

HOUSE BILL No. 1314

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10; IC 10-19-2.1; IC 10-21-1-5; IC 16-18-2; IC 16-31; IC 22-11-14-12; IC 22-13-2; IC 36-7-8-3; IC 36-8.

Synopsis: Indiana department of homeland security. Provides that a surviving spouse or child of a department of homeland security (department) fire investigator is eligible to receive health coverage under the health coverage plan for active employees provided by the employer. Provides that a department fire investigator who is diagnosed with certain health conditions that result in a disability or death is presumed to have incurred the health condition in the line of duty. Provides that, before November 1, 2022, the department, department of health, and the statewide 911 board shall submit recommendations regarding: (1) ways the 911 system can increase interoperability to better facilitate an emergency medical service (EMS) response from the closest and most appropriate resource; and (2) the effectiveness of regionalized trauma systems and their impact on patient care to the general assembly. Provides that a department fire investigator who is diagnosed with certain cancers or heart or lung disease that results in a disability is presumed to have incurred the health condition in the line of duty. Provides that a fire department is required to report to the department information regarding emergency responses. Provides that, in the event the fire department does not report information regarding emergency responses, the department may determine that the fire department is ineligible to receive grants administered by the department. Provides, after June 30, 2023, that the minimum basic training requirements that a volunteer firefighter must complete before the firefighter may perform emergency response duties do not include interior firefighter operations. Provides that the department may adopt rules to establish a reasonable fee for any transaction completed
(Continued next page)

Effective: Upon passage; July 1, 2022.

Barrett

January 11, 2022, read first time and referred to Committee on Veterans Affairs and Public Safety.



through an online portal maintained by the department. Makes changes to how public safety fees from the retail sale of fireworks are distributed. Makes changes to various definitions used in relation to the provision of emergency medical services. Provides that the department may (rather than shall, under current law) waive any rule adopted by the emergency medical services commission for a person who provides emergency ambulance service, an emergency medical technician, an advanced emergency medical technician, a paramedic, or an ambulance when operating from a location in an adjoining state. Makes changes to notice requirements for the acquisition and location of a defibrillator. Provides that an individual who holds a license or certification issued by the emergency medical services commission is subject to disciplinary action if the individual does not report a criminal arrest or conviction to the department within 14 days of the criminal arrest or conviction. Provides that each ambulance service shall participate in a written quality assurance program. Makes changes to the provision relating to data sharing of pre-hospital ambulance reports by the emergency medical services commission or the department. Makes changes to the permissible uses of the emergency medical services education fund. Provides that a city, town, or county may adopt an ordinance that includes more stringent or detailed requirements that do not conflict with the fire and building safety commission's (commission) rules, but the ordinance adopted must be submitted to the commission within 30 days of the date the ordinance is adopted. Provides that the commission may (rather than shall, under current law) carry out a program to review the fire safety laws and the building laws adopted in the ordinances and other regulations of political subdivisions. Removes obsolete provisions and makes conforming amendments. Repeals provisions: (1) requiring a person who uses a defibrillator to contact the ambulance service provider or the fire department that provides ambulance service for the area as soon as practicable; and (2) relating to the procedure for review of ordinances or regulations by the commission.



Introduced

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in *this style type*, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1314

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 5-10-13-2, AS AMENDED BY P.L.227-2005,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 2. As used in this chapter, "employee" means an
4 individual who:
5 (1) is employed full time by the state or a political subdivision of
6 the state as:
7 (A) a member of a fire department (as defined in IC 36-8-1-8);
8 (B) an emergency medical services provider (as defined in
9 IC 16-41-10-1);
10 (C) a member of a police department (as defined in
11 IC 36-8-1-9);
12 (D) a correctional officer (as defined in IC 5-10-10-1.5);
13 (E) a state police officer;
14 (F) a county police officer;
15 (G) a county sheriff;

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- 1 (H) an excise police officer;
 2 (I) a conservation enforcement officer;
 3 (J) a town marshal;
 4 (K) a deputy town marshal; ~~or~~
 5 **(L) a department of homeland security fire investigator; or**
 6 ~~(M)~~ (M) a member of a consolidated law enforcement
 7 department established under IC 36-3-1-5.1;
 8 (2) in the course of the individual's employment is at high risk for
 9 occupational exposure to an exposure risk disease; and
 10 (3) is not employed elsewhere in a similar capacity.

11 SECTION 2. IC 5-10-15-3, AS ADDED BY P.L.62-2006,
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2022]: Sec. 3. As used in this chapter, "employee" means an
 14 individual who:

- 15 (1) is employed full time by the state or a political subdivision of
 16 the state as:
 17 (A) a member of a fire department (as defined in IC 36-8-1-8);
 18 (B) an emergency medical services provider (as defined in
 19 IC 16-41-10-1); ~~or~~
 20 (C) a member of a police department (as defined in
 21 IC 36-8-1-9); **or**
 22 **(D) a department of homeland security fire investigator;**
 23 (2) in the course of the individual's employment, is at risk for
 24 occupational exposure; and
 25 (3) is not employed elsewhere by the state or a political
 26 subdivision of the state in a similar capacity.

