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.

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.

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.
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.


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.

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.