner on probationary status.

(4) Explains that the practitioner may contest the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.
(5) Explains that the only basis for contesting the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status is a mistake of fact.
(6) Explains the procedures to:
  (A) pay the practitioner's child support arrearage in full;
  (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;
  (C) request a hearing under IC 31-25-4-33.
(7) Explains that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the practitioner has:
  (A) paid the practitioner's child support arrearage in full; or
  (B) established a payment plan with the bureau to pay the arrearage which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) If the board is advised by the bureau that the practitioner either requested a hearing and failed to appear or appeared and was found to be delinquent, the board shall promptly mail a notice to the practitioner who is the subject of the order stating the following:

(1) That the practitioner's license has been placed on probationary status, beginning five (5) business days after the date the notice is mailed, and that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the person has:
  (A) paid the person's child support arrearage in full; or
  (B) established a payment plan with the bureau to pay the arrearage which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.
(2) That if the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:
  (A) pay the person's child support arrearage in full; or
  (B) establish a payment plan with the bureau to pay the arrearage which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license.

(c) If the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

(1) pay the person's child support arrearage in full; or
(2) establish a payment plan with the bureau to pay the arrearage which includes an income withholding order under IC 31-16-15-2 IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed, the board shall suspend the practitioner's license.

(d) The board may not reinstate a license or permit placed on probation or suspended under this section until the board receives a notice from the bureau that the person has:

(1) paid the person's child support arrearage in full; or

(2) established a payment plan with the bureau to pay the arrearage which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.20; P.L.1-1997, SEC.110; P.L.145-2006, SEC.158; P.L.103-2007, SEC.7.

IC 25-1-1.2-9 Repealed

(*Repealed by P.L.23-1996, SEC.33.)*

IC 25-1-1.2-10 Repealed

(*Repealed by P.L.23-1996, SEC.33.)*

INDIANA CODE § 25-1-2

Chapter 2. Renewal of Licenses Granted by State Agencies. Notice of Expiration

IC 25-1-2-1 Declaration of intent

Sec. 1. It is the declared intent of the general assembly by the enactment of this law to require those agencies which are authorized to issue the licenses designated in section 2.1 of this chapter, in the interests of efficiency and economy in the administration of government, to issue such designated permits, licenses, certificates of registration, and other evidences of compliance with statute or regulation, and renewals thereof, for periods of two (2) years duration rather than upon an annual basis, and at the time of issuance or reissuance, or at the time designated by law for the collection of fees therefore, to require the payment of such fees for a period of two (2) years rather than for one (1) year.

(Formerly: Acts 1961, c.79, s.1.) As amended by P.L.1-1990, SEC.246.

IC 25-1-2-2 Repealed

(*Repealed by P.L.1-1990, SEC.247.)*

IC 25-1-2-2.1 Two year or longer period for certain licenses

Sec. 2.1. Rather than being issued annually, the following permits, licenses, certificates of registration, or evidences of authority granted by a state agency must be issued for a period of two (2) years or for the period specified in the article under which the permit, license, certificate of registration, or evidence of authority is issued if the period specified in the article is longer than two (2) years:

(1) Certified public accountants, public accountants, and accounting practitioners.

(2) Architects and landscape architects.

(3) Dry cleaners.

(4) Professional engineers.

(5) Land surveyors.

(6) Real estate brokers.

(7) Real estate agents.

(8) Security dealers' licenses issued by the securities commissioner.

(9) Dental hygienists.

(10) Dentists.

(11) Veterinarians.

(12) Physicians.

(13) Chiropractors.

(14) Physical therapists.

(15) Optometrists.

(16) Pharmacists and assistants, drugstores or pharmacies.

(17) Motels and mobile home community licenses.

(18) Nurses.

(19) Podiatrists.

(20) Occupational therapists and occupational therapy assistants.

(21) Respiratory care practitioners.

(22) Social workers, marriage and family therapists, and mental health counselors.

(23) Real estate appraiser licenses and certificates issued by the real estate appraiser licensure and certification board.

(24) Wholesale legend drug distributors.

(25) Physician assistants.

(26) Dietitians.

(27) Hypnotists.

(28) Athlete agents.

(29) Manufactured home installers.

(30) Home inspectors.

(31) Massage therapists.

(32) Interior designers.

(33) Genetic counselors.

As added by P.L.1-1990, SEC.248. Amended by P.L.186-1990, SEC.1; P.L.183-1991, SEC.1; P.L.182-1991, SEC.2; P.L.25-1992, SEC.26; P.L.227-1993, SEC.2; P.L.124-1994, SEC.1; P.L.234-1995, SEC.1; P.L.175-1997, SEC.2; P.L.147-1997, SEC.5; P.L.84-1998, SEC.1; P.L.54-2001, SEC.3; P.L.162-2002, SEC.1; P.L.145-2003, SEC.1; P.L. 87-2005, SEC. 31; P.L.200-2007, SEC.2; P.L.3-2008, SEC.175; P.L.177-2009, SEC.10.

IC 25-1-2-3 Authorization to issue and reissue two year licenses

Sec. 3. Effective October 1, 1961, such licensing agencies as are authorized to issue any of the foregoing shall issue and reissue such licenses and collect the fees for the same on the basis of two (2) years and the dates by month and day which govern the issuance or reissuance of licenses for one (1) year shall govern the issuance or reissuance of licenses for two (2) years; provided, that entire fees for a two (2) year period shall be payable before issuance thereof on the day and month designated for payment of fees for one (1) year licenses.

(Formerly: Acts 1961, c.79, s.3.) As amended by Acts 1982, P.L.154, SEC.1.

IC 25-1-2-4 Rebates and proration of fees

Sec. 4. Rebates and proration of fees for fractions of a biennium shall be allowed only with respect to the second year of such license if claim be made therefor before the expiration of the first year for which the license was issued.

(Formerly: Acts 1961, c.79, s.4.)

IC 25-1-2-5 Rules and regulations

Sec. 5. Notice shall be given and forms prepared by such licensing agencies as necessary to execute the provisions of this chapter and in order to expedite and effectuate the conversion from one (1) year licensing periods to those of two (2) years, such licensing agencies may adopt and promulgate such rules and regulations they may deem necessary in the manner prescribed by law.

(Formerly: Acts 1961, c.79, s.5.) As amended by Acts 1982, P.L.154, SEC.2.

IC 25-1-2-6 Definitions; application of section; notice to licensee of need to renew

Sec. 6. (a) As used in this section, "license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

(1) Indiana board of accountancy.

(2) Indiana grain buyers and warehouse licensing agency.

(3) Indiana auctioneer commission.

(4) Board of registration for architects and landscape architects.

(5) State board of barber examiners.

(6) State board of cosmetology examiners.

(7) Medical licensing board of Indiana.

(8) Secretary of state.

(9) State board of dentistry.

(10) State board of funeral and cemetery service.

(11) Worker's compensation board of Indiana.
(12) Indiana state board of health facility administrators.
(13) Committee of hearing aid dealer examiners.
(14) Indiana state board of nursing.
(15) Indiana optometry board.
(16) Indiana board of pharmacy.
(17) Indiana plumbing commission.
(18) Board of podiatric medicine.
(19) Private investigator and security guard licensing board.
(20) State board of registration for professional engineers.
(21) Board of environmental health specialists.
(22) State psychology board.
(23) Indiana real estate commission.
(24) Speech-language pathology and audiology board.
(25) Department of natural resources.
(26) State athletic commission.
(27) Board of chiropractic examiners.
(28) Mining board.
(29) Indiana board of veterinary medical examiners.
(30) State department of health.
(31) Indiana physical therapy committee.
(32) Respiratory care committee.
(33) Occupational therapy committee.
(34) Behavioral health and human services licensing board.
(35) Real estate appraiser licensure and certification board.
(36) State board of registration for land surveyors.
(37) Physician assistant committee.
(38) Indiana dietitians certification board.
(39) Indiana hypnotist committee.
(40) Attorney general (only for the regulation of athlete agents).
(41) Manufactured home installer licensing board.
(42) Home inspectors licensing board.
(43) State board of massage therapy.
(44) Any other occupational or professional agency created after June 30, 1981.

(c) Notwithstanding any other law, the entities included in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

As added by Acts 1981, P.L.221, SEC.1. Amended by P.L.137-1985, SEC.5; P.L.246-1985, SEC.13; P.L.169-1985, SEC.22; P.L.149-1987, SEC.17; P.L.5-1988, SEC.132; P.L.28-1988, SEC.73; P.L.242-1989, SEC.4; P.L.234-1989, SEC.1; P.L.238-1989, SEC.4; P.L.186-1990, SEC.2; P.L.183-1991, SEC.2; P.L.23-1991, SEC.7; P.L.48-1991, SEC.12; P.L.2-1992, SEC.765; P.L.227-1993, SEC.3; P.L.33-1993, SEC.9; P.L.124-1994, SEC.2; P.L.175-1997, SEC.3; P.L.125-1997, SEC.17; P.L.147-1997, SEC.6; P.L.253-1997(ss), SEC.22; P.L.24-1999, SEC.2; P.L.82-2000, SEC.2; P.L.54-2001, SEC.4; P.L.162-2002, SEC.2; P.L.145-2003, SEC.2; P.L.185-2007, SEC.1; P.L.200-2007, SEC.3; P.L.3-2008, SEC.176; P.L.160-2009, SEC.4; P.L.122-2009, SEC.1.

IC 25-1-2-7 Application of IC 25-1-2-6

Sec. 7. Section 6 of this chapter applies to the mining board (IC 22-10-1.5-2).

As added by P.L.37-1985, SEC.56.

IC 25-1-2-8 Application of chapter; fees

Sec. 8. This chapter applies to the imposition and collection of fees under the following:

IC 14-24-10
IC 16-19-5-2
IC 25-30-1-17
IC 33-42-2-1.

As added by P.L.5-1988, SEC.133. Amended by P.L.2-1993, SEC.135; P.L.1-1995, SEC.69; P.L.98-2004, SEC.98.

IC 25-1-2-9 Repealed

(Repealed by P.L. 194-2005, SEC. 87.)

INDIANA CODE § 25-1-3

Chapter 3. Civil Immunity of Regulatory Agencies

IC 25-1-3-1 Definitions

Sec. 1. (a) As used in this chapter, the term "regulatory board" means any state board, commission, or state agency which licenses persons in order to regulate the practice of a particular profession or professions.

(b) As used in this chapter, the term "board members" means members of a regulatory board.

(c) As used in this chapter, the term "secretary" means the executive secretary or other person charged with the administration of the affairs of a regulatory board.

(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-2 Extent of immunity from civil liability

Sec. 2. The board members, the secretary, his staff, counsel, investigators and hearing officer of every regulatory board, except as provided in section 4 of this chapter, shall be immune from civil liability for damages for conduct within the scope and arising out of the performance of their duties. This section shall not be construed to include civil actions for damages not directly related to the investigative process and shall apply only to the process for the finding of fact of the regulatory board.

(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-3 Immunity from civil liability; statements in course of investigatory hearing or review proceedings

Sec. 3. Any person shall be immune from civil liability for damages for any sworn or written statements, made without malice, and transmitted to the regulatory board, executive secretary, or his staff, or made in the course of investigatory, hearing or review proceedings.

