

FAEGRE BAKER DANIELS

2013 Legislative Update #7

Indiana Society of Anesthesiologists



March 10, 2013

The second half of the 2013 General Assembly got underway last week as the Senate began hearings on the 175 bills passed by the House and the House started work on the 213 bills adopted by the Senate. The Senate Appropriations Committee held its first hearing on the biennial budget, while Gov. Mike Pence continued to pressure lawmakers to adopt his proposed 10% income tax cut, which was not included in the House-passed version of **HB 1001**. Republican leaders in both chambers have publicly questioned whether the state can afford the tax cut given other budget priorities. However, the pressure on lawmakers to adopt some version of the tax cut is expected to mount in the weeks ahead as the Indiana chapter of Americans for Prosperity launches a six-figure ad campaign on Pence's behalf touting the proposal and lambasting House Republicans for their non-action.

Last week, the Senate Health & Provider Services Committee passed **HB 1105** (anatomic pathology services) and **HB 1182** (physician order for scope of treatment (POST) forms). HB 1105 was adopted without amendment. HB 1182 was revised to provide that a health care provider acting in good faith may not be considered to have knowledge of a POST form solely on the basis of the POST form's entry into a medical record that can be accessed by the provider. The committee amendment also provides that if a patient refuses to complete a POST form, the provider must document the refusal in the patient's medical records and may not ask the patient again to complete the form.

Also on Monday, the House Public Health Committee will hear **SB 471** (prescriptions for brand name drugs) and **SB 554** (telehealth services under Medicaid). Later in the week, the Senate Health & Provider Services Committee will hear **HB 1034** (physical therapy services without a referral) and **HB 1465** (INSPECT program).

To date, neither **SB 273** (anesthesiologist assistants) nor **SB 268** (CRNAs) have been set for hearing in the House Public Health Committee. We will be meeting with the committee chairman, Rep. Ed Clere, on Tuesday to discuss both bills. Rep. Clere is also serving as the primary House sponsor of SB 272.

Following are summaries of the bills on the tracking list that are still alive. Bills that have been set for hearing in the second chamber are highlighted in blue.

As always, please let us know if you have any questions or need additional information.

HB 1001	<p><i>Biennial budget.</i> (T. Brown, Kenley, Tallian)</p> <p>Appropriates money for capital expenditures, the operation of the state, the delivery of Medicaid and other services, and various other distributions and purposes. Provides a school funding formula.</p>
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Authorizes a hospital assessment fee. Extends the health facility quality assessment fee indefinitely. Allocates 1.5% of state gross retail tax collections to the motor vehicle highway account. Removes state police expenses from motor vehicle highway account distributions. Provides that the inheritance tax expires on January 1, 2018, rather than on January 1, 2022. Repeals the Indiana estate tax and Indiana generation skipping transfer tax. Reallocates certain racetrack casino revenues and cigarette tax revenues. Repeals the nursing scholarship and scholarships for special education, occupational therapy, and physical therapy students. Establishes student teaching stipends for minority students and high need fields. Transfers \$150,000,000 to the state tuition reserve fund in each year of the biennium. Makes numerous changes to the administration of state programs.

Date	Action	
02/25/2013	H: Sponsor	Added Howard "Luke" Kenley
02/27/2013	S: 1st Reading	Assigned Appropriations
03/07/2013	S: Committee Sched	8:00 AM Room 431 Appropriations

HB 1024

Private sector impacts of administrative rules. (Koch, Hershman)

Provides that for the required cost benefit analysis prepared by the office of management and budget (OMB) for a proposed administrative rule, an analysis prepared after June 30, 2013, must include a private sector employment impact statement that sets forth the OMB's estimate of the economic impact of the proposed rule on private sector employment in Indiana. Specifies the particular impacts that the OMB must identify in the statement. Provides that if the OMB determines that the preparation of a private sector employment impact statement is unnecessary or impractical with respect to a particular proposed rule, the OMB may decline to prepare a statement with respect to the rule. Provides that for the required cost benefit analysis prepared by the OMB for the three year period following an adopted rule's effective date, an analysis prepared after June 30, 2013, must include: (1) the private sector employment impact statement, if any, prepared by the OMB before the rule's adoption; and (2) the actual economic impact of the adopted rule on private sector employment during the three year period covered by the analysis.

Date	Action	
01/22/2013	H: Referred	Referred to the Senate
01/22/2013	H: Sponsor	Added Brandt Hershman
02/25/2013	S: 1st Reading	Assigned Tax and Fiscal Policy

HB 1034

Physical therapy services without a referral. (Frizzell, Becker, Pat Miller)

Allows a physical therapist to evaluate and treat a patient without a referral for not more than 30 days. Requires a physical therapist to obtain a referral from the patient's provider if further treatment by the physical therapist is needed. Provides that a physical therapist may not perform spinal manipulation of the spinal column or the vertebral column unless: (1) the physical therapist is acting on the order or referral of a physician, an osteopath or a chiropractor; and (2) the referring physician, osteopath, or chiropractor has examined the patient before issuing the order or referral. Provides that a physical therapist may not perform sharp debridement unless a physical therapist has an order or referral of a licensed physician, osteopath, or podiatrist.

