TITLE 832 STATE BOARD OF FUNERAL AND CEMETERY SERVICE

Proposed Rule
LSA Document #19-435

DIGEST

Adds 832 IAC 9 concerning convictions of concern and related provisions, implementing IC 25-1-1.1-6. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

832 IAC 9

SECTION 1. 832 IAC 9 IS ADDED TO READ AS FOLLOWS:

ARTICLE 9. CONVICTIONS OF CONCERN

Rule 1. Convictions of Concern

832 IAC 9-1-1 Scope

Authority: IC 25-1-1.1-6
Affected: IC 25-15

Sec. 1. This rule implements IC 25-1-1.1-6 regarding convictions of concern, which may disqualify an individual for licensure and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license issued under IC 25-15.

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-1)

832 IAC 9-1-2 Issuance of license

Authority: IC 25-1-1.1-6
Affected: IC 25-15

Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in IC 25-1-1.1-6(h).

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-2)

832 IAC 9-1-3 Authority to issue license on probation

Authority: IC 25-1-1.1-6
Affected: IC 25-1-9-16; IC 25-15

Sec. 3. This rule and IC 25-1-1.1-6 do not limit the authority of a board or committee to issue a license on probation if appropriate under IC 25-1-9-16 or any other applicable statute.

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-3)

832 IAC 9-1-4 Convictions of concern

Authority: IC 25-1-1.1-6
Affected: IC 6-3-6-11; IC 7.1-5-1-3; IC 7.1-5-7-8; IC 9-26-1-1.1; IC 9-30-5; IC 11-8-8; IC 12-17.2-5-1; IC 12-24-17; IC 16-36-5; IC 16-42-19; IC 23-0.5-2-9; IC 23-19-5-2; IC 25; IC 31-33-22; IC 31-34-2.3; IC 35

Sec. 4. The following are convictions of concern:
(1) Crimes involving sexual acts that can be considered without respect to age of conviction are as

follows:

(A) Child molesting (IC 35-42-4-3).
(B) Child seduction (IC 35-42-4-7).
(C) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(D) Incest (IC 35-46-1-3).
(E) Making an unlawful proposition (IC 35-45-4-3).
(F) Prostitution (IC 35-45-4-2).
(G) Rape (IC 35-42-4-1).
(H) Sexual misconduct with a minor (IC 35-42-4-9(a)).

(2) Crimes of violence that can be considered without respect to age of conviction are as follows:

(A) Aggravated battery (IC 35-42-2-1.5).
(B) Attempted murder (IC 35-41-5-1).
(C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
(D) Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
(E) Child molesting (IC 35-42-4-3).
(F) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(G) Involuntary manslaughter (IC 35-42-1-4).
(H) Kidnapping (IC 35-42-3-2).
(I) Murder (IC 35-42-1-1).
(J) Penalties; death or catastrophic injury; death of a law enforcement animal (IC 9-30-5-5) (formerly operating a vehicle while intoxicated causing death).
(K) Classification of offense; serious bodily injury (IC 9-30-5-4) (formerly operating a vehicle while intoxicated causing serious bodily injury to another person).
(L) Rape (IC 35-42-4-1).
(M) Reckless homicide (IC 35-42-1-5).
(N) Resisting law enforcement as a felony (IC 35-44.1-3-1).
(O) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
(P) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
(Q) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
(R) Voluntary manslaughter (IC 35-42-1-3).

(3) Abandonment or neglect of vertebrate animals; defense (IC 35-46-3-7).
(4) Abuse of corpse (IC 35-45-11-2).
(5) Adoption deception (IC 35-46-1-9.5).
(6) Agricultural terrorism (IC 35-47-12-2) (before its repeal).
(7) Altering historic property (IC 35-43-1-6).
(8) Armor-piercing ammunition; offense; exceptions (IC 35-47-5-11.5).
(9) Arson (IC 35-43-1-1).
(10) Assisting a criminal (IC 35-44.1-2-5).
(11) Assisting suicide (IC 35-42-1-2.5).
(12) Attempt under IC 35-41-5-1 to commit an offense listed in this section.
(13) Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
(14) Attendance at fighting contest (IC 35-46-3-10).
(15) Auto theft (IC 35-43-4-2.5) (before its repeal).
(16) Battery (IC 35-42-2-1).
(17) Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosure; referrals; retaliation (IC 35-46-1-13).
(18) Bestiality (IC 35-46-3-14).
(19) Bigamy (IC 35-46-1-2).
(20) Bribery (IC 35-44.1-1-2).
(21) Burglary (IC 35-43-2-1).
(22) Carjacking (IC 35-42-5-2) (before its repeal).
(23) Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
(24) Causing suicide (IC 35-42-1-2).
(25) Cemetery mischief (IC 35-43-1-2.1).
(26) Check deception (IC 35-43-5-5).
(27) Check fraud (IC 35-43-5-12).
(28) Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
(29) Child sexual trafficking (IC 35-42-3.5-1.3).

