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## SENATE BILL No. 221

Proposed Changes to introduced printing by AM022101

### DIGEST OF PROPOSED AMENDMENT

Associate physicians. Provides for the licensure of associate physicians.

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 16-19-4-11, AS AMENDED BY P.L.1-2022,  
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 11. (a) The state health commissioner or the  
4 commissioner's designated public health authority who is a licensed  
5 prescriber ~~may~~ **shall**, as part of the individual's official capacity, issue  
6 a standing order, prescription, or protocol that allows a pharmacist to  
7 administer, ~~or dispense, test, treat, or prescribe~~ any of the following:  
8 (1) An immunization that is ~~recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practitioners approved or authorized by the federal Food and Drug Administration~~ for individuals who are not less than eleven (11) years of age.  
9 (2) A smoking cessation product. However, the pharmacist must inform the patient that the patient must have a follow-up consultation with the patient's licensed prescriber.  
10 (3) **Point of care testing that has been approved or authorized by the federal Food and Drug Administration and categorized as Clinical Laboratory Improvement Amendments (CLIA)-waived under 42 U.S.C. 263a for the following conditions:**  
11 (A) COVID-19.

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(B) Group B streptococcus.  
(C) Respiratory syncytial virus (RSV).  
(D) Influenza.

(4) A prescription for, including the dispensing of, a medication that meets the following:

(A) Is indicated for the treatment of a diagnosed condition.  
(B) Is authorized by the federal Food and Drug Administration for treatment of the diagnosed condition.  
(C) Is included on a protocol list that is established by the Indiana board of pharmacy, in consultation with the state department.

(b) This subsection does not apply to a pharmacist. The state health commissioner or the commissioner's designated public health authority who is a licensed prescriber may, as part of the individual's official capacity, issue a standing order, prescription, or protocol that allows an individual who is licensed, certified, or registered by a board (as defined in IC 25-1-9-1), and if within the individual's scope of practice, to administer or dispense an immunization that is ~~recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices approved or authorized by the federal Food and Drug Administration~~ for individuals who are not less than eleven (11) years of age.

(c) A standing order described in subsection (a) or (b) or (e) must include the following:

(1) The purpose of the order.  
(2) The eligible recipients.  
(3) The geographic area covered by the standing order.  
(4) The procedure for administering or dispensing the immunization or product.  
(5) A timeline for renewing or updating the standing order.

(d) The state health commissioner or designated public health authority who issues a standing order, prescription, or protocol under subsection (a) or (b) or (e) is immune from civil liability related to the issuing of the standing order, prescription, or protocol.

(e) Notwithstanding subsection (a) and subsection (b), the state health commissioner or the commissioner's designated public health authority may issue a standing order, prescription, or protocol to administer or dispense an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are at least

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1 five (5) years of age. Nothing in this subsection authorizes the state  
 2 health commissioner or the commissioner's designated public health  
 3 authority to:

4       (1) require an individual to receive an immunization for  
 5       COVID-19; or  
 6       (2) waive or otherwise allow a minor to receive an immunization  
 7       without the consent of the parent or guardian as required under  
 8       IC 16-36-1.

9 This subsection expires at the conclusion of the federal public health  
 10 emergency concerning COVID-19 that was renewed on October 15,  
 11 2021, or any subsequent renewal of the declared federal public health  
 12 emergency concerning COVID-19.

13       SECTION 2. IC 25-0.5-1-2.4 IS ADDED TO THE INDIANA  
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 15 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. IC 25-1-1.1-4 applies to an  
 16 individual licensed or certified under IC 25-4.5 (associate  
 17 physicians).

18       SECTION 3. IC 25-4.5 IS ADDED TO THE INDIANA CODE AS  
 19 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 20 2026]:

21       ARTICLE 4.5. ASSOCIATE PHYSICIANS

22       Chapter 1. Definitions

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

25       Sec. 2. "Associate physician" means an individual who:

26       (1) meets the qualifications under this article; and  
 27       (2) is licensed under this article.

28       Sec. 3. "Board" refers to the medical licensing board of  
 29 Indiana.

30       Sec. 4. "Collaborating physician" means a physician licensed  
 31 by the board who collaborates with and is responsible for an  
 32 associate physician.