(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-4 Regulatory boards covered

Sec. 4. The provisions of this chapter extend to every regulatory board of the state except the disciplinary commission of the supreme court of Indiana which is protected under IC 1971, 33-2-3-1.

(Formerly: Acts 1975, P.L.268, SEC.1.)

INDIANA CODE § 25-1-6

Chapter 6. Professional Licensing Agency

IC 25-1-6-1 Legislative intent

Sec. 1. The centralization of staff, functions, and services contemplated by this chapter shall be done in such a way as to enhance the licensing agency's ability to:

(1) make maximum use of data processing as a means of more efficient operation;
(2) provide more services and carry out functions of superior quality; and
(3) ultimately and significantly reduce the number of staff needed to provide these services and carry out these functions.

As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.2; P.L. 194-2005, SEC. 1.

IC 25-1-6-2 Definitions

Sec. 2. As used in this chapter:

"Board" means any agency, board, advisory committee, or group included in section 3 of this chapter.

"Licensing agency" means the Indiana professional licensing agency created by IC 25-1-5-3.

As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.3; P.L. 206-2005, SEC. 8.

IC 25-1-6-3 Indiana professional licensing agency; functions, duties, and responsibilities

Sec. 3. (a) The licensing agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).
(2) Board of registration for architects and landscape architects (IC 25-4-1-2).
(3) Indiana auctioneer commission (IC 25-6.1-2-1).
(4) State board of barber examiners (IC 25-7-5-1).
(5) State board of cosmetology examiners (IC 25-8-3-1).
(6) State board of funeral and cemetery service (IC 25-15-9).
(7) State board of registration for professional engineers (IC 25-31-1-3).
(8) Indiana plumbing commission (IC 25-28.5-1-3).
(9) Indiana real estate commission (IC 25-34.1).
(10) Real estate appraiser licensure and certification board (IC 25-34.1-8-1).
(11) Private investigator and security guard licensing board (IC 25-30-1-5.2).
(12) State board of registration for land surveyors (IC 25-21.5-2-1).
(13) Manufactured home installer licensing board (IC 25-23.7).
(14) Home inspectors licensing board (IC 25-20.2-3-1).
(15) State board of massage therapy (IC 25-21.8-2-1).

(b) Nothing in this chapter may be construed to give the licensing agency policy making authority, which remains with each board.

As added by Acts 1981, P.L.222, SEC.3. Amended by Acts 1982, P.L.113, SEC.10; P.L.132-1984, SEC.4; P.L.246-1985, SEC.14; P.L.257-1987, SEC.14; P.L.234-1989, SEC.2; P.L.186-1990, SEC.4; P.L.23-1991, SEC.8; P.L.48-1991, SEC.15; P.L.1-1992, SEC.129; P.L.30-1993, SEC.4; P.L.234-1995, SEC.2; P.L.82-2000, SEC.3; P.L.227-2001, SEC.3; P.L.162-2002, SEC.3; P.L.145-2003, SEC.3; P.L. 194-2005, SEC. 2; P.L. 206-2005, SEC. 9; P.L.185-2007, SEC.3; P.L.200-2007, SEC.4; P.L.3-2008, SEC.177; P.L.160-2009, SEC.6.

IC 25-1-6-4 Additional duties and functions; staff

Sec. 4. (a) The licensing agency shall employ necessary staff, including specialists and professionals, to carry out the administrative duties and functions of the boards, including but not limited to:

(1) notice of board meetings and other communication services;
(2) recordkeeping of board meetings, proceedings, and actions;
(3) recordkeeping of all persons or individuals licensed, regulated, or certified by a board;
(4) administration of examinations; and
(5) administration of license or certificate issuance or renewal

(b) In addition, the licensing agency:

(1) shall prepare a consolidated statement of the budget requests of all the boards in section 3 of this chapter;
(2) may coordinate licensing or certification renewal cycles, examination schedules, or other routine activities to efficiently utilize licensing agency staff, facilities, and transportation resources, and to improve accessibility of board functions to the public; and
(3) may consolidate, where feasible, office space, recordkeeping, and data processing services.

(c) In administering the renewal of licenses or certificates under this chapter, the licensing agency shall issue a sixty (60) day notice of expiration to all holders of a license or certificate. The notice must inform the holder of a license or certificate of the requirements to:

(1) renew the license or certificate; and
(2) pay the renewal fee.

(d) If the licensing agency fails to send notice of expiration under subsection (c), the holder of the license or certificate is not subject to a sanction for failure to renew if the holder renews the license or certificate not more than forty-five (45) days after the holder receives the notice from the licensing agency.

(e) The licensing agency may require an applicant for a license or certificate renewal to submit evidence showing that the applicant:

(1) meets the minimum requirements for licensure or certification; and
(2) is not in violation of:
(A) the law regulating the applicant's profession; or
(B) rules adopted by the board regulating the applicant's profession.

(f) The licensing agency may delay renewing a license or certificate for not more than ninety (90) days after the renewal date to permit the board to investigate information received by the licensing agency that the applicant for renewal may have committed an act for which the applicant may be disciplined. If the licensing agency delays renewing a license or certificate, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (g), the board shall do one (1) of the following before the expiration of the ninety (90) day period:

(1) Deny renewal of the license or certificate following a personal appearance by the applicant before the board.
(2) Renew the license or certificate upon satisfaction of all other requirements for renewal.
(3) Renew the license and file a complaint under IC 25-1-7.
(4) Request the office of the attorney general to conduct an investigation under subsection (h) if, following a personal appearance by the applicant before the board, the board has good cause to believe that the applicant engaged in activity described in IC 25-1-11-5.
(5) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, renew the license or certificate and place the applicant on probation status under IC 25-1-11-12.

(g) If an applicant fails to appear before the board under subsection (f), the board may take action as provided in subsection (f)(1), (f)(2), or (f)(3).

(h) If the board makes a request under subsection (f)(4), the office of the attorney general shall conduct an investigation. Upon completion of the investigation, the office of the attorney general may file a petition alleging that the applicant has engaged in activity described in IC 25-1-11-5. If the office of the attorney general files a petition, the board shall set the matter for a public hearing. If, after a public hearing, the board finds the applicant violated IC 25-1-11-5, the board may impose sanctions under IC 25-1-11-12. The board may delay renewing a license or certificate beyond ninety (90) days after the renewal date until a final determination is made by the board. The applicant's license or certificate remains valid until the final determination of the board is rendered unless the renewal is:

(1) denied; or
(2) summarily suspended under IC 25-1-11-13.

(i) The license or certificate of the applicant for license renewal remains valid during the ninety (90) day period unless the license or certificate is denied following a personal appearance by the applicant before the board before the end of the ninety (90) day period. If the ninety (90) day period expires without action by the board, the license or certificate shall be automatically renewed at the end of the ninety (90) day period.

(j) Notwithstanding any other law, the licensing agency may stagger license or certificate renewal cycles.

(k) An application for a license or certificate is abandoned without an action by the board if the applicant does not complete the requirements for obtaining the license or certificate not more than one (1) year after the date on which the application was filed. However, the board may, for good cause shown, extend the validity of the application for additional thirty (30) day periods. An application submitted after the abandonment of an application is considered a new application.

As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.5; P.L. 194-2005, SEC. 3.

IC 25-1-6-5 Executive director

Sec. 5. (a) The licensing agency shall be administered by an executive director appointed by the governor who shall serve at the will and pleasure of the governor.

(b) The executive director must be qualified by experience and training.
(c) The term "executive director" or "secretary", or any other statutory term for the administrative officer of a board listed in section 3 of this chapter, means the executive director of the licensing agency or the executive director's designee.
(d) The executive director is the chief fiscal officer of the licensing agency and is responsible for hiring of all staff and for procurement of all services and supplies in accordance with IC 5-22. The executive director and the employees of the licensing agency are subject to IC 4-15-1.8 but are not under IC 4-15-2. The executive director may appoint no more than three (3) deputy directors, who must be qualified to work for the boards which are served by the licensing agency.
(e) The executive director shall execute a bond payable to the state, with surety to consist of a surety or guaranty corporation qualified to do business in Indiana, in an amount fixed by the state board of accounts, conditioned upon the faithful performance of duties and the accounting for all money and property that come into the executive director's hands or under the executive director's control. The executive director may likewise cause any employee of the licensing agency to execute a bond if that employee receives, disburses, or in any way handles funds or property of the licensing agency. The costs of any such bonds shall be paid from funds available to the licensing agency.
(f) The executive director may present to the general assembly legislative recommendations regarding operations of the licensing agency and the boards it serves, including adoption of four (4) year license or certificate renewal cycles wherever feasible.
(g) Upon the request of a board or commission, the executive director may execute orders, subpoenas, continuances, and other legal documents on behalf of the board or commission.
(h) Upon the request of a board or commission, the executive director may provide advice and technical assistance on issues that may be presented to the board or commission.
As added by Acts 1981, P.L.222, SEC.3. Amended by Acts 1982, P.L.113, SEC.11; P.L.132-1984, SEC.6; P.L.49-1997, SEC.64; P.L. 194-2005, SEC. 4.

IC 25-1-6-5.5 Appeal of license renewal denial
Sec. 5.5. A person who has a license renewal denied by a board listed in section 3 of this chapter may file an appeal of the denial in accordance with IC 4-21.5-3.
As added by P.L.227-2001, SEC.4. Amended by P.L.1-2002, SEC.95; P.L. 194-2005, SEC. 5.

IC 25-1-6-6 Executive director; representatives; staff placement
Sec. 6. (a) The executive director shall designate certain employees of the licensing agency to represent the executive director of the licensing agency at board meetings, proceedings, or any other activities of a board.
(b) The executive director shall assign staff to individual boards and shall work with the boards to ensure efficient utilization and placement of staff.
As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.7.

IC 25-1-6-7 Repealed
(*Repealed by P.L.186-1990, SEC.17.)*

IC 25-1-6-8 Department of state revenue; access to names of licensees and applicants; persons on tax warrant list
Sec. 8. (a) The bureau and the boards may allow the department of state revenue access to the name of each person who:
(1) is licensed under this chapter or IC 25-1-5; or
(2) has applied for a license under this chapter or IC 25-1-5.
(b) If the department of state revenue notifies the licensing agency that a person is on the most recent tax warrant list, the licensing agency may not issue or renew the person's license until:
(1) the person provides to the licensing agency a statement from the department of revenue that the person's delinquent tax liability has been satisfied; or
(2) the licensing agency receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).
As added by P.L.26-1985, SEC.20. Amended by P.L.332-1989(ss), SEC.46; P.L. 2-2005, SEC. 63; P.L. 206-2005, SEC. 10.

IC 25-1-6-9 Repealed
(*Repealed by P.L.186-1990, SEC.17.)*

IC 25-1-6-10 Provision of social security numbers; access to numbers
Sec. 10. (a) An individual who applies for a license issued by a board under this chapter or who holds a license issued by a board under this chapter shall provide the individual's Social Security number to the licensing agency.
(b) The licensing agency and the boards shall collect and release the applicant's or licensee's Social Security number as otherwise provided in state or federal law.
(c) Notwithstanding IC 4-1-10-3, the licensing agency and the boards may allow access to the Social Security number of each person who is licensed under this chapter or has applied for a license under this chapter to:
(1) a testing service that provides the examination for licensure to the licensing agency or the boards; or
(2) an individual state regulatory board or an organization composed of state regulatory boards for the applicant's or licensee's profession for the purpose of coordinating licensure and disciplinary activities among the individual states.
As added by P.L.157-2006, SEC.19.

