

MINUTES

INDIANA BOARD OF CHIROPRACTIC EXAMINERS

OCTOBER 10, 2019

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Bernzott called the meeting to order at 9:12 a.m. in Conference Center Room 4 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Marian Klaes, D.C., Chair
John Bernzott, D.C., Board Liaison
Diane Vuotto, D.C.
Derek Dyer, D.C.

Board Members Not Present:

Vacant, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Lisa Wise, Litigation Specialist, Professional Licensing Agency
Philip Gordon, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA AS AMENDED

A motion was made and seconded to adopt the agenda, as amended.

VUOTTO/DYER
Motion carried 4-0-0

III. ADOPTION OF THE MINUTES FROM THE JULY 11, 2019 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the April 11, 2019 meeting of the Board.

VUOTTO/BERNZOTT
Motion carried 4-0-0

IV. PERSONAL APPEARANCES

A. Probation

1. Ronal G. Sheppard, D.C.

Dr. Sheppard appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Sheppard stated that everything was going great. Dr. Sheppard submitted his personal report on October 8th which stated that he was currently employed by Joseph Kunzer, DC. Dr. Sheppard stated that he assisted in personal injury marketing with all cash and no insurance acceptance. He is not working in the capacity as a chiropractor because his license is expired. He stated he will begin completing continuing education in

order to renew his license. No updates regarding his Federal Criminal Probation. Dr. Sheppard is scheduled for his next probationary appearance on January 9, 2020.

B. Reinstatement

1. Rex Ireland, D.C., License No. 08001738A

Dr. Ireland's license has been expired since July 1, 2012. During the time that his license was expired, Dr. Ireland was attending medical school at the American University of the Caribbean and graduated October of 2015. After graduation, he applied for residency programs but was never accepted. Dr. Ireland has returned to the state of Indiana and has requested that his chiropractic license be reinstated. He has completed 108 hours of continuing education which included 36 hours of risk management.

Board action: A motion was made and seconded to grant Dr. Ericson reinstatement of his chiropractic license upon successful completion of the Indiana jurisprudence examination.

BERNZOTT/VUOTTO
Motion carried 4-0-0

C. Application

1. Vernon T. Jenkins, D.C.

Dr. Jenkins appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Jenkins is a 1988 graduate of Logan College of Chiropractic. He has taken a passed Part I, II, III, and Physiotherapy of the NBCE Examination and a state constructed examination in the state of Missouri in lieu of Part 4. Dr. Jenkins did not respond yes to the question on the application that asks "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" However a record was found. Dr. Jenkins explained that he was arrested in 1972 in Decatur, Illinois for possession of cannabis. The charges were dismissed. However the other issue regarding his file was that he took a state constructed examination in the state of Missouri in lieu of NBCE Part IV but his license is not active at this time. Based upon 846 IAC 1-6-1(6) If the applicant has not taken and passed Part IV of the NBCE examination, the applicant may submit a certification from the appropriate agency in a state where the applicant holds an active license that the applicant has passed an oral-practical examination, which is equivalent to Part IV of the NBCE examination.

Board action: A motion was made and seconded to grant Dr. Jenkins a chiropractic license pending the reactivation of his licensing the state of Missouri and the Indiana jurisprudence examination.

VUOTTO/BERNZOTT

Motion carried 4-0-0

2. Breanne Chevrette, D.C.

Dr. Chevrette appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Chevrette is a 2019 graduate of Cleveland Chiropractic College and has taken and passed Part I, II, III, IV and Physiotherapy of the NBCE Examination. Dr. Chevrette answered affirmatively to the question on the application for licensure that asks "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" Dr. Chevrette explained that on April of 2015 she was arrested for operating a vehicle with an alcohol concentration of .08 but less than .15. Completed a Diversion Program that included a DADS program in April of 2016. Upon completion of the Diversion Program the charges were dismissed.

Board action: A motion was made and seconded to grant Dr. Chevrette a chiropractic license upon successful completion of the Indiana jurisprudence examination.

