

in this section. The licenses are valid for hunting on the farm unit only. This paragraph applies to Iowa residents actively engaged in the operation of the farm units.

Approved May 2, 1989

CHAPTER 88
COUNTY CONSERVATION BOARD POWERS
H.F. 165

AN ACT relating to the authority of the county conservation board to grant certain law enforcement powers to its director and employees.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 111A.5, Code 1989, is amended to read as follows:

111A.5 REGULATIONS — PENALTY — OFFICERS.

The county conservation board may make, alter, amend or repeal regulations for the protection, regulation, and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state. The regulations shall not take effect until ten days after their adoption by the board and after their publication as provided in section 331.305 and after a copy of the regulations has been posted near each gate or principal entrance to the public ground to which they apply. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor. The board may designate the director and those employees as the director may designate as police officers who shall have all the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of this state and the apprehension of violators upon all property under its control within and without the county. The board may grant the director and those employees of the board designated as police officers may the authority to enforce the provisions of chapters 106, 109, 110, 111, and 321G on land not under the control of the board within the county.

Approved May 2, 1989

CHAPTER 89
EMERGENCY MEDICAL CARE PROVIDERS
H.F. 371

AN ACT relating to emergency medical care providers, and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.61, subsection 2, unnumbered paragraph 3, Code 1989, is amended to read as follows:

“Worker” or “employee” includes a basic emergency medical care provider as defined in section 147.1, or an advanced emergency medical care provider as defined in section 85.61, subsections 14, 15, and 16 147A.1, only if an agreement is reached between the basic or advanced

emergency medical care provider and the employer for whom the volunteer services are provided that workers' compensation coverage under chapters 85, 85A, and 85B is to be provided by the employer. A basic or advanced emergency medical care provider who is a "worker" or "employee" under this paragraph is not a casual employee.

Sec. 2. Section 85.61, subsection 6, unnumbered paragraph 3, Code 1989, is amended to read as follows:

Personal injuries sustained by ~~basic or advanced~~ emergency medical care providers, as defined in section 147.1, ~~subsections 7 and 8~~ or by advanced emergency medical care providers as defined in section 147A.1, arise in the course of employment if the injuries are sustained at any time from the time the emergency medical care providers are summoned to duty until the time those duties have been fully discharged.

Sec. 3. Section 85.61, subsections 14, 15, and 16, Code 1989, are amended by striking the subsections.

Sec. 4. Section 147.1, subsection 8, Code 1989, is amended by striking the subsection.

Sec. 5. Section 147.1, subsection 9, Code 1989, is amended to read as follows:

9. "First responder" means an individual trained in patient-stabilizing techniques, through the use of initial basic emergency medical care procedures and skills prior to the arrival of an ambulance or ~~rescue~~ squad, pursuant to rules established by the department, and who is currently certified as a first responder by the department.

Sec. 6. Section 147A.1, Code 1989, is amended to read as follows:

147A.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Advanced emergency medical care" means such medical procedures as:
 - a. Administration of intravenous solutions.
 - b. Intubation.
 - c. Performance of cardiac defibrillation and synchronized cardioversion.
 - d. Administration of emergency drugs as provided by rule by the board.
 - e. Any other medical procedure approved by the board, by rule, as appropriate to be performed by advanced EMTs and paramedics emergency medical care providers who have been trained in that procedure.
2. "EMT" is an abbreviation used in lieu of the term "emergency medical technician".
3. "~~Basic EMT~~" means an individual who has satisfactorily completed the United States department of transportation's prescribed course for basic EMTs, as modified for this state, and adopted by rule by the board, but who is not certified to perform any of the procedures listed in ~~subsection 1~~.
- 4 3. "Advanced EMT emergency medical care provider" means an individual trained to provide advanced emergency medical care at the first-responder-defibrillation, EMT-defibrillation, EMT-intermediate, EMT-paramedic level or other certification levels adopted by rule by the board, and who has been issued an advanced EMT a certificate by the board.
5. "Paramedic" means an individual trained in all areas of advanced emergency medical care, and who has been issued a paramedic certificate by the board.
- 6 4. "Director" means the director of the Iowa department of public health.
- 7 5. "Department" means the Iowa department of public health.
- 8 6. "Board" means the board of medical examiners appointed pursuant to section 147.14, subsection 2.
- 9 7. "Physician" means an individual licensed under chapter 148, 150, or 150A.