(30) Child solicitation (IC 35-42-4-6).
(31) "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
(32) Computer trespass; computer hoarding programs (IC 35-43-2-3).
(33) Conflict of interest (IC 35-44.1-1-4).
(34) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
(35) Consumer product tampering; offenses (IC 35-45-8-3).
(36) Contributing to the delinquency of a minor (IC 35-46-1-8).
(37) Conversion (IC 35-43-4-3).
(38) Corrupt business influence (IC 35-45-6-2).
(39) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (IC 35-43-5-2).
(40) Criminal confinement (IC 35-42-3-3).
(41) Criminal mischief; institutional criminal mischief; controlled substances criminal mischief (IC 35-43-1-2).
(42) Criminal organization recruitment (IC 35-45-9-5).
(43) Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
(44) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
(45) Criminal stalking (IC 35-45-10-5).
(46) Criminal transfer of a firearm (IC 35-47-2.5-16).
(47) Criminal trespass; denial of entry; denial by posting with purple marks; permission to enter; exceptions (IC 35-43-2-2).
(48) Criminal use or possession of code grabbing device (IC 35-45-12-2).
(49) Cruelty to a law enforcement animal (IC 35-46-3-11).
(50) Cruelty to a search and rescue dog (IC 35-46-3-11.3).
(51) Cruelty to a service animal (IC 35-46-3-11.5).
(52) Dangerous control of a firearm (IC 35-47-10-6).
(53) Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
(54) Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
(55) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
(56) Dealing in a counterfeit substance (IC 35-48-4-5).
(57) Dealing in a schedule I, II, or III controlled substance or controlled substance analog (IC 35-48-4-2).
(58) Dealing in a schedule IV controlled substance or controlled substance analog (IC 35-48-4-3).
(59) Dealing in a schedule V controlled substance or controlled substance analog (IC 35-48-4-4).
(60) Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5) (before its repeal).
(61) Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5) (before its repeal).
(62) Dealing in cocaine or narcotic drug (IC 35-48-4-1).
(63) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
(64) Dealing in methamphetamine (IC 35-48-4-1.1).
(65) Dealing in paraphernalia (IC 35-48-4-8.5).
(66) Deception (IC 35-43-5-3).
(67) Deception with intent to cause withholding of CPR (IC 16-36-5-28).
(68) Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
(69) Deploying a booby trap (IC 35-47.5-5-10).
(70) Destruction of declaration; forgery of revocation (IC 16-36-5-27).
(71) Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
(72) Destructive devices (IC 35-47.5-5-2).
(73) Directing laser pointer at public safety officer or state police motor carrier inspector (IC 35-47-4.5-4).
(74) Disarming a law enforcement officer (IC 35-44.1-3-2).
(75) Disrupting operation of aircraft; Class B felony (IC 35-47-6-1.6).
(76) Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
(77) Distribution of destructive device, explosive, or detonator to a minor (IC 35-47.5-5-5).
(78) Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
(79) Domestic battery (IC 35-42-2-1.3).
(80) Domestic violence animal cruelty (IC 35-46-3-12.5).
(81) Dumping controlled substance waste (IC 35-48-4-4.1).
(82) Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
(83) Decompression of animals (IC 35-46-3-15) (formerly electrocution or decompression of animals).