DYER/KLAES
Motion carried 4-0-0

V. ADMINISTRATIVE HEARINGS

- A. State of Indiana v. Garry Edward Buchanan, D.C., License No. 08000701A**
Administrative Cause No. 2019 IBCE 0003
Re: Administrative Complaint

Hearing Continued

- B. State of Indiana v. Kyle Douglas Peacock, D.C., License No. 08002740A**
Administrative Cause No. 2019 IBCE 0002
Re: Administrative Complaint

Parties Present:

Respondent was present, and represented by Ronald Mingus, Attorney
Ryan Eldridge and Timothy Weber, Deputy Attorney General for the State of Indiana
Heather Orbaugh Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Klaes, DC (Hearing Officer)
Dr. Bernzott, DC
Dr. Dyer, DC
Dr. Vuotto, DC

Case Summary: On January 3, 2017, Patient T.H. first presented to Respondent for treatment of chronic pain in her hips, legs, and lower back. At the time, Patient T.H. suffered from depression, irritability, and mood changes, and was on Venlafaxine ER 37.5mg. Patient T.H. was diagnosed with subluxation. Respondent's recommendation was that Patient T.H. return for follow-up adjustments, three (3) times per week for four (4) weeks, or until she reached her Maximum Medical Improvement ("MMI"). On February 13, 2017, Patient T.H. presented to Respondent for an adjustment and filled out a progress evaluation for her first month of active treatment. One question on the progress evaluation asked "Which medications (if any) have you decreased taking?" Patient T.H. responded by writing "anti depressant ☺." Another question asked whether she had seen any improvement, and Patient T.H. marked that there was no improvement. On February 13, 2017, Respondent noted that Patient T.H. felt much better that day, compared to when she started her chiropractic care. On April 27, 2017, Patient T.H. presented to Respondent for an adjustment and her first End of Care Plan ("EOCP") assessment. Patient T.H. experienced some improvement in her pain symptoms. Patient T.H. reported decreasing or discontinuing Flonase, baby Aspirin, and allergy medications. On May 21, 2017, Patient T.H. sent an email to Dr. Brendan Andrew Leroy, Patient T.H.'s Primary Care Physician. Patient T.H. stated she had been on antidepressants for thirty-five (35) years and stopped her Venlafaxine on January 27, 2017. Patient T.H. was convinced she could rely on supplements and was concerned about putting chemicals in her body. After Patient T.H.'s health declined, she re-ordered her Venlafaxine from her online pharmacy. On May 22, 2017, Patient T.H. followed up with Dr. Leroy. Patient T.H. informed Dr. Leroy that several months prior, her chiropractor had recommended she stop her antidepressant. Patient T.H. told Dr. Leroy that the supplements that Respondent had given her were meant to treat her depression. Dr. Leroy recommended that Patient T.H. restart Venlafaxine. On May 25, 2017, Patient T.H. attended her final adjustment with Respondent. On June 5, 2017, Patient T.H. presented to Dr. Leroy, and again noted that she stopped her venlafaxine a few months prior "after [a] suggestion of a family friend/chiropractor who told her she could manage her anxiety with supplements only." On June 7, 2017, Patient T.H. called Dr. Leroy's office to advise him that her depression and anxiety symptoms were getting worse. Dr. Leroy reminded Patient T.H. that the change in her venlafaxine dosage may take four (4) to six (6) weeks to take effect. On July 2, 2017, Patient T.H. committed suicide. For nineteen (19) of Patient T.H.'s adjustments from February 2, 2017 to May 3, 2017, Respondent's medical entries are identical. In addition, Respondent's medical entries are devoid of any mention or discussions regarding Patient T.H.'s prescriptions. As of this date of filing, Respondent's Facebook business page contains multiple photos of individuals holding signs indicating that they had reduced or stopped taking their medication(s). Phrases such as "On Zero Medications," appear on these signs. Respondent's chiropractic clinic is affiliated with the MaxLiving Company located in Orlando, Florida. This company and Respondent's practice focus on five (5) essentials in chiropractic care: (1) core chiropractic, (2)

nutrition, (3) mindset, (4) oxygen and exercise, and (5) minimizing toxins. In relation to minimizing toxins, MaxLiving theorizes/professes, "A key facet of the westernized, mechanistic philosophy of health is that it attempts to heal with chemical adjustments to address symptoms of disease, where the MaxLiving philosophy expects healing to be driven by the innately-driven healing abilities of the body itself." Respondent's business advertises success stories of patients who mention how MaxLiving and/or Respondent have helped them reduce or eliminate their medications. The following Exhibits were admitted by the State: Exhibit A, B, C, D, E, F, G, H, I and J. The following Exhibits were admitted by Respondent: Exhibit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19. Witnesses who testified in this matter were Ashley Hamilton and Dr. Peacock.