Sec. 7. Section 147A.4, Code 1989, is amended to read as follows:

147A.4 RULEMAKING AUTHORITY.

1. The department shall adopt rules required or authorized by this chapter pertaining to the operation of ambulance, ~~services and rescue, squad and first response~~ services which have

received authorization under section 147A.5 to utilize the services of certified advanced EMTs or paramedics emergency medical care providers. These rules shall include, but need not be limited to, requirements concerning physician supervision, necessary equipment and staffing, and reporting by ambulance, services and rescue, squad and first response services which have received the authorization pursuant to section 147A.5.

2. The board shall adopt rules required or authorized by this chapter pertaining to the examination and certification of advanced EMTs and paramedics emergency medical care providers. These rules shall include, but need not be limited to, requirements concerning prerequisites, training, and experience for advanced EMTs and paramedics emergency medical care providers and procedures for determining when individuals have met these requirements.

The board shall establish the fee for the examination of the advanced EMTs and paramedics emergency medical care providers to cover the administrative costs of the examination program.

Sec. 8. Section 147A.5, subsections 1 and 3, Code 1989, are amended to read as follows:

147A.5 APPLICATIONS FOR ADVANCED EMT AND PARAMEDIC PROGRAMS EMERGENCY MEDICAL CARE SERVICES – APPROVAL – DENIAL, PROBATION, SUSPENSION OR REVOCATION.

1. An ambulance, service or rescue, squad or first response service in this state regularly engaged in transporting patients, that desires to provide advanced emergency medical care before or during the transportation in the prehospital setting, shall apply to the department for authorization to establish a program utilizing certified advanced EMTs or paramedics emergency medical care providers for delivery of the care at the scene of an emergency, during transportation to a hospital, or while in the hospital emergency department, and until care is directly assumed by a physician or by authorized hospital personnel.

3. The department may deny an application for authorization to establish a program utilizing the services of certified advanced EMTs or paramedics emergency medical care providers, or may place on probation, suspend, or revoke existing authorization if the department finds reason to believe the program has not been or will not be operated in compliance with this chapter and the rules adopted pursuant to this chapter, or that there is insufficient assurance of adequate protection for the public. The denial or period of probation, suspension, or revocation shall be effected and may be appealed as provided by section 17A.12.

Sec. 9. Section 147A.6, Code 1989, is amended to read as follows:

147A.6 ADVANCED EMT AND PARAMEDIC EMERGENCY MEDICAL CARE PROVIDER CERTIFICATES – RENEWAL.

1. The board, upon application and receipt of the prescribed fee, shall issue a certificate attesting to the qualifications of an individual who has met all of the requirements for advanced EMT or paramedic emergency medical care provider certification established by the rules promulgated adopted under section 147A.4, subsection 2.

2. An advanced EMT or paramedic certificate is Advanced emergency medical care provider certificates are valid for the multiyear period determined by the board, unless sooner suspended or revoked. The certificate shall be renewed upon application of the holder and receipt of the prescribed fee if the holder has satisfactorily completed continuing medical education programs as required by rule.

Sec. 10. Section 147A.7, subsection 1, Code 1989, is amended to read as follows:

1. The board may deny an application for issuance or renewal of an advanced EMT or paramedic emergency medical care provider certificate, or suspend or revoke the certificate when it finds that the applicant or certificate holder is guilty of any of the following acts or offenses:

- a. Negligence in performing authorized services.
- b. Failure to follow the directions of the supervising physician.
- c. Rendering treatment not authorized under this chapter.
- d. Fraud in procuring certification.
- e. Professional incompetency.

- f. Knowingly making misleading, deceptive, untrue or fraudulent representation in the practice of a profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.
- g. Habitual intoxication or addiction to the use of drugs.
- h. Fraud in representations as to skill or ability.
- i. Willful or repeated violations of this chapter or of rules adopted pursuant to this chapter.
- j. Violating a statute of this state, another state, or the United States, without regard to its designation as either a felony or misdemeanor, which relates to the practice of an advanced EMT or paramedic emergency medical care provider. A copy of the record of conviction or plea of guilty is conclusive evidence of the violation.
- k. Having certification to practice as an advanced EMT or paramedic emergency medical care provider revoked or suspended, or having other disciplinary action taken by a licensing or certifying authority of another state, territory, or country. A certified copy of the record or order of suspension, revocation, or disciplinary action is conclusive or prima facie evidence.

