



1 Section 1. Section 135F.1, subsections 1, 3, and 4, Code  
2 1989, are amended to read as follows:

3 1. "Respiratory care practitioner" or "practitioner" means  
4 a person who ~~has-qualified~~ qualifies as a respiratory  
5 therapist or respiratory therapy technician. ~~Neither-term~~  
6 ~~refers-to-a-person-currently-working-in-the-field-of~~  
7 ~~respiratory-care-who-does-not-become-certified-under-this~~  
8 ~~chapter.~~

9 3. "Respiratory therapist" means a ~~respiratory-care-prac-~~  
10 ~~tititioner~~ person who has successfully completed a respiratory  
11 therapy training program, and has passed the registry  
12 examination for respiratory therapists administered by the  
13 national board for respiratory care ~~and-passed~~ or a  
14 respiratory therapy certification examination approved by the  
15 department. Two years of supervised clinical experience in an  
16 acceptable location for the practice of respiratory care, as  
17 described in section 135F.4, may be substituted for the  
18 completion of a respiratory therapy training program.

19 4. "Respiratory therapy technician" means a ~~respiratory~~  
20 ~~care-practitioner~~ person who has successfully completed a  
21 respiratory therapy training program, and has passed the  
22 certification examination for respiratory therapy technicians  
23 administered by the national board for respiratory care ~~and~~  
24 ~~passed~~ or a respiratory therapy technicians' certification  
25 examination approved by the department. Two years of  
26 supervised clinical experience in an acceptable location for  
27 the practice of respiratory care, as described in section  
28 135F.4, may be substituted for the completion of a respiratory  
29 therapy training program.

30 Sec. 2. Section 135F.2, unnumbered paragraph 1, Code 1989,  
31 is amended to read as follows:

32 "Respiratory care as a practice" means a health care  
33 profession, under ~~medical-direction~~ a medical director,  
34 employed in the therapy, management, rehabilitation,  
35 diagnostic evaluation, and care of patients with deficiencies

1 and abnormalities which affect the pulmonary system and  
2 associated aspects of cardiopulmonary and other systems'  
3 functions, and includes all of the following:

4 Sec. 3. Section 135F.6, subsection 2, Code 1989, is  
5 amended to read as follows:

6 2. ~~The establishment and collection of fees~~ of a system  
7 for the registration certification of respiratory care  
8 practitioners and the establishment and collection of  
9 certification fees. The fees charged shall be sufficient to  
10 defray the costs of administration of this chapter and all  
11 fees collected shall be deposited with the treasurer of state  
12 who shall deposit them in the general fund of the state.

13 Sec. 4. Section 135F.7, Code 1989, is amended to read as  
14 follows:

15 135F.7 REPRESENTATION.

16 A person who is qualified as a respiratory care  
17 practitioner and is ~~registered with~~ certified by the  
18 department may use the title "respiratory care practitioner"  
19 or the letters R.C.P. after the person's name to indicate that  
20 the person is a qualified respiratory care practitioner  
21 ~~registered with~~ certified by the department. No other person  
22 is entitled to use the title or letters or any other title or  
23 letters that indicate or imply that the person is a  
24 respiratory care practitioner, nor may a person make any  
25 representation, orally or in writing, expressly or by  
26 implication, that the person is a registered certified  
27 respiratory care practitioner. ~~A person working in the field~~  
28 ~~of respiratory care on July 17, 1985 shall be permitted to~~  
29 ~~continue to do so except that the person shall not be entitled~~  
30 ~~to designate or refer to themselves as a "respiratory care~~  
31 ~~practitioner" or use the letters R.C.P. after the person's~~  
32 name.

33 Sec. 5. Section 135F.11, Code 1989, is amended to read as  
34 follows:

35 135F.11 CONTINUING EDUCATION.

1 After July 1, ~~1988~~ 1990, a respiratory care practitioner  
2 shall submit evidence satisfactory to the department that  
3 during the year preceding renewal of certification the  
4 practitioner has completed continuing education courses as  
5 prescribed by the department. In lieu of the continuing  
6 education, a person may successfully complete the most current  
7 version of the certification examination.