INDIANA CODE § 25-1-7

Chapter 7. Investigation and Prosecution of Complaints Concerning Regulated Occupations

IC 25-1-7-1 Definitions
Sec. 1. As used in this chapter:
"Board" means the appropriate agency listed in the definition of regulated occupation in this section.
"Director" refers to the director of the division of consumer protection.
"Division" refers to the division of consumer protection, office of the attorney general.
"Licensee" means a person who is:
(1) licensed, certified, or registered by a board listed in this section; and
(2) the subject of a complaint filed with the division.
"Person" means an individual, a partnership, a limited liability company, or a corporation.
"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:
(1) Indiana board of accountancy (IC 25-2.1-2-1).
(2) Board of registration for architects and landscape architects (IC 25-4-1-2).
(3) Indiana auctioneer commission (IC 25-6.1-2-1).
(4) State board of barber examiners (IC 25-7-5-1).
(5) State athletic commission (IC 25-9-1).
(6) Board of chiropractic examiners (IC 25-10-1).
(7) State board of cosmetology examiners (IC 25-8-3-1).
(8) State board of dentistry (IC 25-14-1).
(9) State board of funeral and cemetery service (IC 25-15-9).
(10) State board of registration for professional engineers (IC 25-31-1-3).
(11) Indiana state board of health facility administrators (IC 25-19-1).
(12) Medical licensing board of Indiana (IC 25-22.5-2).
(13) Indiana state board of nursing (IC 25-23-1).
(14) Indiana optometry board (IC 25-24).
(15) Indiana board of pharmacy (IC 25-26).
(16) Indiana plumbing commission (IC 25-28.5-1-3).
(17) Board of podiatric medicine (IC 25-29-2-1).

(18) Board of environmental health specialists (IC 25-32-1).
(19) State psychology board (IC 25-33).
(20) Speech-language pathology and audiology board (IC 25-35.6-2).
(21) Indiana real estate commission (IC 25-34.1-2).
(22) Indiana board of veterinary medical examiners (IC 25-38.1).
(23) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
(24) Respiratory care committee (IC 25-34.5).
(25) Private investigator and security guard licensing board (IC 25-30-1-5.2).
(26) Occupational therapy committee (IC 25-23.5).
(27) Behavioral health and human services licensing board (IC 25-23.6).
(28) Real estate appraiser licensure and certification board (IC 25-34.1-8).
(29) State board of registration for land surveyors (IC 25-21.5-2-1).
(30) Physician assistant committee (IC 25-27.5).
(31) Indiana athletic trainers board (IC 25-5.1-2-1).
(32) Indiana dietitians certification board (IC 25-14.5-2-1).
(33) Indiana hypnotist committee (IC 25-20.5-1-7).
(34) Indiana physical therapy committee (IC 25-27).
(35) Manufactured home installer licensing board (IC 25-23.7).
(36) Home inspectors licensing board (IC 25-20.2-3-1).
(37) State department of health, for out-of-state mobile health care facilities.
(38) State board of massage therapy (IC 25-21.8-2-1)
(39) Any other occupational or professional agency created after June 30, 1981.

As added by Acts 1981, P.L.222, SEC.4. Amended by Acts 1982, P.L.113, SEC.12; P.L.137-1985, SEC.7; P.L.246-1985, SEC.15; P.L.169-1985, SEC.29; P.L.149-1987, SEC.21; P.L.257-1987, SEC.15; P.L.242-1989, SEC.6; P.L.234-1989, SEC.3; P.L.238-1989, SEC.6; P.L.1-1990, SEC.249; P.L.186-1990, SEC.5; P.L.183-1991, SEC.3; P.L.23-1991, SEC.9; P.L.48-1991, SEC.16; P.L.1-1992, SEC.130; P.L.30-1993, SEC.5; P.L.227-1993, SEC.5; P.L.213-1993, SEC.2; P.L.8-1993, SEC.371; P.L.33-1993, SEC.11; P.L.1-1994, SEC.120; P.L.124-1994, SEC.4; P.L.234-1995, SEC.3; P.L.175-1997, SEC.5; P.L.147-1997, SEC.8; P.L.84-1998, SEC.3; P.L.24-1999, SEC.4; P.L.82-2000, SEC.4; P.L.162-2002, SEC.4; P.L.145-2003, SEC.4; P.L.185-2007, SEC.4; P.L.193-2007, SEC.4; P.L.200-2007, SEC.5; P.L.3-2008, SEC.178; P.L.134, SEC.16; P.L.1-2009, SEC.138; P.L.160-2009, SEC.7; P.L.122-2009, SEC.5.

IC 25-1-7-2 Duties of attorney general

Sec. 2. The office of the attorney general, under the conditions specified in this chapter, may receive, investigate, and prosecute complaints concerning regulated occupations.

As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-3 Investigation of complaints

Sec. 3. The division is responsible for the investigation of complaints concerning licensees.

As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-4 Complaints; requisites; standing

Sec. 4. All complaints must be written and signed by the complainant and initially filed with the director. Except for employees of the attorney general's office acting in their official capacity, a complaint may be filed by any person, including members of any of the boards listed in section 1 of this chapter.

As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-5 Duties and powers of director

Sec. 5. (a) Subsection (b)(1) does not apply to:
(1) a complaint filed by:
(A) a member of any of the boards listed in section 1 of this chapter; or
(B) the Indiana professional licensing agency; or
(2) a complaint filed under IC 25-1-5-4.

(b) The director has the following duties and powers:
(1) The director shall make an initial determination as to the merit of each complaint. A copy of a complaint having merit shall be submitted to the board having jurisdiction over the licensee's regulated occupation that board thereby acquiring jurisdiction over the matter except as otherwise provided in this chapter.
(2) The director shall through any reasonable means notify the licensee of the nature and ramifications of the complaint and of the duty of the board to attempt to resolve the complaint through negotiation.
(3) The director shall report any pertinent information regarding the status of the complaint to the complainant.
(4) The director may investigate any written complaint against a licensee. The investigation shall be limited to those areas in which there appears to be a violation of statutes governing the regulated occupation.
(5) The director has the power to subpoena witnesses and to send for and compel the production of books, records, papers, and documents for the furtherance of any investigation under this chapter. The circuit or superior court located in the county where the subpoena is to be issued shall enforce any such subpoena by the director.

As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.22-1999, SEC.2; P.L.14-2000, SEC.55; P.L. 206-2005, SEC. 11.

IC 25-1-7-6 Statement of settlement; period of time to resolve

Sec. 6. (a) This section does not apply to:
(1) a complaint filed by:
(A) a member of any of the boards listed in section 1 of this chapter; or
(B) the Indiana professional licensing agency; or
(2) a complaint filed under IC 25-1-5-4.

(b) If, at any time before the director files the director's recommendations with the attorney general, the board files with the director a statement signed by the licensee and the complainant that the complaint has been resolved, the director shall not take further action. For a period of thirty (30) days after the director has notified the board and the licensee that a complaint has been filed, the division shall not conduct any investigation or take any action whatsoever, unless requested by the board. If, during the thirty (30) days, the board requests an extension of the thirty (30) day time period, the director shall grant it for a period not exceeding an additional twenty (20) days. If at any time during the thirty (30) day period or an extension thereof, the board notifies the director of its intention not to proceed further to resolve the complaint, the division may proceed immediately under this chapter. For every purpose of this section, a board may designate a board member or staff member to act on behalf of or in the name of the board.

As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.22-1999, SEC.3; P.L. 206-2005, SEC. 12.

IC 25-1-7-7 Disciplinary sanctions; report to attorney general; prosecution; hearing officer

Sec. 7. (a) If there has been no statement of settlement filed by the board under section 6 of this chapter, and if, after conducting an investigation, the director believes that the licensee should be subjected to disciplinary sanctions by the board of his regulated occupation, then he shall so report to the attorney general. Upon receiving the director's report, the attorney general may prosecute the matter, on behalf of the state of Indiana, before the board. The board may designate any person as a hearing officer to hear the matter.

(b) Notwithstanding subsection (a) of this section, if the board by majority vote so requests, the attorney general shall prosecute the matter before the board, on behalf of the state of Indiana.

As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-8 Witnesses

Sec. 8. At the hearing, the board or hearing officer may call witnesses in addition to those presented by the state or the licensee.

As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-9 Disqualification of board member

Sec. 9. A board member is disqualified from any consideration of the case if the board member filed the complaint or participated in negotiations

regarding the complaint. The board member is not disqualified from the board's final determination solely because the board member was the hearing officer or determined the complaint and the information pertaining to the complaint was current significant investigative information (as defined by IC 25-23.2-1-5 (Repealed)).
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.181-2002, SEC.1; P.L.1-2007, SEC.166.

IC 25-1-7-10 Confidentiality of complaints and information
Sec. 10. (a) All complaints and information pertaining to the complaints shall be held in strict confidence until the attorney general files notice with the board of the attorney general's intent to prosecute the licensee.
(b) A person in the employ of the office of attorney general or any of the boards, or any person not a party to the complaint, may not disclose or further a disclosure of information concerning the complaint unless the disclosure is required:
(1) under law; or
(2) for the advancement of an investigation.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.181-2002, SEC.2; P.L.1-2007, SEC.167.

IC 25-1-7-11 Administrative orders and procedures
Sec. 11. Nothing in this chapter limits the rights of the licensee or the state under IC 4-21.5.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.7-1987, SEC.110.

IC 25-1-7-12 Reimbursement of attorney general
Sec. 12. (a) If:
(1) a fund is created by statute for the payment of an unpaid judgment against a licensee; and
(2) the office of the attorney general is required by statute to provide services to the boards that administer the funds described in subdivision (1);
the office of the attorney general is entitled to reimbursement for the costs incurred in providing the services described in subdivision (2).
(b) If:
(1) more than one (1) fund is established by statute for the payment of an unpaid judgment against a licensee; and
(2) the office of the attorney general is entitled to reimbursement under subsection (a);
the funds for reimbursement shall be taken in equal amounts from each of the funds described in subdivision (1).
As added by P.L.255-1987, SEC.1.

IC 25-1-7-13 Reports; contents
Sec. 13. The office of the attorney general shall submit to each board, at the request of the board, a report that includes the following information concerning that regulated occupation:
(1) The number of complaints filed.
(2) The number of cases currently under investigation.
(3) The number of cases closed.
(4) The number of cases resolved.
(5) The age of the complaints.
As added by P.L.177-1997, SEC.1.

