
Indiana Register

Intent to Readopt Rules

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Readopted Rules

TITLE 750 DEPARTMENT OF FINANCIAL INSTITUTIONS

LSA Document #01-343

Under IC 4-22-2.5-4, the Department of Financial Institutions intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

OVERVIEW: Rules to be readopted without changes are as follows:

750 IAC 3 CREDIT UNIONS
750 IAC 6 INDUSTRIAL LOAN AND INVESTMENT
750 IAC 7 PAWNBROKING

Questions or comments on the readoption may be directed by mail to the Department of Financial Institutions, 402 West Washington Street, Room W066, Indianapolis, Indiana 46204-2759 or by electronic mail to cmckay@dfi.state.in.us. Statutory authority: IC 24-4.5-1-106; IC 28-1-2-7; IC 28-1-2-8; IC 28-5-1-9; IC 28-5-1-17; IC 28-7-1-1; IC 28-7-5-12.

Readopted Rules

TITLE 10 OFFICE OF ATTORNEY GENERAL FOR THE STATE

LSA Document #01-311

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

10 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

10 IAC 2 CONTRACT APPROVAL

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 5, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Fifth Floor Administrative Conference Room, Indianapolis, Indiana the Office of Attorney General for the State will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Greg Zoeller
Office of the Attorney General
Indiana Government Center-South
402 West Washington Street, Fifth Floor
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Indiana Government Center-South, Fifth Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Greg Zoeller
Chief Counsel, Advisory
Office of Attorney General for the State

TITLE 20 STATE BOARD OF ACCOUNTS

LSA Document #01-192

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

20 IAC 1

20 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

20 IAC 1 FIELD EXAMINERS

20 IAC 2 TAX INCREMENT FINANCE

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 8, 2001 at 9:00 a.m., at the Indiana Government Center-South, 302 West Washington Street, Room E418, Indianapolis, Indiana the State Board of Accounts will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Charles Johnson III, CPA
State Examiner
State Board of Accounts
Indiana Government Center-South
302 West Washington Street
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Charles Johnson III, CPA
State Examiner
State Board of Accounts

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #01-286

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

65 IAC 1

65 IAC 2

65 IAC 3

65 IAC 4-1

65 IAC 4-2

65 IAC 4-3

65 IAC 4-205

65 IAC 4-248

65 IAC 4-279

65 IAC 4-287

65 IAC 4-332

65 IAC 4-354

65 IAC 4-441

65 IAC 4-442

65 IAC 4-443

65 IAC 4-444

65 IAC 4-446

65 IAC 5-1

Readopted Rules

65 IAC 5-2
65 IAC 5-3
65 IAC 5-5
65 IAC 5-6
65 IAC 5-7
65 IAC 5-9

65 IAC 5-10
65 IAC 5-12
65 IAC 6-1
65 IAC 6-2
65 IAC 6-3

*Legislative Services Agency, One North Capitol, Suite 325,
Indianapolis, Indiana and are open for public inspection.*

James F. Maguire
Director
State Lottery Commission

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING
ARE READOPTED:

65 IAC 1 THE COMMISSION
65 IAC 2 PROCUREMENT
65 IAC 3 RETAILERS
65 IAC 4-1 Definitions
65 IAC 4-2 General Provisions
65 IAC 4-3 Payment of Prizes
65 IAC 4-205 Instant Game 473
65 IAC 4-248 Instant Game 249
65 IAC 4-279 Instant Game 256
65 IAC 4-287 Instant Game 287
65 IAC 4-332 Instant Game 341
65 IAC 4-354 Instant Game 356
65 IAC 4-441 Instant Game 587
65 IAC 4-442 Instant Game 687
65 IAC 4-443 Instant Game 504
65 IAC 4-444 Instant Game 499
65 IAC 4-446 Instant Game 199
65 IAC 5-1 Definitions
65 IAC 5-2 General Provisions
65 IAC 5-3 Payment of Prizes
65 IAC 5-5 Daily3
65 IAC 5-6 Daily4
65 IAC 5-7 Lotto America
65 IAC 5-9 Lucky 5
65 IAC 5-10 Hoosier Lotto
65 IAC 5-12 Hoosier Lottery Powerball
65 IAC 6-1 Definitions
65 IAC 6-2 General Provisions
65 IAC 6-3 Payment of Prizes

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 8, 2001 at 9:00 a.m., at the State Lottery Commission, 201 South Capitol Avenue, Suite 1100, Indianapolis, Indiana, the State Lottery Commission will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*State Lottery Commission
Janna J. Shisler, General Counsel
201 South Capitol Avenue, Suite 1100
Indianapolis, Indiana 46225.*

Copies of these rules are now on file at the State Lottery Commission, 201 South Capitol Avenue, Suite 1100 and

TITLE 105 INDIANA DEPARTMENT OF TRANSPORTATION

LSA Document #01-234

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

105 IAC 1	105 IAC 6-2
105 IAC 2	105 IAC 7
105 IAC 3	105 IAC 9
105 IAC 4	105 IAC 10
105 IAC 5	105 IAC 11
105 IAC 6-1	105 IAC 12

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING
ARE READOPTED:

105 IAC 1 PROCEDURAL REQUIREMENTS
105 IAC 2 AIRCRAFT OPERATION
105 IAC 3 AIRPORTS
105 IAC 4 LIGHTER-THAN-AIR AIRCRAFT
105 IAC 5 RAILROADS
105 IAC 6-1 REAL ESTATE SPECULATION BY EMPLOYEES PROHIBITED
105 IAC 6-2 LICENSING OF CONTRACTORS
105 IAC 7 PERMITS FOR HIGHWAYS
105 IAC 9 TRAFFIC CONTROL DEVICES FOR HIGHWAYS
105 IAC 10 OVERSIZE AND/OR OVERWEIGHT VEHICULAR PERMITS FOR HIGHWAYS
105 IAC 11 PREQUALIFICATION OF CONTRACTORS AND BIDDING
105 IAC 12 PROCUREMENT OF SUPPLIES AND SERVICES

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 7, 2001 at 10:00 a.m., at the Indiana Government Center-North, 100 North Senate Avenue, Room 730, Indianapolis, Indiana the Indiana Department of Transportation will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Readopted Rules

Indiana Department of Transportation
Indiana Government Center-North
100 North Senate Avenue, Room 730
Indianapolis, Indiana 46204

or by electronic mail to whuff@indot.state.in.us.

Copies of these rules are now on file at the Indiana Government Center-North, 100 North Senate Avenue, Room 730 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

J. Bryan Nicol
Commissioner
Indiana Department of Transportation

TITLE 130 INDIANA PORT COMMISSION

LSA Document #01-319

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

130 IAC 1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

130 IAC 1 REGULATION OF TRAFFIC; PROTECTION OF PROPERTY; PRESERVATION OF ORDER

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 7, 2001 at 10:00 a.m., at the Indiana Port Commission, 150 West Market Street, Suite 100, Indianapolis, Indiana the Indiana Port Commission will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Indiana Port Commission
Attention: William Niemier, General Counsel
150 West Market Street, Suite 100
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana Port Commission, 150 West Market Street, Suite 100 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

William D. Friedman
Executive Director
Indiana Port Commission

TITLE 205 INDIANA CRIMINAL JUSTICE INSTITUTE

LSA Document #01-219

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

205 IAC 1 205 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

205 IAC 1 SLOW MOVING VEHICLE EMBLEM
205 IAC 2 PUBLIC SAFETY IMPROVEMENT AREAS

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 1, 2001 at 1:00 p.m., at the Indiana Criminal Justice Institute, One North Capitol Avenue, Suite 1000, Indianapolis, Indiana the Indiana Criminal Justice Institute will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Kathryn Janeway
General Counsel
Indiana Criminal Justice Institute
One North Capitol Avenue, Suite 1000
Indianapolis, Indiana 46204-2038.*

Copies of these rules are now on file at the Indiana Criminal Justice Institute, One North Capitol, Suite 1000 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Catherine O'Connor
Executive Director
Indiana Criminal Justice Institute

TITLE 210 DEPARTMENT OF CORRECTION

LSA Document #01-292

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

210 IAC 1 210 IAC 2

210 IAC 3 210 IAC 5

Readopted Rules

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 210 IAC 1 GENERAL PROVISIONS
- 210 IAC 2 COMMUNITY BASED CORRECTIONS
- 210 IAC 3 COUNTY JAIL STANDARDS
- 210 IAC 5 PAROLE AUTHORITY FOR JUVENILES

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 6, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Training Room 8, Indianapolis, Indiana the Department of Correction will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Department of Correction
Attention: Legal Services Division
Indiana Government Center-South
302 West Washington Street, Room E334
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E334 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Diane Mains
Staff Counsel
Department of Correction