8 Sec. 6. NEW SECTION. 135F.14 CERTIFICATION REQUIRED --  
9 EXCEPTIONS.

3A2-10 1. Except as otherwise provided in this section, a person  
11 shall not engage in the practice of respiratory care unless  
12 the person has obtained a certificate from the department.

13 2. This chapter does not prohibit the performance of  
14 respiratory care procedures by a person who is licensed to  
15 practice a health profession covered by chapter 147.

16 3. This chapter does not prohibit the performance of  
17 respiratory care procedures by a first responder, emergency  
18 rescue technician, emergency medical technician-ambulance,  
19 advanced emergency medical care provider, or other person  
3A2, 3A4-20 functioning as part of a rescue unit.

31B-21 4. A person working in the field of respiratory care on  
3A2-22 July 1, 1985, may continue to do so without meeting the  
311D 23 certification or continuing education requirements of this  
24 chapter, but the person shall not claim to be a "respiratory  
25 care practitioner" or use the letters R.C.P. after the  
26 person's name.

27 Sec. 7. Section 258A.1, subsection 1, Code 1989, is  
28 amended by adding the following new paragraph:

29 NEW PARAGRAPH. aa. The Iowa department of public health  
30 in certifying respiratory care practitioners pursuant to  
31 chapter 135F.

32 EXPLANATION

33 Currently, chapter 135F of the Code gives title protection  
34 to each respiratory care practitioner who is registered with  
35 the Iowa Department of Public Health and has completed a

1 training program and passed national and state examinations.  
2 Although a person who is not registered may not claim to be a  
3 "respiratory care practitioner", there is no prohibition  
4 against that person's engaging in the practice of respiratory  
5 care.

6 This bill revises chapter 135F to provide more than mere  
7 title protection. Under the new provisions, a person could  
8 not engage in the practice of respiratory care unless the  
9 person has obtained a certificate from the Iowa department of  
10 public health. However, exemptions are provided for persons  
11 licensed in another health profession and for persons who were  
12 working in the field of respiratory care on July 1, 1985.

13 The bill also changes the examination requirement so that a  
14 person need not have passed both a national and a state  
15 examination to qualify as a respiratory care practitioner.  
16 Passage of either the national or the state examination would  
17 be sufficient.

18 Requirements for the submission of evidence of continuing  
19 education would be deferred from July 1, 1988 to July 1, 1990.

20 Further, the bill makes applicable to the certification of  
21 respiratory care practitioners the requirements of chapter  
22 258A of the Code relating to continuing education and  
23 disciplinary and other procedures with respect to professional  
24 and occupational licensing, certification, and registration.

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SENATE FILE 205

S-3110

- 1 Amend Senate File 205 as follows:  
304 2 1. Page 3, line 23, by striking the words "or  
3 continuing education".

By COMMITTEE ON STATE GOVERNMENT  
BOB M. CARR, Chairperson

S-3110 FILED FEBRUARY 23, 1989

*adopted 3-6-89 (p.634)*

SENATE FILE 205

S-3124

- 1 Amend the amendment, S-3110, to Senate File 205, as  
2 follows:  
3 1. Page 1, by inserting before line 2 the follow-  
4 ing:  
5 " ". Page 3, by inserting after line 7 the fol-  
6 lowing:  
7 "Persons who are exempted from certification  
8 requirements under section 135F.14, subsection 4,  
9 shall comply with the continuing education  
10 requirements of this section. The department shall  
11 adopt rules for the administration of this  
12 requirement."  
13 2. By numbering and renumbering as necessary.

By BEVERLY A. HANNON

S-3124 FILED FEBRUARY 28, 1989

*adopted 3-6-89 (p.634)*

SENATE FILE 205

S-3173

- 1 Amend Senate File 205 as follows:  
2 1. Page 3, by striking lines 21 through 26.

