

CHAPTER 73

PRACTICE BY PHYSICIAN ASSISTANTS WITHOUT PHYSICIAN SUPERVISION

H.F. 424

AN ACT providing for the collaborative practice of physician assistants by allowing for the practice of certain physician assistants without supervision by a physician.

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

Section 1. [Section 135.24, subsection 7](#), paragraph d, Code 2023, is amended to read as follows:

d. “Health care provider” means a physician licensed under [chapter 148](#); a chiropractor licensed under [chapter 151](#); a physical therapist licensed pursuant to [chapter 148A](#); an occupational therapist licensed pursuant to [chapter 148B](#); a podiatrist licensed pursuant to [chapter 149](#); a physician assistant licensed and practicing under a supervising physician pursuant to [chapter 148C](#); a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed pursuant to [chapter 152](#) or [152E](#); a respiratory therapist licensed pursuant to [chapter 152B](#); a dentist, dental hygienist, or dental assistant registered or licensed to practice under [chapter 153](#); an optometrist licensed pursuant to [chapter 154](#); a psychologist licensed pursuant to [chapter 154B](#); a social worker licensed pursuant to [chapter 154C](#); a mental health counselor, marital and family therapist, behavior analyst, or assistant behavior analyst licensed pursuant to [chapter 154D](#); a speech pathologist or audiologist licensed pursuant to [chapter 154F](#); a pharmacist licensed pursuant to [chapter 155A](#); or an emergency medical care provider certified pursuant to [chapter 147A](#).

Sec. 2. [Section 135G.1, subsection 8](#), Code 2023, is amended to read as follows:

8. “Physician assistant” means a person licensed to practice under the supervision of a physician as authorized in [chapters 147](#) and [chapter 148C](#).

Sec. 3. [Section 135P.1, subsection 2](#), Code 2023, is amended to read as follows:

2. “Health care provider” means a physician or osteopathic physician licensed under [chapter 148](#), a physician assistant licensed and practicing under a supervising physician pursuant to [chapter 148C](#), a podiatrist licensed under [chapter 149](#), a chiropractor licensed under [chapter 151](#), a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#), a dentist licensed under [chapter 153](#), an optometrist licensed under [chapter 154](#), a pharmacist licensed under [chapter 155A](#), or any other person who is licensed, certified, or otherwise authorized or permitted by the law of this state to administer health care in the ordinary course of business or in the practice of a profession.

Sec. 4. [Section 147.14, subsection 1](#), paragraph 1, Code 2023, is amended to read as follows:

1. For the board of physician assistants, five members licensed to practice as physician assistants, at least two of whom practice in counties with a population of less than fifty thousand, one member licensed to practice medicine and surgery who supervises a physician assistant engaged in independent practice or collaborates with a physician assistant, one member licensed to practice osteopathic medicine and surgery who supervises a physician assistant engaged in independent practice or collaborates with a physician assistant, and two members who are not licensed to practice either medicine and surgery or osteopathic medicine and surgery or licensed as a physician assistant and who shall represent the general public. At least one of the physician or osteopathic physician members shall be in practice in a county with a population of less than fifty thousand.

Sec. 5. [Section 147.107, subsection 4](#), Code 2023, is amended to read as follows:

4. A Notwithstanding [subsection 1](#) and any other provision of [this section](#) to the contrary, a physician assistant may prescribe, dispense, order, administer, or procure prescription drugs, controlled substances, or medical devices necessary to complete a course of therapy pursuant to [section 148C.4](#). Rules relating to the authority of physician assistants to prescribe drugs,

controlled substances, and medical devices pursuant to [this subsection](#) shall be adopted by the board of physician assistants after consultation with the board of medicine and board of pharmacy.

Sec. 6. [Section 147.107, subsections 5 and 6](#), Code 2023, are amended by striking the subsections.

Sec. 7. [Section 147.136A, subsection 1](#), paragraph a, Code 2023, is amended to read as follows:

a. “*Health care provider*” means a hospital as defined in [section 135B.1](#), a health care facility as defined in [section 135C.1](#), a health facility as defined in [section 135P.1](#), a physician or an osteopathic physician licensed under [chapter 148](#), a physician assistant licensed and practicing under a supervising physician under [chapter 148C](#), a podiatrist licensed under [chapter 149](#), a chiropractor licensed under [chapter 151](#), a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#), a dentist licensed under [chapter 153](#), an optometrist licensed under [chapter 154](#), a pharmacist licensed under [chapter 155A](#), a professional corporation under [chapter 496C](#) that is owned by persons licensed to practice a profession listed in this paragraph, or any other person or entity who is licensed, certified, or otherwise authorized or permitted by the law of this state to administer health care in the ordinary course of business or in the practice of a profession.