Date	Action	
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	<table border="1"> <tr> <td>02/12/2013</td> <td>H: Sponsor</td> <td>Added Vaneta Becker</td> </tr> <tr> <td>02/25/2013</td> <td>S: 1st Reading</td> <td>Assigned Health and Provider Services</td> </tr> <tr> <td>03/13/2013</td> <td>S: Committee Sched</td> <td>9:00 AM Room 431 Health and Provider Services</td> </tr> </table>	02/12/2013	H: Sponsor	Added Vaneta Becker	02/25/2013	S: 1st Reading	Assigned Health and Provider Services	03/13/2013	S: Committee Sched	9:00 AM Room 431 Health and Provider Services
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HB 1051	<p><i>Credentialing of music therapists.</i> (Crouch, Becker)</p> <p>Provides that an individual may not profess to be a certified music therapist unless the individual holds and maintains the credentialing administered by the Certification Board for Music Therapists (CBMT). Provides that language concerning certification of music therapists does not apply to the practice of an occupation or a profession for which an individual is licensed, certified, or registered in Indiana by a state agency if the individual is practicing within the scope of the license, certificate, or registration of the individual. Requires the Indiana professional licensing agency (agency) to maintain a hyperlink to the Internet web site for the Certification Board for Music Therapists on the Internet web site of the agency.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>01/29/2013</td> <td>H: Referred Referred to the Senate</td> </tr> <tr> <td>01/29/2013</td> <td>H: Sponsor Added Vaneta Becker</td> </tr> <tr> <td>02/25/2013</td> <td>S: 1st Reading Assigned Commerce, Economic Development and Technology</td> </tr> </tbody> </table>	Date	Action	01/29/2013	H: Referred Referred to the Senate	01/29/2013	H: Sponsor Added Vaneta Becker	02/25/2013	S: 1st Reading Assigned Commerce, Economic Development and Technology	
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HB 1055	<p><i>Emergency rulemaking statute.</i> (McMillin, M. Young, Zakas)</p> <p>Removes from the statute providing the procedure by which Indiana administrative agencies may adopt emergency rules (emergency rules statute) a list enumerating the statutes that convey emergency rulemaking authority, and codifies in substantive administrative law emergency rulemaking authority that is currently codified only in this list. Relocates exceptions and conditions applicable only to certain emergency rules from the emergency rules statute to the statute establishing the authority for adoption of the emergency rule to which the exception or condition applies. Provides that the publisher of the Indiana administrative code shall annually publish a list of agencies authorized to adopt rules under the emergency rules statute. Makes other technical corrections. (The introduced version of this bill was prepared by the code revision commission.)</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>01/22/2013</td> <td>H: Sponsor Added Joseph C. Zakas</td> </tr> <tr> <td>02/25/2013</td> <td>S: 1st Reading Assigned Commerce, Economic Development and Technology</td> </tr> <tr> <td>03/11/2013</td> <td>S: Committee Sched 10:00 AM Room 130 Commerce, Economic Development and Technology</td> </tr> </tbody> </table>	Date	Action	01/22/2013	H: Sponsor Added Joseph C. Zakas	02/25/2013	S: 1st Reading Assigned Commerce, Economic Development and Technology	03/11/2013	S: Committee Sched 10:00 AM Room 130 Commerce, Economic Development and Technology	
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03/11/2013	S: Committee Sched 10:00 AM Room 130 Commerce, Economic Development and Technology									
HB 1099	<p><i>Physician assistants.</i> (Davisson, Pat Miller, Skinner, Grooms)</p> <p>Amends the definition of "supervision" for purposes of the physician assistant law concerning where the supervising physician or physician designee is located. Allows a physician assistant that meets certain practice requirements to prescribe schedule II controlled substances. Allows a supervising physician to delegate a physician assistant to prescribe a controlled substance for an aggregate 30 day supply. (Current law limits the prescription to a one time 30 day supply.) Changes the percentages of patient charts that a supervising physician or physician designee must review based on the number of years the physician assistant has been employed. Specifies that a physician may</p>									