The board found that Dr. Peacock did not violate or violated the following:

1. By a vote of 4-0-0, the Board found that Respondent did not violate Ind. Code § 25-1-9-4(a)(4)(A)(i).

BERNZOTT/VUOTTO, 4/0/0, Not in violation

2. By a vote of 4-0-0, the Board found that Respondent did not violate 846 IAC 1-3-1(b), and thus was not subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

BERNZOTT/VUOTTO, 4/0/0, Not in violation

3. By a vote of 4-0-0, the Board found by Respondent's inadequate record-keeping, as evidenced by continuous identical patient encounter notes and lack of specificity, Respondent failed to practice in accordance with the body of scientific systemized knowledge related to the healing arts, in violation of 846 IAC 1-3-3(4), and is subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

DYER/BERNZOTT, 4/0/0, Violated

4. By a vote of 4-0-0, the Board found that Respondent did not violate Ind. Code § 25-1-9-4(a)(1)(C).

DYER/BERNZOTT, 4/0/0, Not in violation

5. By a vote of 4-0-0, the Board found that Respondent did not violate 846 IAC 1-3-2(f)(1), and thus was not subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

DYER/BERNZOTT, 4/0/0, Not in violation

6. By a vote of 4-0-0, the Board found by Respondent advertising patient drug reduction and/or discontinuation after receipt of chiropractic services, Respondent engaged in advertising or soliciting which, on its face or as applied, can reasonably be construed as deceiving the public, in violation of 846 IAC 1-3-2(g)(3), and is subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

BERNZOTT/VUOTTO, 4/0/0, Violated

Board Action: A motion was made and seconded to issue Dr. Peacock a Letter of Reprimand for the medical records violation and advertising violation. Also required to pay the Five Dollar (\$5.00) fee to the Health Records and Personal Identifying Information Protection Trust Fund.

VUOTTO/DYER, 4/0/0

- C. State of Indiana v. Peggy Ann Grabinski-Solano, D.C., License No. 08001248A**
Administrative Cause No. 2017 IBCE 0007
Re: Petition to Withdraw Probation

Parties Present:

Respondent was present, and represented by Sherri Fabina Abney, Attorney
Tim Weber, Deputy Attorney General for the State of Indiana
Heather Orbaugh Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Klaes, DC (Hearing Officer)
Dr. Bernzott, DC
Dr. Dyer, DC
Dr. Vuotto, DC

Case Summary: In July 2018 the Board placed Solano's license on indefinite probation with an option to petition to have the probation withdrawn after one (1) year. Dr. Solano's license is currently on indefinite probation. Solano had requested that the probation be withdrawn from her license following the one (1) year probation period. At the hearing on withdrawal of probation, Dr. Solano testified that she has complied with the terms of her probation. The deficiency that led to the probation of Solano's license was related to the facts outlined in the Settlement Agreement of June 28, 2018. Dr. Solano's compliance with her probation constitutes evidence that these prior acts related to violations of advertising materials and professional incompetence have been remedied. The following Exhibits were admitted by the Respondent: Exhibit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

Board Action: A motion was made and seconded to withdraw the probation from Dr. Grabinski-Solano's license.

BERNZOTT/VUOTTO, 4/0/0

VI. DISCUSSION

A. Readoption of Rules

LSA Document #19-186
846 IAC 1 General Provisions

The Board discussed the readoption of 846 IAC 1 and determined there would be no financial impact on small businesses if these rules were to be readopted.

Board action: A motion was made and seconded to readopt 846 IAC 1 General Provisions.

DYER/BERNZOTT, 4/0/0

B. Adoption of Emergency Rule Under HEA 1569-2019

Re: Convictions of Concern

The Board discussed HEA 1569-2019 and the adoption of the emergency rule. Ms. Vaught presented a draft rule to the Board.