33       Sec. 5. (a) "Collaboration" means overseeing the activities of,  
 34 and accepting responsibility for, the medical services rendered by  
 35 an associate physician and that one (1) of the following conditions  
 36 is met at all times that services are rendered or tasks are  
 37 performed by the associate physician:

38       (1) The collaborating physician or the physician designee is  
 39 physically present at the location at which services are  
 40 rendered or tasks are performed by the associate physician.  
 41       (2) When the collaborating physician or the physician  
 42 designee is not physically present at the location at which



1       services are rendered or tasks are performed by the associate  
 2       physician, the collaborating physician or the physician  
 3       designee is able to personally ensure proper care of the  
 4       patient and is:

5       (A) immediately available through the use of  
 6       telecommunications or other electronic means; and  
 7       (B) able to see the person within a medically appropriate  
 8       time frame;

9       for consultation, if requested by the patient or the associate  
 10      physician.

11      (b) The term includes the use of protocols, guidelines, and  
 12      standing orders developed or approved by the collaborating  
 13      physician.

14      Sec. 6. "Physician" means an individual who:

15       (1) holds the degree of doctor of medicine or doctor of  
 16       osteopathy, or an equivalent degree; and  
 17       (2) holds an unlimited license under IC 25-22.5 to practice  
 18       medicine or osteopathic medicine.

19      Chapter 2. Licensure

20      Sec. 1. (a) An individual must be licensed by the board before  
 21      the individual may practice as an associate physician. The board  
 22      may grant an associate physician license to an applicant who meets  
 23      the following requirements:

24       (1) Submits an application on forms approved by the board.  
 25       (2) Pays the fee established by the board.  
 26       (3) Has:

27       (A) successfully completed the academic requirements  
 28       for the degree of doctor of medicine or doctor of  
 29       osteopathy from a medical school approved by the  
 30       board but has not completed an approved postgraduate  
 31       residency; and

32       (B) passed step two (2) of the United States Medical  
 33       Licensing Examination, the Comprehensive Osteopathic  
 34       Medical Licensing Exam, or an equivalent test approved  
 35       by the board not more than three (3) years before  
 36       graduating from a medical school and applying for  
 37       licensure under this chapter.

38       (4) Agrees to practice only primary care services:

39       (A) in a medically underserved rural or urban area; or  
 40       (B) at a rural health clinic (as defined in 42 U.S.C.  
 41       1396d(l)(1));

42       and under a collaborative agreement with a physician as



1                   required under this article.

2                   (5) Submits to the board any other information the board  

3                   considers necessary to evaluate the applicant's qualifications.

4                   (6) Presents satisfactory evidence to the board that the  

5                   individual has not been:

6                   (A) engaged in an act that would constitute grounds for  

7                   a disciplinary sanction under IC 25-1-9; or

8                   (B) the subject of a disciplinary action by a licensing or  

9                   certification agency of another state or jurisdiction on  

10                   the grounds that the individual was not able to practice  

11                   as an associate physician without endangering the  

12                   public.

13                   (7) Is a resident and citizen of the United States or is a  

14                   lawfully admitted alien.

15                   (8) Is proficient in English.

16                   (9) Is of good moral character.

17                   (b) The board may not require an applicant or an individual  

18                   licensed under this article to complete more continuing education  

19                   than that required of a physician licensed under IC 25-22.5.

20                   Sec. 2. The board may refuse to issue a license or may issue a  

21                   probationary license to an individual if:

22                   (1) the individual has been disciplined by an administrative  

23                   agency in another jurisdiction or been convicted for a crime  

24                   that has a direct bearing on the individual's ability to  

25                   practice competently; and

26                   (2) the board determines that the act for which the individual  

27                   was disciplined or convicted has a direct bearing on the  

28                   individual's ability to practice as an associate physician.

29                   Sec. 3. (a) If the board issues a probationary license under  

30                   section 2 of this chapter, the committee may require the individual  

31                   who holds the probationary license to meet at least one (1) of the  

32                   following conditions:

33                   (1) Report regularly to the board upon a matter that is the  

34                   basis for the probation.

35                   (2) Limit practice to services prescribed by the board.

36                   (3) Continue or renew professional education.

37                   (4) Engage in community restitution or service without  

38                   compensation for a number of hours specified by the board.

39                   (5) Submit to care, counseling, or treatment by a physician  

40                   designated by the board for a matter that is the basis for the  

41                   probation.

42                   (b) The board shall remove a limitation placed on a



1 probationary license if after a hearing the committee finds that the  
 2 deficiency that caused the limitation has been remedied.

