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HOUSE BILL No. 1254

Proposed Changes to introduced printing by AM125401

DIGEST OF PROPOSED AMENDMENT

Respiratory therapy. Amends the licensure and temporary permit requirements for respiratory care practitioners.

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-13-1-4, AS AMENDED BY P.L.103-2011,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 4. (a) Any person desiring to practice dental
4 hygiene in Indiana must procure from the board a license to practice
5 dental hygiene. To procure a license, the applicant must submit to the
6 board proof of graduation from an institution ~~for educating dental~~
7 ~~hygienists that is approved by the board described in section 6(2) of~~
8 ~~this chapter~~ and other credentials required by this chapter, together
9 with an application on forms prescribed and furnished by the board.
10 Each applicant must pay to the board an application fee set by the
11 board under section 5 of this chapter at the time the application is made
12 and must pass an examination administered by an entity approved by
13 the board. The board may establish under section 5 of this chapter
14 additional requirements as a prerequisite to taking an examination for
15 any applicant who has failed the examination two (2) or more times.
16 Application fees are not refundable.

17 (b) An applicant described under subsection (a) shall, at the
18 request of the board, make an appearance before the board.

19 SECTION 2. IC 25-13-1-5 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The board shall
21 enforce this chapter.

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6 (c) The board may utilize a dental hygienist education program's
7 accreditation by the Commission on Dental Accreditation of the
8 American Dental Association as evidence that the program has met all
9 or part of the standards for dental hygienist education programs
10 established by the board.

11 SECTION 3. IC 25-13-1-6, AS AMENDED BY P.L.264-2013,
12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 6. An applicant:

14 (1) must not have been convicted of a crime that has a direct
15 bearing on the applicant's ability to practice competently;
16 (2) must be a graduate of a:

17 (A) school for dental hygienists that:

determined and approved by the board;

28 (3) must pass an examination administered by an entity approved
29 by the board; **and**

30 (4) may not take the examination described in subdivision (3)
31 more than three (3) times; **and**

(5) if the applicant is a graduate of a dental college described in subdivision (2), must submit the applicant's academic transcripts for review by the board.

35 SECTION 4. IC 25-13-1-10.7, AS ADDED BY P.L.35-2020,
36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2026]: Sec. 10.7. (a) A dental hygienist or dental assistant (as
38 defined in IC 25-14-1-1.5(4)) may administer nitrous oxide under the
39 direct supervision of a licensed dentist if the dental hygienist or dental
40 assistant has:

41 (1) either:
42 (A) been employed in a dental practice for at least one (1)



1 year; or
 2 (B) has graduated from a program:
 3 (i) accredited by the Commission on Dental
 4 Accreditation of the American Dental Association; or
 5 (ii) approved by the board;
 6 (2) satisfactorily completed a three (3) hour didactic nitrous
 7 oxide administration course that:
 8 (A) containing contains curriculum on pharmacology,
 9 biochemistry, anatomy of nitrous oxide administration,
 10 emergency procedures, and the mechanics of operating a
 11 nitrous unit; and
 12 (B) is accredited by the Commission on Dental
 13 Accreditation of the American Dental Association or
 14 approved by the board; and
 15 (3) demonstrated clinical competency on at least five (5) patients
 16 under the direct supervision of a licensed Indiana dentist whose
 17 license is in good standing.
 18 (b) The licensed Indiana dentist supervising the clinical
 19 competency under subsection (a)(3) shall provide to the dental
 20 hygienist or dental assistant a signed affidavit certifying the
 21 competency.
 22 (c) Upon receipt of the affidavit provided to a dental hygienist or
 23 dental assistant under subsection (b), the provider of an educational
 24 program or curriculum described in subsection (a)(2) shall issue a
 25 certificate of completion to the dental hygienist or dental assistant. The
 26 certificate of completion must be publicly displayed in the dental office
 27 of the dental hygienist or dental assistant.
 28 (d) Before permitting a dental hygienist or dental assistant to
 29 administer nitrous oxide, the supervising dentist shall:
 30 (1) verify that the dental hygienist or dental assistant has
 31 completed the requirements of subsection (a);
 32 (2) determine the maximum percent-dosage of nitrous oxide to
 33 be administered to the patient; and
 34 (3) ensure that any administration or monitoring of nitrous oxide
 35 by dental hygienists or dental assistants is done in accordance
 36 with relevant guidelines and standards developed by the
 37 American Dental Association or the American Academy of
 38 Pediatric Dentistry.
 39 SECTION 5. IC 25-14-1-3, AS AMENDED BY P.L.264-2013,
 40 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 3. (a) A person desiring to begin the practice of
 42 dentistry in Indiana shall procure from the board a license to practice