	<p>supervise not more than two physician assistants at the same time.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>01/23/2013</td> <td>H: Sponsor Added Timothy D. Skinner</td> </tr> <tr> <td>01/23/2013</td> <td>H: Sponsor Added Ron Grooms</td> </tr> <tr> <td>02/25/2013</td> <td>S: 1st Reading Assigned Health and Provider Services</td> </tr> </tbody> </table>	Date	Action	01/23/2013	H: Sponsor Added Timothy D. Skinner	01/23/2013	H: Sponsor Added Ron Grooms	02/25/2013	S: 1st Reading Assigned Health and Provider Services
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HB 1135	<p><i>Midwives.</i> (Lehe, Pat Miller)</p> <p>Requires the local health officer to make a permanent record of the person in attendance at a birth. Establishes the midwifery board (board). Sets qualifications for a certified direct entry midwife (CDEM). Requires the board to: (1) establish continuing education requirements; (2) develop peer review procedures; and (3) adopt rules concerning liability insurance and the competent practice of CDEMs. Establishes procedures and qualifications for certain practicing CDEMs to receive a license. Establishes a Class D felony for practicing midwifery without a license. Provides that certain individuals may not be held jointly or severally liable for the acts or omissions of a client's CDEM. Adds culpability standards to the crimes of practicing medicine or osteopathic medicine and acting as a physician assistant without a license. Allows CDEMs to administer certain prescription drugs. Allows certain individuals to act under the supervision of a CDEM. Repeals the definition of "midwife" in the medical malpractice law, and adds the definition of "certified nurse midwife". Makes conforming changes.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/25/2013</td> <td>H: Referred Referred to the Senate</td> </tr> <tr> <td>02/25/2013</td> <td>H: Sponsor Added Patricia L. Miller</td> </tr> <tr> <td>02/27/2013</td> <td>S: 1st Reading Assigned Health and Provider Services</td> </tr> </tbody> </table>	Date	Action	02/25/2013	H: Referred Referred to the Senate	02/25/2013	H: Sponsor Added Patricia L. Miller	02/27/2013	S: 1st Reading Assigned Health and Provider Services
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HB 1152	<p><i>Practice of occupational therapy.</i> (Kirchhofer, Pat Miller)</p> <p>Revises the definition of "practice of occupational therapy". Adds a definition of "occupational therapy services". Adds osteopaths or physician assistants to the practitioners that may provide a referral or order to an occupational therapist. Provides that an occupational therapist must report to the practitioner as specified by the practitioner who provided the referral or order. However, if the practitioner does not specify a reporting requirement, the occupational therapist shall report to the practitioner upon completion or termination of occupational therapy services. Makes a conforming change.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/21/2013</td> <td>H: Referred Referred to the Senate</td> </tr> <tr> <td>02/21/2013</td> <td>H: Sponsor Added Patricia L. Miller</td> </tr> <tr> <td>02/27/2013</td> <td>S: 1st Reading Assigned Health and Provider Services</td> </tr> </tbody> </table>	Date	Action	02/21/2013	H: Referred Referred to the Senate	02/21/2013	H: Sponsor Added Patricia L. Miller	02/27/2013	S: 1st Reading Assigned Health and Provider Services
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HB 1182	<p><i>Physician order for scope of treatment forms.</i> (T. Brown, Pat Miller)</p> <p>Establishes a process for the execution of a physician order for scope of treatment (POST) form by an individual, or the individual's representative, and the individual's treating physician to indicate treatment the individual would like to have or have withheld under specified circumstances. Requires</p>								

the state department of health to: (1) develop and distribute the POST form; and (2) place the POST form on the state department's Internet web site. Specifies provisions that must be included in the POST form. Allows for the modification or revocation of the POST form. Specifies that the existence of an executed POST form cannot affect life insurance policies or premiums. Provides civil and criminal immunity for certain actions taken by a health care provider or its employees under an executed POST form. Provides civil immunity concerning the use or misuse of the POST form placed on the state department of health's Internet web site.

Date	Action	
03/06/2013	S: Committee Sched	9:00 AM Room 431 Health and Provider Services
03/06/2013	S: Committee Action	Pass Amend(8-2) Health and Provider Services
03/07/2013	S: Committee Report	amend do pass, adopted

HB 1242

Licensing of diabetes educators. (Frizzell, Pat Miller)

Creates the diabetes educators board, and provides for the licensure of diabetes educators. Makes a technical correction.

Date	Action	
02/19/2013	H: Referred	Referred to the Senate
02/19/2013	H: Sponsor	Added Patricia L. Miller
02/25/2013	S: 1st Reading	Assigned Health and Provider Services

HB 1272

Dietitian licensure. (Bacon, Pat Miller)

Requires that, with certain exceptions, an individual who: (1) professes to be a licensed dietitian; or (2) implies by words or letters that the individual is a licensed dietitian; must be licensed. Repeals provisions providing for certification of dietitians. Changes the name of the Indiana dietitians certification board to the Indiana dietitians licensing board. Specifies that an individual who is a certified dietitian on June 30, 2013, becomes a licensed dietitian beginning July 1, 2013. Makes other conforming changes.

Date	Action	
02/25/2013	H: Referred	Referred to the Senate
02/25/2013	H: Sponsor	Added Patricia L. Miller
02/27/2013	S: 1st Reading	Assigned Commerce, Economic Development and Technology

HB 1315

Biosimilar biological products. (Clere, Pat Miller, Grooms)

Provides that a biological product that is substituted under the biosimilar biological products requirements is not subject to the generic drug substitution requirements. Allows a pharmacist to substitute a biosimilar product for a prescribed biological product if certain conditions are met. Requires the board of pharmacy to maintain an Internet web site that lists the biosimilar biological products that are determined to be interchangeable. Allows the board of pharmacy to adopt rules. Provides that a written or electronic prescription for a biological product must comply with the existing prescription form requirements.