3 Sec. 4. (a) Subject to IC 25-1-2-6(e), a license issued by the  
 4 board expires on a date established by the Indiana professional  
 5 licensing agency under IC 25-1-5-4 and that does not exceed one (1)  
 6 year from the date the license was issued.

7 (b) An individual may renew a license:

8 (1) not more than two (2) times; and

9 (2) by paying a renewal fee on or before the expiration date  
 10 of the license.

11 (c) If an individual fails to pay a renewal fee on or before the  
 12 expiration date of a license, the license becomes invalid and must  
 13 be returned to the board.

14 (d) Before the board may issue a renewal license, the board  
 15 shall ensure that the licensee is operating under a collaborative  
 16 agreement as required by this article.

17 Sec. 5. (a) If an individual surrenders a license to the board,  
 18 the board may reinstate the license upon written request by the  
 19 individual.

20 (b) If the board reinstates a license, the board may impose  
 21 conditions on the license appropriate to the reinstatement.

22 (c) An individual may not surrender a license without written  
 23 approval by the board if a disciplinary proceeding under this  
 24 article is pending against the individual.

25 Sec. 6. The board may do any of the following:

26 (1) Suspend or revoke a license of a licensee who commits a  
 27 serious violation of this article.

28 (2) Discipline a licensee for a less severe violation of this  
 29 chapter.

### 30 Chapter 3. Collaborative Agreements

31 Sec. 1. (a) In order to be licensed under this article, an  
 32 associate physician shall enter into a collaborative agreement with  
 33 a physician licensed under IC 25-22.5. The associate physician may  
 34 not practice independently from the collaborating physician.

35 (b) The collaborating physician is responsible at all times for  
 36 the oversight of the activities of, and accepts responsibility for,  
 37 primary care services provided by the associate physician.

38 (c) Except in an emergency situation, an associate physician  
 39 shall clearly identify to a patient that the patient is being treated by  
 40 an associate physician.

41 (d) If an associate physician determines that a patient needs to  
 42 be examined by a physician, the associate physician shall



1        immediately notify the collaborating physician or physician  
 2        designee.

3        (e) If an associate physician notifies the collaborating  
 4        physician that the collaborating physician should examine a  
 5        patient, the collaborating physician shall:

6        (1) schedule an examination of the patient unless the patient  
 7        declines; or

8        (2) arrange for another physician to examine the patient.

9        (f) A collaborating physician or an associate physician who  
 10      does not comply with this section is subject to discipline under  
 11      IC 25-1-9.

12      (g) An associate physician's collaborative agreement with a  
 13      collaborating physician must:

14      (1) be in writing;

15      (2) include the services delegated to the associate physician  
 16      by the collaborating physician and limited to those allowed  
 17      under this article;

18      (3) set forth the collaborative agreement for the associate  
 19      physician, including the emergency procedures that the  
 20      associate physician must follow; and

21      (4) specify the protocol the associate physician shall follow in  
 22      prescribing a drug.

23      (h) The collaborating physician shall submit the collaborative  
 24      agreement to the board. Any amendment to the collaborative  
 25      agreement must be resubmitted to the board.

26      (i) A collaborating physician or an associate physician who  
 27      violates the collaborative agreement described in this section may  
 28      be disciplined under IC 25-1-9.

29      Sec. 2. (a) Collaboration by the collaborating physician or the  
 30      physician's designee must be continuous but does not require the  
 31      physical presence of the collaborating physician at the time and the  
 32      place that the services are rendered.

33      (b) A collaborating physician or physician's designee shall  
 34      review patient encounters, including at least twenty percent (20%)  
 35      of the charts in which the associate physician prescribes a  
 36      controlled substance, not later than ten (10) business days, and  
 37      within a reasonable time, as established in the collaborative  
 38      agreement, after the associate physician has seen the patient, that  
 39      is appropriate for the maintenance of quality medical care.

40      Sec. 3. (a) A physician collaborating with an associate  
 41      physician must meet the following requirements:

42      (1) Be licensed under IC 25-22.5.