Sec. 11. Section 147A.8, Code 1989, is amended to read as follows:

147A.8 AUTHORITY OF CERTIFIED ADVANCED EMT OR PARAMEDIC EMERGENCY MEDICAL CARE PROVIDER.

An advanced EMT or paramedic emergency medical care provider properly certified under this chapter may:

- 1. Render advanced emergency medical care, rescue, and lifesaving services in those areas for which the advanced EMT or paramedic emergency medical care provider is certified, as defined and approved in accordance with the rules of the board, at the scene of an emergency, during transportation to a hospital or while in the hospital emergency department, and until care is directly assumed by a physician or by authorized hospital personnel.
- 2. Function in any hospital when:
 - a. Enrolled as a student or participating as a preceptor in a training program approved by the board; or
 - b. Fulfilling continuing education requirements as defined by rule; or
 - c. Employed by or assigned to a hospital as a member of an authorized ambulance, ~~service or rescue, squad for prehospital care or first response service~~, by rendering lifesaving services in the facility in which employed or assigned pursuant to the advanced EMT's or paramedic's emergency medical care provider's certification and under the direct supervision of a physician or registered nurse. ~~When~~ An advanced emergency medical care provider shall not routinely function without the direct supervision of a physician or registered nurse. However, when the physician or registered nurse cannot directly assume emergency care of the patient, the advanced EMT or paramedic emergency medical care provider may perform without direct supervision advanced emergency medical care procedures for which that individual is certified if ~~in the judgment of the physician or registered nurse~~ the life of the patient is in immediate danger and such care is required to preserve the patient's life; or
 - d. Employed by or assigned to a hospital as a member of an authorized ambulance, ~~service or rescue, squad for prehospital care or first response service~~ to perform nonlifesaving procedures for which those individuals have been trained and are designated in a written job description. Such procedures may be performed after the patient is observed by and when the advanced EMT or paramedic emergency medical care provider is under the supervision of the physician or registered nurse and where the procedure may be immediately abandoned without risk to the patient.

Sec. 12. Section 147A.9, Code 1989, is amended to read as follows:

147A.9 REMOTE SUPERVISION OF ADVANCED EMT OR PARAMEDIC EMERGENCY MEDICAL CARE PROVIDERS — EMERGENCY COMMUNICATION FAILURE — AUTHORIZATION OF IMMEDIATE LIFESAVING PROCEDURES.

- 1. When voice contact or a telemetered electrocardiogram is monitored by a physician or physician's designee, and direct communication is maintained, an advanced EMT or a

paramedic emergency medical care provider may upon order of the monitoring physician or upon standing orders of a physician transmitted by the monitoring physician's designee perform any advanced emergency medical care procedure for which that advanced EMT or paramedic emergency medical care provider is certified.

2. If communications fail during an emergency situation, the advanced EMT or paramedic emergency medical care provider may perform any advanced emergency medical care procedure for which that individual is certified and which is included in written protocols if in the judgment of the advanced EMT or paramedic emergency medical care provider the life of the patient is in immediate danger and such care is required to preserve the patient's life.

3. The board shall adopt rules to authorize the institution of lifesaving procedures in accordance with written protocols in instances where the establishment of communication in lieu of immediate action may cause patient harm or death.

Sec. 13. Section 147A.10, Code 1989, is amended to read as follows:

147A.10 EXEMPTIONS FROM LIABILITY IN CERTAIN CIRCUMSTANCES.

1. A physician or physician's designee who gives orders, either directly or via communications equipment from some other point, to an appropriately certified advanced EMT or paramedic emergency medical care provider at the scene of an emergency, and an appropriately certified advanced EMT or paramedic emergency medical care provider following the orders, are not subject to criminal liability by reason of having issued or executed the orders, and are not liable for civil damages for acts or omissions relating to the issuance or execution of the orders unless the acts or omissions constitute recklessness.

2. A physician, physician's designee, or advanced EMT or paramedic emergency medical care provider shall not be subject to civil liability solely by reason of failure to obtain consent before rendering emergency medical, surgical, hospital or health services to any individual, regardless of age, when the patient is unable to give consent for any reason and there is no other person reasonably available who is legally authorized to consent to the providing of such care.