		Date	Action
		02/25/2013	S: 1st Reading Assigned Health and Provider Services
		03/06/2013	S: Committee Sched 9:00 AM Room 431 Health and Provider Services
		03/11/2013	S: Committee Sched 3:30 PM Room 431 Health and Provider Services
HB 1319	<i>Health benefit exchange provisions.</i> (Lehman, Pat Miller)		
	Provides for implementation of the federal Patient Protection and Affordable Care Act with respect to a health benefit exchange in Indiana. Specifies that Indiana insurance law applies to a health plan offered through a health benefit exchange to the same extent the law applies to a health plan offered independent of the health benefit exchange. Specifies requirements for health plans issued through a health benefit exchange. Requires a navigator to be certified and an application organization to be registered before providing services with respect to a health benefit exchange. Provides for dissolution of the Indiana comprehensive health insurance association.		
		Date	Action
		02/21/2013	H: Referred Referred to the Senate
		02/21/2013	H: Sponsor Added Patricia L. Miller
		02/27/2013	S: 1st Reading Assigned Appropriations
HB 1376	<i>Various privacy issues.</i> (Koch, Steele)		
	Makes the following changes to the statute concerning telephone caller identification services: (1) Repeals the definition of "telecommunications service provider". (2) Adds the definition of "provider". In the statutes concerning: (1) telephone caller identification services; and (2) telephone solicitations; replaces the term "caller ID" with the term "caller identification", as used in the federal Caller ID Act of 2009. Provides that a person shall not knowingly and with the intent to defraud or cause harm to another person, or to wrongfully obtain anything of value, cause any caller identification service to transmit misleading or inaccurate caller identification information to a subscriber in Indiana. Exempts certain activities from the prohibition. Provides that a violation of the prohibition is: (1) a Class B misdemeanor; and (2) a deceptive act actionable by the attorney general. Provides that a subsequent violation is a Class A misdemeanor. Provides a cause of action for: (1) damages; and (2) injunctive relief; for any person aggrieved by a violation. Prohibits the professional licensing agency (PLA) or a board administered by the PLA from disclosing to the public personal information of an individual who: (1) applies for or holds a license, certificate, registration, or permit issued by a board; or (2) is a member of a board administered by the PLA; subject to certain exceptions specified by law.		
		Date	Action
		02/11/2013	H: Sponsor Added Brent Steele
		02/25/2013	S: 1st Reading Assigned Corrections and Criminal Law
		03/12/2013	S: Committee Sched 10:00 AM Room 233 Corrections and Criminal Law
HB 1464	<i>Immunizations by pharmacists and pharmacy students.</i> (Davisson, Walker, Banks, Grooms)		
	Adds immunizations for pneumonia, tetanus, diphtheria, acellular pertussis (Tdap), and human papillomavirus (HPV) infection to the immunizations that a pharmacist is allowed to administer to a group of individuals under a drug order, under a prescription, or according to a protocol approved by		

a physician if certain requirements are met. Provides that if a physician uses a protocol, the protocol may apply only to an individual or group of individuals who are: (1) at least 12 years of age but less than 18 years of age, if the individual's parent or guardian is present and consents to the immunization; (2) at least 18 years of age who have a legal guardian if the individual's guardian consents; or (3) at least 18 years of age. (Current law provides that an individual given an immunization by a pharmacist under a protocol must be at least 14 years of age.) Requires the physician who writes the protocol to actively practice with a medical office in Indiana. Requires certain information to be available when an immunization is administered under a protocol. Requires a pharmacist or pharmacist's designee to provide immunization data to the immunization data registry unless the patient or the patient's parent or guardian completes an immunization data exemption form. Allows a pharmacist intern or a pharmacist student to administer an immunization to an individual under a drug order or prescription or to administer an immunization to a group of individuals under a drug order or prescription or according to a protocol, subject to rules adopted by the Indiana board of pharmacy. Provides that the rules: (1) must provide for the direct supervision by a pharmacist, a physician, a physician assistant, or an advanced practice nurse; and (2) may not be less stringent than the requirements applying to a pharmacist who administers an immunization to an individual. Establishes the interim study committee on adult and children immunization issues.

Date	Action
02/11/2013	H: Sponsor Added Ron Grooms
02/11/2013	H: Sponsor Added Jim Banks
02/25/2013	S: 1st Reading Assigned Health and Provider Services

HB 1465

INSPECT program. (Davisson, Pat Miller)

Allows prescriptions for schedule V controlled substances to be transmitted by an electronic prescription from the practitioner or the agent of the practitioner to a pharmacy. Provides that the controlled substances registration fees must be deposited into the controlled substances data fund. (Current law requires the deposit of 16% of the fees into the fund.) Establishes the INSPECT interim study committee.

Date	Action
02/25/2013	H: Sponsor Added Patricia L. Miller
02/27/2013	S: 1st Reading Assigned Health and Provider Services
03/13/2013	S: Committee Sched 9:00 AM Room 431 Health and Provider Services

HB 1518

State board of nursing. (M. Smith, Merritt)

Allows the Indiana state board of nursing (board) to hire an education compliance officer. Allows the board to use the impaired nurses account to fund the education compliance officer and to carry out any of the duties of the board. Limits the amount that may be paid from the impaired nurses account in a state fiscal year to fund the education compliance officer.

Date	Action
02/18/2013	H: Sponsor Added James W. Merritt, Jr.
02/25/2013	S: 1st Reading Assigned Commerce, Economic Development and Technology
03/11/2013	S: Committee 10:00 AM Room 130 Commerce, Economic Development and