(84) Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent (IC 12-24-17-7).
(85) Escape (IC 35-44.1-3-4).
(86) Evasion of tax; offenses; prosecution (IC 6-3-6-11).
(87) Exploitation of a dependent or an endangered adult (IC 35-46-1-12) (formerly exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification).
(88) Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
(89) Failure to appear (IC 35-44.1-2-9).
(90) Failure to make report (IC 31-33-22-1).
(91) Discovery or handling of human remains; failure to report (IC 35-45-19-3) (formerly failure to report a dead body).
(92) Failure to respond to a summons (IC 35-44.1-2-10).
(93) False government issued identification (IC 35-43-5-2.5).
(94) False identity statement (IC 35-44.1-2-4).
(95) False reporting; false informing (IC 35-44.1-2-3).
(96) False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
(97) Feticide (IC 35-42-1-6).
(98) Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
(99) Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
(100) Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
(101) Fraud (IC 35-43-5-4).
(102) Fraud on financial institutions (IC 35-43-5-8).
(103) Ghost employment (IC 35-44.1-1-3).
(104) Harassment; "obscene message" defined (IC 35-45-2-2).
(105) Harboring a non-immunized dog (IC 35-46-3-1).
(106) Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
(107) Hoax devices or replicas (IC 35-47.5-5-6).
(108) Home improvement fraud; offense (IC 35-43-6-12).
(109) Homicide (IC 35-42-1).
(110) Human organ trafficking (IC 35-46-5-1).
(111) Human trafficking (IC 35-42-3.5-1.4).
(112) Identity deception (IC 35-43-5-3.5).
(113) Impersonating a firefighter at an emergency incident area (IC 35-44.1-4-7).
(114) Impersonation of a public servant (IC 35-44.1-2-6).
(115) Inappropriate communication with a child (IC 35-42-4-13).
(116) Indecent display by a youth (IC 35-45-4-6).
(117) Inhaling toxic vapors (IC 35-46-6-2).
(118) Inmate fraud (IC 35-43-5-20).
(119) Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
(120) Insurance fraud (IC 35-43-5-7.2).
(121) Intentional signing of false document; sanctions (IC 23-0.5-2-9).
(122) Interference with custody (IC 35-42-3-4).
(123) Interference with jury service (IC 35-44.1-2-11).
(124) Interference with the reporting of a crime (IC 35-45-2-5).
(125) Interference with witness service (IC 35-44.1-2-12).
(126) Interfering with drug or alcohol screening test (IC 35-43-5-19).
(127) Intimidation (IC 35-45-2-1).
(128) Invasion of privacy; offense; penalties (IC 35-46-1-15.1).
(129) Knife with a detachable blade (IC 35-47-5-2).
(130) Legend drug deception; penalty (IC 35-43-10-3).
(131) Loansharking (IC 35-45-7-2).
(132) Machine gun (IC 35-47-5-8).
(133) Malicious mischief (IC 35-45-16-2).
(134) Making a false sales document (IC 35-43-5-16).
(135) Making an unlawful proposition (IC 35-45-4-3).
(136) Manufacture of paraphernalia (IC 35-48-4-8.1).
(137) Manufacturing methamphetamine (IC 35-48-4-1.2).

(138) Medicaid fraud (IC 35-43-5-7.1).
(139) Money laundering; defenses (IC 35-45-15-5).
(140) Neglect, abuse, or maltreatment of a patient in a state institution; penalty (IC 12-24-17-3).
(141) Neglect of a dependent; child selling (IC 35-46-1-4).
(142) Nitrous oxide distribution; nonmedical purposes (IC 35-46-6-3).
(143) Nonsupport of a dependent child (IC 35-46-1-5).
(144) Nonsupport of a parent (IC 35-46-1-7).
(145) Nonsupport of a spouse (IC 35-46-1-6).
(146) Notario publico deception (IC 35-43-5-3.7).
(147) Notary fraud; notarial fraud (IC 35-43-5-23).
(148) Obscene performance (IC 35-49-3-2).
(149) Obstructing a firefighter (IC 35-44.1-4-8).
(150) Obstructing an emergency medical person (IC 35-44.1-4-9).
(151) Obstruction of delivery of prescription drug (IC 35-45-21-5).
(152) Obstruction of justice (IC 35-44.1-2-2).
(153) Obstruction of traffic (IC 35-44.1-2-13).
(154) Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
(155) Offense against computer users (IC 35-43-1-8).
(156) Offense against intellectual property (IC 35-43-1-7).
(157) Offenses concerning Social Security numbers (IC 35-44.2-4-2).
(158) Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
(159) Official misconduct (IC 35-44.1-1-1).
(160) Operating a motorboat while intoxicated (IC 35-46-9-6).
(161) Operating a vehicle while intoxicated (IC 9-30-5).
(162) Operating loaded machine gun (IC 35-47-5-9).
(163) Operation of home without proper licensure; prohibition (IC 12-17.2-5-1).
(164) Operation of tobacco business near school prohibited (IC 35-46-1-11.2).
(165) Participation in criminal organization; offense (IC 35-45-9-3).
(166) Perjury (IC 35-44.1-2-1).
(167) Permitting child to possess a firearm (IC 35-47-10-7).
(168) Pointing firearm at another person (IC 35-47-4-3).
(169) Possession of a cellular telephone while incarcerated (IC 35-44.1-3-8).
(170) Possession of a controlled substance or controlled substance analog; obtaining a schedule V controlled substance (IC 35-48-4-7).
(171) Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
(172) Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
(173) Possession of a knife on school property (IC 35-47-5-2.5).
(174) Possession of animal fighting paraphernalia (IC 35-46-3-8.5).
(175) Possession of cocaine or narcotic drug (IC 35-48-4-6).
(176) Possession of device or substance to interfere with drug or alcohol screening test (IC 35-43-5-18).
(177) Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
(178) Possession of firearms on school property or a school bus; defense to a prosecution; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
(179) Possession of marijuana, hash oil, hashish, or salvia (IC 35-48-4-11).
(180) Possession of methamphetamine (IC 35-48-4-6.1).
(181) Possession of paraphernalia (IC 35-48-4-8.3).
(182) Possession or sale of drug precursors (IC 35-48-4-14.5).
(183) Professional gambling; professional gambling over the Internet (IC 35-45-5-3).
(184) Profiteering from public service (IC 35-44.1-1-5).
(185) Profiting from adoption (IC 35-46-1-9).
(186) "Machine gun"; prohibited sales or transfers of ownership (IC 35-47-2-7).
(187) Promoting an animal fighting contest (IC 35-46-3-9.5).
(188) Promoting professional gambling; acts constituting; boat manufacturers; public utilities (IC 35-45-5-4).
(189) Promoting prostitution (IC 35-45-4-4).
(190) Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
(191) Promotion of human labor trafficking (IC 35-42-3.5-1).