Board action: A motion was made and seconded to adopt the draft rule as proposed in the matter of HEA 1569-2019. (A copy of the proposed rule is attached.)

DYER/BERNZOTT, 4/0/0

C. Report from the Office of the Attorney General

Ryan Eldridge, Deputy Attorney General for the State of Indiana, reported there are currently thirty-six (36) open complaints being investigated with eleven (11) of those opened since January 1, 2019 and eleven (11) closed. Mr. Eldridge also reported the average age of open complaints is one (1) year.

VII. PROBATIONARY REPORT

There were no probationary reports before the board.

VIII. CONTINUING EDUCATION

There were no continuing education applications before the Board.

IX. OLD/NEW BUSINESS

The Board inquired as to where the dry needling rule was in the process. Ms. Vaught stated she had submitted it to Mike Minglin for review in February and that it should be in the Governor's Office for the next step.

X. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 1:38 p.m. by general consensus.


Marian Klaes, D.C. – Chairman

1-9-20
Date

TITLE 846 BOARD OF CHIROPRACTIC EXAMINERS

Emergency Rule
LSA Document #19-____(E)

DIGEST

Temporarily adds a list of convictions of concern and related provisions, implementing IC 25-1-1.1-6. Statutory authority: IC 25-1-1.1-6

SECTION 1. This document implements IC 25-1-1.1-6 regarding convictions of concern which may disqualify an individual for licensure by the State Board of Chiropractic Examiners and includes in SECTION 4 of this document an explicit list of convictions of concern that may disqualify an individual from receiving a license.

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

SECTION 3. This document and IC 25-1-1.1-6 do not limit the authority of the State Board of Chiropractic Examiners to issue a license on probation if appropriate under IC 25-1-9-16 or any other applicable statute.

SECTION 4. This SECTION contains the list of convictions of concern as follows:

- (1) Crimes involving sexual acts that can be considered without respect to age of conviction are as follows:**
 - (A) Child molesting (IC 35-42-4-3).**
 - (B) Child seduction (IC 35-42-4-7).**
 - (C) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).**
 - (D) Incest (IC 35-46-1-3).**
 - (E) Making an unlawful proposition (IC 35-45-4-3).**
 - (F) Prostitution (IC 35-45-4-2).**
 - (G) Rape (IC 35-42-4-1).**
 - (H) Sexual misconduct with a minor (IC 35-42-4-9(a)).**
- (2) Crimes of violence that can be considered without respect to age of conviction are as follows:**
 - (A) Aggravated battery (IC 35-42-2-1.5).**
 - (B) Attempted murder (IC 35-41-5-1).**
 - (C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).**
 - (D) Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).**
 - (E) Child molesting (IC 35-42-4-3).**
 - (F) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).**
 - (G) Involuntary manslaughter (IC 35-42-1-4).**
 - (H) Kidnapping (IC 35-42-3-2).**
 - (I) Murder (IC 35-42-1-1).**

- (J) Operating a vehicle while intoxicated causing death (IC 9-30-5-5).
- (K) Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
- (L) Rape (IC 35-42-4-1).
- (M) Reckless homicide (IC 35-42-1-5).
- (N) Resisting law enforcement as a felony (IC 35-44.1-3-1).
- (O) Robbery as a Level 2 felony or Level 3 felony (IC 35-42-5-1).
- (P) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
- (Q) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
- (R) Voluntary manslaughter (IC 35-42-1-3).
- (3) Abandonment or neglect of vertebrate animals; ~~defense~~ (IC 35-46-3-7).
- (4) Abuse of corpse (IC 35-45-11-2).
- (5) Adoption deception (IC 35-46-1-9.5).
- (6) Agricultural terrorism (IC 35-47-12-2).
- (7) Arson (IC 35-43-1-1).
- (8) Assisting a criminal (IC 35-44.1-2-5).
- (9) Assisting suicide (IC 35-42-1-2.5).
- (10) Attempt under IC 35-41-5-1 to commit an offense listed in this SECTION.
- (11) Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
- (12) Attendance at fighting contest (IC 35-46-3-10).
- (13) Auto theft (IC 35-43-4-2.5) (before its repeal).
- (14) Battery (IC 35-42-2-1).
- (15) Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosures; referrals; retaliation (IC 35-46-1-13).
- (16) Bestiality (IC 35-46-3-14).
- (17) Bribery (IC 35-44.1-1-2).
- (18) Burglary (IC 35-43-2-1).
- (19) Carjacking (IC 35-42-5-2) (before its repeal).
- (20) Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
- (21) Causing suicide (IC 35-42-1-2).
- (22) Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
- (23) Child sexual trafficking (IC 35-42-3.5-1.3).
- (24) Child solicitation (IC 35-42-4-6).
- (25) Conspiracy under IC 35-41-5-2 to commit an offense listed in this SECTION.
- (26) Consumer product tampering; offenses (IC 35-45-8-3).
- (27) Conversion (IC 35-43-4-3).
- (28) Corrupt business influence (IC 35-45-6-2).