	Sched	Technology								
HB 1583	<p><i>Review of administrative rules.</i> (Harman, Mishler, Yoder)</p> <p>Sets forth procedures for the appointment of: (1) the members of the administrative rules oversight committee (committee); and (2) the committee's chair; to more closely align to the actual schedule of appointments made before the election of the one hundred eighteenth general assembly. Permits committee members to participate in committee meetings from remote locations if at least five committee members are physically present at the place where the meeting is held. For a rule proposed by an agency after July 15, 2013, requires the agency to submit the rule to the committee for review if the agency determines the rule will have a total estimated economic impact greater than \$500,000 on all regulated persons. Requires the agency to submit the rule to the committee not later than the date the agency submits the rule to the attorney general for review. Allows an agency to submit a rule to the committee for review if the agency determines the rule will have a total estimated economic impact less than \$500,000. Permits the committee to recommend that the governor approve or disapprove the rule.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/18/2013</td> <td>H: Sponsor Added Ryan D. Mishler</td> </tr> <tr> <td>02/18/2013</td> <td>H: Sponsor Added Carlin Yoder</td> </tr> <tr> <td>02/27/2013</td> <td>S: 1st Reading Assigned Public Policy</td> </tr> </tbody> </table>		Date	Action	02/18/2013	H: Sponsor Added Ryan D. Mishler	02/18/2013	H: Sponsor Added Carlin Yoder	02/27/2013	S: 1st Reading Assigned Public Policy
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02/27/2013	S: 1st Reading Assigned Public Policy									
SB 105	<p><i>Child abuse and neglect inquiries.</i> (Steele, Koch)</p> <p>Provides that when confronted with a potential case of child abuse or neglect, any law enforcement employee, judiciary employee, medical doctor, employee of a medical doctor, or school official may contact a local office of the department of child services to report the suspected child abuse or neglect.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>01/29/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>01/29/2013</td> <td>S: Sponsor Added Eric Koch</td> </tr> <tr> <td>02/26/2013</td> <td>H: 1st Reading Assigned Family, Children and Human Affairs</td> </tr> </tbody> </table>		Date	Action	01/29/2013	S: Referred Referred to the House	01/29/2013	S: Sponsor Added Eric Koch	02/26/2013	H: 1st Reading Assigned Family, Children and Human Affairs
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02/26/2013	H: 1st Reading Assigned Family, Children and Human Affairs									
SB 246	<p><i>Certification of controlled drug clinics.</i> (Pat Miller, Grooms, Davisson)</p> <p>Allows only specified persons to have an ownership interest in an entity that prescribes, dispenses, or administers controlled substances. Requires the board, before October 1, 2013, to adopt rules to establish standards and protocols for the prescribing of controlled substances. Requires the state board of pharmacy and other boards that oversee controlled substance registrations to adopt necessary rules to complement rules adopted by the board concerning standards and protocols for the prescribing of controlled substances.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/25/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/25/2013</td> <td>S: Sponsor Added Steve Davisson</td> </tr> <tr> <td>03/04/2013</td> <td>H: 1st Reading Assigned Public Health</td> </tr> </tbody> </table>		Date	Action	02/25/2013	S: Referred Referred to the House	02/25/2013	S: Sponsor Added Steve Davisson	03/04/2013	H: 1st Reading Assigned Public Health
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<p>SB 265</p>	<p><i>Health care provider peer review committees.</i> (Pat Miller, Stoops, Frizzell)</p> <p>Amends the definition of "professional health care provider" for purposes of the law concerning privileged communications of peer review committees.</p> <table border="1"> <thead> <tr> <th data-bbox="277 331 391 363">Date</th> <th data-bbox="480 331 561 363">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 380 570 411">01/31/2013 S: Referred</td> <td data-bbox="613 380 878 411">Referred to the House</td> </tr> <tr> <td data-bbox="277 422 570 453">01/31/2013 S: Sponsor</td> <td data-bbox="613 422 935 453">Added David Nason Frizzell</td> </tr> <tr> <td data-bbox="277 464 570 495">02/26/2013 H: 1st Reading</td> <td data-bbox="613 464 883 495">Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	01/31/2013 S: Referred	Referred to the House	01/31/2013 S: Sponsor	Added David Nason Frizzell	02/26/2013 H: 1st Reading	Assigned Public Health
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02/26/2013 H: 1st Reading	Assigned Public Health								
<p>SB 268</p>	<p><i>Certified registered nurse anesthetists.</i> (Pat Miller, Frizzell)</p> <p>Allows a registered certified nurse anesthetist to administer anesthesia under the direction of and in the immediate presence of a podiatrist if specified conditions are met. (Current law allows a registered certified nurse anesthetist to administer anesthesia under the direction of and in the immediate presence of a physician.)</p> <table border="1"> <thead> <tr> <th data-bbox="277 793 391 825">Date</th> <th data-bbox="480 793 561 825">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 842 570 873">02/26/2013 S: Referred</td> <td data-bbox="613 842 878 873">Referred to the House</td> </tr> <tr> <td data-bbox="277 884 570 915">02/26/2013 S: Sponsor</td> <td data-bbox="613 884 935 915">Added David Nason Frizzell</td> </tr> <tr> <td data-bbox="277 926 570 957">03/04/2013 H: 1st Reading</td> <td data-bbox="613 926 883 957">Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	02/26/2013 S: Referred	Referred to the House	02/26/2013 S: Sponsor	Added David Nason Frizzell	03/04/2013 H: 1st Reading	Assigned Public Health
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<p>SB 272</p>	<p><i>Opioid treatment program and controlled substances.</i> (Pat Miller, Davisson)</p> <p>Requires the Indiana professional licensing agency to report to the health finance commission during the 2013 legislative interim concerning: (1) the expansion of the Indiana scheduled prescription electronic collection and tracking program (INSPECT) ; and (2) how to implement a program to require an opioid treatment program to transmit specified information concerning a patient to INSPECT before dispensing or administering a controlled substance to the patient. Requires the medical licensing board of Indiana to adopt rules establishing standards and protocols in the prescribing of controlled substances. Beginning January 1, 2015, requires dispensers to transmit certain prescription drug information to INSPECT. Requires, during the 2013 legislative interim, the division of mental health and addiction to provide the health finance commission with specified information concerning opioid treatment programs.</p> <table border="1"> <thead> <tr> <th data-bbox="277 1472 391 1503">Date</th> <th data-bbox="480 1472 561 1503">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 1520 570 1551">02/25/2013 S: Referred</td> <td data-bbox="613 1520 878 1551">Referred to the House</td> </tr> <tr> <td data-bbox="277 1562 570 1593">02/25/2013 S: Sponsor</td> <td data-bbox="613 1562 878 1593">Added Steve Davisson</td> </tr> <tr> <td data-bbox="277 1604 570 1635">03/04/2013 H: 1st Reading</td> <td data-bbox="613 1604 883 1635">Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	02/25/2013 S: Referred	Referred to the House	02/25/2013 S: Sponsor	Added Steve Davisson	03/04/2013 H: 1st Reading	Assigned Public Health
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<p>SB 273</p>	<p><i>Anesthesiologist assistant licensure.</i> (Pat Miller, Clere)</p> <p>Requires anesthesiologist assistants to be licensed and to work under a supervising anesthesiologist. Establishes the anesthesiologist assistant committee to make recommendations to the medical licensing board concerning the licensure of anesthesiologist assistants. Establishes requirements of the protocol entered into between the supervising anesthesiologist and the anesthesiologist assistant. Makes it a Class D felony for a person who acts as an anesthesiologist assistant without the</p>								