(192) Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
(193) Promotion, use of animals, or attendance with animal at animal fighting contest (IC 35-46-3-9).
(194) Public indecency (IC 35-45-4-1).
(195) Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
(196) Public nudity (IC 35-45-4-1.5).
(197) Public safety remote aerial interference (IC 35-44.1-4-10).
(198) Purchase or possession of animals for fighting contests (IC 35-46-3-8).
(199) "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
(200) Railroad mischief (IC 35-43-1-2.3).
(201) Reckless supervision (IC 35-46-1-4.1).
(202) Refusal to aid an officer (IC 35-44.1-3-3).
(203) Registration violations; penalty (IC 11-8-8-17).
(204) Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
(205) Remote aerial harassment (IC 35-45-10-6).
(206) Removal of attack dog's vocal cords; animal cruelty (IC 35-46-3-13).
(207) Residential entry (IC 35-43-2-1.5).
(208) Resisting law enforcement (IC 35-44.1-3-1).
(209) Rioting (IC 35-45-1-2).
(210) Robbery (IC 35-42-5-1).
(211) Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
(212) Sale of kit or device for unauthorized use of cable television system services (IC 35-43-5-6.5).
(213) Sale or distribution of HIV testing equipment (IC 35-45-21-2).
(214) Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited (IC 7.1-5-7-8).
(215) Sex offender Internet offense (IC 35-42-4-12).
(216) Sex offender residency restrictions (IC 35-42-4-11).
(217) Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
(218) Sexual battery (IC 35-42-4-8).
(219) Sexual misconduct with a service provider (IC 35-44.1-3-10).
(220) Sexually violent predator; duty to notify (IC 11-8-8-18).
(221) Stolen valor fraud (IC 35-43-5-22).
(222) Strangulation (IC 35-42-2-9).
(223) Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer (IC 35-47-8-5).
(224) Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5) (before its repeal).
(225) Synthetic identity deception (IC 35-43-5-3.8).
(226) "Synthetic urine" (IC 35-43-5-19.5).
(227) Tampering with a water supply; poisoning (IC 35-43-1-5).
(228) Tattooing or body piercing a minor (IC 35-45-21-4).
(229) Terrorism (IC 35-47-12-1) (before its repeal).
(230) Terroristic deception (IC 35-43-5-3.6) (before its repeal).
(231) Terroristic mischief (IC 35-47-12-3) (before its repeal).
(232) Theft (IC 35-43-4-2).
(233) Threats; refusal to join or withdrawal from organization; intimidation offense (IC 35-45-9-4).
(234) Torture or mutilation of a vertebrate animal; killing a domestic animal (IC 35-46-3-12).
(235) Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
(236) Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
(237) Transferring contaminated body fluids (IC 35-45-21-1).
(238) Unauthorized adoption advertising (IC 35-46-1-21).
(239) Unauthorized adoption facilitation (IC 35-46-1-22).
(240) Undisclosed transport of dangerous device (IC 35-47-6-1.1).
(241) Unlawful acts relating to caves; offense (IC 35-43-1-3).
(242) Unlawful documentation of a gift of organs, tissue, eyes, or body parts (IC 35-46-5-4).
(243) Unlawful employment by a sexual predator (IC 35-42-4-10).
(244) Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
(245) Unlawful entry to restricted area of airport (IC 35-47-6-1.4).
(246) Unlawful gambling (IC 35-45-5-2).
(247) Unlawful delivery, manufacture, distribution, or possession of a substance represented to be a controlled substance; factors (IC 35-48-4-4.6).
(248) Unlawful manufacture or sale of police or fire insignia (IC 35-44.1-2-8).