INDIANA CODE § 25-1-8

Chapter 8. Occupational and Professional Licensure, Registration, and Certification Fees

IC 25-1-8-1 "Board" defined
Sec. 1. As used in this chapter, "board" means any of the following:
(1) Indiana board of accountancy (IC 25-2.1-2-1).
(2) Board of registration for architects and landscape architects (IC 25-4-1-2).
(3) Indiana auctioneer commission (IC 25-6.1-2-1).
(4) State board of barber examiners (IC 25-7-5-1).
(5) State athletic commission (IC 25-9-1).
(6) Board of chiropractic examiners (IC 25-10-1).
(7) State board of cosmetology examiners (IC 25-8-3-1).
(8) State board of dentistry (IC 25-14-1).
(9) State board of funeral and cemetery service (IC 25-15).
(10) State board of registration for professional engineers (IC 25-31-1-3).
(11) Indiana state board of health facility administrators (IC 25-19-1).
(12) Medical licensing board of Indiana (IC 25-22.5-2).
(13) Mining board (IC 22-10-1.5-2).
(14) Indiana state board of nursing (IC 25-23-1).
(15) Indiana optometry board (IC 25-24).
(16) Indiana board of pharmacy (IC 25-26).
(17) Indiana plumbing commission (IC 25-28.5-1-3).
(18) Board of environmental health specialists (IC 25-32-1).
(19) State psychology board (IC 25-33).
(20) Speech-language pathology and audiology board (IC 25-35.6-2).
(21) Indiana real estate commission (IC 25-34.1-2-1).
(22) Indiana board of veterinary medical examiners (IC 25-38.1-2-1).
(23) Department of insurance (IC 27-1).
(24) State police department (IC 10-11-2-4), for purposes of certifying polygraph examiners under IC 25-30-2.
(25) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
(26) Private investigator and security guard licensing board (IC 25-30-1-5.2).
(27) Occupational therapy committee (IC 25-23.5-2-1).
(28) Behavioral health and human services licensing board (IC 25-23.6-2-1).
(29) Real estate appraiser licensure and certification board (IC 25-34.1-8).
(30) State board of registration for land surveyors (IC 25-21.5-2-1).
(31) Physician assistant committee (IC 25-27.5).
(32) Indiana athletic trainers board (IC 25-5.1-2-1).
(33) Board of podiatric medicine (IC 25-29-2-1).
(34) Indiana dietitians certification board (IC 25-14.5-2-1).
(35) Indiana physical therapy committee (IC 25-27).
(36) Manufactured home installer licensing board (IC 25-23.7).
(37) Home inspectors licensing board (IC 25-20.2-3-1).
(38) State board of massage therapy (IC 25-21.8-2-1)
(39) Any other occupational or professional agency created after June 30, 1981.
As added by Acts 1981, P.L.223, SEC.1. Amended by P.L.250-1983, SEC.1; P.L.246-1985, SEC.16; P.L.169-1985, SEC.30; P.L.19-1986, SEC.42; P.L.149-1987, SEC.22; P.L.257-1987, SEC.16; P.L.3-1989, SEC.144; P.L.234-1989, SEC.4; P.L.186-1990, SEC.6; P.L.183-1991, SEC.4; P.L.23-1991, SEC.10; P.L.48-1991, SEC.17; P.L.1-1992, SEC.131; P.L.30-1993, SEC.6; P.L.33-1993, SEC.12; P.L.213-1993, SEC.3; P.L.227-1993, SEC.6; P.L.1-1994, SEC.121; P.L.124-1995, SEC.5; P.L.234-1995, SEC.4; P.L.147-1997, SEC.9; P.L.84-1998, SEC.4; P.L.24-1999, SEC.5; P.L.82-2000, SEC.5; P.L.162-2002, SEC.5; P.L.2-2003, SEC.64; P.L.145-2003, SEC.5; P.L.185-2007, SEC.5; P.L.200-2007, SEC.6; P.L.3-2008, SEC.179; P.L.122-2009, SEC.6; P.L.160-2009, SEC.8.

IC 25-1-8-1.1 Repealed
(*Repealed by P.L.19-1986, SEC.43.)*

IC 25-1-8-2 Fees; establishment and collection
Sec. 2. (a) Notwithstanding any other provision regarding the fees to be assessed by a board, a board shall establish by rule and cause to be collected fees for the following:
(1) Examination of applicants for licensure, registration, or certification.
(2) Issuance, renewal, or transfer of a license, registration, or certificate.
(3) Restoration of an expired license, registration, or certificate when such action is authorized by law.
(4) Issuance of licenses by reciprocity or endorsement for out-of-state applicants.

(5) Issuance of board or committee reciprocity or endorsements for practitioners licensed, certified, or registered in Indiana who apply to another state for a license.

No fee shall be less than twenty-five dollars ($25) unless the fee is collected under a rule adopted by the board which sets a fee f or miscellaneous expenses incurred by the board on behalf of the practitioners the board regulates.

(b) Fees established by statute shall remain in effect until replaced by a new fee adopted by rule under this section.

(c) In no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the board.

(d) For the payment of fees, a board shall accept cash, a draft, a money order, a cashier's check, and a certified or other personal check. If a board receives an uncertified personal check for the payment of a fee and if the check does not clear the bank, the board may void the license, registration, or certificate for which the check was received.

(e) Unless designated by rule, a fee is not refundable.

(f) A board shall charge a fee of not more than ten dollars ($10) for the issuance of a duplicate license, registration, or certificate.

As added by Acts 1981, P.L.223, SEC.1. Amended by Acts 1982, P.L.113, SEC.13; P.L.169-1985, SEC.31; P.L.48-1991, SEC.18; P.L.33-1993, SEC.13; P.L.235-1995, SEC.1; P.L.197-2007, SEC.19.

IC 25-1-8-3 Quadrennial license or registration cycle; refunds

Sec. 3. (a) A board, operating on a quadrennial license, registration, or certificate renewal cycle, shall refund one-half (1/2) of the amount of the license, registration, or certificate fee if the holder of the license, registration, or certificate surrenders it at least two (2) years before it expires.

(b) This section does not apply to the holder of a license, registration, or certificate revoked or suspended by the board.

As added by Acts 1982, P.L.113, SEC.14.

IC 25-1-8-4 Quadrennial license renewal system

Sec. 4. (a) Notwithstanding any law establishing a biennial license renewal system, a board operating on such a system may by rule establish a quadrennial license renewal system.

(b) If a board establishes a quadrennial license renewal system, it may provide for a reduction in the fees for the four (4) year license.

As added by P.L.234-1983, SEC.3.

IC 25-1-8-5 Employment of professionals for testing; examination on statutes, rules, and regulations; standards of review

Sec. 5. (a) Notwithstanding any statutory provisions regarding the administration of examinations, a board or committee may employ organizations or additional professionals to assist in the preparation, administration, and scoring of licensing examinations.

(b) A board or committee may require applicants for licensure, certification, or registration by examination, endorsement, or reciprocity to pass a test on the state or federal statutes, state rules, and federal regulations that the board or committee determines by rule to be relevant to the practice of a regulated profession.

(c) A board or committee may enter into a contract with a testing company or national association to set the standards of review for an examination by an applicant for licensure, certification, or registration. The standards of review may include:

(1) setting fees for review;

(2) requiring that an examination remain confidential; and

(3) prohibiting the release of the examination or copies of the examination.

As added by P.L.169-1985, SEC.32. Amended by P.L.152-1988, SEC.5; P.L.48-1991, SEC.19.

IC 25-1-8-6 Reinstatement of delinquent or lapsed licenses

Sec. 6. (a) As used in this section, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana athletic trainers board (IC 25-5.1-2-1).

(4) Indiana auctioneer commission (IC 25-6.1-2-1).

(5) State board of barber examiners (IC 25-7-5-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dentistry (IC 25-14-1).

(9) Indiana dietitians certification board (IC 25-14.5-2-1).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Board of environmental health specialists (IC 25-32-1).

(12) State board of funeral and cemetery service (IC 25-15-9).

(13) Indiana state board of health facility administrators (IC 25-19-1).

(14) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).

(15) Home inspectors licensing board (IC 25-20.2-3-1).

(16) Indiana hypnotist committee (IC 25-20.5-1-7).

(17) State board of registration for land surveyors (IC 25-21.5-2-1).

(18) Manufactured home installer licensing board (IC 25-23.7).

(19) Medical licensing board of Indiana (IC 25-22.5-2).

(20) Indiana state board of nursing (IC 25-23-1).

(21) Occupational therapy committee (IC 25-23.5).

(22) Indiana optometry board (IC 25-24).

(23) Indiana board of pharmacy (IC 25-26).

(24) Indiana physical therapy committee (IC 25-27).

(25) Physician assistant committee (IC 25-27.5).

(26) Indiana plumbing commission (IC 25-28.5-1-3).

(27) Board of podiatric medicine (IC 25-29-2-1).

(28) Private investigator and security guard licensing board (IC 25-30-1-5.2).

(29) State psychology board (IC 25-33).

(30) Indiana real estate commission (IC 25-34.1-2).

(31) Real estate appraiser licensure and certification board (IC 25-34.1-8).

(32) Respiratory care committee (IC 25-34.5).

(33) Behavioral health and human services licensing board (IC 25-23.6).

(34) Speech-language pathology and audiology board (IC 25-35.6-2).

(35) Indiana board of veterinary medical examiners (IC 25-38.1).

(36) State board of massage therapy (IC 25-21.8-2-1).

(b) This section does not apply to a license, certificate, or registration that has been revoked or suspended.

(c) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, the holder of a license, certificate, or registration that was issued by the board that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee established by the Indiana professional licensing agency

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee equal to the current initial application fee.
(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6
(5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.
(6) Any other requirement that is provided for in statute or rule that is not related to fees.
As added by P.L.269-2001, SEC.5. Amended by P.L. 206-2005, SEC. 13; P.L.157-2006, SEC.20; P.L.185-2007, SEC.6; P.L.197-2007, SEC.20; P.L.3-2008, SEC.180; P.L.105-2008, SEC.2; P.L.122-2009, SEC.7; P.L.160-2009, SEC.9.

IC 25-1-8-7 Repealed
(Repealed by P.L.157-2006, SEC.76.)

IC 25-1-8-8 License reinstatement; grounds for denial
Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.
(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than ninety (90) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the ninety (90) day period:
(1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.
(2) Reinstate the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.
(3) Reinstate the license and file a complaint under IC 25-1-7.
(4) Request the office of the attorney general to conduct an investigation under subsection (d) if, following a personal appearance by the applicant before the board, the board has good cause to believe that the applicant engaged in activity described in IC 25-1-9-4 or IC 25-1-11-5.
(5) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstate the license, certificate, or registration and place the applicant on probation status under IC 25-1-9-9 or IC 25-1-11-12.
(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).
(d) If the board makes a request under subsection (b)(4), the office of the attorney general shall conduct an investigation. Upon completion of the investigation, the office of the attorney general may file a petition alleging that the applicant has engaged in activity described in IC 25-1-9-4 or IC 25-1-11-5. If the office of the attorney general files a petition, the board shall set the matter for a public hearing. If, after a public hearing, the board finds that the applicant violated IC 25-1-9-4 or IC 25-1-11-5, the board may impose sanctions under IC 25-1-9-9 or IC 25-1-11-12. The board may delay reinstating a license, certificate, or registration beyond ninety (90) days after the date the applicant files an application for reinstatement of a license, certificate, or registration until a final determination is made by the board.
(e) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the ninety (90) day period unless:
(1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the ninety (90) day period;
(2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or
(3) the reinstatement is denied.
If the ninety (90) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the ninety (90) day period.
As added by P.L.197-2007, SEC.21.