	<p>required license. Makes it a Class B misdemeanor for an individual who professes to be an anesthesiologist assistant or uses the title "anesthesiologist assistant" without being licensed.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/26/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/26/2013</td> <td>S: Sponsor Added Ed Clere</td> </tr> <tr> <td>03/04/2013</td> <td>H: 1st Reading Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	02/26/2013	S: Referred Referred to the House	02/26/2013	S: Sponsor Added Ed Clere	03/04/2013	H: 1st Reading Assigned Public Health
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02/26/2013	S: Referred Referred to the House								
02/26/2013	S: Sponsor Added Ed Clere								
03/04/2013	H: 1st Reading Assigned Public Health								
SB 362	<p><i>Battery by body waste.</i> (Crider, T. Brown)</p> <p>Makes it battery by body waste, a Class D felony, for a person to knowingly or intentionally: (1) in a rude, insolent, or angry manner place blood or another body fluid or waste on a health care professional identified as such and while engaged in the performance of official duties; or (2) coerce another person to place blood or another body fluid or waste on the health care professional. Enhances the penalties for committing the offense if the blood, bodily fluid, or waste is infected with hepatitis B or hepatitis C, HIV, or tuberculosis.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/11/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/11/2013</td> <td>S: Sponsor Added Tim Brown</td> </tr> <tr> <td>02/26/2013</td> <td>H: 1st Reading Assigned Courts and Criminal Code</td> </tr> </tbody> </table>	Date	Action	02/11/2013	S: Referred Referred to the House	02/11/2013	S: Sponsor Added Tim Brown	02/26/2013	H: 1st Reading Assigned Courts and Criminal Code
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02/26/2013	H: 1st Reading Assigned Courts and Criminal Code								
SB 371	<p><i>Abortion inducing drugs.</i> (Holdman, Negele)</p> <p>Amends the definition of "abortion clinic" to include facilities that provide abortion inducing drugs. Specifies that only a physician may administer to a pregnant woman an abortion inducing drug. Sets forth the procedure an abortion clinic must follow before giving, selling, dispensing, administering, prescribing, or providing an abortion inducing drug to a pregnant woman. Requires certain physicians who learn of an adverse event following the use of an abortion inducing drug to report the adverse event to the medical licensing board. Specifies that the reports of adverse events related to abortion inducing drugs and maintained by the medical licensing board are public records. Makes a violation concerning distribution of an abortion inducing drug and failure to report an adverse event a Class A misdemeanor.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/26/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/26/2013</td> <td>S: Sponsor Added Sharon Negele</td> </tr> <tr> <td>03/04/2013</td> <td>H: 1st Reading Assigned Public Policy</td> </tr> </tbody> </table>	Date	Action	02/26/2013	S: Referred Referred to the House	02/26/2013	S: Sponsor Added Sharon Negele	03/04/2013	H: 1st Reading Assigned Public Policy
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03/04/2013	H: 1st Reading Assigned Public Policy								
SB 414	<p><i>Insurance coverage for breast ultrasound exams.</i> (Pat Miller, Leising, Crouch)</p> <p>Requires state employee health plans, policies of accident and sickness insurance, and individual and group health maintenance contracts to provide coverage for appropriate medical screening, tests, or examinations for certain women who have been determined to have high breast density. Requires the medical licensing board to adopt rules or protocol establishing: (1) an education program to be used to educate women with high breast density; and (2) standards for annual screening or diagnostic tests of certain women who have been determined to have high breast density. Requires a facility</p>								