TITLE 220 PAROLE BOARD

LSA Document #01-291

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

220 IAC 1.1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

- 220 IAC 1.1 GENERAL PROVISIONS

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 6, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Training Room 8, Indianapolis, Indiana the Parole Board will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from

this action must be made in writing within 30 days of this publication. Send written comments to:

*Parole Board
Indiana Government Center-South
302 West Washington Street
Room E321
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Parole Board, Indiana Government Center-South, 302 West Washington Street, Room E321 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Raymond J. Justak
Chairman
Parole Board

TITLE 270 ADJUTANT GENERAL

LSA Document #01-320

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

270 IAC 1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

- 270 IAC 1 MILITARY PROPERTY

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 15, 2001 at 9:00 a.m., at the Adjutant General's office, 2002 South Holt Road, Building No. 1, Room 188, Indianapolis, Indiana the Adjutant General will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*LTC George Thompson
Office of the Adjutant General
2002 South Holt Road
Indianapolis, Indiana 46241.*

Copies of these rules are now on file at the Adjutant General's office, 2002 South Holt Road and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

LTC George Thompson
Office of the Adjutant General

Readopted Rules

TITLE 370 STATE EGG BOARD

LSA Document #01-317

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

370 IAC 1-1 **370 IAC 1-6**
370 IAC 1-2 **370 IAC 1-8**
370 IAC 1-3 **370 IAC 1-9**
370 IAC 1-4 **370 IAC 1-10**
370 IAC 1-5

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

370 IAC 1-1 Statement of Order and Definition
370 IAC 1-2 Temperature Requirements
370 IAC 1-3 Display and Labeling; Restricted Eggs
370 IAC 1-4 Inspections and Non-compliance
370 IAC 1-5 Advertising
370 IAC 1-6 Grade and Size Identification
370 IAC 1-8 Fresh Eggs
370 IAC 1-9 Wholesaler Records
370 IAC 1-10 Sanitation Requirements

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 7, 2001 at 10:00 a.m., at Purdue University, Purdue Memorial Union, Room 112, West Lafayette, Indiana the State Egg Board will hold a public hearing to readopt rules.

Requests for any part of this readoption to separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*David Steen
1026 Poultry Science Building
Room 101
West Lafayette, Indiana 47907.*

Copies of these rules are now on file at Purdue University, 1026 Poultry Science Building, Room 101, West Lafayette, Indiana and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

David J. Steen
Executive Administrator
State Egg Board

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-240

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

410 IAC 5-10.1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

410 IAC 5-10.1 Wireline Service Operations and Subsurface Tracer Studies; Safety Standards

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 1, 2001 at 11:00 a.m., at the Indiana State Department of Health, 2 North Meridian Street, Rice Auditorium, Indianapolis, Indiana the Indiana State Department of Health will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Indiana State Department of Health
Office of Legal Affairs
2 North Meridian Street
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana State Department of Health, 2 North Meridian Street, 5th Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gregory A. Wilson, M.D.
State Health Commissioner
Indiana State Department of Health

TITLE 550 BOARD OF TRUSTEES OF THE INDIANA STATE TEACHERS' RETIREMENT FUND

LSA Document #01-287

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

Readopted Rules

550 IAC 2-1
550 IAC 2-2
550 IAC 2-3
550 IAC 2-4
550 IAC 2-5

550 IAC 2-6
550 IAC 2-7
550 IAC 2-8
550 IAC 2-9
550 IAC 3

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

550 IAC 2-1 Definitions
550 IAC 2-2 Administrative Matters
550 IAC 2-3 Suspension of Membership
550 IAC 2-4 Membership
550 IAC 2-5 Service Credit and Contributions
550 IAC 2-6 Death in Service Benefits
550 IAC 2-7 Retirement
550 IAC 2-8 Reemployment
550 IAC 2-9 Disability
550 IAC 3 MODEL PLAN AMENDMENT

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 2, 2001 at 10:00 a.m., at the Board of Trustees of the Indiana State Teachers' Retirement Fund, 150 West Market Street, Board Room, Suite 300, Indianapolis, Indiana the Board of Trustees of the Indiana State Teachers' Retirement Fund will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Thomas N. Davidson, General Counsel
Indiana State Teachers' Retirement Fund
150 West Market Street, Suite 300
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Board of Trustees of the Indiana State Teachers' Retirement Fund, 150 West Market Street, Suite 300 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

William E. Chistopher, Ph.D.
Executive Director
Board of Trustees of the Indiana State Teachers'
Retirement Fund

TITLE 610 DEPARTMENT OF LABOR

LSA Document #01-313

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

610 IAC 4

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

610 IAC 4 SAFETY EDUCATION AND TRAINING OCCUPATIONAL SAFETY

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 20, 2001 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington, Room W195, Indianapolis, Indiana the Department of Labor will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Department of Labor
Indiana Government Center-South,
402 West Washington Street, Room W195
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W195 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

John P. Griffin
Commissioner
Department of Labor

TITLE 615 BOARD OF SAFETY REVIEW

LSA Document #01-314

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

615 IAC 1-2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

615 IAC 1-2 Procedures Governing Adjudicative Proceedings Before the Board of Safety Review

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 13, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington, Room W195, Indianapolis, Indiana the Board of Safety Review will hold a

public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Board of Safety Review
Indiana Government Center-South
402 West Washington Street, Room W195
Indianapolis, Indiana 46204.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W195 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

John Lindenschmidt
Chair
Board of Safety Review

**TITLE 620 OCCUPATIONAL SAFETY
STANDARDS COMMISSION**

LSA Document #01-315

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

620 IAC 1-3

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

620 IAC 1-3 Procedures Governing Permanent and Temporary Variances

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 19, 2001 at 10:30 a.m., at the Indiana Government Center-South, 402 West Washington, Room W195, Indianapolis, Indiana the Occupational Safety Standards Commission will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Occupational Safety Standards Commission
Indiana Government Center-South
402 West Washington Street, Room W195
Indianapolis, Indiana 46204.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W195

and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

John P. Griffin
Commissioner
Occupational Safety Standards Commission

**TITLE 839 SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST, AND MENTAL
HEALTH COUNSELOR BOARD**

LSA Document #01-158

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

839 IAC 1-1-3.5	839 IAC 1-4-5
839 IAC 1-1-4	839 IAC 1-4-6
839 IAC 1-2-1	839 IAC 1-5-1
839 IAC 1-2-2	839 IAC 1-5-2
839 IAC 1-3-1	839 IAC 1-5-3
839 IAC 1-3-2	839 IAC 1-6-1
839 IAC 1-3-2.5	839 IAC 1-6-2
839 IAC 1-3-3.5	839 IAC 1-6-3
839 IAC 1-3-4	839 IAC 1-6-5
839 IAC 1-3-4.5	

SECTION 1. UNDER IC 4-22-2.5-3, 839 IAC 1-1-3.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-1-3.5 "LCSW" defined

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6

Sec. 3.5. "LCSW" means a licensed clinical **social** worker licensed under IC 25-23.6. (*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-1-3.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1503*)

SECTION 2. UNDER IC 4-22-2.5-3, 839 IAC 1-1-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-1-4 "Practitioner" defined

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6

Sec. 4. "Practitioner" means a social worker, ~~licensed under IC 25-23.6~~; a clinical social worker ~~licensed under IC 25-23.6~~; a marriage and family therapist, ~~licensed under IC 25-23.6~~; or a mental health counselor licensed under IC 25-23.6. (*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-1-4; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504*)

Readopted Rules

SECTION 3. UNDER IC 4-22-2.5-3, 839 IAC 1-2-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-2-1 Application by examination

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6

Sec. 1. (a) An applicant for licensure as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall make application ~~therefore~~ in writing on forms provided by the board and shall furnish ~~evidence~~ satisfactory **evidence** to the board that the qualifying requirements have been met as provided for in the state licensing statutes, 839 IAC 1-3, 839 IAC 1-4, and 839 IAC 1-5.

(b) Applicants for ~~licensure as a social worker clinical social worker, or marriage and family therapist~~ license shall be required to pass the **intermediate level of the national examination** for such license with a converted score of ~~seventy-five (75) or higher, as provided by the Association of Social Work Boards.~~

(c) Applicants for licensure as a clinical social worker shall be required to pass the **clinical level of the national examination as provided by the Association of Social Work Boards.**

(d) Applicants for licensure as a marriage and family therapist shall be required to pass the **national examination as provided by the American Marriage and Family Therapist Regulatory Board.**

(e) Applicants for licensure as a mental health counselor shall be required to pass the **National Clinical Mental Health Counselor Examination as provided by the National Board for Certified Counselors.**

~~(f)~~ (f) All applications for the **Licensed Social Worker and Licensed Clinical Social Worker** examination must be complete in every respect, including accompanying data and the required fee, ~~and filed with the board at least forty-five (45) days prior to the examination for which application is being made.~~

(g) All applications for the **Licensed Mental Health Counselor and Licensed Marriage and Family Therapist** examination must be complete in every respect, including accompanying data and the required fee, **and filed with the board at least ninety (90) days prior to the examination for which application is being made.** (*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-2-1; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504*)

SECTION 4. UNDER IC 4-22-2.5-3, 839 IAC 1-2-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-2-2 License renewal

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6-5

Sec. 2. (a) A license to practice social work, clinical social work, marriage and family therapy, or mental health counseling will expire on April 1 of even-numbered years. ~~beginning in 1994.~~

(b) Applicants for renewal of licensure shall pay a renewal fee.