27 SECTION 3. IC 5-10-18-3, AS ADDED BY P.L.111-2019,
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2022]: Sec. 3. As used in this chapter, "public safety officer"
 30 means any of the following:

- 31 (1) An excise police officer.
 32 (2) A conservation enforcement officer.
 33 (3) A gaming agent or a gaming control officer of the Indiana
 34 gaming commission (established by IC 4-33-3-1).
 35 (4) A state educational institution police officer appointed under
 36 IC 21-39-4.
 37 (5) A police officer who is employed by a postsecondary
 38 educational institution, other than a state educational institution,
 39 located in Indiana that appoints a police officer under IC 21-17-5.
 40 (6) A firefighter who is employed by the fire department of a state
 41 university.
 42 (7) A firefighter who is employed by a postsecondary educational



- 1 institution, other than a state educational institution, located in
 2 Indiana that:
- 3 (A) maintains a fire department;
 - 4 (B) employs firefighters for the fire department; and
 - 5 (C) is accredited by the North Central Association.
- 6 (8) A firefighter who is employed by an operator that enters into
 7 an operating agreement under IC 5-23 for the operation of a
 8 public use airport that:
- 9 (A) maintains a fire department; and
 - 10 (B) employs firefighters for the fire department.
- 11 (9) A school corporation police officer appointed under
 12 IC 20-26-16.
- 13 (10) A hospital police officer appointed under IC 16-18-4.
- 14 (11) A police officer employed under IC 8-22-3-34 by:
- 15 (A) a local airport authority; or
 - 16 (B) an operator that enters into an operating agreement under
 17 IC 5-23 for the operation of a public use airport.
- 18 (12) A park ranger who:
- 19 (A) completed at least the number of weeks of training at the
 20 Indiana law enforcement academy or a comparable law
 21 enforcement academy in another state that were required at the
 22 time the park ranger attended the Indiana law enforcement
 23 academy or the law enforcement academy in another state;
 - 24 (B) graduated from the Indiana law enforcement academy or
 25 a comparable law enforcement academy in another state; and
 - 26 (C) is employed by a local unit public employer located in a
 27 county containing a consolidated city.
- 28 **(13) A department of homeland security fire investigator.**
- 29 SECTION 4. IC 10-19-2.1-2 IS ADDED TO THE INDIANA CODE
 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 31 1, 2022]: **Sec. 2. The department may adopt rules under IC 4-22-2**
 32 **to establish a reasonable fee for any transaction completed through**
 33 **an online portal maintained by the department.**
- 34 SECTION 5. IC 10-19-2.1-3 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 36 1, 2022]: **Sec. 3. (a) Before November 1, 2022, the department,**
 37 **department of health, and the statewide 911 board shall submit**
 38 **recommendations regarding:**
- 39 **(1) ways the 911 system can increase interoperability to better**
 40 **facilitate an emergency medical service (EMS) response from**
 41 **the closest and most appropriate resource; and**
 - 42 **(2) the effectiveness of regionalized trauma systems and their**



1 **impact on patient care;**
 2 **to the general assembly in an electronic format under IC 5-14-6.**

3 **(b) In carrying out the provisions in subsection (a), the**
 4 **department of homeland security, department of health, and**
 5 **statewide 911 board may consult stakeholders, including, but not**
 6 **limited to, EMS, fire departments, hospital, and local government**
 7 **stakeholders.**

8 **(c) This section expires July 1, 2023.**

9 SECTION 6. IC 10-21-1-5, AS AMENDED BY P.L.69-2020,
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2022]: Sec. 5. (a) A school corporation, charter school, or
 12 accredited nonpublic school may annually apply to the board for a
 13 matching grant from the fund for a program described in section
 14 2(a)(1) of this chapter.

15 (b) The application must include the following:

16 (1) A concise description of the school corporation's, charter
 17 school's, or accredited nonpublic school's security needs.

18 (2) The estimated cost of the program to the school corporation,
 19 charter school, or accredited nonpublic school.

20 (3) The extent to which the school corporation, charter school, or
 21 accredited nonpublic school has access to and support from a
 22 nearby law enforcement agency, if applicable.

23 (4) The ADM of the school corporation or charter school or the
 24 equivalent for an accredited nonpublic school (or the combined
 25 ADM of the coalition of schools applying jointly).

26 (5) Any other information required by the board.

27 (6) A statement whether the school corporation or charter school
 28 has completed a local plan and has filed the plan with the county
 29 school safety commission for the county in which the school
 30 corporation or charter school is located.

31 (7) A statement whether the school corporation or charter school
 32 (or coalition of public schools applying jointly) requests an
 33 advance under IC 20-49-10 in addition to a matching grant under
 34 this chapter.

35 (c) ~~Before July 1, 2021,~~ Each school corporation, charter school, or
 36 accredited nonpublic school shall certify to the department of
 37 homeland security that the school corporation, charter school, or
 38 accredited nonpublic school has conducted a threat assessment for each
 39 school building used by the school corporation, charter school, or
 40 accredited nonpublic school before applying for a grant under this
 41 chapter.

42 (d) ~~Before July 1, 2021,~~ Each school corporation, charter school, or



1 accredited nonpublic school shall certify to the department of
 2 homeland security that the school corporation, charter school, or
 3 accredited nonpublic school has a memorandum of understanding in
 4 place with a community mental health center established under
 5 IC 12-29-2 or provider certified or licensed by the state to provide
 6 mental or behavioral health services to students before applying for a
 7 grant under this chapter. A provider described in this subsection may
 8 be employed by the school corporation, charter school, or accredited
 9 nonpublic school.

