

SENATE BILL No. 102

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-23.6-2-8.

Synopsis: Therapist immunity from professional discipline. Provides that the behavioral health and human services licensing board may not impose disciplinary sanctions against a practitioner if the basis of the licensing complaint is retaliatory against the practitioner for testifying in a child in need of services (CHINS) proceeding.

Effective: July 1, 2024.

Dernule

January 8, 2024, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 102



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-23.6-2-8, AS AMENDED BY P.L.98-2023,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2
4 establishing standards for the following:
5 (1) The competent practice of marriage and family therapy,
6 bachelor's degree social work, social work, clinical social work,
7 mental health counseling, addiction counseling, and clinical
8 addiction counseling.
9 (2) The renewal of licenses issued under this article.
10 (3) Standards for the administration of this article.
11 (4) Continuing education requirements for an individual seeking
12 renewal of licensure as a bachelor's degree social worker, social
13 worker, clinical social worker, or marriage and family therapist.
14 (5) The retention of patient records and reports by a counselor.
15 (6) The approval of continuing education providers, programs,
16 courses, fees, and proof of course completion.
17 (b) The board shall establish fees under IC 25-1-8-2.



- 1 (c) The board shall do the following:
- 2 (1) Consider the qualifications of individuals who apply for a
- 3 license under this article.
- 4 (2) Provide for examinations required under this article.
- 5 (3) Subject to IC 25-1-8-6, renew licenses under this article.
- 6 (4) Conduct proceedings under IC 25-1-9.
- 7 (5) Administer the professional counselors licensure compact
- 8 under IC 25-42.5, including appointing members to the
- 9 counseling compact commission and adopting any rules necessary
- 10 to administer the compact.
- 11 **(d) The board may not impose any disciplinary sanctions in a**
- 12 **proceeding conducted under subsection (c)(4) if the basis of the**
- 13 **complaint against the practitioner is a retaliatory claim for**
- 14 **testifying in a child in need of services (CHINS) proceeding under**
- 15 **IC 31-34.**