(c) Applications for renewal shall be mailed to the last known address of the practitioner. Failure to receive the application for renewal shall not relieve the practitioner of the responsibility for renewing the license by the renewal date.

(d) It is the responsibility of the practitioner to notify the health professions bureau of an address change.

~~(e)~~ (e) If a license has been expired for longer than three (3) years, the practitioner may renew the license by ~~filing an application provided by the board, paying all current and past due renewal fees plus a penalty fee for late renewal, and passing an examination as required under section 1 of this rule.~~ **meeting the following requirements:**

- (1) **File a renewal application provided by the board.**
- (2) **Pay current renewal fees.**
- (3) **Pay penalty fee for late renewal.**
- (4) **Submit a detailed letter of explanation to the board as to why the license has lapsed.**
- (5) **Submit proof of having met the continuing education requirements for one (1) renewal cycle within the previous twenty-four (24) months.**
- (6) **Make a personal appearance before the board, as the board in its discretion may require.**
- (7) **Pass the national examination, as the board in its discretion may require.**

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-2-2; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504)

SECTION 5. UNDER IC 4-22-2.5-3, 839 IAC 1-3-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-1 Educational institution requirements for social worker's licensure

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6-5-1

Sec. 1. "Institution of higher education approved by the board", as used in IC 25-23.6-5-1, means an institution of higher education that has a program that is accredited or approved for candidacy by the Council on Social Work Education at the time the applicant was granted the degree. For an applicant whose degree was granted prior to June 30, 1995, the

term also includes a nonaccredited program **in social work or clinical social work** from an institution of higher education. (*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-1; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2457; filed Nov 4, 1992, 5:00 p.m.: 16 IR 871; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505, eff Jul 1, 1999*)

SECTION 6. UNDER IC 4-22-2.5-3, 839 IAC 1-3-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-2 Licensure by examination for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-22.5; IC 25-23.6-5-1; IC 25-23.6-5-3.5; IC 25-33

Sec. 2. (a) An applicant for licensure as a social worker or clinical social worker shall pass an examination required by the board.

(b) As used in IC 25-23.6-5-1, and ~~IC 25-23.6-5-3.5~~, “experience” for a social worker means: full-time paid experience of at least one thousand five hundred (1,500) hours per year. Part-time experience will be considered if the applicant can verify a total of four thousand five hundred (4,500) hours; three thousand (3,000) hours of which must take place after receiving the graduate degree:

- (1) a year’s experience required for a license as a social worker is defined as paid, supervised experience of at least one thousand five hundred (1,500) hours;
- (2) part-time experience shall be considered if the applicant has worked less than one thousand five hundred (1,500) hours in a twelve (12) month period of time;
- (3) experience shall be obtained after receiving the degree required for the social work license; and
- (4) a year’s experience shall not be obtained in less than twelve (12) months.

(c) As used in IC 25-23.6-5-3.5, “experience” for a clinical social worker means:

- (1) a year’s experience required for a license as a clinical social worker is defined as paid, supervised experience of at least one thousand five hundred (1,500) hours;
- (2) part-time experience shall be considered if the applicant has worked less than one thousand five hundred (1,500) hours in a twelve (12) month period of time;
- (3) one (1) year’s experience, or one thousand five hundred (1,500) hours of part time experience, may be obtained prior to completion of the graduate degree, but must be postbaccalaureate; and
- (4) a year’s experience shall not be obtained in less than twelve (12) months.

(~~e~~) (d) As used in IC 25-23.6-5-1 and IC 25-23.6-5-3.5, supervision must be face-to-face contact between the supervisor and supervisee for the purpose of assisting the supervisee in the

process of learning the skills of social work or clinical social work practice for a minimum of four (4) hours per month.

(~~d~~) As used in ~~IC 25-23.6-5-1~~, “equivalent supervisor” means a psychologist licensed under IC 25-33 or a physician licensed under IC 25-22.5 who has training in psychiatric medicine:

(~~d~~) (e) As used in IC 25-23.6-5-3.5, “equivalent supervisor” means a licensed clinical social worker under IC 25-23.6-5-1, a psychologist licensed under IC 25-33, a physician licensed under IC 25-22.5 who has training in psychiatric medicine, a marriage and family therapist licensed under IC 25-23.6, or a mental health counselor licensed under IC 25-23.6.

(f) Experience, as that term is used in IC 25-23.6-5-1 and IC 25-23.6-5-3.5, shall be earned as an employee in one (1) of the following settings:

- (1) Social service agencies.
- (2) Schools.
- (3) Institutions of higher education.
- (4) Hospitals.
- (5) Private practice.
- (6) Mental health centers.
- (7) Correctional institutions.
- (8) Home health agencies.
- (9) Long term health care facilities.
- (10) Employee assistance programs.
- (11) Occupational social services.
- (12) Military facilities.

(*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-2; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2457; filed Nov 4, 1992, 5:00 p.m.: 16 IR 871; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505, eff Jul 1, 1999*)

SECTION 7. UNDER IC 4-22-2.5-3, 839 IAC 1-3-2.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-2.5 Temporary permits for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-11

Sec. 2.5. (a) As used in ~~IC 25-23.6-5-11~~, IC 25-23.6-5-11, “the date the board disapproves the individual’s license application” means the date an applicant for licensure receives notice from the board of:

- (1) failure of the required examination; or
- (2) denial of the individual’s license application.

(b) As used in ~~IC 25-23.6-5-11~~, IC 25-23.6-5-11, “good cause” means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a social worker or as a

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clinical social worker ~~that who~~ fails the ~~required~~ initial examination shall ~~not be issued a second~~ **may renew** the temporary permit, **a maximum of two (2) times, under the following conditions:**

(1) **Must retake the repeat examination within six (6) months of the date of the previously failed examination; failure to take within the six (6) months will automatically invalidate the temporary permit.**

(2) **Any practice subsequent to examination failure:**

(A) **must be done under the supervision of a:**

- (i) **licensed clinical social worker;**
- (ii) **licensed mental health counselor;**
- (iii) **licensed marriage and family therapist;**
- (iv) **psychologist; or**
- (v) **physician who has training in psychiatric medicine; and**

(B) **may not be in private practice.**

(d) As used in IC 25-23.6-5-11, "national association approved by the board" means either of the following:

- (1) National Association of Social Workers.
- (2) Any national social work association with educational and clinical experience requirements substantially equivalent to National Association of Social Workers.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-2.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506, eff Jul 1, 1999)

SECTION 8. UNDER IC 4-22-2.5-3, 839 IAC 1-3-3.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-3.5 Exemption from examination for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-11; IC 25-23.6-5-14

Sec. 3.5. (a) An examination shall be considered to be substantially equivalent, as used in IC 25-23.6-5-11 and IC 25-23.6-5-14, if the examination is the same examination used by the board and is equal to or higher than the level for which licensure is being requested. The board will review all examinations other than the one used by the board to determine equivalency.

(b) A year in the practice of social work or clinical social work, as used in IC 25-23.6-5-14, means full-time, paid experience of at least one thousand five hundred (1,500) hours per year. Part-time experience will be considered if the applicant can verify a total of four thousand five hundred (4,500) hours. Applicants for licensure as a clinical social worker under this section must verify that two (2) of the years in the full-time practice of clinical social work or three thousand (3,000) hours of part-time practice took place after receiving the graduate degree. *(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-3.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506, eff Jul 1, 1999)*

SECTION 9. UNDER IC 4-22-2.5-3, 839 IAC 1-3-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-4 Standards for the competent practice of social work and clinical social work

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 4. (a) The competent practice of social work **and clinical social work** requires remaining current with generally accepted developments within the area of specialization and the development and exercise of judgment as to when to apply specific procedures in a reasonable, effective, efficient, and economical manner.

(b) The competent practice of social work **and clinical social work** includes acting within generally accepted ethical principles and guidelines of the profession and maintaining an awareness of personal and professional limitations. These ethical principles include, but are not limited to, the following:

(1) A social worker **or clinical social worker** shall provide a clear description of what the client may expect in the way of services, reports, fees, billing, and schedules.

(2) A social worker **or clinical social worker** shall not misrepresent the social worker's qualifications, training, or experience. If a social worker **or a clinical social worker** engages in advertising, the social worker's credentials shall be presented factually.

(3) A social worker **or clinical social worker** may not practice beyond the social worker's competence. A social worker **or clinical social worker** shall make appropriate referrals when the client's needs exceed the social worker's competency level. Such referrals should be timely.