1                   **(2) Register with the board the physician's intent to enter**  
 2                   **into a collaborative agreement with an associate physician.**

3                   **(3) Not have a disciplinary action restriction that limits the**  
 4                   **physician's ability to collaborate with an associate physician.**

5                   **(4) Maintain a written agreement with the associate**  
 6                   **physician that states the physician will:**

7                   **(A) work in collaboration with the associate physician in**  
 8                   **accordance with any rules adopted by the board; and**  
 9                   **(B) retain responsibility for the care rendered by the**  
 10                   **associate physician.**

11                   **The collaborative agreement must be signed by the physician**  
 12                   **and the associate physician, updated annually, and made**  
 13                   **available to the board upon request.**

14                   **(b) Before initiating practice the collaborating physician and**  
 15                   **the associate physician must submit, on forms approved by the**  
 16                   **board, the following information:**

17                   **(1) The name, the business address, and the telephone**  
 18                   **number of the collaborating physician.**

19                   **(2) The name, the business address, and the telephone**  
 20                   **number of the associate physician.**

21                   **(3) A list of all the locations in which the collaborating**  
 22                   **physician authorizes the associate physician to prescribe.**

23                   **(4) A brief description of the setting in which the associate**  
 24                   **physician will practice.**

25                   **(5) A description of the associate physician's controlled**  
 26                   **substance prescriptive authority in collaboration with the**  
 27                   **collaborating physician, including a list of the controlled**  
 28                   **substances the collaborating physician authorizes the**  
 29                   **associate physician to prescribe and documentation that the**  
 30                   **authority is consistent with the education, knowledge, skill,**  
 31                   **and competence of both parties.**

32                   **(6) Any other information required by the board.**

33                   **(c) An associate physician shall notify the board of any**  
 34                   **changes or additions in practice sites or collaborating physicians**  
 35                   **not more than thirty (30) days after the change or addition.**

36                   **Sec. 4. (a) An associate physician who is granted controlled**  
 37                   **substances prescriptive authority by a collaborating physician**  
 38                   **under this chapter may prescribe, if agreed to by the collaborating**  
 39                   **physician:**

40                   **(1) any controlled substance listed in Schedule III, Schedule**  
 41                   **IV, or Schedule V; and**

42                   **(2) a limited authority of Schedule II controlled substances**



1                   and only if the Schedule II controlled substance contains  
 2                   hydrocodone.

3                   (b) The collaborating physician shall specify in the  
 4                   collaborative agreement whether the associate physician has  
 5                   authorization to prescribe a controlled substance and any  
 6                   limitations on the prescribing placed by the collaborating  
 7                   physician.

8                   (c) An associate physician with prescriptive authority for  
 9                   prescribing controlled substances shall register with the United  
 10                   States Drug Enforcement Administration and include the issued  
 11                   registration number on prescriptions for controlled substances.

12                   (d) The board may adopt rules under IC 4-22-2 governing the  
 13                   prescribing of controlled substances by an associate physician.

14                   Sec. 5. If an associate physician is employed by a physician, a  
 15                   group of physicians, or another legal entity, the associate physician  
 16                   must be in collaboration with and be the legal responsibility of the  
 17                   collaborating physician. The legal responsibility for the associate  
 18                   physician's patient care activities are that of the collaborating  
 19                   physician, including when the associate physician provides care  
 20                   and treatment for patients in health care facilities.

21                   Sec. 6. A collaborating physician may not enter into a  
 22                   collaborative practice agreement with a total of more than six (6)  
 23                   associate physicians and physician assistants under IC 25-27.5.

24                   Sec. 7. The board may adopt rules under IC 4-22-2 specifying  
 25                   requirements and regulation of the use of collaborative agreements  
 26                   under this article.

27                   Chapter 4. Unauthorized Practice; Penalties; Sanctions

28                   Sec. 1. An individual may not:

29                   (1) profess to be an associate physician; or

30                   (2) use the title "associate physician";

31                   unless the individual is licensed under this article.

32                   Sec. 2. An individual who violates this chapter commits a Class  
 33                   B misdemeanor.

34                   Sec. 3. In addition to the penalty under section 2 of this  
 35                   chapter, an associate physician who violates this article is subject  
 36                   to the sanctions under IC 25-1-9.

37                   SECTION 4. IC 25-21.8-4-5, AS ADDED BY P.L.267-2017,  
 38                   SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39                   JULY 1, 2026]: Sec. 5. This article does not prohibit the following:

40                   (1) An individual who has a license, registration, certificate, or  
 41                   permit from the state from acting within the scope of the  
 42                   individual's license, registration, certificate, or permit.



(2) An individual who participates in an approved training program for the purpose of acquiring a license, registration, certificate, or permit from the state from performing activities within the scope of the approved training program.

(3) A student of an approved massage therapy school from performing massage therapy under the supervision of the approved massage therapy school, if the student does not profess to be a licensed massage therapist.