10 SECTION 7. IC 16-18-2-6.5, AS ADDED BY P.L.77-2012,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 6.5. "Advanced emergency medical technician",
 13 for purposes of IC 16-31, means an individual who ~~can perform at least~~
 14 ~~one (1) procedure but not all the procedures of a paramedic and who:~~
 15 (1) has completed a prescribed course in advanced life support;
 16 (2) has been certified by the Indiana emergency medical services
 17 commission;
 18 (3) is associated with a single supervising hospital; and
 19 (4) is affiliated with a provider organization: **is certified under**
 20 **the IC 16-31-3-2 Indiana emergency medical services**
 21 **commission standards for an advanced emergency medical**
 22 **technician certification to provide elements of advanced life**
 23 **support.**

24 SECTION 8. IC 16-18-2-7, AS AMENDED BY P.L.13-2013,
 25 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2022]: Sec. 7. (a) "Advanced life support", for purposes of
 27 IC 16-31, means care that is given:

- 28 (1) at the scene of:
 29 (A) an accident;
 30 (B) an act of terrorism (as defined in IC 35-31.5-2-329), if the
 31 governor has declared a disaster emergency under
 32 IC 10-14-3-12 in response to the act of terrorism; or
 33 (C) an illness;
 34 (2) during transport; or
 35 (3) at a hospital;

36 by a paramedic or an advanced emergency medical technician and that
 37 is more advanced than the care usually provided by an emergency
 38 medical technician.

39 (b) The term may include any of the following:

- 40 (1) ~~Defibrillation.~~ **Advanced cardiac life support.**
 41 (2) Endotracheal intubation.
 42 (3) Parenteral injections of appropriate medications.



1 (4) Electrocardiogram interpretation.

2 (5) Emergency management of trauma and illness.

3 SECTION 9. IC 16-18-2-33.5, AS AMENDED BY P.L.208-2015,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]: Sec. 33.5. ~~(a)~~ "Basic life support", for purposes of
6 IC 16-31, means the following:

7 (1) Assessment of emergency patients.

8 (2) Administration of oxygen.

9 (3) Use of mechanical breathing devices.

10 ~~(4) Application of anti-shock trousers:~~

11 ~~(5)~~ **(4)** Performance of cardiopulmonary resuscitation.

12 ~~(6)~~ **(5)** Application of dressings and bandage materials.

13 ~~(7)~~ **(6)** Application of splinting and immobilization devices.

14 ~~(8)~~ **(7)** Use of lifting and moving devices to ensure safe transport.

15 ~~(9)~~ **(8)** Administration of epinephrine ~~through an auto-injector. in~~
16 **accordance with IC 16-31-3-23.**

17 ~~(10)~~ **(9)** Blood glucose monitoring that is not more invasive than
18 a capillary sampling using a lancet.

19 ~~(11)~~ **(10)** Other procedures authorized by the Indiana emergency
20 medical services commission, including procedures contained in
21 the revised national emergency medical technician basic training
22 curriculum guide.

23 ~~(b)~~ Except as provided by:

24 ~~(1)~~ subsection ~~(a)(9)~~ and the training and certification standards
25 established under IC 16-31-2-9(3); and

26 ~~(2)~~ the training standards established under IC 16-31-2-9(4);

27 the term does not include invasive medical care techniques or advanced
28 life support.

29 SECTION 10. IC 16-18-2-110, AS AMENDED BY P.L.100-2019,
30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2022]: Sec. 110. "Emergency medical services", for purposes
32 of IC 16-31, means

33 the provision of any of the following:

34 ~~(1)~~ Emergency ambulance services or other services, including
35 extrication and rescue services, utilized in serving an individual's
36 need for immediate medical care in order to prevent loss of life or
37 aggravation of physiological or psychological illness or injury.

38 ~~(2)~~ Transportation services; acute care, chronic condition
39 services; or disease management services provided as part of a
40 mobile integrated healthcare program under IC 16-31-12. **an**
41 **integrated medical care delivery system in which emergency**
42 **medical responders, emergency medical technicians, advanced**



1 emergency medical technicians, and paramedics provide
 2 emergency and nonemergency medical care to protect against
 3 the loss of life or aggravation of illness or injury:

4 (1) during an emergency response;

5 (2) while transporting a patient in a ground or air ambulance
 6 outside of a hospital or health care facility; or

7 (3) as part of a mobile integrated healthcare program
 8 described in IC 16-31-12.

9 SECTION 11. IC 16-18-2-113 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 113. ~~(a)~~ "Emergency
 11 patient", for purposes of IC 16-31, means an individual who:

12 (1) is acutely ill, injured, incapacitated, or helpless; and

13 (2) requires emergency medical services.

14 ~~(b) The term includes an individual who:~~

15 ~~(1) requires transportation on a litter or cot; or~~

16 ~~(2) is transported in a vehicle certified as an ambulance under~~
 17 ~~IC 16-31-3.~~

18 SECTION 12. IC 16-18-2-266, AS AMENDED BY P.L.77-2012,
 19 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2022]: Sec. 266. "Paramedic", for purposes of IC 16-31,
 21 means an individual who

22 ~~(1) is:~~

23 ~~(A) affiliated with a certified paramedic organization;~~

24 ~~(B) employed by a sponsoring hospital approved by the~~
 25 ~~commission; or~~

26 ~~(C) employed by a supervising hospital with a contract for~~
 27 ~~inservice education with a sponsoring hospital approved by the~~
 28 ~~commission;~~

29 ~~(2) has completed a prescribed course in advanced life support;~~
 30 ~~and~~

31 ~~(3) has been licensed by the Indiana emergency medical services~~
 32 ~~commission. **is certified under the IC 16-31-3-2 Indiana**~~
 33 ~~**emergency medical services commission standards for**~~
 34 ~~**paramedic licensure.**~~

35 SECTION 13. IC 16-31-2-11, AS AMENDED BY P.L.77-2012,
 36 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 UPON PASSAGE]: Sec. 11. (a) The commission shall develop
 38 procedures for ongoing review of all emergency ambulance services.