- (29) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (IC 35-43-5-2).
- (30) Criminal confinement (IC 35-42-3-3).
- (31) Criminal mischief; institutional criminal mischief; controlled substance criminal mischief (IC 35-43-1-2).
- (32) Criminal organization recruitment (IC 35-45-9-5).
- (33) Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
- (34) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
- (35) Criminal stalking (IC 35-45-10-5).
- (36) Criminal transfer of a firearm (IC 35-47-2.5-16).
- (37) Criminal use or possession of code grabbing device (IC 35-45-12-2).
- (38) Cruelty to a law enforcement animal (IC 35-46-3-11).
- (39) Cruelty to a search and rescue dog (IC 35-46-3-11.3).
- (40) Cruelty to a service animal (IC 35-46-3-11.5).
- (41) Dangerous control of a firearm (IC 35-47-10-6).
- (42) Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
- (43) Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
- (44) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
- (45) Dealing in a counterfeit substance (IC 35-48-4-5).
- (46) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (47) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (48) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (49) Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5).
- (50) Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5).
- (51) Dealing in cocaine or narcotic drug (IC 35-48-4-1).
- (52) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
- (53) Dealing in methamphetamine (IC 35-48-4-1.1).
- (54) Dealing in paraphernalia (IC 35-48-4-8.5).
- (55) Deception (IC 35-43-5-3).
- (56) Deception with intent to cause withholding of CPR (IC 16-36-5-28).
- (57) Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
- (58) Deploying a booby trap (IC 35-47.5-5-10).

- (59) Destruction of declaration; forgery of revocation (IC 16-36-5-27).
- (60) Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
- (61) Destructive devices (IC 35-47.5-5-2).
- (62) Disarming a law enforcement officer (IC 35-44.1-3-2).
- (63) Disrupting operation of aircraft (IC 35-47-6-1.6).
- (64) Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
- (65) Distribution of destructive device, explosive, or detonator to a minor (IC 35-47.5-5-5).
- (66) Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
- (67) Domestic battery (IC 35-42-2-1.3).
- (68) Domestic violence animal cruelty (IC 35-46-3-12.5).
- (69) Dumping controlled substance waste (IC 35-48-4-4.1).
- (70) Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
- (71) Electrocutation or decompression of animals (IC 35-46-3-15).
- (72) Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent (IC 12-24-17-7).
- (73) Escape (IC 35-44.1-3-4).
- (74) Evasion of tax; offenses; prosecution (IC 6-3-6-11).
- (75) Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification (IC 35-46-1-12).
- (76) Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
- (77) Failure to make report (IC 31-33-22-1).
- (78) False government issued identification (IC 35-43-5-2.5).
- (79) False identity statement (IC 35-44.1-2-4).
- (80) False reporting; false informing (IC 35-44.1-2-3).
- (81) False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
- (82) Feticide (IC 35-42-1-6).
- (83) Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
- (84) Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
- (85) Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
- (86) Fraud (IC 35-43-5-4).
- (87) Fraud on financial institutions (IC 35-43-5-8).
- (88) Harassment; "obscene message" defined (IC 35-45-2-2).