(4) An individual's practice in one (1) or more of the following areas that does not involve intentional soft tissue manipulation:

- (A) Alexander Technique.
- (B) Feldenkrais.
- (C) Reiki.
- (D) Therapeutic Touch.

(5) An individual's practice in which the individual provides service marked bodywork approaches that involve intentional soft tissue manipulation, including:

- (A) Rolfing;
- (B) Trager Approach;
- (C) Polarity Therapy;
- (D) Ortho-bionomy; and
- (E) Reflexology;

if the individual is approved by a governing body based on a minimum level of training, demonstration of competency, and adherence to ethical standards.

(6) The practice of massage therapy by a person either actively licensed as a massage therapist in another state or currently certified by the National Certification Board of Therapeutic Massage and Bodywork or other national certifying body if the person's state does not license massage therapists, if the individual is performing duties for a non-Indiana based team or organization, or for a national athletic event held in Indiana, so long as the individual restricts the individual's practice to the individual's team or organization during the course of the individual's or the individual's team's or the individual's organization's stay in Indiana or for the duration of the event.

(7) Massage therapists from other states or countries providing educational programs in Indiana for a period not to exceed thirty (30) days within a calendar year.

(8) An employee of a physician or a group of physicians from performing an act, a duty, or a function to which the exception described in IC 25-22-5-1-2(a)(20) IC 25-22-5-1-2(a)(21)

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1                   applies.

2                   (9) An employee of a chiropractor from performing an act, duty,  

3                   or function authorized under IC 25-10-1-13.

4                   (10) An employee of a podiatrist or a group of podiatrists from  

5                   performing an act, duty, or function to which the exception  

6                   described in IC 25-29-1-0.5(a)(13) applies.

7                   (11) A dramatic portrayal or some other artistic performance or  

8                   expression involving the practice of massage therapy.

9                   (12) The practice of massage therapy by a member of an  

10                   emergency response team during a period of active emergency  

11                   response.

12                   SECTION 5. IC 25-22.5-1-2, AS AMENDED BY P.L.128-2022,

13                   SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

14                   JULY 1, 2026]: Sec. 2. (a) This article, as it relates to the unlawful or  

15                   unauthorized practice of medicine or osteopathic medicine, does not  

16                   apply to any of the following:

17                   (1) A student in training in a medical school approved by the  

18                   board, or while performing duties as an intern or a resident in a  

19                   hospital under the supervision of the hospital's staff or in a  

20                   program approved by the medical school.

21                   (2) A person who renders service in case of emergency where no  

22                   fee or other consideration is contemplated, charged, or received.

23                   (3) A paramedic (as defined in IC 16-18-2-266), an advanced  

24                   emergency medical technician (as defined in IC 16-18-2-6.5), an  

25                   emergency medical technician (as defined in IC 16-18-2-112),  

26                   or a person with equivalent certification from another state who  

27                   renders advanced life support (as defined in IC 16-18-2-7), or  

28                   basic life support (as defined in IC 16-18-2-33.5):

29                   (A) during a disaster emergency declared by the governor  

30                   under IC 10-14-3-12 in response to an act that the governor  

31                   in good faith believes to be an act of terrorism (as defined  

32                   in IC 35-31.5-2-329); and

33                   (B) in accordance with the rules adopted by the Indiana  

34                   emergency medical services commission or the disaster  

35                   emergency declaration of the governor.

36                   (4) Commissioned medical officers or medical service officers  

37                   of the armed forces of the United States, the United States Public  

38                   Health Service, and medical officers of the United States  

39                   Department of Veterans Affairs in the discharge of their official  

40                   duties in Indiana.

41                   (5) An individual who is not a licensee who resides in another  