39 (b) The commission **and the department of homeland security**
 40 may review any pre-hospital ambulance rescue or report record
 41 regarding an emergency patient that is utilized or compiled by an
 42 emergency ambulance service employing paramedics, advanced



1 emergency medical technicians, or emergency medical technicians.
 2 However, except as provided in subsection (d), those records shall
 3 remain confidential and may be used ~~solely for the purpose of~~
 4 ~~compiling for the following purposes:~~

5 **(1) The compilation and use of data and statistics.** The use of
 6 such data or statistics is subject to IC 4-1-6.

7 **(2) Sharing and exchanging data with another entity for the**
 8 **purpose of improving patient care and outcomes. The entity**
 9 **shall:**

10 **(A) be a covered entity pursuant to the federal Health**
 11 **Insurance Portability and Accountability Act (HIPAA)**
 12 **(P.L. 104-191); and**

13 **(B) enter into a data sharing agreement with the**
 14 **commission or department of homeland security that**
 15 **governs the use and protection of confidential data.**

16 (c) The commission **and the department of homeland security**
 17 may **independently** develop and oversee experimental study projects
 18 conducted by ambulance service providers in limited geographic areas
 19 of Indiana. These study projects must be developed and conducted in
 20 accordance with rules adopted by the commission under IC 4-22-2.
 21 These study projects must be designed to test the efficacy of new
 22 patient care techniques and new ambulance service systems.

23 (d) This subsection applies to emergency ambulance services that
 24 are provided by or under a contract with an entity that is a public
 25 agency for purposes of IC 5-14-3. The following information, if
 26 contained in a pre-hospital ambulance rescue or report record regarding
 27 an emergency patient, is public information and must be made
 28 available for inspection and copying under IC 5-14-3:

29 (1) The date and time of the request for ambulance services.

30 (2) The reason for the request for assistance.

31 (3) The time and nature of the response to the request for
 32 ambulance services.

33 (4) The time of arrival at the scene where the patient was located.

34 (5) The time of departure from the scene where the patient was
 35 located.

36 (6) The name of the facility, if any, to which the patient was
 37 delivered for further treatment and the time of arrival at that
 38 facility.

39 SECTION 14. IC 16-31-3-5, AS AMENDED BY P.L.249-2019,
 40 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2022]: Sec. 5. (a) The department of homeland security ~~shall~~
 42 **may** waive any rule adopted by the commission under this article for



1 a person who provides emergency ambulance service, an emergency
 2 medical technician, an advanced emergency medical technician, a
 3 paramedic, or an ambulance when operating from a location in an
 4 adjoining state by contract with an Indiana unit of government to
 5 provide emergency ambulance or medical services to patients who are
 6 picked up or treated in Indiana.

7 (b) The department of homeland security may waive any rule,
 8 including a rule establishing a fee adopted by the commission under
 9 this article, for a person who submits facts demonstrating that:

10 (1) compliance with the rule will impose an undue hardship on
 11 the person; and

12 (2) either:

13 (A) noncompliance with the rule; or

14 (B) compliance with an alternative requirement approved by
 15 the department of homeland security;

16 will not jeopardize the quality of patient care. However, the
 17 department of homeland security may not waive a rule that sets
 18 forth educational requirements for a person regulated under this
 19 article.

20 (c) A waiver granted under subsection (b)(2)(B) is conditioned upon
 21 compliance with the alternative requirement approved under subsection
 22 (b).

23 (d) The department of homeland security shall establish an
 24 expiration date for any waiver that is granted.

25 (e) The department of homeland security may renew a waiver if the
 26 person makes the same demonstration required for the original waiver.

27 (f) The commission is the ultimate authority for orders issued under
 28 this section.

29 SECTION 15. IC 16-31-3-14, AS AMENDED BY P.L.142-2020,
 30 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2022]: Sec. 14. (a) A person holding a certificate or license
 32 issued under this article must comply with the applicable standards and
 33 rules established under this article. A certificate holder or license
 34 holder is subject to disciplinary sanctions under subsection (b) if the
 35 department of homeland security determines that the certificate holder
 36 or license holder:

37 (1) engaged in or knowingly cooperated in fraud or material
 38 deception in order to obtain a certificate or license, including
 39 cheating on a certification or licensure examination;

40 (2) engaged in fraud or material deception in the course of
 41 professional services or activities;

42 (3) advertised services or goods in a false or misleading manner;



- 1 (4) falsified or knowingly allowed another person to falsify
2 attendance records or certificates of completion of continuing
3 education courses required under this article or rules adopted
4 under this article;
- 5 (5) is convicted of a crime, if the act that resulted in the
6 conviction has a direct bearing on determining if the certificate
7 holder or license holder should be entrusted to provide emergency
8 medical services;
- 9 (6) is convicted of violating IC 9-19-14.5;
- 10 (7) fails to comply and maintain compliance with or violates any
11 applicable provision, standard, or other requirement of this article
12 or rules adopted under this article;
- 13 (8) continues to practice if the certificate holder or license holder
14 becomes unfit to practice due to:
- 15 (A) professional incompetence that includes the undertaking
16 of professional activities that the certificate holder or license
17 holder is not qualified by training or experience to undertake;
- 18 (B) failure to keep abreast of current professional theory or
19 practice;
- 20 (C) physical or mental disability; or
- 21 (D) addiction to, abuse of, or dependency on alcohol or other
22 drugs that endanger the public by impairing the certificate
23 holder's or license holder's ability to practice safely;
- 24 (9) engages in a course of lewd or immoral conduct in connection
25 with the delivery of services to the public;
- 26 (10) allows the certificate holder's or license holder's name or a
27 certificate or license issued under this article to be used in
28 connection with a person who renders services beyond the scope
29 of that person's training, experience, or competence;
- 30 (11) is subjected to disciplinary action in another state or
31 jurisdiction on grounds similar to those contained in this chapter.
32 For purposes of this subdivision, a certified copy of a record of
33 disciplinary action constitutes prima facie evidence of a
34 disciplinary action in another jurisdiction;
- 35 (12) assists another person in committing an act that would
36 constitute a ground for disciplinary sanction under this chapter;
- 37 **or**
- 38 (13) allows a certificate or license issued by the commission to
39 be:
- 40 (A) used by another person; or
- 41 (B) displayed to the public when the certificate or license is
42 expired, inactive, invalid, revoked, or suspended; **or**