3. An act of commission or omission of any appropriately certified advanced EMT or paramedic emergency medical care provider while rendering advanced emergency medical care under the responsible supervision and control of a physician to a person who is deemed by them to be in immediate danger of serious injury or loss of life, shall not impose any liability upon the certified advanced EMT or paramedic emergency medical care provider, the supervising physician, or any hospital, or upon the state, or any county, city or other political subdivision, or the employees of any of these entities; provided that this section shall not relieve any person of liability for civil damages for any act of commission or omission which constitutes recklessness.

Sec. 14. Section 147A.11, Code 1989, is amended to read as follows:

147A.11 PROHIBITED ACTS.

1. Any person not certified as required by this chapter who claims to be an advanced EMT or a paramedic emergency medical care provider, or who uses any other term to indicate or imply that the person is an advanced EMT or a paramedic emergency medical care provider, or who acts as an advanced EMT or a paramedic emergency medical care provider without having obtained the appropriate certificate under this chapter, is guilty of a class "D" felony.

2. An owner of an unauthorized ambulance, service or rescue, squad or first response service in this state who operates or purports to operate an authorized ambulance, service or rescue, squad services or first response service, or who uses any term to indicate or imply such authorization without having obtained the appropriate authorization under this chapter, is guilty of a class "D" felony.

3. Any person who imparts or conveys, or causes to be imparted or conveyed, or attempts to impart or convey false information concerning the need for assistance of an ambulance, service or a rescue, squad or first response service or of any personnel or equipment thereof, knowing such information to be false, is guilty of a serious misdemeanor.

Sec. 15. Section 147A.12, subsection 1, Code 1989, is amended to read as follows:

1. This chapter does not restrict a registered nurse, licensed pursuant to chapter 152, from staffing an authorized ambulance, ~~service or rescue, squad or first response service~~ provided the registered nurse can document equivalency through education and additional skills training essential in the delivery of prehospital emergency care. The equivalency shall be accepted when:

a. Documentation has been reviewed and approved at the local level by the medical director of the ambulance, ~~or rescue, squad or first response service~~ in accordance with the rules of the board of nursing developed jointly with the board of medical examiners.

b. Authorization has been granted to that ambulance, ~~or rescue, squad or first response service~~ by the department.

Sec. 16. Section 232.68, subsection 4, Code 1989, is amended to read as follows:

4. "Health practitioner" includes a licensed physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, optometrist, podiatrist or chiropractor; a resident or intern in any of such professions; and any a registered nurse or licensed practical nurse; and a basic emergency medical care provider certified under section 147.161 or an advanced emergency medical care provider certified under section 147A.6.

Sec. 17. Section 232.69, subsection 1, paragraph b, Code 1989, is amended to read as follows:

b. Every self-employed social worker, every social worker under the jurisdiction of the department of human services, any social worker employed by a public or private agency or institution, public or private health care facility as defined in section 135C.1, certified psychologist, certificated school employee, employee or operator of a licensed child care center or registered group day care home or registered family day care home, individual licensee under chapter 237, member of the staff of a mental health center, peace officer, dental hygienist, counselor, ~~paramedic~~, or mental health professional, who, in the course of employment or in providing child foster care, examines, attends, counsels or treats a child and reasonably believes a child has suffered abuse.

Approved May 2, 1989

CHAPTER 90

FUR DEALER LICENSES

H.F. 480

AN ACT relating to the licensing of fur dealers and subjecting violators to an existing penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 109.95, unnumbered paragraph 1, Code 1989, is amended to read as follows:

A license shall be required of each ~~such~~ fur dealer and each employee, agent, or representative of a fur dealer except when the employee, agent, or representative is operating solely on the premises of a licensed fur dealer. A fur dealer shall conduct business only at the location specified on the dealer's license, at an established fur auction, at the nonadvertised residence of a licensed fur harvester, or at the place of business specified on the license of any fur dealer. A licensed fur dealer may purchase location permits to operate at locations other than at the location specified on the fur dealer's license. Each location permit shall be valid only for the one location specified on the location permit and shall entitle the fur dealer and employee, agent, or representative of the licensed fur dealer to operate at that location. The commission shall, upon application and the payment of the required license fee, furnish the proper certifieates license and location permits to dealers the dealer.