

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; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA*)

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; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA*)

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; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA*)

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).

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- (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) *[IC 35-43-5-5 was repealed by P.L. 174-2021, SECTION 53, effective July 1, 2021.]*
 - (27) Check fraud (IC 35-43-5-12) *[IC 35-43-5-12 was repealed by P.L. 174-2021, SECTION 60, effective July 1, 2021.]*
 - (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).

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- (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) [*IC 35-43-5-3 was repealed by P.L. 174-2021, SECTION 45, effective July 1, 2021.*].
- (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).

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- (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) *[IC 35-43-5-8 was repealed by P.L. 174-2021, SECTION 59, effective July 1, 2021.]*
- (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) *[IC 35-43-6-12 was repealed by P.L. 174-2021, SECTION 66, effective July 1, 2021.]*
- (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) *[IC 35-43-5-20 was repealed by P.L. 174-2021, SECTION 63, effective July 1, 2021.]*
- (119) Insurance fraud; insurance application fraud (IC 35-43-5-4.5) *[IC 35-43-5-4.5 was repealed by P.L. 174-2021, SECTION 48, effective July 1, 2021.]*
- (120) Insurance fraud (IC 35-43-5-7.2) *[IC 35-43-5-7.2 was repealed by P.L. 174-2021, SECTION 58, effective July 1, 2021.]*
- (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).

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- (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) *[IC 35-43-5-16 was repealed by P.L. 174-2021, SECTION 62, effective July 1, 2021.]*.
- (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) *[IC 35-43-5-7.1 was repealed by P.L. 174-2021, SECTION 57, effective July 1, 2021.]*.
- (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) *[IC 35-43-5-15 was repealed by P.L. 174-2021, SECTION 61, effective July 1, 2021.]*.
- (173) Possession of a knife on school property (IC 35-47-5-2.5).

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- (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) *[IC 35-43-5-6.5 was repealed by P.L. 174-2021, SECTION 55, effective July 1, 2021.]*
- (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).

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- (220) Sexually violent predator; duty to notify (IC 11-8-8-18).
- (221) Stolen valor fraud (IC 35-43-5-22) *[IC 35-43-5-22 was repealed by P.L. 174-2021, SECTION 65, effective July 1, 2021.]*.
- (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) *[IC 35-43-5-4.6 was repealed by P.L. 174-2021, SECTION 51, effective July 1, 2021.]*.
- (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)*[IC 35-43-5-3 was repealed by P.L. 174-2021, SECTION 45, effective July 1, 2015.]*.
- (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).

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- (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.

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- (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) [IC 35-43-9-7 was repealed by P.L. 174-2021, SECTION 71, effective July 1, 2021.].
- (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) [IC 35-43-5-7 was repealed by P.L. 174-2021, SECTION 56, effective July 1, 2021.].
- (335) Worker's compensation fraud (IC 35-43-5-21) [IC 35-43-5-21 was repealed by P.L. 174-2021, SECTION 64, effective July 1, 2021.].

(State Board of Funeral and Cemetery Service; 832 IAC 9-1-4; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA)

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; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA)*

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; filed Sep 10, 2020, 3:21 p.m.: 20201007-IR-832190435FRA)*

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