- (89) Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
- (90) Hoax devices or replicas (IC 35-47.5-5-6).
- (91) Homicide (IC 35-42-1).
- (92) Human organ trafficking (IC 35-46-5-1).
- (93) Human trafficking (IC 35-42-3.5-1.4).
- (94) Identity deception (IC 35-43-5-3.5).
- (95) Impersonation of a public servant (IC 35-44.1-2-6).
- (96) Inappropriate communication with a child (IC 35-42-4-13).
- (97) Inmate fraud (IC 35-43-5-20).
- (98) Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
- (99) Insurance fraud (IC 35-43-5-7.2).
- (100) Interference with custody (IC 35-42-3-4).
- (101) Interference with the reporting of a crime (IC 35-45-2-5).
- (102) Interfering with drug or alcohol screening test (IC 35-43-5-19).
- (103) Intimidation (IC 35-45-2-1).
- (104) Invasion of privacy; offense; penalties (IC 35-46-1-15.1).
- (105) Legend drug deception; penalty (IC 35-43-10-3).
- (106) Loansharking (IC 35-45-7-2).
- (107) Malicious mischief (IC 35-45-16-2).
- (108) Making an unlawful proposition (IC 35-45-4-3).
- (109) Manufacture of paraphernalia (IC 35-48-4-8.1).
- (110) Manufacturing methamphetamine (IC 35-48-4-1.2).
- (111) Medicaid fraud (IC 35-43-5-7.1).
- (112) Money laundering; defenses (IC 35-45-15-5).
- (113) Neglect, abuse, or maltreatment of a patient in a state institution; penalty (IC 12-24-17-3).
- (114) Neglect of a dependent; child selling (IC 35-46-1-4).
- (115) Obscene performance (IC 35-49-3-2).
- (116) Obstruction of delivery of prescription drug (IC 35-45-21-5).
- (117) Obstruction of justice (IC 35-44.1-2-2).
- (118) Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
- (119) Offenses concerning Social Security numbers (IC 35-44.2-4-2).
- (120) Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
- (121) Official misconduct (IC 35-44.1-1-1).
- (122) Participation in criminal organization; offense (IC 35-45-9-3).
- (123) Perjury (IC 35-44.1-2-1).
- (124) Permitting child to possess a firearm (IC 35-47-10-7).
- (125) Pointing firearm at another person (IC 35-47-4-3).
- (126) Possession of a controlled substance; obtaining a schedule V controlled substance (IC 35-48-4-7).

- (127) Possession of a dangerous device while incarcerated (IC 35-44.1-3-7)
- (128) Possession of animal fighting paraphernalia (IC 35-46-3-8.5).
- (129) Possession of cocaine or narcotic drug (IC 35-48-4-6).
- (130) Possession of device or substance used to interfere with drug or alcohol screening test (IC 35-43-5-18).
- (131) Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot; defense to a prosecution (in IC 35-47-9-2).
- (132) Possession of marijuana, hash oil, hashish, or salvia (IC 35-48-4-11).
- (133) Possession of methamphetamine (IC 35-48-4-6.1).
- (134) Possession of paraphernalia (IC 35-48-4-8.3).
- (135) Possession or sale of drug precursors (IC 35-48-4-14.5).
- (136) Profiteering from public service (IC 35-44.1-1-5).
- (137) Prohibited sales or transfers of ownership (IC 35-47-2-7).
- (138) Promoting an animal fighting contest (IC 35-46-3-9.5).
- (139) Promoting prostitution (IC 35-45-4-4).
- (140) Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
- (141) Promotion of human labor trafficking (IC 35-42-3.5-1).
- (142) Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
- (143) Promotion, use of animals, or attendance with animal at animal fighting contest (IC 35-46-3-9).
- (144) Public indecency (IC 35-45-4-1).
- (145) Public nudity (IC 35-45-4-1.5).
- (146) Purchase or possession of animals for fighting contests (IC 35-46-3-8).
- (147) "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
- (148) Reckless supervision (IC 35-46-1-4.1).
- (149) Registration violations; penalty (IC 11-8-8-17).
- (150) Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
- (151) Removal of attack dog's vocal cords; animal cruelty (IC 35-46-3-13).
- (152) Residential entry (IC 35-43-2-1.5).
- (153) Resisting law enforcement (IC 35-44.1-3-1).
- (154) Rioting (IC 35-45-1-2).
- (155) Robbery (IC 35-42-5-1).
- (156) Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
- (157) Sale or distribution of HIV testing equipment (IC 35-45-21-2).