Sec. 8. [Section 147A.10, subsection 3](#), Code 2023, is amended to read as follows:

3. An act of commission or omission of any appropriately certified emergency medical care provider, registered nurse, or licensed practical nurse, ~~or physician assistant~~, while rendering 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 emergency medical care provider, registered nurse, licensed practical nurse, or physician assistant, the supervising physician, physician designee, advanced registered nurse practitioner, 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. 9. [Section 148C.1, subsection 5](#), Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

5. “*Independent practice*” means the practice of a physician assistant that is organized as a professional corporation under [chapter 496C](#) or a professional limited liability company under [chapter 489](#).

Sec. 10. [Section 148C.1, subsection 8](#), Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

8. “*Supervising physician*” means a physician who supervises the medical services provided by a physician assistant engaged in independent practice consistent with the physician assistant’s education, training, and experience.

Sec. 11. [Section 148C.1, subsection 6](#), Code 2023, is amended to read as follows:

6. “*Physician*” means a person who is currently licensed in Iowa to practice medicine and surgery or osteopathic medicine and surgery. ~~Notwithstanding [this subsection](#), a physician supervising a physician assistant practicing in a federal facility or under federal authority shall not be required to obtain licensure beyond licensure requirements mandated by the federal government for supervising physicians.~~

Sec. 12. [Section 148C.3, subsection 2](#), Code 2023, is amended to read as follows:

2. a. ~~Rules~~ Joint rules shall be adopted by the board ~~and the board of medicine~~ pursuant to [this chapter](#) requiring a licensed physician assistant to be supervised by ~~physicians~~ a physician during the first two years of independent practice if the physician assistant has not previously practiced under a supervising physician or in collaboration with the appropriate

physician or other health care professional for a period of at least two years. The rules shall provide that not more than five physician assistants shall be supervised by a physician at one time determine the terms of collaboration for a physician assistant engaged in independent practice after the conclusion of two years of practice under a supervising physician. The rules shall also provide that a physician assistant shall notify the board of the identity of the physician assistant's supervising physician and of any change in the status of the supervisory relationship.

b. For purposes of [this chapter](#), "supervision" does not require the personal presence of the physician at the place where medical services are rendered except insofar as the personal presence is expressly required by [this chapter](#) or by rules of the board adopted pursuant to [chapter 17A](#).

Sec. 13. [Section 148C.4, subsections 2 and 3](#), Code 2023, are amended to read as follows:

2. ~~α.~~ Notwithstanding [subsection 1](#), a physician assistant licensed pursuant to [this chapter](#) or authorized to practice in any other state or federal jurisdiction who voluntarily and gratuitously, and other than in the ordinary course of the physician assistant's employment or practice, responds to a need for medical care created by an emergency or a state or local disaster may render such care that the physician assistant is able to provide without supervision as described in [this section](#) or with such supervision as is available.

~~*b.* A physician who supervises a physician assistant providing medical care pursuant to [this subsection](#) shall not be required to meet the requirements of rules adopted pursuant to [section 148C.3, subsection 2](#), relating to supervision by physicians. A physician providing physician assistant supervision pursuant to [this subsection](#) or a physician assistant, who voluntarily and gratuitously, and other than in the ordinary course of the physician assistant's employment or practice, responds to a need for medical care created by an emergency or a state or local disaster shall not be subject to criminal liability by reason of having issued or executed the orders for provided such care, and shall not be liable for civil damages for acts or omissions relating to the issuance or execution of the orders such care unless the acts or omissions constitute recklessness.~~

3. The degree of collaboration between a physician assistant and the appropriate member of a health care team shall be determined at the practice level, and may involve decisions made by the medical group, hospital service, supervising physician, or employer of the physician assistant, or the credentialing and privileging system of a licensed health care facility. A physician shall be accessible at all times for consultation with a physician assistant unless the physician assistant is providing emergency medical services pursuant to ~~645 IAC 327.1(1)(n)~~. ~~The supervising physician shall have ultimate responsibility for determining the medical care provided by the supervising physician-physician assistant team. A physician assistant shall be responsible for the services performed by the physician assistant that are not performed under the supervision of a physician.~~

Sec. 14. [Section 148C.5, subsection 1](#), Code 2023, is amended to read as follows:

1. If the board commences a contested case hearing against a physician assistant by delivering a statement of charges and notice of hearing to the physician assistant, the board shall deliver a copy of the statement of charges and notice of hearing to the physician assistant's supervising physician, if applicable.

Sec. 15. [Section 148C.5, subsection 3](#), Code 2023, is amended by striking the subsection.