INDIANA CODE § 25-1-10

Chapter 10. Reserved

INDIANA CODE § 25-1-11

Chapter 11. Professional Licensing Standards of Practice

IC 25-1-11-1 "Board" defined
Sec. 1. As used in this chapter, "board" means any of the following:
(1) Indiana board of accountancy (IC 25-2.1-2-1).
(2) Board of registration for architects and landscape architects (IC 25-4-1-2).
(3) Indiana auctioneer commission (IC 25-6.1-2).
(4) State board of barber examiners (IC 25-7-5-1).
(5) State athletic commission (IC 25-9-1).
(6) State board of cosmetology examiners (IC 25-8-3-1).
(7) State board of registration of land surveyors (IC 25-21.5-2-1).
(8) State board of funeral and cemetery service (IC 25-15-9).
(9) State board of registration for professional engineers (IC 25-31-1-3).
(10) Indiana plumbing commission (IC 25-28.5-1-3).
(11) Indiana real estate commission (IC 25-34.1-2-1).
(12) Real estate appraiser licensure and certification board (IC 25-34.1-8).
(13) Private investigator and security guard licensing board (IC 25-30-1-5.2).
(14) Manufactured home installer licensing board (IC 25-23.7).
(15) Home inspectors licensing board (IC 25-20.2-3-1)
(16) State board of massage therapy (IC 25-21.8-2-1)
As added by P.L.214-1993, SEC.1. Amended by P.L.2-1995, SEC.93; P.L.234-1995, SEC.5; P.L.82-2000, SEC.6; P.L.162-2002, SEC.6; P.L.145-2003, SEC.6; P.L.185-2007, SEC.7; P.L.200-2007, SEC.7; P.L.3-2008, SEC.181; P.L.160-2009, SEC.10.

IC 25-1-11-2 "Practitioner" defined
Sec. 2. As used in this chapter, "practitioner" means a person that holds:
(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit;
(4) an intern permit; or
(5) an inactive license;
issued by the board regulating a profession.
As added by P.L.214-1993, SEC.1. Amended by P.L.236-1995, SEC.1.

IC 25-1-11-3 "License" defined
Sec. 3. As used in this chapter, "license" includes a license, certificate, registration, or permit.
As added by P.L.214-1993, SEC.1.

IC 25-1-11-4 "Person" defined
Sec. 4. As used in this chapter, "person" means an individual, a partnership, a corporation, or a limited liability company.
As added by P.L.214-1993, SEC.1. Amended by P.L.236-1995, SEC.2.

IC 25-1-11-5 Practitioner compliance with professional standards; findings; meriting disciplinary sanctions

Sec. 5. (a) A practitioner shall comply with the standards established by the board regulating a profession. A practitioner is subject to the exercise of the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that:

(1) a practitioner has:
(A) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;
(B) engaged in fraud or material deception in the course of professional services or activities;
(C) advertised services or goods in a false or misleading manner; or
(D) been convicted of a crime or assessed a civil penalty involving fraudulent billing practices.

(2) a practitioner has been convicted of a crime that:
(A) has a direct bearing on the practitioner's ability to continue to practice competently; or
(B) is harmful t o the public.

(3) a practitioner has knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(4) a practitioner has continued to practice although the practitioner has become unfit to practice due to:
(A) professional incompetence, including undertaking professional activities that the practitioner is not qualified by training or experience to undertake;
(B) failure to keep abreast of current professional theory or practice;
(C) physical or mental disability; or
(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;

(5) a practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(6) a practitioner has allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;

(7) a practitioner has had disciplinary action taken against the practitioner or the practitioner's license to practice in any state or jurisdiction on grounds similar to those under this chapter;

(8) a practitioner has assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter;

(9) a practitioner has allowed a license issued by a board to be:
(A) used by another person; or
(B) displayed to the public when the license has expired, is inactive, or has been revoked or suspended; or

(10) a practitioner has failed to comply with an order imposing a sanction under section 12 of this chapter.

(b) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the board may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the board. An applicant who is aggrieved by a decision of the board under this section is entitled to hearing and appeal rights under the Indiana administrative rules and procedures act (IC 4-21.5).

(c) A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action under subsection (a)(7).

As added by P.L.214-1993, SEC.1. Amended by P.L.84-1998, SEC.6; P.L.113-1999, SEC.1; P.L.197-2007, SEC.24.

IC 25-1-11-6 Architect or landscape architect; grounds for disciplinary sanctions

Sec. 6. A practitioner registered as an architect or a landscape architect is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has:

(1) permitted the practitioner's seal to be affixed to plans, specifications, or drawings that were not prepared by the practitioner or under the practitioner's personal supervision by the practitioner's regularly employed subordinates; or

(2) used the title "engineer" or advertised to practice engineering and is not registered under IC 25-31-1.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-7 Auctioneers; grounds for disciplinary sanctions

Sec. 7. A practitioner licensed to practice auctioneering is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has failed to:

(1) account and to make payment under IC 25-6.1-6-2; or

(2) keep the funds of others separate from the practitioner's own private accounts.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-8 Barbers; grounds for disciplinary sanctions

Sec. 8. A practitioner registered as a barber is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has continued to practice barbering while the practitioner has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact during the scope of practice of barbering.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-9 Engineers or land surveyors; grounds for disciplinary sanctions

Sec. 9. A practitioner registered as an engineer or a land surveyor is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner:

(1) has permitted the practitioner's seal to be affixed to plans, specifications, or drawings not prepared by the practitioner or under the practitioner's personal supervision by the practitioner's regularly employed subordinates;

(2) has used the title "architect" or advertised to practice architecture and is not registered under IC 25-4-1.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-9.5 Repealed

(Repealed by P.L. 194-2005, SEC. 87.)

IC 25-1-11-10 Physical and mental examination of practitioner

Sec. 10. The board may order a practitioner to submit to a reasonable physical or mental examination, at the practitioner's expense, if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.1. Amended by P.L. 194-2005, SEC. 7.

IC 25-1-11-11 Refusal of physical or mental examination; summary suspension

Sec. 11. Failure to comply with a board order to submit to a physical or mental examination makes a practitioner liable to summary suspension under section 13 of this chapter.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-12 Sanctions for violations

Sec. 12. (a) The board may impose any of the following sanctions, singly or in combination, if the board finds that a practitioner is subject to disciplinary sanctions under sections 5 through 9 of this chapter:

(1) Permanently revoke a practitioner's license.

(2) Suspend a practitioner's license.

(3) Censure a practitioner.

(4) Issue a letter of reprimand.

(5) Place a practitioner on probation status and require the practitioner to:

(A) report regularly to the board upon the matters that are the basis of probation;
(B) limit practice to those areas prescribed by the board;
(C) continue or renew professional education approved by the board until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or
(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.

(6) Assess a civil penalty against the practitioner for not more than one thousand dollars ($1,000) for each violation listed in sections 5 through 9 of this chapter except for a finding of incompetency due to a physical or mental disability.

(7) Order a practitioner to pay consumer restitution to a person who suffered damages as a result of the conduct or omission that was the basis for the disciplinary sanctions under this chapter.

(b) When imposing a civil penalty under subsection (a)(6), the board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the civil penalty within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a civil penalty.

(c) The board may withdraw or modify the probation under subsection (a)(5) if the board finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

As added by P.L.214-1993, SEC.1. Amended by P.L.32-2000, SEC.12; P.L.177-2009, SEC.17.

IC 25-1-11-13 Summary suspension of practitioners; real estate appraisers; notification by consumer protection division

Sec. 13. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for not more than ninety (90) days.

(b) The board may summarily suspend the license of a real estate appraiser for ninety (90) days before a final adjudication or during the appeals process if the board finds that the licensed real estate appraiser has engaged in material and intentional misrepresentations or omissions in the preparation of at least three (3) written appraisal reports that were submitted by a person to obtain a loan. The summary suspension may be renewed after a hearing before the board. Each renewal of a summary suspension may be for not more than ninety (90) days.

(c) Before the board may summarily suspend a license under this section, the consumer protection division of the office of the attorney general office shall make a reasonable attempt to notify a practitioner of:

(1) a hearing by the board to suspend the practitioner's license: and

(2) information regarding the allegation against the practitioner.

The consumer protection division of the office of the attorney general shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to notify the practitioner is made if the consumer protection division of the office of the attorney general attempts to notify the practitioner by telephone or facsimile at the last telephone number or facsimile number of the practitioner on file with the board.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.2; P.L.197-2007, SEC.25; P.L.209-2007, SEC.3; P.L.3-2008, SEC.182.

IC 25-1-11-14 Reinstatement of suspended license

Sec. 14. The board may reinstate a license that has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill, safety, and competency to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.3.

IC 25-1-11-15 Reinstatement of revoked license

Sec. 15. The board may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-16 Consistency of sanctions

Sec. 16. The board shall seek to achieve consistency in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the board's findings or orders.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-17 Surrender of practitioner license

Sec. 17. (a) Except as provided in subsection (b), a practitioner may petition the board to accept the surrender of the practitioner's license instead of having a hearing before the board. The practitioner may not surrender the practitioner's license without the written approval of the board, and the board may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(b) The board may not approve the surrender of a practitioner's license under subsection (a) if the office of the attorney general:

(1) has filed an administrative complaint concerning the practitioner's license; and

(2) opposes the surrender of the practitioner's license.

As added by P.L.214-1993, SEC.1. Amended by P.L.105-2009, SEC.13; P.L.52-2009, SEC.10.

IC 25-1-11-18 Costs; practitioners subjected to sanctions

Sec. 18. A practitioner who has been subjected to disciplinary sanctions may be required by a board to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. These costs are limited to costs for the following:

(1) Court reporters.
(2) Transcripts.
(3) Certification of documents.
(4) Photo duplication.
(5) Witness attendance and mileage fees.
(6) Postage.
(7) Expert witnesses.
(8) Depositions.
(9) Notarizations.
(10) Administrative law judges.
(11) Real estate review appraisals, if applicable.

As added by P.L.214-1993, SEC.1. Amended by P.L. 194-2005, SEC. 8; P.L.105-2009, SEC.14; P.L.52-2009, SEC.11.

IC 25-1-11-19 Refusal of licensure or granting of probationary license

Sec. 19. (a) The board may refuse to issue a license or may issue a probationary license to an applicant for licensure if:

(1) the applicant has:
(A) been disciplined by a licensing entity of another state or jurisdiction; or
(B) committed an act that would have subjected the applicant to the disciplinary process if the applicant had been licensed in Indiana when the act occurred; and

(2) the violation for which the applicant was or could have been disciplined has a bearing on the applicant's ability to competently perform or practice the profession in Indiana.

(b) The board may:

(1) refuse to issue a license; or
(2) issue a probationary license;
to an applicant for licensure if the applicant practiced without a license in violation of the law.
(c) Whenever the board issues a probationary license, the board may require a licensee to do any of the following:
(1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.
(2) Limit practice to the areas prescribed by the board.
(3) Continue or renew professional education requirements.
(4) Engage in community restitution or service without compensation for the number of hours specified by the board.
(5) Perform or refrain from performing an act that the board considers appropriate to the public interest or to the rehabilitation or treatment of the applicant.
(d) The board shall remove any limitations placed on a probationary license under this section if the board finds after a public hearing that the deficiency that required disciplinary action has been remedied.
As added by P.L.194-2005, SEC.9. Amended by P.L.197-2007, SEC.26.

