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**TITLE 844 MEDICAL LICENSING BOARD OF
INDIANA**

Proposed Rule
LSA Document #04-17

DIGEST

Amends 844 IAC 12-5-4 to establish the requirements to perform hypnosis in a group setting. Effective 30 days after filing with the secretary of state.

844 IAC 12-5-4

SECTION 1. 844 IAC 12-5-4 IS AMENDED TO READ AS FOLLOWS:

844 IAC 12-5-4 Professional practice

Authority: IC 25-20.5-1-9

Affected: IC 25-20.5-1

Sec. 4. (a) A hypnotist or hypnotherapist shall:

(1) accept responsibility for his or her work; ~~and~~

(2) ensure his or her services are used appropriately; ~~A hypnotist or hypnotherapist shall~~

(3) make no unsubstantiated claims for his or her work; ~~and shall~~

(4) avoid relationships limiting impartiality; ~~and~~

~~(b) A hypnotist or hypnotherapist shall~~ (5) only provide services and use techniques for which ~~her he~~ or she is qualified by training and experience.

~~(c)~~ (b) A hypnotist or hypnotherapist shall not:

(1) diagnose, treat, or advise on matters outside his or her recognized scope of practice; ~~or~~

~~(d) A hypnotist or hypnotherapist shall not~~ (2) engage in sexual relationships with a current patient or with a former patient until at least five (5) years after a professional relationship has been terminated.

~~(e)~~ (c) Hypnotists or hypnotherapists shall fully disclose and not misuse the purpose and nature of an evaluation, treatment, assessment technique, or educational procedure. The patient shall, at any time, discontinue an evaluation, treatment, assessment technique, or educational procedure unless explicitly agreed upon in advance by the practitioner and patient.

~~(f)~~ (d) Hypnotists or hypnotherapists shall report any known violation of IC 25-20.5-1 or this article.

(e) A hypnotist or hypnotherapist shall not perform hypnosis in a group setting larger than three (3) people per session for the treatment of the following:

(1) Addictions.

(2) Pain and stress management.

(3) Phobias.

(4) Self-hypnosis.

(5) Sports enhancement.

(6) Test taking.

(7) Tobacco cessation.

(8) Weight loss.

This subsection does not apply to or include educational courses where hypnosis is not performed as it relates to tobacco

cessation, weight loss, relaxation, test taking, medical conditions, sports enhancement, and self-hypnosis conducted by a hypnotist. (*Medical Licensing Board of Indiana; 844 IAC 12-5-4; filed Jan 13, 2000, 9:50 a.m.: 23 IR 1383*)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on December 2, 2004 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Medical Licensing Board of Indiana will hold a public hearing on proposed amendments to establish the requirements to perform hypnosis in a group setting. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W066 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