	<p>that performs a mammography examination to notify a patient who is determined by the facility to have high breast density and who would require follow up care or testing.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/19/2013</td> <td>S: 3rd Reading Pass (49-0)</td> </tr> <tr> <td>02/19/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/19/2013</td> <td>S: Sponsor Added Suzanne Crouch</td> </tr> </tbody> </table>	Date	Action	02/19/2013	S: 3rd Reading Pass (49-0)	02/19/2013	S: Referred Referred to the House	02/19/2013	S: Sponsor Added Suzanne Crouch
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02/19/2013	S: Referred Referred to the House								
02/19/2013	S: Sponsor Added Suzanne Crouch								
SB 417	<p><i>Health provider reporting of domestic violence.</i> (Waltz, McNamara)</p> <p>Requires a health care provider to: (1) implement protocols and policies for the identification of domestic violence and to offer intervention and treatment services; and (2) report an incident of domestic violence to the local law enforcement agency. Specifies information to be included in the report. Provides civil and criminal immunity for a person who is required to report an incident of domestic violence.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/14/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/14/2013</td> <td>S: Sponsor Added Wendy McNamara</td> </tr> <tr> <td>02/26/2013</td> <td>H: 1st Reading Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	02/14/2013	S: Referred Referred to the House	02/14/2013	S: Sponsor Added Wendy McNamara	02/26/2013	H: 1st Reading Assigned Public Health
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02/26/2013	H: 1st Reading Assigned Public Health								
SB 471	<p><i>Prescriptions for brand name drugs.</i> (Grooms, Davisson)</p> <p>Permits a health care practitioner to use words of similar meaning instead of the statutory phrase "Brand Medically Necessary" when writing a prescription for a brand name drug when the practitioner does not want the pharmacist to substitute, under certain government programs, a generically equivalent drug product for the brand name drug.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>01/29/2013</td> <td>S: Sponsor Added Steve Davisson</td> </tr> <tr> <td>02/26/2013</td> <td>H: 1st Reading Assigned Public Health</td> </tr> <tr> <td>03/11/2013</td> <td>H: Committee Sched 10:30 AM Room House Chamber Public Health</td> </tr> </tbody> </table>	Date	Action	01/29/2013	S: Sponsor Added Steve Davisson	02/26/2013	H: 1st Reading Assigned Public Health	03/11/2013	H: Committee Sched 10:30 AM Room House Chamber Public Health
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01/29/2013	S: Sponsor Added Steve Davisson								
02/26/2013	H: 1st Reading Assigned Public Health								
03/11/2013	H: Committee Sched 10:30 AM Room House Chamber Public Health								
SB 520	<p><i>ERASER committee.</i> (Head, Mahan)</p> <p>Creates the eliminate, reduce, and streamline employee regulation (ERASER) committee to study professional licensing in Indiana. Provides that the office of management and budget staffs the committee. Repeals the regulated occupations evaluation committee. Creates a five year cycle for sunseting certain professional licenses, registrations, and certifications.</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>02/19/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/19/2013</td> <td>S: Sponsor Added Kevin Mahan</td> </tr> <tr> <td>02/26/2013</td> <td>H: 1st Reading Assigned Select Committee on Government Reduction</td> </tr> </tbody> </table>	Date	Action	02/19/2013	S: Referred Referred to the House	02/19/2013	S: Sponsor Added Kevin Mahan	02/26/2013	H: 1st Reading Assigned Select Committee on Government Reduction
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SB 551	<p><i>Federal health care reform.</i> (Pat Miller, Tallian, Clere)</p>								

	<p>Defines populations that may be subject to Medicaid resource requirements. Eliminates certain Medicaid eligibility resource requirements. Specifies Medicaid recipients who are eligible to receive payments related to certain Medicare premium and cost sharing amounts. Provides for negotiations between the office of Medicaid policy and planning (office) and the United States Department of Health and Human Services (HHS) concerning a block grant system related to Medicaid. Requires the office to apply to HHS to amend the state Medicaid plan to require Medicaid recipient cost sharing. Provides for implementation of the federal Patient Protection and Affordable Care Act with respect to a health benefit exchange (exchange) in Indiana. Specifies requirements for health plans issued through an exchange, including application of Indiana insurance law. Requires certification of navigators and registration of application organizations related to an exchange. Provides for dissolution of the Indiana comprehensive health insurance association. Requires the office to present specified information to the health finance commission (commission) before August 1, 2013. Requires certain state agencies to report to the commission related to an exchange in Indiana.</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Date</th> <th style="text-align: left;">Action</th> </tr> </thead> <tbody> <tr> <td>02/26/2013</td> <td>S: Sponsor Added Tim Brown</td> </tr> <tr> <td>03/04/2013</td> <td>H: Sponsor Added Ed Clere</td> </tr> <tr> <td>03/04/2013</td> <td>H: Sponsor Removed Tim Brown</td> </tr> </tbody> </table>	Date	Action	02/26/2013	S: Sponsor Added Tim Brown	03/04/2013	H: Sponsor Added Ed Clere	03/04/2013	H: Sponsor Removed Tim Brown
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SB 559	<p><i>Fraud.</i> (Hershman, Turner)</p> <p>Specifies that all state agencies shall cooperate with the department of state revenue (department) in tax administration by providing, at no charge to the department, relevant information that the department requests, including monthly reports identifying the use of a fraudulent identity. Requires the department of correction to annually provide to the department an electronic file listing the name and Social Security number of each individual under the jurisdiction of the department of correction. Requires the state department of health to annually provide to the department an electronic file listing the name of each individual for whom an Indiana death certificate was issued during the last year. Requires the state excise police to investigate allegations of electronic benefit transfer (EBT) fraud. Requires the division of family resources to establish a process for certain recipients to follow in order to receive a replacement EBT card. Sets forth the Medicaid ineligibility time frame for a person who is convicted of forgery, fraud, legend drug deception, and other deceptions related to the application for or receipt of Medicaid assistance. Requires a transportation provider that applies to enroll in the Medicaid program to file with the office of Medicaid policy and planning a surety bond to be used for specified purposes. Provides certain exceptions. Requires the office of Medicaid policy and planning to visit certain Medicaid providers and provider applicants if certain conditions are met. Requires a national criminal history background check on certain Medicaid provider applicants at the cost of the applicant. Allows an audit and inspection of completed school lunch program applications to ensure that applicants meet the requirements to participate in the program.</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Date</th> <th style="text-align: left;">Action</th> </tr> </thead> <tbody> <tr> <td>02/26/2013</td> <td>S: 3rd Reading Pass (43-7)</td> </tr> <tr> <td>02/26/2013</td> <td>S: Referred Referred to the House</td> </tr> <tr> <td>02/26/2013</td> <td>S: Sponsor Added P. Eric Turner</td> </tr> </tbody> </table>	Date	Action	02/26/2013	S: 3rd Reading Pass (43-7)	02/26/2013	S: Referred Referred to the House	02/26/2013	S: Sponsor Added P. Eric Turner
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02/26/2013	S: Sponsor Added P. Eric Turner								
SB 573	<i>Massage therapists.</i> (Landske, Randolph, Frizzell)								