42                   state or country and is authorized to practice medicine or



1                   osteopathic medicine there, who is called in for consultation by  
 2                   an individual licensed to practice medicine or osteopathic  
 3                   medicine in Indiana.  
 4                   (6) A person administering a domestic or family remedy to a  
 5                   member of the person's family.  
 6                   (7) A member of a church practicing the religious tenets of the  
 7                   church if the member does not make a medical diagnosis,  
 8                   prescribe or administer drugs or medicines, perform surgical or  
 9                   physical operations, or assume the title of or profess to be a  
 10                  physician.  
 11                  (8) A school corporation and a school employee who acts under  
 12                  IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).  
 13                  **(9) An associate physician practicing in compliance with  
 14                  IC 25-4.5 and under a collaborative agreement.**  
 15                  **(9) (10) A chiropractor practicing the chiropractor's profession  
 16                  under IC 25-10 or to an employee of a chiropractor acting under  
 17                  the direction and supervision of the chiropractor under  
 18                  IC 25-10-1-13.**  
 19                  **(10) (11) A dental hygienist practicing the dental hygienist's  
 20                  profession under IC 25-13.**  
 21                  **(11) (12) A dentist practicing the dentist's profession under  
 22                  IC 25-14.**  
 23                  **(12) (13) A hearing aid dealer practicing the hearing aid dealer's  
 24                  profession under IC 25-20.**  
 25                  **(13) (14) A nurse practicing the nurse's profession under  
 26                  IC 25-23. However, a certified registered nurse anesthetist (as  
 27                  defined in IC 25-23-1-1.4) may administer anesthesia if the  
 28                  certified registered nurse anesthetist acts under the direction of  
 29                  and in the immediate presence of a physician.**  
 30                  **(14) (15) An optometrist practicing the optometrist's profession  
 31                  under IC 25-24.**  
 32                  **(15) (16) A pharmacist practicing the pharmacist's profession  
 33                  under IC 25-26.**  
 34                  **(16) (17) A physical therapist practicing the physical therapist's  
 35                  profession under IC 25-27.**  
 36                  **(17) (18) A podiatrist practicing the podiatrist's profession under  
 37                  IC 25-29.**  
 38                  **(18) (19) A psychologist practicing the psychologist's profession  
 39                  under IC 25-33.**  
 40                  **(19) (20) A speech-language pathologist or audiologist  
 41                  practicing the pathologist's or audiologist's profession under  
 42                  IC 25-35.6.**



(20)(21) An employee of a physician or group of physicians who performs an act, a duty, or a function that is customarily within the specific area of practice of the employing physician or group of physicians, if the act, duty, or function is performed under the direction and supervision of the employing physician or a physician of the employing group within whose area of practice the act, duty, or function falls. An employee may not make a diagnosis or prescribe a treatment and must report the results of an examination of a patient conducted by the employee to the employing physician or the physician of the employing group under whose supervision the employee is working. An employee may not administer medication without the specific order of the employing physician or a physician of the employing group. Unless an employee is licensed or registered to independently practice in a profession described in subdivisions (9)(10) through (18)(19), nothing in this subsection grants the employee independent practitioner status or the authority to perform patient services in an independent practice in a profession.

19 (21) (22) A hospital licensed under IC 16-21 or IC 12-25.

- (A) a physician;
- (B) a psychiatric hospital;
- (C) a hospital;
- (D) a health maintenance organization or limited service health maintenance organization;
- (E) a health facility;
- (F) a dentist;
- (G) a registered or licensed practical nurse;
- (H) a certified nurse midwife or a certified direct entry midwife;
- (I) an optometrist;
- (J) a podiatrist;
- (K) a chiropractor;
- (L) a physical therapist; or
- (M) a psychologist.

40 (23) (24) A physician assistant practicing the physician assistant  
41 profession under JC 25-27.5.

42 (24) (25) A physician providing medical treatment under section



1                   2.1 of this chapter.

2                   (25) (26) An attendant who provides attendant care services (as

3                   defined in IC 16-18-2-28.5).

4                   (26) (27) A personal services attendant providing authorized

5                   attendant care services under IC 12-10-17.1.

6                   (27) (28) A respiratory care practitioner practicing the

7                   practitioner's profession under IC 25-34.5.

8                   (b) A person described in subsection (a)(9) through (a)(18)(a)(19)

9                   is not excluded from the application of this article if:

10                   (1) the person performs an act that an Indiana statute does not

11                   authorize the person to perform; and

12                   (2) the act qualifies in whole or in part as the practice of

13                   medicine or osteopathic medicine.

14                   (c) An employment or other contractual relationship between an

15                   entity described in subsection (a)(21) (a)(22) through (a)(22) (a)(23)

16                   and a licensed physician does not constitute the unlawful practice of

17                   medicine or osteopathic medicine under this article if the entity does

18                   not direct or control independent medical acts, decisions, or judgment

19                   of the licensed physician. However, if the direction or control is done

20                   by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the

21                   entity is excluded from the application of this article as it relates to the

22                   unlawful practice of medicine or osteopathic medicine.