(4) A social worker **or clinical social worker** shall assure that referrals are always based solely on the best interest of the client and not for personal gain.

(5) A social worker **or clinical social worker** shall not provide social work services while under the influence of alcohol or other mind-altering or mood-altering drugs, which impair delivery of such services.

(6) Relationships with clients shall not be exploited by the social worker **or clinical social worker** for personal gain. A social worker **or clinical social worker** shall not violate such positions of trust and dependency by committing any act detrimental to a client.

(7) A social worker **or clinical social worker** shall not abandon or neglect a client in need of immediate professional services without making reasonable arrangements for the provision or the continuation of services.

(8) The practitioner ~~should~~ **shall** under no circumstances engage in sexual activities with clients.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-4; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2458; filed Nov 4, 1992, 5:00 p.m.: 16 IR 872)

SECTION 10. UNDER IC 4-22-2.5-3, 839 IAC 1-3-4.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-3-4.5 Enrollment

Authority: IC 25-23.6-2-8

Affected: P.L.147-1997, SECTION 80

Sec. 4.5. As used in P.L.147-1997, SECTION 80, "enrolled" means **the point at which** a student is ~~considered to have enrolled in a program when they have~~ **has** begun to take classes to complete a either a master's or doctoral degree program in social work from an institution of higher education accredited or approved for candidacy by the Council on Social Work Education. (*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-3-4.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506*)

SECTION 11. UNDER IC 4-22-2.5-3, 839 IAC 1-4-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-4-5 Supervision for marriage and family therapist licensure applicants

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-2.5; IC 25-23.6-8-2.7

Sec. 5. As used in IC 25-23.6-8-2.5, "qualified supervisor" and, as used in IC 25-23.6-8-2.7, "equivalent supervisor" means **the following:**

- (1) An American Association of Marriage and Family Therapy approved supervisor.
- (2) An American Association of Marriage and Family Therapy approved supervisor in training ~~or a supervisor who has demonstrated to the marriage and family therapy section of the board; possession of a master's degree or higher in the mental health field; training and supervision in marriage and family therapy which focused on family systems; and completion of at least thirty (30) clock hours in marriage and family therapy supervision training; under the approved training contract.~~
- (3) A licensed psychologist who is a **Diplomate of the American Board of Family Psychology.**
- (4) A **qualified graduate in a mental health discipline from a regionally accredited institution, who has completed the following:**
 - (A) A **one (1) semester graduate or postgraduate course in marriage and family therapy supervision, in which there are at least thirty (30) contact hours.**
 - (B) **At least one (1) of the following within the previous five (5) years:**
 - (i) An **internship or postdoctoral fellowship in marriage and family therapy.**
 - (ii) **Marriage and family therapy research that culminated in a dissertation or thesis.**
 - (iii) **At least ten (10) hours of marriage and family therapy continuing education annually for each of the five (5) previous years for which the proposed supervisor shall submit proof.**

- (iv) **An equivalent degree that contains the course work requirements for marriage and family therapy licensure.**
- (v) **At least one (1) year of supervised experience in a clinical marriage and family therapy setting under clinical supervision, biweekly, of a qualified or equivalent supervisor.**
- (vi) **A minimum of three (3) years of experience teaching courses in marriage and family therapy and marriage and family theory at an institution that is accredited by the Commission on Accreditation for Marriage and Family Therapy Education.**

(*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-4-5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507, eff Jul 1, 1999*)

SECTION 12. UNDER IC 4-22-2.5-3, 839 IAC 1-4-6 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-4-6 Temporary permits for marriage and family therapists

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-10

Sec. 6. (a) As used in IC 25-23.6-8-10, "the date the board disapproves the individual's license application" means the date an applicant for licensure receives notice ~~from the board~~ of:

- (1) failure of the required examination; or
- (2) denial of the individual's license application.

(b) As used in IC 25-23.6-8-10, "good cause" means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a marriage and family therapist that fails the required examination shall not be issued a second temporary permit.

(d) As used in IC 25-23.6-8-10, "national association approved by the board" means either of the following:

- (1) Clinical membership in the American Association for Marriage and Family Therapy.
- (2) Clinical membership in any national marriage and family therapy association with educational and clinical experience requirements substantially equivalent to the American Association for Marriage and Family Therapy.

(*Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-4-6; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507, eff Jul 1, 1999*)

SECTION 13. UNDER IC 4-22-2.5-3, 839 IAC 1-5-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-5-1 Educational requirements

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5

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Sec. 1. (a) As used in IC 25-23.6-8.5-1, “master’s degree in an area related to mental health counseling” means a degree earned in one (1) of the following programs:

- (1) Clinical social work.
- (2) Psychology.
- (3) Human services.
- (4) Human development.
- (5) Family relations.
- (6) Counseling.
- (7) Programs accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP) or the Council on Rehabilitation Education (CORE).

(b) An applicant for licensure as a mental health counselor with a graduate degree not listed in subsection (a), or an applicant asserting that his or her program is equivalent to a program in counseling whose content areas are listed in IC 25-23.6-8.5-3, must provide the board with the following information:

- (1) Evidence that their degree program and any additional course work is are equivalent to the criteria for a graduate degree in counseling as set forth in this section.
- (2) An official college transcript.
- (3) Appropriate certifications or affidavits from university officials.
- (4) Any additional supporting documentation as requested by the board.

(c) As used in IC 25-23.6-8.5-2, “regional accrediting body” means a college or university that was accredited prior to or within two (2) years of the time of the applicant’s graduation by one (1) of the following:

- (1) New England Association of Schools and Colleges.
- (2) Middle States Association of Colleges and Schools.
- (3) North Central Association of Colleges and Schools.
- (4) Northwest Association of Schools and Colleges.
- (5) Southern Association of Schools and Colleges.
- (6) Western Association of Schools and Colleges.

(d) An applicant for licensure as a mental health counselor under IC 25-23.6-8.5 must show successful completion of a degree curriculum that shall encompass a minimum of forty-eight (48) semester hours or seventy-two (72) quarter hours of graduate study for the master’s degree or a minimum of ninety-six (96) semester hours or one hundred forty-four (144) quarter hours of graduate study for the doctoral degree. If the course titles as stated on the transcript do not clearly reflect the course work content areas as listed in IC 25-23.6-8.5-3, the applicant must document the course or combination of courses in which the material was covered. Further, the applicant for licensure shall document a minimum of sixty (60) hours of graduate credit in mental health counseling or a related field. Only graduate level courses are acceptable for establishing equivalency. The board will not accept course work counted or credited toward an undergraduate degree.

(e) The following criteria shall be used to identify a master’s

or doctoral program in counseling or an area related to mental health counseling:

- (1) The program, wherever it may be housed, shall be clearly identified as a counseling program in pertinent catalogs and brochures and shall specify the program’s intent to educate and train counselors.
- (2) There shall be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.
- (3) The program shall have an identifiable mental health professional responsible for the program.
- (4) The program shall have an integrated, organized sequence of study that follows the CACREP standards.
- (5) The program shall have an identifiable body of students who are matriculated in that program for a degree.
- (6) The program shall include a supervised practicum and internship.
- (7) The degree program may or may not include an advanced internship. However, the advanced internship must be conducted in a setting focused on mental health counseling and/or mental health services, under the auspices of an approved graduate counseling program.

(f) As used in IC 25-23.6-8.5-3, “practicum” means a distinctly defined supervised curricular experience intended to enable the student to develop basic counseling skills and to integrate professional knowledge and skills appropriate to the student’s program emphasis. The practicum shall be a minimum of one hundred (100) clock hours and include the following:

- (1) A minimum of forty (40) hours of direct service with clients so that experience can be gained in individual and group interactions; at least one-fourth ($\frac{1}{4}$) of these hours should be in group work.
- (2) A minimum of one (1) hour per week of individual supervision, over a minimum of one (1) academic term by a program faculty member or a supervisor working under the supervision of a program faculty member, using audiotape, videotape, and/or direct observation.
- (3) A minimum of one and one-half ($1\frac{1}{2}$) hours per week of group supervision with other students in similar practica over a minimum of one (1) academic term by a program faculty member or a supervisor working under the supervision of a program faculty member.
- (4) An evaluation of the student’s performance throughout the practicum, including a formal evaluation at the completion of the practicum.

(g) As used in IC 25-23.6-8.5-3, “internship” means a distinctly defined, supervised curricular experience intended to enable the student to refine and to enhance basic counseling skills, to develop more advanced counseling skills, and to integrate professional knowledge and skills appropriate to the student’s initial postgraduation professional placement. A supervised internship of six hundred (600) clock hours, that is begun after successful completion of the student’s practicum, includes the following:

(1) A minimum of two hundred forty (240) hours of direct service with clients appropriate to the program of study.

