

party. The hourly mediation fee may be waived for any party demonstrating financial hardship upon application to the farm mediation service.

Sec. 7. NEW SECTION. 654A.15 LIMITATION ON LIABILITY — IMMUNITY FROM SPECIAL ACTIONS.

1. A member of the farm mediation staff, including a mediator, employee, or agent of the service, or member of a board to the service, is not liable for civil damages for a statement or decision made in the process of mediation unless the member acts in bad faith, with malicious purpose, or in a manner exhibiting willful and wanton disregard of human rights, safety, or property.

2. A judicial action relating to a matter which is in the mediation process, which seeks an injunction, mandamus, or similar equitable relief shall not be brought against the farm mediation service, including a mediator, employee, or agent of the service, or member of board for the service.

Approved May 3, 1989

CHAPTER 109
CONTROLLED SUBSTANCES
S.F. 395

AN ACT adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances.

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

Section 1. Section 204.204, subsection 2, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. at. Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]—N-phenylpropanamide).

Sec. 2. Section 204.204, subsection 9, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. q. N,N-dimethylamphetamine (some other names: N,N, alpha-trimethylbenzene-ethanamine; N,N, alpha-trimethylphenethylamine), its salts, optical isomers and salts of optical isomers.

Sec. 3. Section 204.210, subsection 5, paragraphs a through f, Code 1989, are amended to read as follows:

- a. Cathine [(+)-norpseudoephedrine].
- a b. Diethylpropion.
- c. Fencamfamin.
- d. Fenproporex.
- b e. Mazindol.
- f. Mefenorex.
- e g. Pemoline (including organometallic complexes and chelates thereof).
- d h. Phentermine.
- e i. Pipradrol.
- f j. SPA ((-)-1-dimethylamino-1,2-diphenylethane).

Sec. 4. Section 204.212, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 4. **STIMULANTS.** Unless specifically excepted or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the

following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

- a. Propylhexedrine.
- b. Pyrovalerone.

Approved May 3, 1989

CHAPTER 110

COURT REPORTERS' CONTINUING SERVICE

S.F. 406

AN ACT relating to retention of a court reporter by a newly appointed judge.

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

Section 1. Section 602.6603, subsection 8, Code 1989, is amended to read as follows:

8. If a judge dies, resigns, retires, is removed from office, becomes disabled, or fails to be retained in office and the judicial vacancy is eligible to be filled, a the court reporter appointed by the judge is entitled to ~~shall~~ serve as a court reporter, as directed by the chief judge or the chief judge's designee, until the successor judge appoints a successor court reporter. The court reporter shall ~~be paid~~ receive the reporter's regular salary and benefits during the period of time until a successor court reporter is appointed or until the currently appointed court reporter is reappointed.

Approved May 3, 1989

CHAPTER 111

MEDICAL ASSISTANCE SUBROGATION RIGHTS

S.F. 412

AN ACT relating to the medical assistance subrogation rights of the department of human services.

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

Section 1. Section 249A.6, subsection 1, Code 1989, is amended to read as follows:

1. When payment is made by the department for medical care or expenses through the medical assistance program on behalf of a recipient, the department is subrogated, to the extent of those payments, to all monetary claims which the recipient may have against third parties as a result of the medical care or expenses received or incurred. A compromise, including but not limited to a settlement, waiver or release, of a claim to which the department is subrogated under this section does not defeat the department's right of recovery except pursuant to the written agreement of the director or the director's designee or except as provided in this section. A settlement, award, or judgment structured in any manner not to include medical expenses or an action brought by a recipient or on behalf of a recipient which fails to state a claim for recovery of medical expenses does not defeat the department's right of subrogation if there is any recovery on the recipient's claim unless the claim for recovery of medical