

Indiana

Statutory Language

Indiana Code: TITLE 25. PROFESSIONS AND OCCUPATIONS

ARTICLE 34.5. RESPIRATORY CARE PRACTITIONERS

Chapter 3. Violations and Sanctions

- **Respiratory Care Practice Act contains exemption language**

IC 25-34.5-3-1

Representations by uncertified persons

Sec. 1. A person may not:

- (1) practice respiratory care;
- (2) profess to be a respiratory care practitioner;
- (3) use the title "respiratory care practitioner"; or

(4) use any initials, words, letters, abbreviations, or insignia indicating or implying that the person is a respiratory care practitioner licensed under this article; unless the person is licensed under this article.

As added by P.L.242-1989, SEC.1. Amended by P.L.48-1991, SEC.69; P.L.60-2000, SEC.21.

IC 25-34.5-3-2

Criminal charges

Sec. 2. A person who violates this chapter commits a Class B misdemeanor. In addition to any other penalty imposed for a violation of this chapter, the board may, in the name of the state of Indiana through the attorney general, petition a circuit or superior court to enjoin the person who is violating this chapter from practicing respiratory care in violation of this chapter.

As added by P.L.242-1989, SEC.1. Amended by P.L.60-2000, SEC.22.

IC 25-34.5-3-3

Practice of health care professionals not affected

Sec. 3. This article does not prohibit a licensed, registered, or certified health care professional from practicing within the scope of the health care professional's license, registration, or certification.

As added by P.L.60-2000, SEC.23.

IC 25-34.5-3-4

Examination requirement for practice by health care nonprofessional

Sec. 4. Except as provided in IC 25-34.5-2-6.4(a), an individual who is not licensed, registered, or certified as a health care professional may perform a respiratory care practice only when the individual passes an examination covering the practice that is offered by a testing body approved by the committee.

As added by P.L.60-2000, SEC.24.

IC 25-34.5-3-5

Conditions for operation of equipment by health care nonprofessional

Sec. 5. An individual who is not licensed, registered, or certified as a health care professional may deliver, set up, calibrate, and demonstrate the mechanical operation of respiratory care equipment in a residential setting only when the following conditions are met:

(1) The individual's employer documents that the individual has obtained adequate training and demonstrated competence under the supervision of a practitioner or other licensed, registered, or certified health care professional.

(2) The individual does not teach, administer, or practice respiratory care.

(3) The individual does not attach the respiratory care equipment to the patient or instruct the patient, the patient's family, or the patient's caregiver on the equipment's clinical use as a treatment device.

(4) All instructions to the patient, family, or caregiver regarding the clinical use of the equipment, patient monitoring, patient assessment, or other procedures designed to evaluate the effectiveness of the treatment are performed by a practitioner or other licensed, registered, or certified health care professional.

As added by P.L.60-2000, SEC.25.

IC 25-34.5-3-6

Performing CPR; repairing equipment

Sec. 6. This article does not prohibit an individual who is not licensed as a respiratory care practitioner from doing any of the following:

(1) Performing cardiopulmonary resuscitation.

(2) Repairing equipment used in the practice of respiratory care.

As added by P.L.60-2000, SEC.26.

IC 25-34.5-3-7

Employee acting under supervision of physician not affected

Sec. 7. This article does not affect the applicability of IC 25-22.5-1-2(a)(19).

As added by P.L.60-2000, SEC.27.

IC 25-34.5-3-8

Laboratory tests by nonpractitioner

Sec. 8. This article does not prohibit an individual who is not a practitioner from performing laboratory tests in a clinical laboratory holding a federal Clinical Laboratory Improvement Act (CLIA) certificate or a CLIA certificate of accreditation if the individual satisfies the specified federal qualification standards.