- (158) Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited (IC 7.1-5-7-8).
- (159) Sex offender Internet offense (IC 35-42-4-12).
- (160) Sex offender residency restrictions (IC 35-42-4-11).
- (161) Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
- (162) Sexual battery (IC 35-42-4-8).
- (163) Sexual misconduct with a service provider (IC 35-44.1-3-10).
- (164) Sexually violent predator; duty to notify (IC 11-8-8-18).
- (165) Stolen valor fraud (IC 35-43-5-22).
- (166) Strangulation (IC 35-42-2-9).
- (167) Synthetic drug or synthetic drug lookalike substance; penalties (IC 35-48-4-11.5).
- (168) Synthetic identity deception (IC 35-43-5-3.8).
- (169) "Synthetic urine" (IC 35-43-5-19.5).
- (170) Tampering with a water supply; poisoning (IC 35-43-1-5).
- (171) Terrorism (IC 35-47-12-1).
- (172) Terroristic deception (IC 35-43-5-3.6).
- (173) Terroristic mischief (IC 35-47-12-3).
- (174) Theft (IC 35-43-4-2).
- (175) Threats; refusal to join or withdraw from organization; intimidation offense (IC 35-45-9-4).
- (176) Torture or mutilation of a vertebrate animal; killing a domestic animal (IC 35-46-3-12).
- (177) Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
- (178) Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
- (179) Transferring contaminated body fluids (IC 35-45-21-1).
- (180) Undisclosed transport of dangerous device (IC 35-47-6-1.1).
- (181) Unlawful employment near children by a sexual predator (IC 35-42-4-10).
- (182) Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
- (183) Unlawful entry to restricted area of airport (IC 35-47-6-1.4).
- (184) Unlawful manufacture, distribution, or possession of counterfeit substance (IC 35-48-4-4.6).
- (185) Unlawful participation in human cloning; exception (IC 35-46-5-2).
- (186) Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
- (187) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
- (188) Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).

- (189) ~~Unlawful transfer~~ of fetal tissue (IC 35-46-5-1.5).
- (190) Unlawful use of a communications medium; definitions (IC 35-45-2-3).
- (191) Use of overpressure device (IC 35-47.5-5-9).
- (192) Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
- (193) Vicarious sexual gratification; sexual conduct in presence of a minor (IC 35-42-4-5).
- (194) Violation of civil rights (IC 35-46-2-1).
- (195) Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
- (196) Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
- (197) Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
- (198) Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
- (199) Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
- (200) Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
- (201) Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
- (202) Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
- (203) Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
- (204) Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
- (205) Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
- (206) Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
- (207) Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
- (208) Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
- (209) Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
- (210) Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
- (211) Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
- (212) Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.

- (213) Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
- (214) Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
- (215) Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistant) under IC 25-22.5-8-1 and IC 25-22.5-8-2.
- (216) Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
- (217) Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
- (218) Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
- (219) Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
- (220) Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
- (221) Violation of IC 25-23.6-4.5 (violation of mental health counselor statute) under IC 25-23.6-4.5-4.
- (222) Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
- (223) Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
- (224) Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
- (225) Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
- (226) Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
- (227) Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
- (228) Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
- (229) Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
- (230) Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
- (231) Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
- (232) Violation of IC 25-26-21 (unauthorized provision of home medical equipment provider services) under IC 25-26-21-11.
- (233) Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.

- (234) Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
- (235) Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
- (236) Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
- (237) Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
- (238) Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
- (239) Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
- (240) Violation of IC 25-31.5-8-7 (unauthorized practice as a professional soil scientist) under IC 25-31.5-8-7.
- (241) Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
- (242) Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
- (243) Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
- (244) Violation of IC 25-36.1-2 (violation of certified surgical technologist statute) under IC 25-36.1-2-3.
- (245) Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
- (246) Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
- (247) Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
- (248) Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5.
- (249) Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
- (250) Violation of Indiana Legend Drug Act (IC 16-42-19).
- (251) Violation of order by parent or other custodian of child (IC 31-34-2.3-7).
- (252) Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
- (253) Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
- (254) Welfare fraud (IC 35-43-5-7).
- (255) Worker's compensation fraud (IC 35-43-5-21).

SECTION 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in SECTION 4 of this document shall

also be a crime that may disqualify an individual from receiving a license and therefore included on the list.

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

SECTION 7. Sections 1 through 6 of the document expire on September 1, 2021.