(249) Unlawful participation in human cloning; exception (IC 35-46-5-2).
(250) Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
(251) Unlawful possession of a card skimming device (IC 35-43-5-4.3).
(252) Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
(253) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
(254) Unlawful practices; investment advisers and investment adviser representatives; investment advisory contract (IC 23-19-5-2).
(255) Unlawful promotion or organization of combative fighting (IC 35-45-18-3).
(256) Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
(257) Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
(258) Unlawful transfer of fetal tissue (IC 35-46-5-1.5).
(259) Unlawful use of a communications medium; definitions (IC 35-45-2-3) (before its repeal).
(260) Unlawful use of body armor (IC 35-47-5-13).
(261) Unlawful use of a police radio (IC 35-44.1-2-7).
(262) Use of overpressure device (IC 35-47.5-5-9).
(263) Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
(264) Vicarious sexual gratification; sexual conduct in presence of a minor (IC 35-42-4-5).
(265) Violation of certain no contact orders; offense; penalty (IC 35-46-1-15.3).
(266) Violation of civil rights (IC 35-46-2-1).
(267) Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
(268) Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
(269) Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
(270) Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
(271) Violation of IC 25-5.2-2-12 (misconduct by athlete agent) under IC 25-5.2-2-12.
(272) Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
(273) Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
(274) Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
(275) Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
(276) Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
(277) Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
(278) Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
(279) Violation of IC 25-14-1-25.5 (preventing a dentist from following retirement procedures) under IC 25-14-1-25.5.
(280) Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
(281) Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
(282) Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
(283) Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
(284) Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
(285) Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
(286) Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
(287) Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
(288) Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
(289) Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
(290) Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
(291) Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistant) under IC 25-22.5-8-1 and IC 25-22.5-8-2.
(292) Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
(293) Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
(294) Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
(295) Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
(296) Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
(297) Violation of IC 25-23.6-4.5 (violation of mental health counselor statute) under IC 25-23.6-4.5-4.
(298) Violation of IC 25-23.6-7-6 (providing false information about counselor's educational background) under IC 25-23.6-7-7.
(299) Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
(300) Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
(301) Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human

services board) under IC 25-23.6-11-2.
(302) Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
(303) Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
(304) Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
(305) Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
(306) Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
(307) Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
(308) Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
(309) Violation of IC 25-26-21 (unauthorized provision of home medical equipment services) under IC 25-26-21-11.
(310) Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
(311) Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
(312) Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
(313) Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
(314) Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
(315) Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
(316) Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.
(317) Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
(318) Violation of IC 25-31.5-8-7 (unauthorized practice as a registered professional soil scientist) under IC 25-31.5-8-7.
(319) Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
(320) Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
(321) Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
(322) Violation of IC 25-36.1-2 (violation of certified surgical technology statute) under IC 25-36.1-2-3.
(323) Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
(324) Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
(325) Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
(326) Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5.
(327) Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
(328) Violation of Indiana Legend Drug Act (IC 16-42-19).
(329) Violation of order by parent or other custodian of child (IC 31-34-2.3-7).
(330) Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
(331) Violations (IC 35-43-9-7).
(332) Visiting a common nuisance; maintaining a common nuisance (IC 35-45-1-5).
(333) Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
(334) Welfare fraud (IC 35-43-5-7).
(335) Worker's compensation fraud (IC 35-43-5-21).

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-4)

832 IAC 9-1-5 Crimes in another jurisdiction

Authority: IC 25-1-1.1-6
Affected: IC 25-15

Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that will disqualify an individual from receiving a license and therefore included on the list.

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-5)

832 IAC 9-1-6 Prelicensure determinations; fee

Authority: IC 25-1-1.1-6
Affected: IC 25-15

Sec. 6. The fee for a petition under IC 25-1-1.1-6(g) for a determination as to whether the individual's misdemeanor or felony conviction may disqualify the individual from receiving a license or certification shall be twenty-five dollars ($25).

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-6)

Notice of Public Hearing

Posted: 06/17/2020 by Legislative Services Agency
An html version of this document.