23                   (d) This subsection does not apply to a prescription or drug order

24                   for a legend drug that is filled or refilled in a pharmacy owned or

25                   operated by a hospital licensed under IC 16-21. A physician licensed

26                   in Indiana who permits or authorizes a person to fill or refill a

27                   prescription or drug order for a legend drug except as authorized in

28                   IC 16-42-19-11 through IC 16-42-19-19 is subject to disciplinary

29                   action under IC 25-1-9. A person who violates this subsection commits

30                   the unlawful practice of medicine or osteopathic medicine under this

31                   chapter.

32                   (e) A person described in subsection (a)(8) shall not be authorized

33                   to dispense contraceptives or birth control devices.

34                   (f) Nothing in this section allows a person to use words or

35                   abbreviations that indicate or induce an individual to believe that the

36                   person is engaged in the practice of medicine or osteopathic medicine.

37                   SECTION 6.] IC 25-26-24.5 IS ADDED TO THE INDIANA

38                   CODE AS A NEW CHAPTER TO READ AS FOLLOWS

39                   [EFFECTIVE JULY 1, 2026]:

40                   **Chapter 24.5. Prescribing, Testing, and Treating by**

41                   **Pharmacists by Standing Order**

42                   **Sec. 1. A pharmacist may administer, dispense, test, treat, or**



1 prescribe any of the following through a standing order issued by  
2 the commissioner of the Indiana department of health under  
3 IC 16-19-4-11:

4 (1) An immunization that is approved or authorized by the  
5 federal Food and Drug Administration for individuals who  
6 are not less than eleven (11) years of age.

7 (2) A smoking cessation product. However, the pharmacist  
8 must inform the patient that the patient must have a  
9 follow-up consultation with the patient's licensed prescriber.

10 (3) Point of care testing that has been approved or  
11 authorized by the federal Food and Drug Administration and  
12 categorized as Clinical Laboratory Improvement  
13 Amendments (CLIA)-waived under 42 U.S.C. 263a for the  
14 following conditions:

15 (A) COVID-19.

16 (B) Group B streptococcus.

17 (C) Respiratory syncytial virus (RSV).

18 (D) Influenza.

19 (4) A prescription for, including the dispensing of, a  
20 medication that meets the following:

21 (A) Is indicated for the treatment of a diagnosed  
22 condition.

23 (B) Is authorized by the federal Food and Drug  
24 Administration for treatment of the diagnosed  
25 condition.

26 (C) Is included on a protocol list that is established by  
27 the Indiana board of pharmacy, in consultation with the  
28 Indiana department of health.

29 Sec. 2. A pharmacist acting under a standing order described  
30 in IC 16-19-4-11(a)(3) and IC 16-19-4-11(a)(4) shall do the  
31 following:

32 (1) Complete a continuing education course from provider  
33 approved by the Accreditation Council for Pharmacy  
34 Education (ACPE).

35 (2) Maintain records of testing and treatment for at least  
36 seven (7) years.

37 (3) Report positive test results, as required by the Indiana  
38 department of health.

39 (4) Provide the patient with written information advising the  
40 patient to follow up with the patient's primary care provider  
41 or another licensed practitioner.

42 (5) If the patient identifies a primary care provider and the



**patient consents, transmit a summary of the visit, including any test results and prescribed medication, to the identified primary care provider within a reasonable period of time and in a manner that is consistent with federal and state privacy laws.**

**Sec. 3. A pharmacy technician or pharmacy intern registered under this article may perform specimen collection and administer a test described in section 1(3) of this chapter if the following are met:**

- (1) The collection or administration is conducted under the direct supervision of a pharmacist.
- (2) The pharmacist is immediately available on the premises.
- (3) The pharmacist remains responsible for:
  - (A) the interpretation of the test;
  - (B) the prescribing or dispensing of any medication in compliance with section 1 of this chapter; and
  - (C) compliance with the reporting and record keeping requirements set forth in section 2 of this chapter.

Sec. 4. (a) The Indiana board of pharmacy shall adopt rules under IC 4-22-2 to implement this chapter, including rules concerning the following:

- (1) Standardized protocols.
- (2) Reporting requirements.
- (3) Age and dosage limitations.
- (4) Continuing education requirements.

(b) The Indiana board of pharmacy shall consult with the commissioner of the Indiana department of health in the development of the rules described in subsection (a).