IC 25-1-11-20 Applicant appearance before board
Sec. 20. The board may require an applicant for licensure to appear before the board before issuing a license.
As added by P.L. 194-2005, SEC. 10.

IC 25-1-11-21 Adoption of rules; spouses of active duty military personnel
Sec. 21. The board may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to establish procedures to expedite the issuance or renewal of a:
(1) license;
(2) certificate;
(3) registration; or
(4) permit;
of a person whose spouse serves on active duty (as defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.
As added by P.L.144-2007, SEC.26.

INDIANA CODE § 25-1-12

Chapter 12. Renewal of Licenses Held by Individuals in Military Service

IC 25-1-12-1 Applicability of chapter
Sec. 1. This chapter applies to an individual who:
(1) holds a license, certificate, registration, or permit under this title, IC 16, or IC 22; and
(2) is called to active duty.
As added by P.L.88-2004, SEC.2. Amended by P.L.2-2008, SEC.61.

IC 25-1-12-2 "Active duty" defined
Sec. 2. As used in this chapter, "active duty" means full-time service in the:
(1) armed forces of the United States; or
(2) national guard;
for a period that exceeds thirty (30) consecutive days in a calendar year.
As added by P.L.88-2004, SEC.2.

IC 25-1-12-3 "Armed forces of the United States" defined
Sec. 3. As used in this chapter, "armed forces of the United States" means the active or reserve components of:
(1) the army;
(2) the navy;
(3) the air force;
(4) the coast guard;
(5) the marine corps; or
(6) the merchant marine.
As added by P.L.88-2004, SEC.2. Amended by P.L. 2-2005, SEC. 64.

IC 25-1-12-4 "National guard" defined
Sec. 4. As used in this chapter, "national guard" means:
(1) the Indiana army national guard; or
(2) the Indiana air national guard.
As added by P.L.88-2004, SEC.2.

IC 25-1-12-5 "Practitioner" defined
Sec. 5. As used in this chapter, "practitioner" means an individual who holds:
(1) an unlimited license, certificate, or registration;
(2) a limited or probationary license, certificate, or registration;
(3) a temporary license, certificate, registration, or permit;
(4) an intern permit; or
(5) a provisional license;
issued under this title, IC 16, or IC 22.
As added by P.L.88-2004, SEC.2. Amended by P.L.2-2008, SEC.62.

IC 25-1-12-6 Extension to renew license or complete continuing education; requirements for extension; additional extensions
Sec. 6. (a) Notwithstanding any other law, a practitioner who is called to active duty out-of-state and meets the requirements of subsection (b) is entitled to an extension of time described in subsection (c) to:
(1) renew; and
(2) complete the continuing education required by;
the practitioner's license, certificate, registration, or permit.
(b) The practitioner must meet the following requirements to receive the extension of time provided under subsection (a):
(1) On the date the practitioner enters active duty, the practitioner's license, certificate, registration, or permit may not be revoked, suspended, lapsed, or be the subject of a complaint under IC 25-1-7.
(2) The practitioner's license, certificate, registration, or permit must expire while the practitioner is out-of-state on active duty and the practitioner must not have received the notice of expiration before the date the practitioner entered active duty.
(3) The practitioner shall provide proof of out-of-state active duty by providing a copy of the practitioner's:
(A) discharge; or
(B) government movement orders;
to the agency, board, commission, or committee issuing the practitioner's license, certificate, registration, or permit at the time the practitioner renews the practitioner's license, certificate, registration, or permit under this chapter.
(c) The extension of time provided under subsection (a) is equal to one hundred eighty (180) days after the date of the practitioner's discharge or release from active duty.
(d) The agency, board, commission, or committee that issued the practitioner's license, certificate, registration, or permit may extend the period provided in subsection (c) if the agency or board determines that an illness, an injury, or a disability related to the practitioner's active duty prevents the practitioner from renewing or completing the continuing education required for the practitioner's license, certificate, registration, or permit. However, the agency, board, commission, or committee may not extend the period for longer than three hundred sixty-five (365) days after the date of the practitioner's discharge or release from active duty.
As added by P.L.88-2004, SEC.2. Amended by P.L. 2-2005, SEC. 65.

IC 25-1-12-7 Waiver of late fees
Sec. 7. Any late fees that may be assessed against a practitioner in connection with a renewal under this chapter are waived.
As added by P.L.88-2004, SEC.2.

IC 25-1-12-8 Construction with federal law
Sec. 8. This chapter may not be construed as a restriction or limitation on any of the rights, benefits, and protections granted to a member of:

(1) the armed forces of the United States; or
(2) the national guard;
under federal law.
As added by P.L.88-2004, SEC.2.

INDIANA CODE § 25-1-14

Chapter 14. Meetings

IC 25-1-14-1 Applicability
Sec. 1. This section applies to a meeting of a board, committee, or commission listed in IC 25-1-5-3 or IC 25-1-6-3.
As added by P.L.179-2007, SEC.14.

IC 25-1-14-2 Participation by member not physically present at meeting
Sec. 2. (a) A member of a board, committee, or commission may participate in a meeting of the board, committee, or commission:
(1) except as provided in subsections (b) and (c), at which at least a quorum is physically present at the place where the meeting is conducted; and
(2) by using a means of communication that permits:
(A) all other members participating in the meeting; and
(B) all members of the public physically present at the place where the meeting is conducted;
to simultaneously communicate with each other during the meeting.
(b) A member of a board, committee, or commission may participate in an emergency meeting of the board, committee, or commission to consider disciplinary sanctions under IC 25-1-9-10 or IC 25-1-11-13 by using a means of communication that permits:
(1) all other members participating in the meeting; and
(2) all members of the public physically present at the place where the meeting is conducted;
to simultaneously communicate with each other during the meeting.
(c) A member of the state athletic commission may participate in meetings of the commission to consider the final approval of a permit for a particular boxing, sparring, or unarmed combat match or exhibition under IC 25-9-1-6(b) by using a means of communication that permits:
(1) all other members participating in the meeting; and
(2) all members of the public physically present at the place where the meeting is conducted;
to simultaneously communicate with each other during the meeting.
(d) A member who participates in a meeting under subsection (b) or (c):
(1) is considered to be present at the meeting;
(2) shall be counted for purposes of establishing a quorum; and
(3) may vote at the meeting.
As added by P.L.179-2007, SEC.14. Amended by P.L.105-2008, SEC.3; P.L.160-2009, SEC.11.

IC 25-1-14-3 Member considered present
Sec. 3. A member who participates in a meeting under section 2 of this chapter:
(1) is considered to be present at the meeting;
(2) shall be counted for purposes of establishing a quorum; and
(3) may vote at the meeting.
As added by P.L.179-2007, SEC.14.

IC 25-1-14-4 Meeting memoranda requirements
Sec. 4. The memoranda of the meeting prepared under IC 5-14-1.5-4 must state the name of:
(1) each member who was physically present at the place where the meeting was conducted;
(2) each member who participated in the meeting by using a means of communication described in section 2 of this chapter; and
(3) each member who was absent.
As added by P.L.179-2007, SEC.14.

Non-Code Provision under Public Law 206-2005

P.L. 206-2005, SECTION 16
(a) The rules adopted by the health professions bureau before July 1, 2005, and in effect on June 30, 2005, shall be treated after June 30, 2005, as the rules of the Indiana professional licensing agency.
(b) On July 1, 2005, the Indiana professional licensing agency becomes the owner of all of the property of the health professions bureau. An appropriation made to the health professions bureau shall be treated after June 30, 2005, as an appropriation to the Indiana professional licensing agency.
(c) Any reference in a law, a rule, a license, a registration, a certification, or an agreement to the health professions bureau shall be treated after June 30, 2005, as a reference to the Indiana professional licensing agency.

Non-Code Provision under Public Law 177-2009

P.L. 177-2009, SECTION 66.
(a) As used in this SECTION, "board" means a board, commission, or committee.
(b) As used in this SECTION, "committee" refers to the professional licensing study committee established under this SECTION.
(c) The professional licensing study committee is established.
(d) The committee shall do the following:
(1) Study all of the boards that regulate occupations or professions under the Indiana professional licensing agency or the state department of health.
(2) Make recommendations concerning any changes that should be made to a board described under subdivision (1) or the regulation of a profession or occupation by a board described under subdivision (1), including the following recommendations:
(A) Eliminating the board.
(B) Having the board continue regulating the profession or occupation in the same manner that the profession or occupation is currently regulated by the board.
(C) Requiring registration of a profession or occupation through the electronic registry of professions under IC 25-1-5.5, as added by this act.
(D) Requiring national certification or registration of a profession or occupation.
(E) Restructuring the board.
(F) Merging two (2) or more boards.
(e) The committee shall operate under the policies governing study committees adopted by the legislative council.
(f) Before November 1, 2009, the committee shall issue a final report to the legislative council containing the findings and recommendations of the committee.
(g) This SECTION expires December 31, 2009.

TITLE 816 STATE BOARD OF BARBER EXAMINERS

ARTICLE 1. Barber Schools and Shops

Rule 1. Sanitary Requirements Established

816 IAC 1-1-1 Sanitary requirements established
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12
Sec. 1. (a) This rule establishes sanitary requirements to be followed by barbers, barbering instructors, barber shops, and barber schools.
(b) Violations of this rule shall subject the violator or violators to appropriate sanctions under IC 25-7-1-13(f)
[Repealed by P.L.234-1995, SECTION 30, effective July 1, 1995.], IC 25-31-1-16.1 *[sic., IC 25-7-1-16.1, repealed by P.L.234-1995, SECTION 30, effective July 1, 1995.]*, or IC 25-31-2-2 *[sic.]*. *(Board of Barber Examiners; Preamble; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)*

816 IAC 1-1-2 Keeping in clean and sanitary condition, well lighted, and ventilated
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5
Sec. 2. All barber shops, barber schools, together with all furniture, equipment, tools, utensils, floors, walls, and ceilings, shall at all times be kept in a clean and sanitary condition, well lighted, and well ventilated. Barbers and barber students shall use a clean towel and either a clean hair cloth or neck strip for each patron.
(Board of Barber Examiners; Rule 1; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; filed Sep 16, 1998, 4:02 p.m.: 22 IR 454; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-1-3 Cuspidors; daily cleaning *(Repealed)*
Sec. 3. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-4 Separate receptacles required for shaving papers and towels *(Repealed)*
Sec. 4. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-5 Hands to be washed before serving customer; smoking prohibited while serving customer
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 5. Every barber and student shall wash his hands with soap and water immediately before serving each patron, and no smoking while serving a customer.
(Board of Barber Examiners; Rule 4; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-1-6 Cleaning of shaving mugs and brushes
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 6. Shaving mugs and brushes shall be thoroughly rinsed with hot water before each patron is served. (Shaving powder or cream is preferable.)
(Board of Barber Examiners; Rule 5; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 693; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-1-7 Violations; license revocation *(Repealed)*
Sec. 7. *(Repealed by Board of Barber Examiners; filed Nov 28, 1988, 5:30 p.m.: 12 IR 922)*