1 **(14) fails to report a criminal arrest or conviction to the**
2 **department of homeland security in a manner approved by**
3 **the department of homeland security within fourteen (14)**
4 **days following the criminal arrest or conviction.**

5 (b) The department of homeland security may issue an order under
6 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if
7 the department of homeland security determines that a certificate
8 holder or license holder is subject to disciplinary sanctions under
9 subsection (a):

10 (1) Revocation of a certificate holder's certificate or license
11 holder's license for a period not to exceed seven (7) years.

12 (2) Suspension of a certificate holder's certificate or license
13 holder's license for a period not to exceed seven (7) years.

14 (3) Censure of a certificate holder or license holder.

15 (4) Issuance of a letter of reprimand.

16 (5) Assessment of a civil penalty against the certificate holder or
17 license holder in accordance with the following:

18 (A) The civil penalty may not exceed five hundred dollars
19 (\$500) per day per violation.

20 (B) If the certificate holder or license holder fails to pay the
21 civil penalty within the time specified by the department of
22 homeland security, the department of homeland security may
23 suspend the certificate holder's certificate or license holder's
24 license without additional proceedings.

25 (6) Placement of a certificate holder or license holder on
26 probation status and requirement of the certificate holder or
27 license holder to:

28 (A) report regularly to the department of homeland security
29 upon the matters that are the basis of probation;

30 (B) limit practice to those areas prescribed by the department
31 of homeland security;

32 (C) continue or renew professional education approved by the
33 department of homeland security until a satisfactory degree of
34 skill has been attained in those areas that are the basis of the
35 probation; or

36 (D) perform or refrain from performing any acts, including
37 community restitution or service without compensation, that
38 the department of homeland security considers appropriate to
39 the public interest or to the rehabilitation or treatment of the
40 certificate holder or license holder.

41 The department of homeland security may withdraw or modify
42 this probation if the department of homeland security finds after



- 1 a hearing that the deficiency that required disciplinary action is
2 remedied or that changed circumstances warrant a modification
3 of the order.
- 4 (c) If an applicant or a certificate holder or license holder has
5 engaged in or knowingly cooperated in fraud or material deception to
6 obtain a certificate or license, including cheating on the certification or
7 licensure examination, the department of homeland security may
8 rescind the certificate or license if it has been granted, void the
9 examination or other fraudulent or deceptive material, and prohibit the
10 applicant from reapplying for the certificate or license for a length of
11 time established by the department of homeland security.
- 12 (d) The department of homeland security may deny certification or
13 licensure to an applicant who would be subject to disciplinary sanctions
14 under subsection (b) if that person were a certificate holder or license
15 holder, has had disciplinary action taken against the applicant or the
16 applicant's certificate or license to practice in another state or
17 jurisdiction, or has practiced without a certificate or license in violation
18 of the law. A certified copy of the record of disciplinary action is
19 conclusive evidence of the other jurisdiction's disciplinary action.
- 20 (e) The department of homeland security may order a certificate
21 holder or license holder to submit to a reasonable physical or mental
22 examination if the certificate holder's or license holder's physical or
23 mental capacity to practice safely and competently is at issue in a
24 disciplinary proceeding. Failure to comply with a department of
25 homeland security order to submit to a physical or mental examination
26 makes a certificate holder or license holder liable to temporary
27 suspension under subsection (i).
- 28 (f) Except as provided under subsection (a), subsection (g), and
29 section 14.5 of this chapter, a certificate or license may not be denied,
30 revoked, or suspended because the applicant, certificate holder, or
31 license holder has been convicted of an offense. The acts from which
32 the applicant's, certificate holder's, or license holder's conviction
33 resulted may be considered as to whether the applicant or certificate
34 holder or license holder should be entrusted to serve the public in a
35 specific capacity.
- 36 (g) The department of homeland security may deny, suspend, or
37 revoke a certificate or license issued under this article if the individual
38 who holds or is applying for the certificate or license is convicted of
39 any of the following:
- 40 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
 - 41 (2) Possession of methamphetamine under IC 35-48-4-6.1.
 - 42 (3) Possession of a controlled substance under IC 35-48-4-7(a).



