

# PROPOSED AMENDMENT

## SB 180 # 5

### DIGEST

Respiratory therapy. Adds language that amends the licensure and temporary permit requirements for respiratory care practitioners.

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- 1           Page 17, between lines 4 and 5, begin a new paragraph and insert:  
2           "SECTION 24. IC 25-34.5-2-8 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Each applicant  
4           for licensure as a respiratory care practitioner must present satisfactory  
5           evidence that the applicant:  
6               (1) does not have a conviction for:  
7                    (A) an act that would constitute a ground for disciplinary  
8                    sanction under IC 25-1-9; or  
9                    (B) a crime that has a direct bearing on the practitioner's  
10                  ability to practice competently;  
11               (2) has not been the subject of a disciplinary action initiated by  
12                  the licensing or certification agency of another state or  
13                  jurisdiction on the grounds that the applicant was unable to  
14                  practice as a respiratory care practitioner without endangering the  
15                  public; and  
16               (3) has **either:**  
17                    (A) **before January 1, 2028,** passed a respiratory care  
18                    practitioner licensing or certification examination approved by  
19                    the board; **or**  
20                    (B) **after December 31, 2027, successfully completed both**  
21                    **portions of the registered respiratory therapist**  
22                    **examination, administered by the National Board for**  
23                    **Respiratory Care or its successor organization.**  
24           (b) Each applicant for licensure as a respiratory care practitioner  
25           must submit proof to the committee of the applicant's:  
26               (1) graduation from a school or program of respiratory care that  
27               meets standards set by the board;

(2) completion of a United States military training program in respiratory care; or

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

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

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

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

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

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

SECTION 26. IC 25-34.5-2-10.1, AS AMENDED BY P.L.149-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.1. (a) The committee shall issue a temporary permit to a person to practice respiratory care or to profess to be a respiratory care practitioner, not more than thirty (30) days after the application is filed and completed, if the person pays a fee and:

(1) has:

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

(B) applied for a license from the committee;

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

~~(3) has:~~

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

~~(B) graduated from a school or program approved by the committee: is qualified to take the examination by being a graduate of a school or program of respiratory care that~~

1 **meets standards set by the board.**

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

3 (1) the date the person holding the permit is issued a license under  
4 this article; or

5 (2) the date the committee disapproves the person's license  
6 application.

7 (c) The committee may renew a temporary permit if the person  
8 holding the permit was scheduled to take the ~~next~~ examination and:

9 (1) did not take the examination; and

10 (2) shows good cause for not taking the examination.

11 (d) A permit renewed under subsection (c) expires on the date the  
12 person holding the permit receives the results from the ~~next~~  
13 examination given after the permit was issued.

14 SECTION 27. IC 25-34.5-2-12 IS REPEALED [EFFECTIVE JULY  
15 1, 2026]. ~~Sec. 12: (a) Examinations of applicants for licensure under~~  
16 ~~this article shall be held at least semiannually on dates set by the board.~~

17 ~~(b) An examination under this section must include a written~~  
18 ~~examination that tests the following:~~

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

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

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

27 SECTION 28. IC 25-34.5-2-14, AS AMENDED BY P.L.152-2024,  
28 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2026]: Sec. 14. (a) The committee shall issue a student permit  
30 to an individual if the individual does the following:

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

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

33 (3) Submits written proof to the committee that the individual is  
34 a student in good standing in a respiratory care school or program  
35 that: ~~has been:~~

36 (A) **has been** approved by the committee for purposes of  
37 section 8(b)(1) of this chapter;

38 (B) ~~approved by the committee for purposes of section~~  
39 ~~10.1(a)(3)(B) is described in section 10.1(a)(3) of this~~  
40 ~~chapter; or~~

- 1 (C) **has been** otherwise approved by the committee.
- 2 (4) Submits satisfactory evidence that the individual:
  - 3 (A) does not have a conviction described in section 8(a)(1) of
  - 4 this chapter; and
  - 5 (B) has not been the subject of a disciplinary action described
  - 6 in section 8(a)(2) of this chapter.
- 7 (b) The committee shall issue a student permit as soon as it is
- 8 reasonably practicable after an individual fulfills the requirements of
- 9 subsection (a).
- 10 (c) An individual who holds a student permit may only perform
- 11 respiratory care procedures that have been part of a course:
  - 12 (1) the individual has successfully completed in the respiratory
  - 13 care program designated under subsection (a)(3); and
  - 14 (2) for which the successful completion has been documented and
  - 15 that is available upon request to the committee.
- 16 (d) The committee may expand the list of respiratory care
- 17 procedures that an individual may perform under the individual's
- 18 student permit to include additional respiratory care procedures that
- 19 have been part of a course:
  - 20 (1) that the individual has successfully completed in the
  - 21 respiratory care program designated under subsection (a)(3); and
  - 22 (2) for which the individual's successful completion has been
  - 23 documented.
- 24 Upon request by the committee, the individual shall provide
- 25 documentation of the successful completion of a course described in
- 26 this subsection.
- 27 (e) The procedures permitted under subsections (c) and (d) may be
- 28 performed only:
  - 29 (1) on patients who are not critical care patients; and
  - 30 (2) under the proximate supervision of a practitioner.
- 31 (f) A holder of a student permit shall meet in person at least one (1)
- 32 time each working day with the permit holder's supervising practitioner
- 33 or a designated respiratory care practitioner to review the permit
- 34 holder's clinical activities. The supervising practitioner or a designated
- 35 respiratory care practitioner shall review and countersign the entries
- 36 that the permit holder makes in a patient's medical record not more
- 37 than seven (7) calendar days after the permit holder makes the entries.
- 38 (g) A supervising practitioner may not supervise at one (1) time
- 39 more than three (3) holders of student permits issued under this section.
- 40 (h) A student permit expires on the earliest of the following:

- 1 (1) The date the permit holder is issued a license under this
  - 2 article.
  - 3 (2) The date the committee disapproves the permit holder's
  - 4 application for a license under this article.
  - 5 (3) The date the permit holder ceases to be a student in good
  - 6 standing in a respiratory care program approved by the
  - 7 committee. The graduation of a student permit holder from a
  - 8 respiratory care program approved by the committee does not
  - 9 cause the student permit to expire under this subdivision.
  - 10 (4) Sixty (60) days after the date that the permit holder graduates
  - 11 from a respiratory care program approved by the committee.
  - 12 (5) The date that the permit holder is notified that the permit
  - 13 holder has failed the licensure examination.
  - 14 (6) Two (2) years after the date of issuance."
  - 15 Renumber all SECTIONS consecutively.
- (Reference is to SB 180 as introduced.)