(2) A minimum of one (1) hour per week of individual supervision, throughout the internship, usually performed by the on-site supervisor.

(3) A minimum of one and one-half (1½) hours per week of group supervision, throughout the internship, usually performed by a program faculty member supervisor.

(4) The opportunity for the student to become familiar with a variety of professional activities other than direct service.

(5) The opportunity for the student to develop audiotapes and/or videotapes of the student's interactions with clients appropriate for use in supervision.

(6) The opportunity for the student to gain supervised experience in the use of a variety of professional resources, such as:

(A) assessment instruments;

(B) computers;

(C) print and nonprint media;

(D) professional literature;

(E) research; and

(F) information and referral to appropriate providers.

(7) A formal evaluation of the student's performance during the internship, by a program faculty supervisor, in consultation with the site supervisor.

(h) The practicum and internship experiences listed in this section are tutorial forms of instruction. Individual supervision is supervision rendered to one (1) person at a time, and group supervision is supervision rendered to at least two (2) and not more than twelve (12) individuals at one (1) time.

(i) As used in IC 25-23.6-8.5-3, "advanced internship" means a minimum of three hundred (300) clock hours of supervised experience that must be completed in a setting in which the individual is providing mental health services under the direct supervision of a professional as defined in subsection (l).

(j) The required practicum, internship, and advanced internship experiences listed in this section must have been primarily in the provision of direct counseling services. This includes knowledge, skill, or experience derived from direct observations of, and participation in, the practice of counseling. Academic credit for these must appear on the applicant's official graduate transcript. No course intended primarily for practice in the administration and grading of appraisal or assessment instruments shall count toward these clinical semester hour requirements.

(k) As used in IC 25-23.6-8.5-3, "one hundred (100) hours of face-to-face supervision" refers to the entire clinical experience requirement of one thousand (1,000) hours. This includes individual and group supervision. The applicant must document that at least one hundred (100) hours were spent face-to-face with a supervisor during the practicum, internship, and advanced internship. The graduate counseling student may work

away from the premises of the educational institution but must be enrolled in a counseling practicum, internship, or advanced internship and must conduct counseling under the auspices of that graduate program.

(l) As used in IC 25-23.6-8.5-3, "supervised practice experience" means experience gained under supervision provided by:

(1) a counselor educator;

(2) a licensed and/or certified master's level or doctoral level:

(A) mental health counselor;

(B) clinical social worker;

(C) marriage and family therapist;

(D) ~~psychiatrist~~; **a physician who has training in psychiatric medicine;**

(E) psychologist; or

(F) clinical nurse specialist in psychiatric or mental health nursing; or

(3) another state-regulated mental health professional, or, if the experience was gained in a state where no regulation exists, by a mental health professional of equivalent status.

(m) As used in IC 25-23.6-8.5-4, "three thousand (3,000) hours of post-graduate clinical experience" means experience under approved supervision acquired subsequent to the date certified by the degree-granting institution as that on which all requirements for the master's degree have been completed. The doctoral student may continue to accrue hours for this clinical experience requirement once the doctoral internship has been completed.

(n) As used in ~~IC 25-23.6-8.5-4~~, **IC 25-23.6-8.5-4**, "equivalent supervisor" shall be supervision provided by:

(1) a licensed and/or certified master's level or doctoral level:

(A) clinical social worker;

(B) marriage and family therapist;

(C) ~~psychiatrist~~; **a physician who has training in psychiatric medicine;**

(D) psychologist; or

(E) clinical nurse specialist in psychiatric or mental health nursing; or

(2) another state-regulated mental health professional, or, if the experience was gained in a state where no regulation exists, by a mental health professional of equivalent status.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-5-1; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507)

SECTION 14. UNDER IC 4-22-2.5-3, 839 IAC 1-5-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-5-2 Examination requirements

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5-5

Sec. 2. (a) An applicant for licensure by examination as a mental health counselor, approved by the board to sit for the

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examination, shall sit for that examination within one (1) year from the date of the initial board approval. If the exam applicant has not taken the examination within one (1) year from the date of the initial board approval, the initial board approval will be invalid and the applicant must file a new application.

(b) The board will notify the applicant in writing of examination results.

(c) Applicants determined by the board to have failed the examination, who wish to retake the examination, shall submit a **new repeat examination** application, fees, and other requirements as stated in ~~IC 839 1-2-1~~. **839 IAC 1-2-1**.

(d) Applicants who fail the ~~initial examination and fail two~~ **(2) subsequent examinations are disqualified from retaking the examination until satisfactory documentation of additional education and experience has been received from the applicant and approved by the board. This documentation may consist of additional course work, internship experiences, supervision, or any combination of these. three (3) times shall personally appear before the board prior to retaking the examination.**

(e) As used in ~~IC 25-23-6-8.5-5~~, **IC 25-23.6-8.5-5**, “an individual who satisfies the requirements of sections 1 and 2 of this chapter” means an applicant for licensure as a mental health counselor who has completed all the graduate educational, clinical instruction, and postgraduate supervised clinical experience requirements listed in ~~IC 25-23-6-8.5~~. **IC 25-23.6-8.5-5. (Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-5-2; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1509)**

SECTION 15. UNDER IC 4-22-2.5-3, 839 IAC 1-5-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-5-3 Temporary permits for mental health counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-10; IC 25-23.6-8.5-10

Sec. 3. (a) As used in **IC 25-23.6-8.5-10**, “the date the board disapproves the individual’s license application” means the date an applicant for licensure receives notice ~~from the board of:~~

- (1) failure of the required examination; or
- (2) denial of the individual’s license application.

(b) As used in **IC 25-23.6-8-10**, “good cause” means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a mental health counselor who fails the required examination shall not be issued a second temporary permit. *(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-5-3; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1510)*

SECTION 16. UNDER IC 4-22-2.5-3, 839 IAC 1-6-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-6-1 Continuing education

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 1. (a) As used in IC 25-23.6, “continuing education” means board-approved education which is obtained by a licensee in order to maintain, improve, or expand the licensee’s skills and knowledge. As used in this rule, “CEU” means continuing education unit.

(b) Continuing education shall be comprised of two (2) categories, Category I and Category II. The licensee shall obtain a minimum of fifty percent (50%) of the required amount of CEUs for renewal from Category I and **may obtain** a maximum of fifty percent (50%) of the required amount of CEUs for renewal from Category II.

(c) Category I is defined as continuing education that is formal programming, which includes the following:

- (1) Formally organized courses.
- (2) Workshops.
- (3) Seminars.
- (4) Symposia.
- (5) Institutes.
- (6) Home study programs, including:
 - (A) computer;
 - (B) audio; ~~and~~
 - (C) video; ~~and~~
 - (D) instructional programs, accredited by board-approved organizations.
- (7) Courses that are relevant to the license holder’s professional skills, which are part of the curriculum of an accredited university, college, or educational institution, shall earn fifteen (15) CEUs for each academic semester hour completed, or ten (10) CEUs for each academic quarter hour completed. CEUs obtained from Category I sponsors shall earn the amount of continuing education hours granted by the program sponsor. If the sponsor does not grant continuing education hours, then one (1) CEU will be granted for each clock hour of attendance.

(8) Faculty teaching a course for the first time at an accredited university, college, or educational institution shall earn one and one-half (1½) CEUs for every hour taught.

(d) Category II is defined as continuing education that is self-directed, which includes the following:

- (1) Journal clubs, earns one (1) CEU for each hour attended.
- (2) Office in-services, earns one (1) CEU for each hour attended.
- (3) Case conferences that are specifically designed for training or teaching, earns one (1) CEU for each hour attended.

(4) Services as an instructor, presenter, or supervisor in a relevant professional seminar, workshop, or training conference earns one (1) CEU for each hour of service, but only for the initial instruction, presentation, or supervision given.

(5) Research and publication of research results in a recognized professional journal or book form, earns ~~five (5)~~ **ten (10)** CEUs, but may only be claimed for the initial publication of the information.

(6) Providing peer review of another licensee's therapy and skills, which includes consultation, conference, and critique, earns one (1) CEU for each hour spent with the peer for this purpose.

(7) Services on boards and commissions and holding office in professional organizations, specifically related to the licensee's profession, earns one (1) CEU for each hour of service.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-6-1; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1512)

SECTION 17. UNDER IC 4-22-2.5-3, 839 IAC 1-6-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-6-2 Approval of continuing education programs

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6

Sec. 2. (a) The following criteria shall be used for **the approval of providers** of continuing education programs for licensed social workers, licensed clinical social workers, licensed marriage and family therapists, and licensed mental health counselors:

- (1) The continuing education program shall have a statement of objectives, which the program should achieve for its participants relating to and enhancing the licensee's practice.
- (2) The sponsor of a continuing education program shall provide:
 - (A) adequate administration, including a responsible person to coordinate and administer the program; and
 - (B) maintenance of proper records.
- (3) Sponsors of a continuing education program shall provide adequate funding for the educational program undertaken.
- (4) The curriculum of a continuing education program shall be thoughtfully planned and designed to explore in considerable depth one (1) subject or a closely related group of subjects related to the licensee's practice.
- (5) The continuing education program shall have qualified faculty members with demonstrated competence in the subject areas.
- (6) The continuing education program shall be held in adequate facilities that allow for an effective program.
- (7) Continuing education programs may employ a variety of educational methods and teaching aids that enhance the learning opportunities.