**Sec. 5. (a) This section does not apply to an act or omission that constitutes gross negligence, willful or wanton misconduct, or intentional wrongdoing.**

**(b) A pharmacist who acts in good faith in compliance with a statewide standing order described in this chapter and the rules adopted under section 4 of this chapter is immune from civil liability for the following:**

**(1) An act or omission related to the ordering, administering, or interpretation of a test described in section 1(3) of this chapter.**

**(2) The prescribing and dispensing of medication described in section 1(4) of this chapter.**

[ ] SECTION 7.1C 25-27.5-5-1, AS AMENDED BY P.L.247-2019,  
SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

2026

IN 221—LS 6704/DI 104



**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

1 JULY 1, 2026]: Sec. 1. (a) This chapter does not apply to the practice  
 2 of other health care professionals set forth under IC 25-22.5-1-2(a)(1)  
 3 through IC 25-22.5-1-2(a)(19). **IC 25-22.5-1-2(a)(20).**

4 (b) This chapter does not exempt a physician assistant from the  
 5 requirements of IC 16-41-35-29.

6 SECTION 8. IC 25-27.5-5-2, AS AMENDED BY P.L.247-2019,  
 7 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2026]: Sec. 2. (a) A physician assistant:

9 (1) must engage in a dependent practice with a collaborating  
 10 physician; and

11 (2) may not be independent from the collaborating physician,  
 12 including any of the activities of other health care providers set  
 13 forth under IC 25-22.5-1-2(a)(1) through IC 25-22.5-1-2(a)(19).

14 **IC 25-22.5-1-2(a)(20).**

15 A physician assistant may perform, under a collaborative agreement,  
 16 the duties and responsibilities that are delegated by the collaborating  
 17 physician and that are within the collaborating physician's scope of  
 18 practice, including prescribing and dispensing drugs and medical  
 19 devices. A patient may elect to be seen, examined, and treated by the  
 20 collaborating physician.

21 (b) If a physician assistant determines that a patient needs to be  
 22 examined by a physician, the physician assistant shall immediately  
 23 notify the collaborating physician or physician designee.

24 (c) If a physician assistant notifies the collaborating physician that  
 25 the physician should examine a patient, the collaborating physician  
 26 shall:

27 (1) schedule an examination of the patient unless the patient  
 28 declines; or

29 (2) arrange for another physician to examine the patient.

30 (d) A collaborating physician or physician assistant who does not  
 31 comply with subsections (b) and (c) is subject to discipline under  
 32 IC 25-1-9.

33 (e) A physician assistant's collaborative agreement with a  
 34 collaborating physician must:

35 (1) be in writing;

36 (2) include all the tasks delegated to the physician assistant by  
 37 the collaborating physician;

38 (3) set forth the collaborative agreement for the physician  
 39 assistant, including the emergency procedures that the physician  
 40 assistant must follow; and

41 (4) specify the protocol the physician assistant shall follow in  
 42 prescribing a drug.



1                   (f) The physician shall submit the collaborative agreement to the  
 2 board. The physician assistant may prescribe a drug under the  
 3 collaborative agreement unless the board denies the collaborative  
 4 agreement. Any amendment to the collaborative agreement must be  
 5 resubmitted to the board, and the physician assistant may operate under  
 6 any new prescriptive authority under the amended collaborative  
 7 agreement unless the agreement has been denied by the board.

8                   (g) A physician or a physician assistant who violates the  
 9 collaborative agreement described in this section may be disciplined  
 10 under IC 25-1-9.

11                   SECTION 9. IC 25-34.5-3-7, AS AMENDED BY P.L.11-2023,  
 12 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2026]: Sec. 7. This article does not affect the applicability of  
 14 IC 25-22.5-1-2(a)(20); IC 25-22.5-1-2(a)(21).

15                   1 SECTION ~~↔~~[10]. IC 34-30-2.1-383.2 IS ADDED TO THE  
 16 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2026]: Sec. 383.2. IC 25-26-24.5-5  
 18 (Concerning a pharmacist ordering, administering, or interpreting  
 19 tests and the prescribing and dispensing of medication).

20                   [ SECTION 11. IC 35-52-25-2.8 IS ADDED TO THE INDIANA  
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2026]: Sec. 2.8. IC 25-4.5-4-2 defines a crime  
 23 concerning associate physicians.

24                   1 SECTION ~~↔~~[12]. [EFFECTIVE UPON PASSAGE] (a) As used  
 25 in this SECTION, "board" refers to the Indiana board of  
 26 pharmacy.

27                   (b) Before July 1, 2026, the board shall begin the  
 28 administrative rulemaking process to adopt rules to implement  
 29 IC 25-26-24.5, as added by this act.

30                   (c) This SECTION expires December 31, 2026.

31                   SECTION ~~↔~~[13]. An emergency is declared for this act.