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1 dentistry in Indiana. Except as provided in section 4.5 of this chapter,
 2 to procure the license, the applicant must submit to the board proof of
 3 graduation from a dental college recognized by the board. The board
 4 may recognize dental schools accredited by the Commission on Dental
 5 Accreditation of the American Dental Association, if the board is
 6 satisfied that the recognition is consistent with the board's
 7 requirements. Every applicant must pass an examination administered
 8 by an entity approved by the board and, **except as provided in**
 9 **subsection (b),** may not take the examination more than three (3)
 10 times.

11 **(b) The board may establish additional requirements for an**
 12 **applicant who has failed the examination at least three (3) times.**
 13 **The applicant must complete the additional requirements before**
 14 **the applicant may take the examination again.**

15 **(b) (c) A fee paid under this article may not be refunded.** [

16 **SECTION 6. IC 25-34.5-2-8 IS AMENDED TO READ AS**
 17 **FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Each applicant**
 18 **for licensure as a respiratory care practitioner must present satisfactory**
 19 **evidence that the applicant:**

20 **(1) does not have a conviction for:**

21 **(A) an act that would constitute a ground for disciplinary**
 22 **sanction under IC 25-1-9; or**
 23 **(B) a crime that has a direct bearing on the practitioner's**
 24 **ability to practice competently;**

25 **(2) has not been the subject of a disciplinary action initiated by**
 26 **the licensing or certification agency of another state or**
 27 **jurisdiction on the grounds that the applicant was unable to**
 28 **practice as a respiratory care practitioner without endangering**
 29 **the public; and**

30 **(3) has either:**

31 **(A) before January 1, 2028, passed a respiratory care**
 32 **practitioner licensing or certification examination approved**
 33 **by the board; or**

34 **(B) after December 31, 2027, successfully completed**
 35 **both portions of the registered respiratory therapist**
 36 **examination, administered by the National Board for**
 37 **Respiratory Care or its successor organization.**

38 **(b) Each applicant for licensure as a respiratory care practitioner**
 39 **must submit proof to the committee of the applicant's:**

40 **(1) graduation from a school or program of respiratory care that**
 41 **meets standards set by the board;**

42 **(2) completion of a United States military training program in**



1 respiratory care; or
 2 (3) completion of sufficient postsecondary education to be
 3 credentialed by a national respiratory care practitioner
 4 organization approved by the committee.

5 (c) At the time of making application, each applicant must pay a
 6 fee determined by the board after consideration of a recommendation
 7 of the committee.

8 SECTION 7. IC 25-34.5-2-9, AS AMENDED BY P.L.177-2015,
 9 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2026]: Sec. 9. (a) Except as provided in section 11 of this
 11 chapter, the committee shall issue a license to each applicant who

12 (1) successfully passes the examination provided in section 12
 13 of this chapter; and

14 (2) meets the requirements of section 8 of this chapter.

15 (b) Subject to IC 25-1-2-6(e), a license issued under this section
 16 expires on the last day of the regular renewal cycle established under
 17 IC 25-1-5-4.

18 SECTION 8. IC 25-34.5-2-10.1, AS AMENDED BY
 19 P.L.149-2022, SECTION 12, IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.1. (a) The
 21 committee shall issue a temporary permit to a person to practice
 22 respiratory care or to profess to be a respiratory care practitioner, not
 23 more than thirty (30) days after the application is filed and completed,
 24 if the person pays a fee and:

25 (1) has:

26 (A) a valid license or certificate to practice from another
 27 state; and

28 (B) applied for a license from the committee;

29 (2) is practicing in a state that does not license or certify
 30 respiratory care practitioners but is credentialed by a national
 31 respiratory care practitioner association approved by the
 32 committee, and the person has applied for a license from the
 33 committee; or

34 (3) has:

35 (A) been approved by the committee to take the next
 36 examination; and

37 (B) graduated from a school or program approved by the
 38 committee; is qualified to take the examination by being
 39 a graduate of a school or program of respiratory care
 40 that meets standards set by the board.