(8) Appropriate methods of evaluation shall be devised and used to measure the continuing education program's effectiveness.

(9) The sponsor of the continuing education program shall provide to the participants a meaningful record of attendance stating the continuing education hours involved.

(b) Organizations applying for board approval to be a sponsor of continuing education programming must submit an application to the board for approval at least ninety (90) days prior to the presentation of any program. The board shall act upon the application within ninety (90) days of receipt. The approval, if granted, shall remain in effect for two (2) years.

(c) An approval to provide continuing education units for licensed social workers, licensed clinical social workers, licensed marriage and family therapists, and licensed mental health counselors will expire on April 1 of the even-numbered years.

~~(c)~~ **(d)** The sponsor of the program is responsible for monitoring attendance in such a manner that verification of attendance throughout the entire program can be reliably assured.

~~(d)~~ **(e)** The sponsor shall maintain attendance records for a minimum of four (4) years from the date of the program. These records must include the following:

- (1) The date of the program.
- (2) The program title.
- (3) The presenter's name.
- (4) The names of all participants.
- (5) The number of continuing education hours granted each participant.

~~(e)~~ **(f)** Continuing education programs that are sponsored, accredited, or approved by the following organizations shall be deemed approved, and no prior approval by the board shall be required:

- (1) Academy for Cerebral Palsy and Developmental Medicine.
- (2) Academy of Family Mediators.
- (3) Accreditation Council on Continuing Medical Education (programs or seminars related to mental health).
- (4) American Association for Continuity of Care.
- (5) American Association for Diabetes.
- (6) American Association for Social Work with Groups/Spinal Cord Injury.
- (7) American Association of Marriage and Family Therapy.
- (8) American Association of Sex Educators, Counselors, and Therapists.**
- ~~(8)~~ **(9)** American Cancer Society.
- ~~(9)~~ **(10)** American Counseling Association.
- ~~(10)~~ **(11)** American Health Care Institute (programs or seminars related to mental health).
- ~~(11)~~ **(12)** American Hospital Association (programs or seminars related to mental health).

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- ~~(12)~~ **(13)** American Medical Association (programs or seminars related to mental health).
- ~~(13)~~ **(14)** American Mental Health Counselors Association.
- ~~(14)~~ **(15)** American Psychiatric Association.
- ~~(15)~~ **(16)** American Psychological Association.
- ~~(16)~~ **(17)** American Red Cross (programs or seminars related to mental health).
- ~~(17)~~ **American Society of Sex Educators and Therapists:**
- ~~(18)~~ Arthritis Association.
- ~~(19)~~ Association of Oncology Social Work.
- ~~(20)~~ Association of Pediatric Oncology Social Work.
- ~~(21)~~ Association for Treatment of Sexual Abusers
- (22) Association of Social Work Boards**
- ~~(22)~~ **(23)** Chicago Center for Family Health.
- ~~(23)~~ **(24)** Commission on Rehabilitation Counselor Certification.
- ~~(24)~~ **(25)** Employee Assistance Professional Association.
- ~~(25)~~ **(26)** Employee Assistance Society of North America.
- ~~(26)~~ **(27)** Federation of Societies for Clinical Social Work.
- ~~(27)~~ **(28)** Federation of Society of Sex Educators and Therapists.
- ~~(28)~~ **(29)** First Steps.
- ~~(29)~~ **(30)** Healthy Families.
- ~~(30)~~ **(31)** Hoosier Oncology Group.
- ~~(31)~~ **(32)** Hospice Foundation of America.
- ~~(32)~~ **(33)** Indiana Association of Home and Hospice Care.
- ~~(33)~~ **(34)** Indiana Commission on Continuing Legal Education (programs or seminars related to mental health).
- ~~(34)~~ **(35)** Indiana Council of Nephrology Social Workers.
- ~~(35)~~ **(36)** Indiana Council on Adolescent Pregnancy.
- ~~(36)~~ **(37)** Indiana Counselors Association for Alcohol and Drug Abuse.
- ~~(37)~~ **(38)** Indiana Healthcare Ethics Network.
- ~~(38)~~ **(39)** Indiana Hospice Association.
- ~~(39)~~ **(40)** Indiana Hospital and Health Association (programs or seminars related to mental health).
- ~~(40)~~ **(41)** Indiana Organ Procurement Organization.
- ~~(41)~~ **(42)** Indiana Perinatal Association.
- ~~(42)~~ **(43)** International Critical Incident Stress Foundation.
- ~~(43)~~ **(44)** Leukemia Society of America.
- ~~(44)~~ **(45)** Mediation Matters.
- ~~(45)~~ **(46)** Mental Health Association.
- ~~(46)~~ **(47)** Midwest Regional Network for Intervention with Sex Offenders.
- ~~(47)~~ **(48)** National Association for Family-Based Services.
- ~~(48)~~ **(49)** National Association of Alcoholism and Drug Abuse Counselors.
- ~~(49)~~ **(50)** National Association of Liver Transplant Social Workers.
- ~~(50)~~ **(51)** National Association of Perinatal Social Work.
- ~~(51)~~ **(52)** National Association of Social Workers.
- ~~(52)~~ **(53)** National Board for Certified Counselors.
- ~~(53)~~ **(54)** National Board of Addiction Examiners.
- ~~(54)~~ **(55)** National Brain Tumor Foundation.
- ~~(55)~~ **(56)** National Committee to Prevent Child Abuse.
- ~~(56)~~ **(57)** National Council of Community Mental Health Centers.
- (58) National Council of Sexual Addiction and Compulsivity.**
- ~~(57)~~ **(59)** National Hospice Association.
- ~~(58)~~ **(60)** National Kidney Foundation.
- ~~(59)~~ **(61)** National Organization for Victim Assistance.
- ~~(60)~~ **(62)** National Resource Center for Family Centered Practice.
- ~~(61)~~ **(63)** National Spina Bifida Association.
- ~~(62)~~ **(64)** Society of Heart and Lung Transplant Social Workers.
- ~~(63)~~ **(65)** Solutions Training Institute.
- ~~(64)~~ **(66)** The Alfred Adler Institute of Chicago.
- ~~(65)~~ **(67)** The American Professional Society on the Abuse of Children.
- ~~(66)~~ **(68)** The Center for Family Studies, Chicago, ~~IL~~ **Illinois.**
- ~~(67)~~ **(69)** The Cincinnati Psychoanalytic Institute.
- ~~(68)~~ **(70)** The Family Institute of Chicago.
- ~~(69)~~ **(71)** The Family Institute/Center for Family Studies.
- ~~(70)~~ **(72)** The Gestalt Institute of Cleveland.
- ~~(71)~~ **(73)** The Indianapolis Gestalt Institute.
- ~~(72)~~ **(74)** The Institute for Clinical Social Work, Chicago, ~~IL~~ **Illinois.**
- ~~(73)~~ **(75)** The Institute for Psychoanalysis, Chicago, ~~IL~~ **Illinois.**
- ~~(74)~~ **(76)** The International Institute of Object Relations Therapy.
- ~~(75)~~ **(77)** The Jungian Institute of Chicago.
- ~~(76)~~ **(78)** The National Association of Family Mediators.
- ~~(77)~~ **(79)** The National Center for Child Abuse and Neglect.
- ~~(78)~~ **(80)** The National Children's Advocacy Center.
- ~~(79)~~ **(81)** The Society of Social Work Leadership in Health Care.
- ~~(80)~~ **(82)** A national, regional, state, district, or local organization that operates as an affiliated entity under the approval of any organization listed in subdivisions(1) through ~~(81)~~ **(79)**.
- ~~(81)~~ **(83)** Any institute or program focused on self-psychology.
- ~~(82)~~ **(84)** A university, college, or other teaching institution accredited by the United States Department of Education or the Council on Postsecondary Education.
- ~~(83)~~ **(85)** A federal, state, or local government agency that coordinates and presents continuing education courses and programs in conjunction with this rule.
- (Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-6-2; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1512)*

SECTION 18. UNDER IC 4-22-2.5-3, 839 IAC 1-6-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-6-3 Continuing education requirements

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3. (a) A renewal period is defined as the two (2) year

period beginning with April 1 of even-numbered years. A licensure year is defined as April 1 through March 31 of the following year.

