



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 30, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

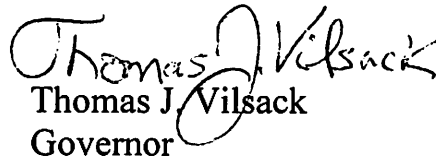
Dear Mr. Secretary:

I hereby transmit:

House File 628, an Act relating to physician assistant licensure, and providing an effective date.

The above House File is hereby approved this date.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 628

AN ACT

RELATING TO PHYSICIAN ASSISTANT LICENSURE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 147.74, subsection 16, Code 2003, is amended to read as follows:

16. A physician assistant ~~registered or~~ licensed under chapter 148C may use the words "physician assistant" after the person's name or signify the same by the use of the letters "P. A." after the person's name.

Sec. 2. Section 147.80, subsection 5, Code 2003, is amended to read as follows:

5. Application for a license to practice as a physician assistant, issuance of a license to practice as a physician assistant issued upon the basis of an examination given or approved by the board of physician assistant examiners, issuance of a license to practice as a physician assistant issued under a reciprocal agreement, renewal of a license to practice as a physician assistant, temporary license to practice as a physician assistant, ~~registration of a physician assistant, temporary registration of a physician assistant, renewal of a registration of a physician assistant.~~

Sec. 3. Section 147.107, subsection 5, Code 2003, is amended to read as follows:

5. Notwithstanding subsection 1 and any other provision of this section to the contrary, a physician may delegate the function of prescribing drugs, controlled substances, and medical devices to a physician assistant licensed pursuant to chapter 148C. When delegated prescribing occurs, the

supervising physician's name shall be used, recorded, or otherwise indicated in connection with each individual prescription so that the individual who dispenses or administers the prescription knows under whose delegated authority the physician assistant is prescribing. 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 assistant examiners, after consultation with the board of medical examiners and the board of pharmacy examiners, ~~as soon as possible after July 1, 1991. The rules shall be reviewed and approved by the physician assistant rules review group created under subsection 7 and shall be adopted in final form by January 1, 1993.~~ However, the rules shall prohibit the prescribing of schedule II controlled substances which are listed as stimulants or depressants pursuant to chapter 124. ~~If rules are not reviewed and approved by the physician assistant rules review group created under subsection 7 and adopted in final form by January 1, 1993, a physician assistant may prescribe drugs as a delegated act of a supervising physician under rules adopted by the board of physician assistant examiners and subject to the rules review process established in section 148C.7. The board of physician assistant examiners shall be the only board to regulate the practice of physician assistants relating to prescribing and supplying prescription drugs, controlled substances and medical devices, notwithstanding section 148C.6A.~~

Sec. 4. Section 148.13, subsection 1, Code 2003, is amended to read as follows:

1. The board of medical examiners shall adopt rules setting forth in detail its criteria and procedures for determining the ineligibility of a physician to serve as a supervising physician under chapter 148C. ~~The rules shall be adopted as soon as possible after the effective date of this Act and in no event later than December 31, 1988~~ provide that a physician may serve as a supervising physician under chapter 148C until such time as the board determines, following normal disciplinary procedures, that the physician is ineligible to serve in that capacity.

Sec. 5. Section 148.13, subsection 4, Code 2003, is amended by striking the subsection and inserting in lieu thereof the following:

4. The board of medical examiners shall adopt rules requiring a physician serving as a supervising physician to notify the board of the identity of a physician assistant the physician is supervising, and of any change in the status of the supervisory relationship.

Sec. 6. Section 148C.1, subsection 1, Code 2003, is amended by striking the subsection and inserting in lieu thereof the following:

1. "Approved program" means a program for the education of physician assistants which has been accredited by the American medical association's committee on allied health education and accreditation, by its successor, the commission on accreditation of allied health educational programs, or by its successor, the accreditation review commission on education for the physician assistant, or its successor.

Sec. 7. Section 148C.1, subsection 5, Code 2003, is amended to read as follows:

5. "Physician" means a person who is currently licensed in Iowa to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy. 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. 8. Section 148C.1, subsection 7, Code 2003, is amended by striking the subsection.