- 1 (4) Fraudulently obtaining a controlled substance under
 2 IC 35-48-4-7(c).
 3 (5) Manufacture of paraphernalia as a Class D felony (for a crime
 4 committed before July 1, 2014) or Level 6 felony (for a crime
 5 committed after June 30, 2014) under IC 35-48-4-8.1(b).
 6 (6) Dealing in paraphernalia as a Class D felony (for a crime
 7 committed before July 1, 2014) or Level 6 felony (for a crime
 8 committed after June 30, 2014) under IC 35-48-4-8.5(b).
 9 (7) Possession of paraphernalia as a Class D felony (for a crime
 10 committed before July 1, 2014) or Level 6 felony (for a crime
 11 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
 12 its amendment on July 1, 2015).
 13 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
 14 D felony (for a crime committed before July 1, 2014) or Level 6
 15 felony (for a crime committed after June 30, 2014) under
 16 IC 35-48-4-11.
 17 (9) A felony offense under IC 35-48-4 involving:
 18 (A) possession of a synthetic drug (as defined in
 19 IC 35-31.5-2-321);
 20 (B) possession of a synthetic drug lookalike substance (as
 21 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
 22 2019)) as a:
 23 (i) Class D felony (for a crime committed before July 1,
 24 2014); or
 25 (ii) Level 6 felony (for a crime committed after June 30,
 26 2014);
 27 under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or
 28 (C) possession of a controlled substance analog (as defined in
 29 IC 35-48-1-9.3).
 30 (10) Maintaining a common nuisance under IC 35-48-4-13
 31 (repealed) or IC 35-45-1-5, if the common nuisance involves a
 32 controlled substance.
 33 (11) An offense relating to registration, labeling, and prescription
 34 forms under IC 35-48-4-14.
 35 (h) A decision of the department of homeland security under
 36 subsections (b) through (g) may be appealed to the commission under
 37 IC 4-21.5-3-7.
 38 (i) The department of homeland security may temporarily suspend
 39 a certificate holder's certificate or license holder's license under
 40 IC 4-21.5-4 before a final adjudication or during the appeals process if
 41 the department of homeland security finds that a certificate holder or
 42 license holder would represent a clear and immediate danger to the



1 public's health, safety, or property if the certificate holder or license
2 holder were allowed to continue to practice.

3 (j) On receipt of a complaint or information alleging that a person
4 certified or licensed under this chapter or IC 16-31-3.5 has engaged in
5 or is engaging in a practice that is subject to disciplinary sanctions
6 under this chapter, the department of homeland security must initiate
7 an investigation against the person.

8 (k) The department of homeland security shall conduct a factfinding
9 investigation as the department of homeland security considers proper
10 in relation to the complaint.

11 (l) The department of homeland security may reinstate a certificate
12 or license that has been suspended under this section if the department
13 of homeland security is satisfied that the applicant is able to practice
14 with reasonable skill, competency, and safety to the public. As a
15 condition of reinstatement, the department of homeland security may
16 impose disciplinary or corrective measures authorized under this
17 chapter.

18 (m) The department of homeland security may not reinstate a
19 certificate or license that has been revoked under this chapter.

20 (n) The department of homeland security must be consistent in the
21 application of sanctions authorized in this chapter. Significant
22 departures from prior decisions involving similar conduct must be
23 explained in the department of homeland security's findings or orders.

24 (o) A certificate holder may not surrender the certificate holder's
25 certificate, and a license holder may not surrender the license holder's
26 license, without the written approval of the department of homeland
27 security, and the department of homeland security may impose any
28 conditions appropriate to the surrender or reinstatement of a
29 surrendered certificate or license.

30 (p) For purposes of this section, "certificate holder" means a person
31 who holds:

- 32 (1) an unlimited certificate;
- 33 (2) a limited or probationary certificate; or
- 34 (3) an inactive certificate.

35 (q) For purposes of this section, "license holder" means a person
36 who holds:

- 37 (1) an unlimited license;
- 38 (2) a limited or probationary license; or
- 39 (3) an inactive license.

40 SECTION 16. IC 16-31-3-26, AS ADDED BY P.L.79-2016,
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2022]: Sec. 26. (a) Each provider organization shall ~~conduct~~



1 an audit and review at least quarterly to assess, monitor, and evaluate
2 the quality of patient care as follows:

3 (1) The audit must evaluate patient care and personnel
4 performance.

5 (2) The results of the audit must be reviewed with the emergency
6 medical service personnel.

7 (3) Documentation for the audit and review must include the
8 following:

9 (A) The criteria used to select audited runs.

10 (B) Problem identification and resolution.

11 (C) Date of review.

12 (D) Attendance at the review.

13 (E) A summary of the discussion at the review.

14 (4) The audit and review must be conducted under the direction
15 of one (1) of the following:

16 (A) The provider organization medical director.

17 (B) An emergency department committee that is supervised by
18 a medical director with a provider organization representative
19 serving as a member of the committee.

20 (C) A committee established by the provider organization and
21 under the direction of the medical director or medical
22 director's designee. If the medical director selects a designee,
23 the designee must:

24 (i) be a physician licensed under IC 25-22.5;

25 (ii) have an active role in the delivery of emergency care;
26 and

27 (iii) be designated in writing by the medical director as the
28 medical director's designee.

29 (5) The audit must provide a method for identifying the need for
30 staff development programs, basic training, in-service training,
31 and orientation.

32 (6) The audit must evaluate all levels of care by emergency
33 medical service personnel: **participate in a written quality
34 assurance program. Proceedings under this section are
35 confidential, and any communication related to the quality
36 assurance program is considered a privileged communication.**

37 (b) An audit and review proceeding under this section is
38 confidential, and any communication at the audit and review
39 proceeding is a privileged communication.

40 (c) This section does not prevent participation by a provider
41 organization in a peer review committee proceeding under IC 34-30-15.