(b) A licensee who renews a license as:

- (1) a social worker shall complete not less than twenty (20) CEUs;
- (2) a clinical social worker shall complete not less than twenty (20) CEUs;
- (3) a mental health counselor shall complete not less than twenty (20) CEUs; and
- (4) a marriage and family therapist shall complete ~~not less than fifteen (15)~~ **twenty (20)** CEUs;

in each of the two (2) licensure years of the renewal period.

(c) If a licensee holds more than one (1):

- (1) clinical social worker;
- (2) marriage and family therapist; or
- (3) mental health counselor;

license issued under IC 25-23.6, then CEUs obtained to meet the CEUs required for renewal of one (1) license may be applied towards the CEUs required for renewal of each license held.

(d) CEUs ~~must shall~~ be obtained within the biennial renewal period in which the licensee is applying and ~~may shall~~ not be carried over from one (1) biennial renewal period to another.

(e) A holder of a license issued under IC 25-23.6 must retain a record of the continuing education required by section 2(a) of this rule for four (4) years following the end of the biennial renewal period in which it was obtained.

(f) Continuing education used to satisfy the continuing education requirements of another state, in which the licensee also holds a license to practice as a mental health professional, may be applied towards the CEUs required for renewal of a license issued under IC 25-23.6.

(g) A holder of a license issued under IC 25-23.6 who has been ~~fully~~ licensed for less than two (2) full years prior to the first renewal date for that license shall meet the following continuing education requirements for their first renewal period:

- (1) A licensee who has been ~~fully~~ licensed for at least twelve (12) months, **but less than twenty-four (24) months**, shall complete at least one-half (½) of the CEUs required for renewal of that license. At least fifty percent (50%) of these CEUs shall be obtained from Category I, and no more than fifty percent (50%) shall be obtained from Category II.
- (2) A licensee who has been ~~fully~~ licensed for less than twelve (12) months shall be exempt from the CEUs required for renewal of that license.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-6-3; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1514)

SECTION 19. UNDER IC 4-22-2.5-3, 839 IAC 1-6-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

839 IAC 1-6-5 Request for a waiver of the continuing education requirement

Authority: IC 25-23.6-2-8
Affected: IC 25-23.6

Sec. 5. (a) A holder of a license issued under IC 25-23.6, seeking renewal of that license without having completed the CEUs required for renewal under this rule, must submit:

- (1) a statement explaining the reasons for noncompliance;
 - (2) a request for a waiver of the CEUs required for renewal; and
 - (3) the renewal application and all required fees;
- at least forty-five (45) days prior to the license expiration date.

(b) The license holder must submit evidence that an extreme hardship exists, to the satisfaction of the board, to be granted a waiver. ~~except the following:~~

~~(1) (c) If the request is granted, the waiver will be effective for the length of the current renewal period only.~~

~~(2) (d) If the request is denied, the license holder is responsible for completing the full amount of continuing education required for license renewal.~~

~~(3) (e) Waivers may be granted if an extreme hardship exists. The board will determine whether an extreme hardship exists that would have prevented the licensee from obtaining his or her CEUs, including, but not limited to, the following:~~

- (1) For at least one (1) year during the current renewal period, the licensee was absent from Indiana due to full-time service in the Armed Services of the United States.
- (2) During the licensee's current renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered a disability. A disability is a physical or mental impairment that substantially limits one (1) or more of the major life activities of an individual. The existence of the disability must be verified by a licensed physician or psychologist, with special expertise in the area of the disability. Verification of the disability must include the following:
 - (A) The nature and extent of the disability.
 - (B) An explanation of how the disability would hinder the licensee from completing the continuing education requirement.
 - (C) The name, title, address, telephone number, professional license number, and original signature of the licensed physician or psychologist verifying the disability.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-6-5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1515)

Readopted Rules

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on November 5, 2001 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Rooms 1 and 2, Indianapolis, Indiana the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board will hold a public hearing to readopt rules, with amendments, concerning definitions of terms, application for licensure, renewal of licensure, educational requirements, examination requirements, examination exemption, experience requirements, supervision requirements, standards for the competent practice of social work, temporary permits, continuing education requirements, approval of continuing education, and continuing education waivers.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Indiana Social Worker, Marriage and Family Therapist,
and Mental Health Counselor Board
402 West Washington Street, Room W041
Indianapolis, Indiana 46204
or by electronic mail to: wlowhorn@hpb.state.in.us.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director
Health Professions Bureau

TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #01-253

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

852 IAC 1-10-1 852 IAC 1-10-2

SECTION 1. UNDER IC 4-22-2.5-3, THE FOLLOWING IS READOPTED:

852 IAC 1-10-2 Biennial renewal fees; used for university support

SECTION 2. UNDER IC 4-22-2.5-3, 852 IAC 1-10-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

852 IAC 1-10-1 Fees

Authority: IC 25-24-1-1
Affected: IC 25-24-1-3; IC 25-24-2-3

Sec. 1. The following fees shall apply to all licensed optometrists and candidates:

Application/issuance	\$40 \$200
License renewal (April 1 of each even-numbered year)	\$30 \$100 biennially
Inactive license renewal (April 1 of each even-numbered year)	\$15 \$50 biennially
Renewal fees due Indiana University	\$34 biennially
Endorsement (out) Verification of licensure	\$10
Duplicate wall license	\$10
Reinstatement of inactive license	\$15 \$50
Penalty fee for delinquent renewal	\$10

(Indiana Optometry Board; 852 IAC 1-10-1; filed Jul 12, 1985, 3:48 p.m.: 8 IR 2038; filed May 11, 1987, 9:00 a.m.: 10 IR 1876; filed Oct 28, 1988, 2:10 p.m.: 12 IR 592; filed Apr 19, 1991, 3:05 p.m.: 14 IR 1728; filed May 20, 1996, 3:00 p.m.: 19 IR 2880)

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on November 14, 2001 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 10, Indianapolis, Indiana the Indiana Optometry Board will hold a public hearing to readopt rules.

Requests for any part of this readoption and amendments to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Cindy Vaught, Director
Health Professions Bureau
Indiana Optometry Board
402 West Washington Street
Room W041

Indianapolis, Indiana 46204

E-mail: cvaught@hpb.state.in.us.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director
Health Professions Bureau

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

LSA Document #01-321

DIGEST

Readopts rules in anticipation of IC 4-22-22.5-2, providing that all rules of Indiana administrative agencies in force on

Readopted Rules

December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

888 IAC 1.1-3-3

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

888 IAC 1.1-3-3 Registered veterinary technicians; fees

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 28, 2001 at 9:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 6, Indianapolis, Indiana the Indiana Board of Veterinary Medical Examiners will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Cindy A. Vaught, Director
Health Professions Bureau
Indiana Board of Veterinary Medical Examiners
402 West Washington Street, Room W041
Indianapolis, Indiana 46204
E-mail: cvaught@hpb.state.in.us.*

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director
Health Professions Bureau

TITLE 920 INDIANA WAR MEMORIALS COMMISSION

LSA Document #01-316

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

920 IAC 1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

920 IAC 1 GENERAL PROVISIONS

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 13, 2001 at 1:30 p.m., at the Indiana World War Memorial, 431 North Meridian Street, Indianapolis, Indiana the Indiana War Memorials Commission will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*R. W. Sweeney
Indiana War Memorials Commission
431 North Meridian Street
Indianapolis, Indiana 46204.*

Copies of these rules are now on file at the Indiana War Memorials Commission, 431 North Meridian Street and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

R. W. Sweeney
Executive Director
Indiana War Memorials Commission

Readopted Rules

TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-155(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

140 IAC 8-1-1	140 IAC 8-3-9
140 IAC 8-1-2	140 IAC 8-3-10
140 IAC 8-3-6	140 IAC 8-3-11
140 IAC 8-3-7	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 8-1-1	Purpose
140 IAC 8-1-2	Intent
140 IAC 8-3-6	Miscellaneous items sold service charge
140 IAC 8-3-7	Credit card handling service charge
140 IAC 8-3-9	Operator's license service charge
140 IAC 8-3-10	Handicapped parking placard eligibility, fees, and service charges
140 IAC 8-3-11	Excise tax collection service charges

LSA Document #01-155(F)

Intent to Readopt Rules Published: June 1, 2001; 24 IR 2854

Proposed Readopted Rules Published: July 1, 2001; 24 IR 3221

Hearing Held: August 6, 2001

Filed with Secretary of State: August 22, 2001, 10:50 a.m.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-61(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Readopts without amendment 470 IAC 3-10-1, 470 IAC 3-10-3, 470 IAC 3-10-5, 470 IAC 3-10-6, 470 IAC 3-10-7, and 470 IAC 3-10-8. Amends 470 IAC 3-10-2 to delete membership of a child in a minority group as an eligibility criterion for a special needs child under the adoption assistance program and make eligible any child who is two years of age or older or a member of a sibling group one of whom is two years of age or older. Effective 30 days after filing with the secretary of state.