816 IAC 1-1-8 Storage of clean towels
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 8. Clean towels must be kept in closed compartments at all times.
(Board of Barber Examiners; Rule 7; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-1-9 Disposal containers for towels and lather papers *(Repealed)*
Sec. 9. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-10 Storage of tools; disinfection
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 10. All instruments shall be properly sterilized.
(Board of Barber Examiners; Rule 9; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 694; filed Oct 22, 1997, 8:45 a.m.: 21 IR 1003; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-1-11 Wet dip for tools *(Repealed)*
Sec. 11. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-12 Water supply and drainage *(Repealed)*
Sec. 12. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-13 Rubber mats under shaving mugs prohibited *(Repealed)*
Sec. 13. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

816 IAC 1-1-14 Rubber mugs prohibited *(Repealed)*
Sec. 14. *(Repealed by Board of Barber Examiners; filed Feb 25, 1997, 12:30 p.m.: 20 IR 1735)*

Rule 2. Barber School Approval; Requisites; Curriculum

816 IAC 1-2-1 Student registration records; filing with board
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5
Sec. 1. (a) No later than the fifteenth day of each month, a barber school shall submit a verified report to the board of barber examiners (board), including the following information concerning student activity in the previous month:
(1) The names of all new students.
(2) For all students who have paid the barber school all money (tuition) to which it is legally entitled, the names of all students who have dropped out of school and the number of hours they have accrued.
(3) The medical findings must be attached.
(b) Barber schools are not required to send enrollment cards to the board.
(Board of Barber Examiners; Rule 14; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 694; filed Sep 16, 1998, 4:02 p.m.: 22 IR 455; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-2 Services by students only; instructors' duties
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-2-1
Sec. 2. All service rendered in schools on patrons must be done by students only. Instructors shall be allowed to teach and aid the students in

performing the various services; however, they shall not be permitted to finish up the patrons after the students have completed their work.
(Board of Barber Examiners; Rule 15; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-3 Signs
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-2-1
Sec. 3. Each barber school shall display a sign indicating that it is a barber school—said sign to be displayed at the main entrance of said place; also there must be a sign on the inside stating that all work is done by students only.
(Board of Barber Examiners; Rule 16; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-4 Daily hours for lectures and demonstrations
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 4. All students shall receive not less than one hour and thirty minutes of lectures and demonstrations each day, with the exception of Saturdays, Sundays and holidays.
(Board of Barber Examiners; Rule 17; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-5 Attendance
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 5. Students must be on time for all class studies and work, and shall not take any time off or leave the school without permission.
(Board of Barber Examiners; Rule 18; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-6 Classrooms
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 6. Each accredited school shall have a suitable class room to be used for demonstration and study, said room to have necessary charts and equipment to carry out the curriculum and provisions of the law.
(Board of Barber Examiners; Rule 19; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-7 Clothing of students and teachers
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 7. All students and teachers must be attired in clean, washable coverall outer garments, preferably smocks, which must be in a clean state at all times. *(Board of Barber Examiners; Rule 20; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)*

816 IAC 1-2-8 Curriculum
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 8. (a) This section establishes the curriculum for barber training. The first column in subsection (c) states the subject matter of training. The second column lists the number of hours required in classroom theory training and demonstration practice required for each student. The third column lists the actual practice required for each student. The fourth column lists the total number of hours of training required in each subject.
(b) The hours required in classroom theory training identified in subsection (a) are defined as a systematically organized knowledge of a system of facts, accepted principles, laws, and rules of procedure devised to analyze, predict, explain, or demonstrate the nature of a particular subject matter of training. Such a system is distinguished from actual practice.
(c) The following are the requirements for barber training:

Subject	Theory and Demonstration Practice	Actual Hours	Total Hours
Sanitation, Bacteriology, and Sterilization	40		40
Laws and Rules	20		20
Salesmanship	5	10	15
Management	10		10
Skin	10		10
Hair	10		10
Facials	20	25	45
Hairstyling (includes air waving, fingerwaves, and thermal cooling)	75	150	225
Electricity/Light Therapy			
High Frequency			
UV/Infrared	10		10
Chemistry	10		10
Shampoo/Massage	20	50	70
Scalp Treatment	10	25	35
History of Barbering	10		10
Shaving/Shaping (includes mustache and beard)	20	25	45
Honing and Stroping	15		15
Personal Hygiene/Professional Ethics	10		10
Equipment Care	10		10
Hair Coloring	60	70	130
Semipermanent			
Permanent			
Permanent Waving and Chemical Relaxing	55	210	265
Haircuts	100	200	300
Anatomy and Physiology	15		15
Hairpieces			
Full, Partial, Facial	50		50
Discretionary Hours	50	100	150
TOTAL HOURS	635	865	1,500

(Board of Barber Examiners; Rule 21; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 695; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1658; filed Jan 5, 1994, 5:00 p.m.: 17 IR 995; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-8.1 Student progress book
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7
Sec. 8.1. (a) Students in barber training shall perform no fewer than the number of performances of actual practice hours required by the student progress book.
(b) It is the purpose of the progress book that the student, barber school, and Indiana state board of barber examiners may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.
(c) It is the responsibility of the barber school to keep the progress book up to date.
(d) Students shall be required to complete practice performances provided in the progress book as listed in subsection (e).
(e) The progress book reads as follows:

OFFICIAL STUDENT
PROGRESS BOOK

STATE OF INDIANA
BOARD OF BARBER EXAMINERS

Student's Name _____

Date Issued _____ Date Completed _____

REQUIREMENTS FOR USE OF PROGRESS BOOK

(1) All students enrolling in barber training shall be permitted to review this progress book which is to be completed on or before being admitted to the state board of barber examiners for examinations for a barber license.
(2) The amount of performances is equal to the hours outlined by the state board of barber examiners. It is to be the minimum requirement only.
(3) Each performance, as it is accomplished, must be dated and initialed by the licensed instructor who oversees the performance. All projects are to be checked for accuracy and credit given only if done to the school's standards. All projects must be identified whether “S” for student, “P” for patron (or customer), or “M” for mannequin. A pencil cap rubber stamp or pen written initials (first and last initials) of the instructor are both acceptable methods of marking.
(4) Any overages in any area may not be applied to any other area.
(5) All items in the sales category must be completed on patrons, since this is to help the student to develop sales ability.
(6) All projects are to be recorded as one (1) project marked for one (1) project completed.
(7) The progress book must never be taken home by the student and must remain in the school at all times.
(8) The requirements of this progress book are minimum requirements. A school may require more actual performances than those prescribed in this book.

School name _____

Address _____

City _____ State _____ Zip _____

Instructor's signature _____

Instructor's identifying initialing_____

Instructor's signature _____

Instructor's identifying initialing_____

Instructor's signature _____

Instructor's identifying initialing_____

Instructor's signature _____

Instructor's identifying initialing_____

Haircuts (267 performances equal 200 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	164	165	166	167	168	169
170	171	172	173	174	175	176	177	178	179	180	181	182
183	184	185	186	187	188	189	190	191	192	193	194	195
196	197	198	199	200	201	202	203	204	205	206	207	208
209	210	211	212	213	214	215	216	217	218	219	220	221
222	223	224	225	226	227	228	229	230	231	232	233	234
235	236	237	238	239	240	241	242	243	244	245	246	247
248	249	250	251	252	253	254	255	256	257	258	259	260
261	262	263	264	265	266	267						

Permanent Wave/Chemical processing (105 performances equal 210 hours)
- 25% of performances must be done on live models

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105												

Hair Color, Permanent or Semipermanent (35 performances equal 70 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35				

Salesmanship (40 performances equal 10 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40												

Facials (50 performances equal 25 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

Shampoo/Massage (200 performances equal 50 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	164	165	166	167	168	169
170	171	172	173	174	175	176	177	178	179	180	181	182
183	184	185	186	187	188	189	190	191	192	193	194	195
196	197	198	199	200								

Hair Styling (300 performances equal 150 hours)
- 50% of performances must be done on live models

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	164	165	166	167	168	169
170	171	172	173	174	175	176	177	178	179	180	181	182
183	184	185	186	187	188	189	190	191	192	193	194	195
196	197	198	199	200	201	202	203	204	205	206	207	208
209	210	211	212	213	214	215	216	217	218	219	220	221
222	223	224	225	226	227	228	229	230	231	232	233	234
235	236	237	238	239	240	241	242	243	244	245	246	247
248	249	250	251	252	253	254	255	256	257	258	259	260
261	262	263	264	265	266	267	268	269	270	271	272	273
274	275	276	277	278	279	280	281	282	283	284	285	286
287	288	289	290	291	292	293	294	295	296	297	298	299
300												

Scalp Treatments (50 performances equal 25 hours)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

Shaving/Shaping (50 performances equal 25 hours)
- 25% of performances must be done on live models

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

(Board of Barber Examiners; 816 IAC 1-2-8.1; filed Jan 5, 1994, 5:00 p.m.: 17 IR 997; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-9 Equipment
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 9. In order for a barber school licensee to operate a barber school, the following equipment must be on the school premises:

(1) Twenty (20) barber chairs, unless otherwise permitted by the state board of barber examiners, spaced no closer than five (5) or more feet from the center of the chairs.
(2) Lockers with one (1) locker available for each enrolled student.
(3) Separate restrooms for men and women.
(4) Sanitary drinking facilities.
(5) One (1) time clock.
(6) Not less than three (3) lavatories or shampoo bowls.
(7) A mirror behind each barber chair.
(8) Individual tool cabinets, kits, or workstands for each and every barber chair.
(9) Individual wet tool sterilizer for each and every barber chair.
(10) No less than one (1) hair dryer per every six (6) enrolled students.
(11) No less than one (1) red dermal light or heat lamp and one (1) high frequency machine.
(12) One (1) blackboard no smaller than thirty-six (36) inches by thirty-six (36) inches.
(13) One (1) chart of the skin and hair.
(14) One (1) chart of the muscles of the head, face, and neck.
(15) One (1) chart of the bone structure of the face and head.
(16) One (1) chart of the nerves of the head, face, and neck.
(17) One (1) medical dictionary and one (1) standard dictionary.
(18) One (1) microscope for the study of bacteria.

(Board of Barber Examiners; Rule 22; filed Feb 6, 1981, 4:10 p.m.: 4 IR 373; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; filed Oct 22, 1997, 8:45 a.m.: 21 IR 1003; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-10 Facilities
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 10. Facilities. In order for a barber school licensee to operate a barber school, the barber school must be maintained as follows:

(1) Not less than two well lighted and well ventilated rooms, one for the clinic or service department and one for the class room; unless one room only is provided for class room and services then only one operation can be performed at a time.
(2) Linoleum or asphalt tile floors or their equivalent.

(Board of Barber Examiners; Rule 23; filed Feb 6, 1981, 4:10 pm: 4 IR 374; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-11 Use of instructors
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 11. (a) In order for a barber school licensee to operate a barber school, there must be a registered barbering instructor physically present at all times where and while classroom instruction is being given and where and while students are engaged in the practice of barbering. However, where there are audio visual aids or tapes being used in the adjoining rooms the presence of one (1) registered barber instructor in the clinic room is sufficient.