42 (d) The commission may adopt rules under IC 4-22-2 to implement



- 1 this section.
- 2 SECTION 17. IC 16-31-6.5-5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 5. A person or entity in
- 4 possession of a defibrillator shall: ~~notify the:~~
- 5 (1) **notify the** ambulance service provider that serves the area
- 6 where the person or entity is located **of the acquisition and**
- 7 **location of the defibrillator; or and**
- 8 (2) ~~emergency medical services commission; register the device~~
- 9 **with the department of homeland security in a manner**
- 10 **prescribed by the department of homeland security.**
- 11 ~~of the acquisition and location of the defibrillator:~~
- 12 SECTION 18. IC 16-31-6.5-6 IS REPEALED [EFFECTIVE JULY
- 13 1, 2022]. Sec. 6: ~~A person who uses a defibrillator is required to~~
- 14 ~~contact:~~
- 15 (1) ~~the ambulance service provider; or~~
- 16 (2) ~~a fire department that provides ambulance service;~~
- 17 ~~for the area as soon as practicable following the use of the defibrillator.~~
- 18 SECTION 19. IC 16-31-7-2 IS AMENDED TO READ AS
- 19 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. The commission
- 20 shall administer the fund. Money from the fund may be used to fund
- 21 **any of the following:**
- 22 (1) Inservice training programs promoted by the commission.
- 23 (2) **The costs of initial emergency medical services practical**
- 24 **examination testing.**
- 25 (3) **Education and professional development for employees of**
- 26 **the department of homeland security.**
- 27 SECTION 20. IC 22-11-14-12, AS AMENDED BY P.L.107-2007,
- 28 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2022]: Sec. 12. (a) A user fee, known as the public safety fee,
- 30 is imposed on retail transactions made in Indiana of fireworks, in
- 31 accordance with section 13 of this chapter.
- 32 (b) A person who acquires fireworks in a retail transaction is liable
- 33 for the public safety fee on the transaction and, except as otherwise
- 34 provided in this chapter, shall pay the public safety fee to the retailer
- 35 as a separate added amount to the consideration in the transaction. The
- 36 retailer shall collect the public safety fee as an agent for the state.
- 37 (c) The public safety fee shall be deposited in the state general fund.
- 38 The auditor of state shall annually transfer the money received from the
- 39 public safety fee as follows:
- 40 (1) Two million dollars (\$2,000,000) shall be deposited in the
- 41 regional public safety training fund established by IC 10-15-3-12.
- 42 (2) Any additional money received shall be deposited ~~in~~ **evenly**



1 **between the state disaster relief fund established by IC 10-14-4-5**
 2 **and the regional public safety training fund described in**
 3 **subdivision (1).**

4 (d) The department of state revenue shall adopt rules under
 5 IC 4-22-2 necessary for the collection of the public safety fee money
 6 from retailers as described in subsections (b) and (c).

7 SECTION 21. IC 22-13-2-3, AS AMENDED BY P.L.104-2018,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2022]: Sec. 3. (a) Except to the extent provided in subsection
 10 (c), the rules adopted under section 2 of this chapter take precedence
 11 over:

12 (1) any rule adopted by a state agency that conflicts with the
 13 commission's fire safety rules or building rules; and

14 (2) any ordinance or other regulation adopted by a political
 15 subdivision that covers the same subject matter as the
 16 commission's fire safety rules or building rules.

17 (b) State agencies and political subdivisions may incorporate the
 18 rules adopted by the commission by reference into a rule, ordinance, or
 19 other regulation. Notwithstanding IC 4-22-9-6, a reference to the rules
 20 adopted by the commission, by citation to the Indiana Administrative
 21 Code (IAC), shall be construed to include all amendments as of the
 22 date that the reference is written and any later amendments to that
 23 provision, unless accompanied by a reference to a specific edition or
 24 supplement to the Indiana Administrative Code.

25 (c) Except as provided in section 3.5 of this chapter, a city, town, or
 26 county may adopt an ordinance that includes more stringent or detailed
 27 requirements that do not conflict with the commission's rules. ~~but the~~
 28 ~~ordinance is subject to approval under section 5 of this chapter. Any~~
 29 **ordinance adopted by a city, town, or county must be submitted to**
 30 **the commission within thirty (30) days of the date the ordinance is**
 31 **adopted if it contains building or fire safety laws.**

32 (d) **A rule adopted by a state agency or an ordinance or other**
 33 **regulation of a political subdivision is in conflict with the**
 34 **commission's rules if the requirements of the rule, ordinance, or**
 35 **other regulation:**

36 **(1) decrease the standards adopted by the commission;**

37 **(2) permit that which is expressly prohibited by the**
 38 **commission;**

39 **(3) would result in noncompliance with the commission's**
 40 **rules, if the political subdivision complies with the rule,**
 41 **ordinance, or other regulation; or**

42 **(4) prohibit that which is expressly permitted by the**



1 **commission.**

2 SECTION 22. IC 22-13-2-5, AS AMENDED BY P.L.101-2015,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 5. (a) The commission ~~shall~~ **may** carry out a
5 program to review the fire safety laws and the building laws adopted in
6 the ordinances and other regulations of political subdivisions.

7 (b) Except as provided in subsection (c), an ordinance or other
8 regulation adopted by a political subdivision that qualifies as a fire
9 safety law or a building law:

- 10 (1) must be submitted to the commission for review within thirty
11 (30) days after adoption by the political subdivision; and
12 (2) is not effective until:

- 13 (A) it is approved by an order issued by the commission; or
14 (B) it is approved as the result of the commission not having
15 issued an order approving or denying the ordinance or other
16 regulation within the period set forth in section 5.5(2) of this
17 chapter.

18 (c) An ordinance that:

- 19 (1) is adopted by a city, town, or county; and
20 (2) governs the installations, repair, and maintenance of smoke
21 detectors in residential structures that are not required to have
22 smoke detectors under the rules of the commission;

23 is effective without approval by the commission.

24 (b) If the commission finds a conflict between:

- 25 (1) this article, IC 22-12, IC 22-14, IC 22-15, a fire safety rule,
26 or a building rule; and
27 (2) a fire safety law or building law adopted in an ordinance
28 or other regulation of a political subdivision;

29 **the commission shall notify the political subdivision of the conflict**
30 **and the political subdivision shall revise its ordinance or regulation**
31 **in a manner necessary to eliminate the conflict.**

32 (d) (c) A:

- 33 (1) state agency; or
34 (2) political subdivision;

35 may not require a person or entity to obtain or maintain, or both, a
36 license in order to install or maintain a low voltage thermostat of fifty
37 (50) volts or less.