470 IAC 3-10-1	470 IAC 3-10-6
470 IAC 3-10-2	470 IAC 3-10-7
470 IAC 3-10-3	470 IAC 3-10-8
470 IAC 3-10-5	

SECTION 1. UNDER IC 4-22-2.5-3, THE FOLLOWING ARE READOPTED:

470 IAC 3-10-1	Adoption assistance agreement; renewal; modifications; terminations
470 IAC 3-10-3	Adoption assistance payments
470 IAC 3-10-5	Title IVE; Medicaid: adoption assistance program, foster care
470 IAC 3-10-6	Title IVE; foster care eligibility
470 IAC 3-10-7	Title IVE; foster care assistance payments
470 IAC 3-10-8	AFDC regulations applicable to foster care assistance

SECTION 2. UNDER IC 4-22-2.5-3, 470 IAC 3-10-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

470 IAC 3-10-2 Special needs child; criteria

Authority: IC 12-13-5-1; IC 12-13-5-3

Affected: IC 31-19-11; IC 31-19-27; IC 31-19-28; IC 31-35

Sec. 2. A child shall be considered to be a special needs child, under the Indiana adoption assistance program, if the child meets **each of** the following criteria:

(1) The county ~~department of public welfare~~ **office of family and children** has determined that the child cannot or should not be returned to the home of the child's parent or parents and that the parent or parents have signed or will sign a consent to adoption regarding the child or that parental rights have been or will be terminated by a court in accordance with ~~IC 31-6-5.~~ **IC 31-35.**

(2) One (1) of the following **conditions exists:**

(A) The child is two (2) years of age or older. ~~and is a member of a commonly recognized minority group:~~

~~(B) The child is six (6) years of age or older.~~

~~(C) The child is a member of a sibling group of two (2) or more children, of which at least one (1) is six (6) years of age or older, and who must be placed with the sibling group in the same home.~~

~~(D) (B) The child is a minority child who is a member of a sibling group of two (2) or more children of which at least one (1) is two (2) years of age or older and who **must will** be placed with the sibling group in the same home.~~

~~(E) (C) The child has a medical condition or physical, mental, or emotional **handicap disability** as determined by a physician licensed to practice in Indiana or another state or territory. **This problem or handicap must exist at the time of the interlocutory decree or when the adoption petition is filed.**~~

(3) Reasonable but unsuccessful efforts must be made to place the child in an appropriate adoptive home without providing adoption assistance. Reasonable efforts include, but are not limited to, the following:

(A) Photo listing the child with the Indiana adoption resource exchange for a minimum of six (6) months.

(B) Inability to recruit appropriate, interested adoptive parent or parents who are able to meet the child's needs without the use of adoption assistance.

Readopted Rules

Reasonable efforts need not be made to place the child without adoption assistance if to do so would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child.

(Division of Family and Children; Title 3, Ch 7, Reg 3-705; filed Aug 31, 1982, 1:37 p.m.: 5 IR 2224; filed Aug 26, 1987, 11:00 a.m.: 11 IR 83; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2229; readopted filed Aug 31, 2001, 9:47 a.m.: 25 IR 189)

LSA Document #01-61(F)

Intent to Readopt Rules Published: March 1, 2001; 24 IR 1945

Proposed Readopted Rules Published: May 1, 2001; 24 IR 2576

Hearing Held: May 30, 2001

Approved by Attorney General: August 27, 2001

Approved by Governor: August 30, 2001

Filed with Secretary of State: August 31, 2001, 9:47 a.m.

TITLE 646 DEPARTMENT OF WORKFORCE DEVELOPMENT

LSA Document #01-11(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

646 IAC 1

646 IAC 3

646 IAC 2

646 IAC 4

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

646 IAC 1 EMPLOYMENT AND TRAINING SERVICES; OPPORTUNITIES INDUSTRIALIZATION CENTERS

646 IAC 2 EMPLOYMENT AND TRAINING SERVICES; POLICIES AND PROCEDURES

646 IAC 3 INDIANA EMPLOYMENT SECURITY ACT; ADMINISTRATION

646 IAC 4 VOCATIONAL AND TECHNICAL EDUCATION

LSA Document #01-11(F)

Intent to Readopt Rules Published: February 1, 2001; 24 IR 1455

Proposed Readopted Rules Published: May 1, 2001; 24 IR 2578

Hearing Held: June 15, 2001

Filed with Secretary of State: August 31, 2001, 11:25 a.m.

TITLE 655 BOARD OF FIREFIGHTING PERSONNEL STANDARDS AND EDUCATION

LSA Document #00-302(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

655 IAC 1

655 IAC 3

655 IAC 4

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

655 IAC 1 GENERAL ADMINISTRATIVE RULES

655 IAC 3 TWENTY-FOUR HOUR MANDATORY TRAINING

655 IAC 4 MANDATORY TRAINING REQUIREMENTS

LSA Document #00-302(F)

Intent to Readopt Rules Published: January 1, 2001; 24 IR 1128

Proposed Readopted Rules Published: May 1, 2001; 24 IR 2579

Hearing Held: July 16, 2001

Filed with Secretary of State: August 27, 2001, 10:55 a.m.

TITLE 710 SECURITIES DIVISION

LSA Document #01-107(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

710 IAC 1-8

710 IAC 1-15

710 IAC 1-9

710 IAC 1-16

710 IAC 1-10

710 IAC 1-17

710 IAC 1-11

710 IAC 1-18

710 IAC 1-12

710 IAC 1-19

710 IAC 1-13

710 IAC 1-20

710 IAC 1-14

710 IAC 1-21

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

710 IAC 1-8 General Provisions

710 IAC 1-9 Securities Registration

710 IAC 1-10 Disclosure Requirements

Readopted Rules

710 IAC 1-11 Reporting Requirements
710 IAC 1-12 Merit Standards
710 IAC 1-13 Exemptions
710 IAC 1-14 Broker-dealers
710 IAC 1-15 Agents
710 IAC 1-16 Investment Advisers
710 IAC 1-17 Standards of Practice
710 IAC 1-18 Financial Statements
710 IAC 1-19 Division Proceedings
710 IAC 1-20 Records and Investigations
710 IAC 1-21 Investigation; Rules of Practice

LSA Document #01-107(F)

Intent to Readopt Rules Published: May 1, 2001; 24 IR 2565

Proposed Readopted Rules Published: July 1, 2001; 24 IR 3222

Hearing Held: August 8, 2001

Filed with Secretary of State: August 17, 2001, 2:20 p.m.

TITLE 898 INDIANA ATHLETIC TRAINERS BOARD

LSA Document #01-44(F)

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

898 IAC 1-1-2.5

898 IAC 1-1-3.5

SECTION 1. UNDER IC 4-22-2.5-3, 898 IAC 1-1-2.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

898 IAC 1-1-2.5 “Athletic training room” defined

Authority: IC 25-5.1-2-6

Affected: IC 25-5.1

Sec. 2.5. “Athletic training room” means a designated physical facility located within an ~~educational~~ institution or ~~professional sports complex in an acceptable affiliated setting~~ in which comprehensive athletic health care services are provided. ~~to competitive athletes~~. The athletic training room must provide at a minimum the following equipment:

- (1) Taping table(s).
- (2) Treatment table(s).
- (3) Heat-cold therapy, for example, ice, hydrocollator, and whirlpool.
- (4) Emergency equipment, for example, splints, crutches, and stretchers.
- (5) First aid supplies.
- (6) Therapeutic exercise equipment, for example, hand-leg weights and surgical tubing.
- (7) A record keeping system, for example, a file cabinet and injury record forms.

(Indiana Athletic Trainers Board; 898 IAC 1-1-2.5; filed Jul 25, 1995, 12:00 p.m.: 18 IR 3398; readopted filed Aug 29, 2001, 9:52 a.m.: 25 IR 204)

SECTION 2. UNDER IC 4-22-2.5-3, 898 IAC 1-1-3.5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

898 IAC 1-1-3.5 “Comprehensive athletic health care services” defined

Authority: IC 25-5.1-2-6

Affected: IC 25-5.1

Sec. 3.5. “Comprehensive athletic health care services” means:

- (1) pre-practice and pre-game preparation (taping, bandaging, and application of protective padding);
- (2) injury-illness evaluation;
- (3) first aid **and** emergency care;
- (4) follow-up ~~rehabilitation~~; **care**; and
- (5) related services.

(Indiana Athletic Trainers Board; 898 IAC 1-1-3.5; filed Jul 25, 1995, 12:00 p.m.: 18 IR 3398; readopted filed Aug 29, 2001, 9:52 a.m.: 25 IR 204)

LSA Document #01-44(F)

Intent to Readopt Rules Published: March 1, 2001; 24 IR 1947

Proposed Readopted Rules Published: May 1, 2001; 24 IR 2588

Hearing Held: June 19, 2001

Approved by Attorney General: August 13, 2001

Approved by Governor: August 28, 2001

Filed with Secretary of State: August 29, 2001, 9:52 a.m.