41 (b) A temporary permit expires the earlier of:

42 (1) the date the person holding the permit is issued a license



1 under this article; or
 2 (2) the date the committee disapproves the person's license
 3 application.

4 (c) The committee may renew a temporary permit if the person
 5 holding the permit was scheduled to take the next examination and:
 6 (1) did not take the examination; and
 7 (2) shows good cause for not taking the examination.

8 (d) A permit renewed under subsection (c) expires on the date the
 9 person holding the permit receives the results from the next
 10 examination given after the permit was issued.

11 SECTION 9. IC 25-34.5-2-12 IS REPEALED [EFFECTIVE JULY
 12 1, 2026]. See: 12: (a) Examinations of applicants for licensure under
 13 this article shall be held at least semiannually on dates set by the board.

14 (b) An examination under this section must include a written
 15 examination that tests the following:

16 (1) The applicant's knowledge of the basic and clinical sciences
 17 as they relate to the practice of respiratory care.

18 (2) Other subjects that the committee considers useful to test an
 19 applicant's fitness to practice respiratory care.

20 (c) An otherwise qualified applicant who fails an examination and
 21 is refused licensure may take another scheduled examination upon
 22 payment of an additional fee set by the board under rules adopted under
 23 section 7 of this chapter.

24 SECTION 10. IC 25-34.5-2-14, AS AMENDED BY
 25 P.L.152-2024, SECTION 8, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The committee shall issue
 27 a student permit to an individual if the individual does the following:

28 (1) Submits the appropriate application to the committee.

29 (2) Pays the fee established by the board.

30 (3) Submits written proof to the committee that the individual is
 31 a student in good standing in a respiratory care school or
 32 program that: has been:

33 (A) has been approved by the committee for purposes of
 34 section 8(b)(1) of this chapter;

35 (B) approved by the committee for purposes of section
 36 10.1(a)(3)(B) is described in section 10.1(a)(3) of this
 37 chapter; or

38 (C) has been otherwise approved by the committee.

39 (4) Submits satisfactory evidence that the individual:

40 (A) does not have a conviction described in section 8(a)(1)
 41 of this chapter; and

42 (B) has not been the subject of a disciplinary action



described in section 8(a)(2) of this chapter.

(b) The committee shall issue a student permit as soon as it is reasonably practicable after an individual fulfills the requirements of subsection (a).

(c) An individual who holds a student permit may only perform respiratory care procedures that have been part of a course:

(1) the individual has successfully completed in the respiratory care program designated under subsection (a)(3); and

(2) for which the successful completion has been documented and that is available upon request to the committee.

(d) The committee may expand the list of respiratory care procedures that an individual may perform under the individual's student permit to include additional respiratory care procedures that have been part of a course:

(1) that the individual has successfully completed in the respiratory care program designated under subsection (a)(3); and

(2) for which the individual's successful completion has been documented.

Upon request by the committee, the individual shall provide documentation of the successful completion of a course described in this subsection.

(e) The procedures permitted under subsections (c) and (d) may be performed only:

(1) on patients who are not critical care patients; and

(2) under the proximate supervision of a practitioner.

(f) A holder of a student permit shall meet in person at least one (1) time each working day with the permit holder's supervising practitioner or a designated respiratory care practitioner to review the permit holder's clinical activities. The supervising practitioner or a designated respiratory care practitioner shall review and countersign the entries that the permit holder makes in a patient's medical record not more than seven (7) calendar days after the permit holder makes the entries.

(g) A supervising practitioner may not supervise at one (1) time more than three (3) holders of student permits issued under this section.

(h) A student permit expires on the earliest of the following:

(1) The date the permit holder is issued a license under this article.

(2) The date the committee disapproves the permit holder's application for a license under this article.

(3) The date the permit holder ceases to be a student in good standing in a respiratory care program approved by the



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