Sec. 9. Section 148C.3, Code 2003, is amended by striking the section and inserting in lieu thereof the following:

148C.3 LICENSURE.

1. The board shall adopt rules to govern the licensure of physician assistants. An applicant for licensure shall submit the fee prescribed by the board and shall meet the requirements established by the board with respect to each of the following:

a. Academic qualifications, including evidence of graduation from an approved program. A physician assistant who is not a graduate of an approved program, but who passed

the national commission on certification of physician assistants' physician assistant national certifying examination prior to 1986, is exempt from this graduation requirement.

b. Evidence of passing the national commission on the certification of physician assistants' physician assistant national certifying examination or an equivalent examination approved by the board.

c. Hours of continuing medical education necessary to become or remain licensed.

2. Rules shall be adopted by the board pursuant to this chapter requiring a licensed physician assistant to be supervised by physicians. The rules shall provide that not more than two physician assistants shall be supervised by a physician at one time. The rules shall also provide that a physician assistant shall notify the board of the identity of their supervising physician, and of any change in the status of the supervisory relationship.

3. A licensed physician assistant shall perform only those services for which the licensed physician assistant is qualified by training or not prohibited by the board.

4. The board may issue a temporary license under special circumstances and upon conditions prescribed by the board. A temporary license shall not be valid for more than one year and shall not be renewed more than once.

5. The board may issue an inactive license under conditions prescribed by rules adopted by the board.

6. The board shall adopt rules pursuant to this section after consultation with the board of medical examiners.

Sec. 10. Section 148C.4, Code 2003, is amended to read as follows:

148C.4 SERVICES PERFORMED BY PHYSICIAN ASSISTANTS.

1. A physician assistant may perform medical services when the services are rendered under the supervision of the a physician or-physicians-specified-in-the-physician-assistant license-approved-by-the-board. A trainee physician assistant student may perform medical services when the services are rendered within the scope of an approved program. For the purposes of this section, "medical services when the services are rendered under the supervision of the-physician-or

~~physicians-specified-in-the-physician-assistant-license approved-by-the-board~~ " a physician" includes making a pronouncement of death for a patient whose death is anticipated if the death occurs in a licensed hospital, a licensed health care facility, a Medicare-certified home health agency, or a Medicare-certified hospice program or facility, with notice of the death to a physician and in accordance with the directions of a physician.

2. 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.

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 such care, and shall not be liable for civil damages for acts or omissions relating to the issuance or execution of the orders unless the acts or omissions constitute recklessness.

Sec. 11. Section 148C.11, Code 2003, is amended to read as follows:

148C.11 PROHIBITION -- CRIME.

A person not ~~registered-and~~ licensed as required by this chapter who practices as a physician assistant ~~without-having obtained-the-appropriate-approval-under-this-chapter,~~ is guilty of a serious misdemeanor.

Sec. 12. PHYSICIAN ASSISTANTS -- RULES. The board shall adopt new rules pursuant to chapter 17A to administer chapter

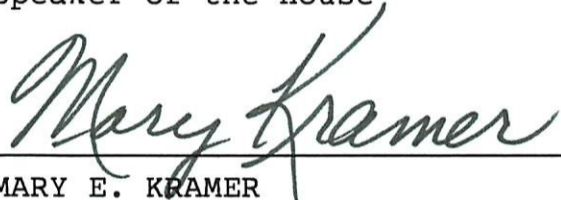
148C, after consultation with the board of medical examiners, no later than January 1, 2004. The rules shall be designed to encourage the utilization of physician assistants in a manner that is consistent with the provision of quality health care and medical services for the citizens of Iowa through better utilization of available physicians and the development of sound programs for the education and training of skilled physician assistants well qualified to assist physicians in providing health care and medical services.

Sec. 13. Sections 148C.2, 148C.5A, 148C.6A, and 148C.7, Code 2003, are repealed.

Sec. 14. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



CHRISTOPHER C. RANTS
Speaker of the House



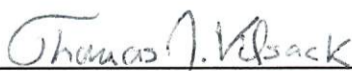
MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 628, Eightieth General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved April 30, 2003



THOMAS J. VILSACK
Governor