By MICHAEL E. GRONSTAL

S-3173 FILED MARCH 6, 1989

LOST *3-6-89 (p.634)*

SENATE FILE 205

S-3174

- 1 Amend Senate File 205 as follows:  
2 1. Page 3, line 20, by inserting after the word  
3 "unit" the following: "or in a hospital as authorized  
4 by chapter 147A".

By WILLIAM W. DIELEMAN

S-3174 FILED MARCH 6, 1989

*Out of Order 3-13-89 (p.755)*



5754 amends all

3888 1 Section 1. Section 135F.1, subsections 1, 3, and 4, Code  
2 1989, are amended to read as follows:

3 1. "Respiratory care practitioner" or "practitioner" means  
4 a person who ~~has-qualified~~ qualifies as a respiratory  
5 therapist or respiratory therapy technician. ~~Neither-term~~  
6 ~~refers-to-a-person-currently-working-in-the-field-of~~  
7 ~~respiratory-care-who-does-not-become-certified-under-this~~  
8 ~~chapter-~~

9 3. "Respiratory therapist" means a ~~respiratory-care-prac-~~  
10 ~~titioner~~ person who has successfully completed a respiratory  
11 therapy training program, and has passed the registry  
12 examination for respiratory therapists administered by the  
13 national board for respiratory care ~~and-passed~~ or a  
14 respiratory therapy certification examination approved by the  
15 department. Two years of supervised clinical experience in an  
16 acceptable location for the practice of respiratory care, as  
3889-17 described in section 135F.4, may be substituted for the  
18 completion of a respiratory therapy training program.

19 4. "Respiratory therapy technician" means a ~~respiratory~~  
20 ~~care-practitioner~~ person who has successfully completed a  
21 respiratory therapy training program, and has passed the  
22 certification examination for respiratory therapy technicians  
23 administered by the national board for respiratory care ~~and~~  
24 ~~passed~~ or a respiratory therapy technicians' certification  
25 examination approved by the department. Two years of  
26 supervised clinical experience in an acceptable location for  
27 the practice of respiratory care, as described in section  
28 135F.4, may be substituted for the completion of a respiratory  
29 therapy training program.

3954 30 Sec. 2. Section 135F.2, unnumbered paragraph 1, Code 1989,  
31 is amended to read as follows:

32 "Respiratory care as a practice" means a health care  
33 profession, under ~~medical-direction~~ a medical director,  
34 employed in the therapy, management, rehabilitation,  
35 diagnostic evaluation, and care of patients with deficiencies

1 and abnormalities which affect the pulmonary system and  
2 associated aspects of cardiopulmonary and other systems'  
3 functions, and includes all of the following:

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4 Sec. 3. Section 135F.6, subsection 2, Code 1989, is  
5 amended to read as follows:

6 2. The establishment ~~and-collection-of-fees~~ of a system  
7 for the ~~registration certification~~ of respiratory care  
8 practitioners and the establishment and collection of  
9 certification fees. The fees charged shall be sufficient to  
10 defray the costs of administration of this chapter and all  
11 fees collected shall be deposited with the treasurer of state  
12 who shall deposit them in the general fund of the state.

13 Sec. 4. Section 135F.7, Code 1989, is amended to read as  
14 follows:

15 135F.7 REPRESENTATION.

16 A person who is qualified as a respiratory care  
17 practitioner and is ~~registered-with~~ certified by the  
18 department may use the title "respiratory care practitioner"  
19 or the letters R.C.P. after the person's name to indicate that  
20 the person is a qualified respiratory care practitioner  
21 ~~registered-with~~ certified by the department. No other person  
22 is entitled to use the title or letters or any other title or  
23 letters that indicate or imply that the person is a  
24 respiratory care practitioner, nor may a person make any  
25 representation, orally or in writing, expressly or by  
26 implication, that the person is a ~~registered~~ certified  
27 respiratory care practitioner. ~~A-person-working-in-the-field~~  
28 ~~of-respiratory-care-on-July-17-1985-shall-be-permitted-to~~  
29 ~~continue-to-do-so-except-that-the-person-shall-not-be-entitled~~  
30 ~~to-designate-or-refer-to-themselves-as-a-"respiratory-care~~  
31 ~~practitioner"-or-use-the-letters-R-C-P--after-the-person's~~  
32 ~~name-~~

33 Sec. 5. Section 135F.11, Code 1989, is amended to read as  
34 follows:

35 135F.11 CONTINUING EDUCATION.