(b) Notwithstanding subsection (a), a registered barbering instructor may be absent from the classroom because of personal illness or the death of a close relative, or to further the barbering instructor's education related to barber instructor, if:

(1) the absence does not exceed three (3) days;
(2) a registered Indiana barber with at least five (5) years experience or a student instructor who is enrolled in a school of barbering licensed by the board takes the place of the absent registered barbering instructor; and
(3) the board is notified, by telephone immediately and in writing within seventy-two (72) hours, of the absence of the barbering instructor and of the reason for, and duration of, the absence.

(c) Every instructor in an accredited school shall devote his/her entire time during school or class hours to that of instructing the students, and shall not apply time to private practice of barbering for compensation.

(Board of Barber Examiners; Rule 24; filed Feb 6, 1981, 4:10 p.m.: 4 IR 374; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1660; filed Nov 28, 1988, 5:30 p.m.: 12 IR 922; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-12 Seminars
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 12. Seminars. In order for a barber school licensee to operate a barber school, there must be no seminars permitted by the school under its auspices and control except by notification to the State Board of Barber Examiners.

(Board of Barber Examiners; Rule 25; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-13 Scheduled classes
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 13. Schedule of Classes. In order for a barber school licensee to operate a barber school, there must be a definite schedule of classes which must be posted in a conspicuous place in the school by the licensee.

(Board of Barber Examiners; Rule 26; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-14 Notification of instructors
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 14. Notification of Instructors. In order for a school licensee to operate as a barber school it must advise the Board of Barber Examiners in writing of the names of each instructor to be used by the school as well as all changes in the teaching staff of the school.

(Board of Barber Examiners; Rule 27; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-15 Curriculum
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7; IC 25-7-11; IC 25-7-12

Sec. 15. Curriculum. In order for a barber school licensee to operate a barber school, it must have on file with the Board an updated copy of its curriculum and tuition rates with the curriculum clearly showing the sequence in which various subjects are to be taught and the number of sessions or hours for each subject.

(Board of Barber Examiners; Rule 28; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-16 Loss of license
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 16. Loss of License. The State Board of Barber Examiners may suspend or revoke a barber school license for any of the following reasons:

(1) Violation of the Indiana Barber Law *[IC 25-7]* insofar as it is applicable to the operation of barber schools;

(2) Violation of the rules and regulations of the State Board of Barber Examiners having to do with barber schools;
(3) Misrepresentation;
(4) Failure to fulfill the terms of contracts made with students.
(Board of Barber Examiners; Rule 29; filed Feb 6, 1981, 4:10 pm: 4 IR 376; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-17 Application for new barber school licensure
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12
Sec. 17. Application for New Barber School Licensure. Applications for barber school licensure shall include the following:
(1) Full name of applicant and the type of business entity;
(2) The exact location of where the school or college is located or proposed to be located;
(3) The name and address of the owner of the school premises, and if they are leased the name and address of the lessor of the school premises;
(4) The names and addresses of all the directors and stockholders of the applicant, if the applicant is a corporation;
(5) A detailed drawing of the premises where the instruction is to take place, including the size of the building and the number of barber chairs available;
(6) The number and qualifications of the instructors on the staff and proposed number of students;
(7) A statement, certified by a public accountant licensed to practice in the State of Indiana of the assets and liabilities and net worth of the person or firm making the application;
(8) Evidence that a performance bond of twenty five thousand dollars ($25,000.00) guaranteeing the operation of the school for three years and conditioned on compliance with barbering laws and regulations applicable to the school has been secured.
(9) Some reliable proof that the community will support the proposed barber school;
(10) The biennial license fee;
(11) Complete copy of the curriculum and tuition rates with the curriculum organized in a written form showing the sequence in which various subjects are to be taught and the number of sessions or hours for each subject.
(Board of Barber Examiners; Rule 30; filed Feb 6, 1981, 4:10 pm: 4 IR 376; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-18 Transferred students
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 18. If a student wishes to transfer to another barber school, the student must do the following:
(1) Notify the school in which the student is presently enrolled of the student's withdrawal.
(2) Submit a transcript of his or her grades and hours to the new barber school.
(3) Complete and submit the school entry form to the new school.
A student cannot transfer to another school until all financial arrangements have been satisfactorily settled with the school from which the student is transferring, a transcript of hours has been received by the new school, and the school entry form is completed. The board may order the issuance of the grade transcript by the forwarding school upon complaint of affected student.
(Board of Barber Examiners; Rule 31; filed Feb 6, 1981, 4:10 p.m.: 4 IR 377; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; filed Jul 31, 2006, 8:50 a.m.: 20060830-IR-816050323FRA; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-2-19 Licensing examination
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5
Sec. 19. (a) A barber student must pass the licensing examination within three (3) years of graduation. If a barber student fails to pass the licensing examination within three (3) years of graduation, the student must successfully complete the barber instruction again, in compliance with the standards in place at the time of reentry to barber school, before being permitted to sit for the barber examination.
(b) The board of barber examiners may waive the requirement in subsection (a) if an applicant is unable to meet the deadline and shows good cause.
(Board of Barber Examiners; 816 IAC 1-2-19; filed Sep 16, 1998, 4:02 p.m.: 22 IR 455; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

Rule 3. Fees and Examinations

816 IAC 1-3-1 Fees
Authority: IC 25-7-5-14; IC 25-7-5-15; IC 25-1-8-2
Affected: IC 25-7-6-1; IC 25-7-11-5
Sec. 1. The following fees shall be collected:
(1) For the examination of an applicant to practice as a barber, fifty dollars ($50).
(2) For the issuance of an initial four (4) year license to practice barbering by an applicant applying on the basis of reciprocity, one hundred dollars ($100).
(Board of Barber Examiners; 816 IAC 1-3-1; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1660; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1511; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3098; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; filed Jun 17, 2003, 9:19 a.m.: 26 IR 3648; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-3-2 Examination scores
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec.2. The board examination shall be a standardized examination for the testing of barbers. An applicant shall be deemed to have passed the barber examination upon attaining a passing score of 75% on the written portion and a passing score of 75% on the practical portion of the examination. The same passing scores shall apply to the barbering instructor examination.
(Board of Barber Examiners; 816 IAC 1-3-2; filed Feb 20, 1986, 3:00 pm: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-3-3 Practice limitations
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 3. No licensee of the board shall perform permanent waving or hair coloring without benefit of adequate training qualifying the licensee to use these techniques.
(Board of Barber Examiners; 816 IAC 1-3-3; filed Feb 20, 1986, 3:00 pm: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-3-4 Reexamination requirements; barber
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 4. (a) This section establishes reexamination requirements under IC 25-7-1-5(b) *[Repealed by P.L.234-1995, SECTION 30, effective July 1, 1995.]* for an applicant who has failed one (1) or both portions of the barber examination.
(b) An applicant who files a new application and pays the required fee within ninety (90) days after the date of the first examination shall be required to take only the portion or portions of the examination previously failed.

(c) An applicant who fails to apply within a ninety (90) day period, or fails to pass the previous reexamination, will be required to take only the portion or portions of the examination previously failed, upon filing within one (1) year after the date of the examination failure, a new application with proof of completing two hundred fifty (250) additional hours of training in an approved school of barbering and pay the examination fee.

(d) An applicant who fails to apply within one (1) year after the date of the first examination failure shall be required to file a new application:

(1) with proof of completing two hundred fifty (250) additional hours of training in an approved school of barbering;

(2) pay the examination fee; and

(3) shall pass both portions of the examination.

(Board of Barber Examiners; 816 IAC 1-3-4; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1511; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-3-5 Reexamination requirements; barbering instructor

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7

Sec. 5. (a) This section establishes reexamination requirements for an applicant who has failed one (1) or both portions of the barbering instructor examination.

(b) An applicant who files a new application and pays the required fee within ninety (90) days after the date of the first examination shall be required to take only the portion or portions of the examination previously failed.

(c) An applicant who fails to apply within a ninety (90) day period, or fails to pass the previous reexamination, will be required to take only the portion or portions of the examination previously failed, upon filing within one (1) year after the date of the examination failure, a new application with proof of completing two hundred fifty (250) additional hours of instructor training in an approved school of barbering and pay the examination fee.

(d) An applicant who fails to apply within one (1) year after the date of the first examination failure shall be required to file a new application:

(1) with proof of completing two hundred fifty (250) additional hours of instructor training in an approved school of barbering;

(2) pay the examination fee; and

(3) shall pass both portions of the examination.

(Board of Barber Examiners; 816 IAC 1-3-5; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1511; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-3-6 Barber examination; application; filing deadline

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7

Sec. 6. A completed application and the applicable fee for the examination to practice as a registered barber shall be filed with the board no later than two (2) weeks prior to the scheduled examination date.

(Board of Barber Examiners; 816 IAC 1-3-6; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1512; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

Rule 4. Barbering Instructors

816 IAC 1-4-1 Barbering instructors; education, training; experience requirements

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7-5

Sec. 1. (a) To qualify for registration as a barbering instructor, an individual must:

(1) be an Indiana registered barber;

(2) be a graduate of an accredited high school or have received a high school equivalency certificate (G.E.D.); and

(3) have completed at least nine hundred (900) hours in instructor training from a school of barbering.

(b) Until July 1, 2001, candidates to become barber instructors may count five (5) years of full-time practice as an Indiana barber as the equivalent of nine hundred (900) hours of instructor training from a school of barbering.

(Board of Barber Examiners; 816 IAC 1-4-1; filed Nov 28, 1988, 5:30 p.m.: 12 IR 922; filed Sep 18, 1998, 11:46 a.m.: 22 IR 454; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-4-2 Barber instructor training

Authority: IC 25-7-1-25

Affected: IC 25-7-1-1

Sec. 2. (a) Section 3 of this rule establishes the curriculum for barber instructor training. The first column in section 3 of this rule states the subject matter of training. The second column lists the number of hours required in classroom and demonstration practice required for each student. The third column lists the number of hours of actual practice required for each student. The fourth column lists the total number of hours of training required in each subject.

(b) The hours required in classroom theory training identified in subsection (a) are defined as a systematically organized knowledge of a system of facts, accepted principles, laws, and rules of procedure devised to analyze, predict, explain, or demonstrate the nature of a particular subject matter of training. Such a system is distinguished from actual practice.

(Board of Barber Examiners; 816 IAC 1-4-2; filed Jan 5, 1994, 5:00 p.m.: 17 IR 998; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)

816 IAC 1-4-3 Barber instructor training curriculum

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7-12

Sec. 3. The following are the requirements for curriculum for barber instructor training:

Subject	Theory and Demonstration Practice	Actual Hours	Total Hours
Orientation and review of the curriculum for barber training as established in 816 IAC 1-2-8	30	50	80
Introduction to teaching	30		30
Course outline and development	160	170	330
(1) Lesson planning			
(2) Teaching techniques			
(3) Teaching aids			
(4) Developing			
(5) Administering and grading examinations			
Laws and rules	30	20	50
(1) Recordkeeping			
(2) School administration			
Teaching			
(1) Assisting in the clinic and theory classrooms		150	150
(2) Practicing teaching in the clinic and theory classrooms		260	260
TOTAL HOURS	250	650	900

(Board of Barber Examiners; 816 IAC 1-4-3; filed Jan 5, 1994, 5:00 p.m.: 17 IR 998; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)