Sec. 16. [Section 148C.9](#), Code 2023, is amended to read as follows:

148C.9 Eye examination restricted.

A physician assistant shall not be permitted to prescribe lenses, prisms, or contact lenses for the aid, relief, or correction of human vision. A physician assistant engaged in independent practice shall not be permitted to measure the visual power and visual efficiency of the human eye, as distinguished from routine visual screening, except in the personal presence of a supervising physician at the place where such services are rendered.

Sec. 17. [Section 148F.7](#), Code 2023, is amended to read as follows:

148F.7 Limitation on provision of care and services.

A licensed orthotist, prosthetist, or pedorthist may provide care or services only if the care or services are provided pursuant to an order from a licensed physician, a licensed podiatric physician, an advanced registered nurse practitioner licensed pursuant to [chapter 152](#) or [152E](#), or a physician assistant who has been delegated the authority to order the services of an orthotist, prosthetist, or pedorthist by the assistant's supervising physician licensed under [chapter 148C](#).

Sec. 18. [Section 154F.2, subsection 1](#), paragraph a, Code 2023, is amended to read as follows:

a. Licensed physicians and surgeons, licensed osteopathic physicians and surgeons, and licensed physician assistants, and registered nurses acting under the supervision of a physician or osteopathic physician, persons conducting hearing tests under the direct supervision of a licensed physician and surgeon or licensed osteopathic physician and surgeon, or students of medicine or surgery or osteopathic medicine and surgery pursuing a course of study in a medical school or college of osteopathic medicine and surgery approved by the board of medicine while performing functions incidental to their course of study.

Sec. 19. [Section 225C.6, subsection 4](#), paragraph c, subparagraph (1), Code 2023, is amended to read as follows:

(1) A comprehensive set of wraparound services for persons who have had or are at imminent risk of having acute or crisis mental health symptoms that do not permit the persons to remain in or threatens removal of the persons from their home and community, but who have been determined by a mental health professional and a licensed health care professional, subject to the professional's scope of practice, not to need inpatient acute hospital services. For the purposes of this subparagraph, "*mental health professional*" means the same as defined in [section 228.1](#) and "*licensed health care professional*" means a person licensed under [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#), or a physician assistant licensed to practice under the supervision of a physician as authorized in [chapters 147](#) and [chapter 148C](#).

Sec. 20. [Section 228.1, subsection 7](#), paragraph b, Code 2023, is amended to read as follows:

b. The individual holds a current Iowa license if practicing in a field covered by an Iowa licensure law and is a psychiatrist, an advanced registered nurse practitioner who holds a national certification in psychiatric mental health care and is licensed by the board of nursing, a physician assistant practicing under the supervision of or in collaboration with a psychiatrist, a qualified mental health professional physician assistant, a psychiatric advanced registered nurse practitioner as defined in [section 125.2](#), or an individual who holds a doctorate degree in psychology and is licensed by the board of psychology. For the purposes of this paragraph, "collaboration" means the same as defined in [section 148C.1](#).

Sec. 21. [Section 280.16, subsection 1](#), paragraph d, Code 2023, is amended to read as follows:

d. "*Licensed health care professional*" means a person licensed under [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#) and registered with the board of nursing, or a physician assistant licensed to practice under the supervision of a physician as authorized in [chapters 147](#) and [chapter 148C](#).

Sec. 22. [Section 489.1102, subsection 2](#), paragraph b, Code 2023, is amended to read as follows:

b. Nothing in [this section](#) shall be construed to expand the scope of practice of a physician assistant or modify the requirement in [section 148C.4](#) that a physician assistant perform medical services under the supervision of a licensed physician.

Sec. 23. [Section 489.1105, subsection 2](#), paragraph b, Code 2023, is amended to read as follows:

b. Nothing in [this section](#) shall be construed to expand the scope of practice of a physician assistant or ~~modify the requirement in [section 148C.4](#) that a physician assistant perform medical services under the supervision of a licensed physician.~~

Sec. 24. [Section 496C.4, subsection 2](#), paragraph b, Code 2023, is amended to read as follows:

b. Nothing in [this section](#) shall be construed to expand the scope of practice of a physician assistant or ~~modify the requirement in [section 148C.4](#) that a physician assistant perform medical services under the supervision of a licensed physician.~~

Sec. 25. [Section 496C.7, subsection 3](#), paragraph b, Code 2023, is amended to read as follows:

b. Nothing in [this section](#) shall be construed to expand the scope of practice of a physician assistant or ~~modify the requirement in [section 148C.4](#) that a physician assistant perform medical services under the supervision of a licensed physician.~~

Sec. 26. REPEAL. [Sections 148.13](#) and [148C.12](#), Code 2023, are repealed.

Approved May 10, 2023