

Proposed committee amendment to SB 244.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-1-1.1-4, AS AMENDED BY P.L.232-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) This section applies to an individual who is applying for, or will be applying for, an initial license or an initial certificate under one (1) of the following:

- (1) IC 25-2.5 (acupuncturists).
- (2) IC 25-3.7 (anesthesiologist assistants).**
- ~~(2)~~ **(3)** IC 25-10 (chiropractors).
- ~~(3)~~ **(4)** IC 25-13 (dental hygienists).
- ~~(4)~~ **(5)** IC 25-14 (dentists).
- ~~(5)~~ **(6)** IC 25-14.5 (dietitians).
- ~~(6)~~ **(7)** IC 25-17.3 (genetic counselors).
- ~~(7)~~ **(8)** IC 25-19 (health facility and residential care facility administrators).
- ~~(8)~~ **(9)** IC 25-21.8 (massage therapists).
- ~~(9)~~ **(10)** IC 25-22.5 (physicians).
- ~~(10)~~ **(11)** IC 25-23 (nurses).
- ~~(11)~~ **(12)** IC 25-23.4 (certified direct entry midwives).
- ~~(12)~~ **(13)** IC 25-23.5 (occupational therapists).
- ~~(13)~~ **(14)** IC 25-23.6 (social workers, marriage and family therapists, and counselors).
- ~~(14)~~ **(15)** IC 25-24 (optometrists).
- ~~(15)~~ **(16)** IC 25-26 (pharmacists).
- ~~(16)~~ **(17)** IC 25-27 (physical therapists).
- ~~(17)~~ **(18)** IC 25-27.5 (physician assistants).
- ~~(18)~~ **(19)** IC 25-29 (podiatrists).
- ~~(19)~~ **(20)** IC 25-33 (psychologists).
- ~~(20)~~ **(21)** IC 25-34.5 (respiratory care practitioners).
- ~~(21)~~ **(22)** IC 25-35.6 (speech pathologists and audiologists).
- ~~(22)~~ **(23)** IC 25-38.1 (veterinarians).

(b) As used in this chapter, "national criminal history background check" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.

(c) An individual applying for an initial license or initial certificate specified in subsection (a) shall submit to a national criminal history background check at the cost of the individual.

(d) The state police department shall release the results of a national criminal history background check conducted under this section to the Indiana professional licensing agency.

(e) A board, a commission, or a committee may conduct a random audit and require an individual seeking a renewal of a license or a certificate specified in subsection (a) to submit to a national criminal history background check at the cost of the individual.

SECTION 2. IC 25-1-2-2.1, AS AMENDED BY P.L.232-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: 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) Professional 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) Athlete agents.
- (28) Manufactured home installers.
- (29) Home inspectors.
- (30) Massage therapists.
- (31) Interior designers.
- (32) Genetic counselors.
- (33) Direct entry midwives.
- (34) Anesthesiologist assistants.**

SECTION 3. IC 25-3.7 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**ARTICLE 3.7. ANESTHESIOLOGIST ASSISTANTS**

**Chapter 1. Definitions**

**Sec. 1. As used in this article, "anesthesiologist assistant" means an individual who:**

- (1) meets the qualifications under this article; and**
- (2) is licensed under this article.**

**Sec. 2. As used in this article, "board" refers to the medical licensing board of Indiana.**

**Chapter 2. Licensure**

**Sec. 1. (a) The board shall license as an anesthesiologist assistant an individual who:**  
**(1) applies for licensure on a form approved by board;**  
**(2) pays a licensing fee in an amount determined by the board; and**  
**(3) submits evidence satisfactory to the board that the applicant meets all of the following requirements:**

**(A) Has obtained a bachelor's degree from a postsecondary educational institution.**

**(B) Has satisfactorily completed an anesthesiologist assistant program that is accredited by the Commission on Accreditation of Allied Health Education Programs, or by its predecessor or successor organization.**