38 SECTION 23. IC 22-13-2-5.5 IS REPEALED [EFFECTIVE JULY
39 1, 2022]. Sec. 5.5: The commission's program for review of adopted
40 ordinances and other regulations of political subdivisions submitted for
41 approval by the commission under section 5 of this chapter shall be
42 conducted by the commission staff as follows:



1 (1) A request may be made to the commission for preliminary
2 staff review at any time. The results of the staff review must be
3 furnished to the requester within a reasonable time.

4 (2) A submission by a political subdivision for approval of an
5 ordinance or other regulation by the commission shall be made in
6 hard copy or electronic form acceptable to the commission. The
7 staff shall place the submission on the agenda for the first
8 commission meeting scheduled later than five (5) working days
9 after the receipt of the submission. An opportunity for public
10 testimony may be afforded at the meeting of the commission. If
11 the commission does not issue an order approving or denying the
12 ordinance or other regulation at the first commission meeting, or
13 at any of the next three (3) commission meetings, the ordinance
14 or other regulation is automatically approved and effective
15 without an order of the commission.

16 (3) A member of the commission may submit an adopted
17 ordinance or other regulation to the commission for review under
18 subdivisions (1) and (2) if the political subdivision did not submit
19 the adopted ordinance or other regulation within thirty (30) days
20 of adoption by the political subdivision as required by section
21 5(b) of this chapter.

22 (4) The commission's order regarding the ordinance or other
23 regulation shall be issued following the requirements set forth
24 under IC 4-21.5-3-5. If a petition for review is subsequently
25 granted under IC 4-21.5-3-7, the commission's order shall be
26 deemed merely to have been a preliminary determination.

27 (5) One (1) copy of each approved ordinance or other regulation,
28 endorsed by the chair of the commission, shall be returned to the
29 political subdivision or, if the submission was made by a member
30 of the commission, to the member, with the order approving the
31 ordinance or other regulation.

32 (6) If the commission denies an ordinance or other regulation, the
33 commission's denial must specify the defects in the ordinance or
34 other regulation that are the basis for the denial. The defects
35 referred to in the commission's denial must include a citation to
36 specific provisions of the state fire safety laws and the state
37 building laws that are the basis for the denial.

38 SECTION 24. IC 36-7-8-3, AS AMENDED BY P.L.208-2015,
39 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2022]: Sec. 3. (a) The legislative body of a county having a
41 county department of buildings or joint city-county building
42 department may, by ordinance, adopt building, heating, ventilating, air



1 conditioning, electrical, plumbing, and sanitation standards for
 2 unincorporated areas of the county. ~~These standards take effect only on~~
 3 ~~the legislative body's receipt of written approval from the fire~~
 4 ~~prevention and building safety commission. These standards shall be~~
 5 **submitted to the fire prevention and building safety commission**
 6 **under IC 22-13-2-3.**

7 (b) An ordinance adopted under this section must be based on
 8 occupancy, and it applies to:

9 (1) the construction, alteration, equipment, use, occupancy,
 10 location, and maintenance of buildings, structures, and
 11 appurtenances that are on land or over water and are:

12 (A) erected after the ordinance takes effect; and

13 (B) if expressly provided by the ordinance, existing when the
 14 ordinance takes effect;

15 (2) conversions of buildings and structures, or parts of them, from
 16 one occupancy classification to another; and

17 (3) the movement or demolition of buildings, structures, and
 18 equipment for the operation of buildings and structures.

19 (c) The rules of the fire prevention and building safety commission
 20 are the minimum standards upon which ordinances adopted under this
 21 section must be based.

22 (d) An ordinance adopted under this section does not apply to
 23 private homes that are built by individuals and used for their own
 24 occupancy. However, onsite sewage systems of a private home
 25 described in this subsection must comply with state laws and rules.

26 SECTION 25. IC 36-8-10.5-6, AS AMENDED BY P.L.90-2017,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2022]: Sec. 6. (a) A full-time firefighter must successfully
 29 complete the minimum basic training requirements established by this
 30 chapter before the firefighter may perform the duties of a full-time
 31 firefighter for the political subdivision.

32 (b) A volunteer firefighter must successfully complete the minimum
 33 basic training requirements established by this chapter before
 34 ~~performing~~ **the firefighter may perform** the emergency response
 35 duties of a volunteer firefighter. **However, after June 30, 2023,**
 36 **emergency response duties do not include interior firefighter**
 37 **operations.**

38 (c) A volunteer firefighter who has successfully completed the
 39 minimum basic training requirements established by this chapter may
 40 be elected or appointed to membership in more than one (1) volunteer
 41 fire department.

42 SECTION 26. IC 36-8-17-5, AS AMENDED BY P.L.187-2021,



1 SECTION 147, IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2022]: Sec. 5. (a) The fire chief and the
3 designees of the fire chief in every fire department are assistants to the
4 state fire marshal.

5 (b) A fire department shall comply with an order issued by the
6 department under IC 22-14-2-4 that directs the fire department to assist
7 the department.

8 **(c) A fire department shall report to the department of**
9 **homeland security, in a manner prescribed by the department of**
10 **homeland security, information relating to each emergency**
11 **response by the fire department. In the event that a fire**
12 **department fails to comply with this section, the department of**
13 **homeland security, notwithstanding any other law, may determine**
14 **that the fire department is ineligible to receive grants administered**
15 **by the department of homeland security.**

16 ~~(c)~~ (d) This section also applies to a fire department established by
17 the board of trustees of Purdue University under IC 21-39-7.

18 SECTION 27. **An emergency is declared for this act.**