Provides that an individual must be licensed by the state board of massage therapy to engage in the practice of massage therapy. (Under current law, massage therapists are certified by the board but certification is not required for the practice of massage therapy.) Makes it a Class B misdemeanor to practice massage therapy without a license. Provides that the massage therapy licensing requirements do not apply to a health care provider who is acting within the scope of the health care provider's license, registration, or certificate. Provides that the massage therapist licensing law preempts local ordinances, resolutions, rules, and policies concerning massage therapists except for zoning requirements and occupational license fees. Makes conforming changes.

Date	Action
02/19/2013	S: Referred Referred to the House
02/19/2013	S: Sponsor Added David Nason Frizzell
02/26/2013	H: 1st Reading Assigned Employment, Labor and Pensions

SB 589

Occupational licensing issues. (Mishler, Frizzell)

Permits professional licensing boards to include consumer restitution orders in cease and desist orders issued against persons who commit unlicensed practice. Permits medical and professional licensing boards to include orders requiring repayment of certain costs relating to cease and desist proceedings. Includes within the cease and desist statute failure to obtain a certificate required for sellers of preneed funeral services and merchandise. Allows the state board of funeral and cemetery service to issue a cease and desist order against a person who solicits or sells preneed funeral services and merchandise if the person has not obtained a preneed certificate from the board, even if the person possesses an active funeral director license, funeral home license, embalmer license, or cemetery registration. Authorizes the division of consumer protection in the attorney general's office to obtain mental health records without a court order if access to or inspection of the records is necessary for the investigation of a consumer protection or licensing complaint. Amends the law governing the auctioneer consumer recovery fund, real estate recovery fund, and plumbing recovery fund to provide that petitions requesting payment from the funds are filed with the respective licensing commission instead of with the court in which the underlying judgment against the licensee was entered. Prohibits a person from misrepresenting the effect a purchase of prepaid funeral services and merchandise may have on the purchaser's eligibility for Medicaid.

Date	Action
03/05/2013	H: Committee Sched 8:30 AM Room 156-A Employment, Labor and Pensions
03/05/2013	H: Committee Action Pass(11-1) Employment, Labor and Pensions
03/07/2013	H: Committee Report do pass, adopted

SB 590

Dental matters. (Mishler, Bacon)

Establishes a limited voluntary charitable permit for dental hygienists and dentists. Adds "R.D.H." to the titles to be used for a dental hygienist. Adds a \$20 compliance fee that a dental hygienist must pay at license renewal. Repeals provisions requiring that continuing education courses for dental hygienists and dentists be made available in all Indiana geographic regions. Sets forth requirements for dental applicants who have graduated from an unaccredited dental college located outside the United States. Sets forth requirements that a person who is not a licensed dentist must meet in order to own, operate, conduct, or maintain a dental office. Removes a requirement that dentures must

	<p>include a patient's Social Security number.</p> <table border="1"> <thead> <tr> <th data-bbox="280 226 391 260">Date</th> <th data-bbox="480 226 561 260">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 275 391 308">02/19/2013</td> <td data-bbox="435 275 748 308">S: 3rd Reading Pass (49-0)</td> </tr> <tr> <td data-bbox="280 317 391 350">02/19/2013</td> <td data-bbox="435 317 878 350">S: Referred Referred to the House</td> </tr> <tr> <td data-bbox="280 359 391 392">02/19/2013</td> <td data-bbox="435 359 829 392">S: Sponsor Added Ron Bacon</td> </tr> </tbody> </table>	Date	Action	02/19/2013	S: 3rd Reading Pass (49-0)	02/19/2013	S: Referred Referred to the House	02/19/2013	S: Sponsor Added Ron Bacon
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SB 616	<p><i>Study of electronic medical records.</i> (Breaux, Clere)</p> <p>Requires the health finance commission to study during the 2013 legislative interim the coordination and efficiency of the collection, maintenance, sharing, and use of electronic health data in Indiana.</p> <table border="1"> <thead> <tr> <th data-bbox="280 621 391 655">Date</th> <th data-bbox="480 621 561 655">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 669 391 703">02/26/2013</td> <td data-bbox="435 669 878 703">S: Referred Referred to the House</td> </tr> <tr> <td data-bbox="280 711 391 745">02/26/2013</td> <td data-bbox="435 711 797 745">S: Sponsor Added Ed Clere</td> </tr> <tr> <td data-bbox="280 753 391 787">03/05/2013</td> <td data-bbox="435 753 878 787">H: 1st Reading Assigned Public Health</td> </tr> </tbody> </table>	Date	Action	02/26/2013	S: Referred Referred to the House	02/26/2013	S: Sponsor Added Ed Clere	03/05/2013	H: 1st Reading Assigned Public Health
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