**(C) Passed a certifying examination administered, obtained, or maintained by the National Commission for Certification of Anesthesiologist Assistants.**

**(b) An individual must be licensed by the board before the individual may practice as an anesthesiologist assistant.**

**Sec. 2. In order to maintain a license under this article, an individual licensed under this article shall comply with all continuing certification requirements set by the National Commission for Certification of Anesthesiologist Assistants.**

**Sec. 3. (a) The board shall do the following:**

**(1) Subject to IC 25-1-8-2, establish the amounts of fees required under this article.**

**(2) Adopt rules under IC 4-22-2 concerning the scope of practice for an anesthesiologist assistant. The rules must address the public welfare and safety of patients being treated by an anesthesiologist assistant and include the following:**

**(A) Require that an anesthesiologist assistant be supervised by a licensed anesthesiologist who:**

**(i) is licensed under IC 25-22.5; and**

**(ii) is actively engaged in the clinical practice of anesthesiology; and**

**(iii) maintains a physical proximity that allows the anesthesiologist to be immediately available if needed at all times that anesthesia services are rendered by the anesthesiologist assistant.**

**(B) Allow for the training of anesthesiologist assistant students if the student is:**

**(i) enrolled in an anesthesiologist assistant program that is accredited by the Commission on Accreditation of Allied Health Education Programs or by its predecessor or successor organization; and**

**(ii) supervised by an individual who meets the requirements of clause (A).**

**(b) In developing the rules required under subsection (a)(2), the board shall appoint a working committee to assist in the development of the rules. The working committee shall**

at least contain the following:

- (1) One (1) individual who is a member of the Indiana State Medical Association, or its successor organization.
- (2) One (1) individual who is a member of the Indiana Society of Anesthesiologists, or its successor organization.
- (3) One (1) individual who is a member of the American Academy of Anesthesiologist Assistants, or its successor organization.

Sec. 4. (a) An anesthesiologist assistant may practice only:

- (1) under the supervision of an anesthesiologist; and
- (2) as described in a written practice protocol adopted under subsection (b).

(b) Each anesthesiologist who agrees to act as the supervising anesthesiologist of an anesthesiologist assistant shall adopt a written practice protocol that:

- (1) is consistent with this article;
- (2) delineates:
  - (A) the medical services that the anesthesiologist assistant is authorized to provide; and
  - (B) the manner in which the anesthesiologist will supervise the anesthesiologist assistant;
- (3) is based on relevant quality assurance standards, including regular review by the supervising anesthesiologist of the medical records of the patients cared for by the anesthesiologist assistant;
- (4) is signed by the anesthesiologist and anesthesiologist assistant;
- (5) is updated annually; and
- (6) is made available to the board upon request.

(c) The supervising anesthesiologist shall oversee the anesthesiologist assistant in accordance with:

- (1) the terms of the protocol; and
- (2) any rules adopted by the board for the supervision of an anesthesiologist assistant.

The board may randomly audit or inspect any written practice protocol under which an anesthesiologist assistant works.

(d) An anesthesiologist or an anesthesiologist assistant who violates the written practice protocol described in this section may be disciplined under IC 25-1-9.

Sec. 5. A patient must:

- (1) be notified that an anesthesiologist assistant is going to provide care to the patient before any care may be provided by the anesthesiologist assistant; and
- (2) consent in writing to receive the care from the anesthesiologist assistant.

### Chapter 3. Unauthorized Practice; Penalty; Sanctions

Sec. 1. An individual may not:

- (1) profess to be an anesthesiologist assistant;
- (2) use the title "anesthesiologist assistant"; or
- (3) use the initials "A.A." or any other words, letters, abbreviations, or insignia indicating or implying that the individual is an anesthesiologist assistant licensed under this article;

**unless the person is licensed under this article.**

**Sec. 2. An individual who recklessly, knowingly, or intentionally violates this chapter commits a Class B misdemeanor."**

Renumber all SECTIONS consecutively.

(Reference is to SB 244 as introduced.)