50021 After July 1, ~~1988~~ 1990, a respiratory care practitioner  
2 shall submit evidence satisfactory to the department that  
3 during the year preceding renewal of certification the  
4 practitioner has completed continuing education courses as  
5 prescribed by the department. In lieu of the continuing  
6 education, a person may successfully complete the most current  
7 version of the certification examination.

3851 8 Persons who are exempted from certification requirements  
9 under section 135F.14, subsection 4, shall comply with the  
10 continuing education requirements of this section. The  
11 department shall adopt rules for the administration of this  
12 requirement.

3851 13 Sec. 6. NEW SECTION. 135F.14 CERTIFICATION REQUIRED --  
14 EXCEPTIONS.

15 1. Except as otherwise provided in this section and  
16 section 135F.5, a person shall not engage in the practice of  
17 respiratory care unless the person has obtained a certificate  
18 from the department.

19 2. This chapter does not prohibit the performance of  
20 respiratory care procedures by a person who is licensed to  
21 practice a health profession covered by chapter 147.

22 3. This chapter does not prohibit the performance of  
23 respiratory care procedures by a first responder, emergency  
24 rescue technician, emergency medical technician-ambulance,  
25 advanced emergency medical care provider, or other person  
50026 functioning as part of a rescue unit or in a hospital as  
27 authorized by chapter 147A.

28 4. A person working in the field of respiratory care on  
50029 July 1, 1989, may continue to do so without meeting the  
\* 30 certification requirements of this chapter, but the person  
31 shall not claim to be a "respiratory care practitioner" or use  
32 the letters R.C.P. after the person's name.

50033 Sec. 7. Section 258A.1, subsection 1, Code 1989, is  
34 amended by adding the following new paragraph:

35 NEW PARAGRAPH. aa. The Iowa department of public health

1 in certifying respiratory care practitioners pursuant to  
2 chapter 135F.

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SF 205

jw/cc/26

## SENATE FILE 205

H-3966

- 1 Amend Senate File 205, as amended, passed, and re-  
 2 printed by the Senate, as follows:  
 3 1. Page 2, by inserting after line 3 the  
 4 following:  
 5 "Sec. \_\_\_\_ . Section 135F.2, Code 1989, is amended  
 6 by adding the following new unnumbered paragraph after  
 7 subsection 5:  
 8 NEW UNNUMBERED PARAGRAPH. "Respiratory care as a  
 9 practice" does not include the delivery, assembly,  
 10 setup, testing, or demonstration of respiratory care  
 11 equipment upon the order of a licensed physician. As  
 12 used in this paragraph, "demonstration" does not  
 13 include the actual teaching, administration, or  
 14 performance of the respiratory care procedures."  
 15 2. By numbering and renumbering as necessary.

By BEATTY of Warren  
 HANSON of Delaware

H-3966 FILED APRIL 11, 1989

*WLD 4/13 (p. 1757)*

## SENATE FILE 205

H-3973

- 1 Amend the amendment, H-3966, to Senate File 205, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, line 11, by inserting after the word  
 5 "equipment" the following: "in the home".

By HANSON of Delaware

H-3973 FILED APRIL 12, 1989

*Edwards 4/12 (p. 1757)*

## SENATE FILE 205

H-5002

- 1 Amend Senate File 205, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 3, line 1, by striking the word "1990"  
 4 and inserting the following: "1991".  
 5 2. Page 3, line 26, by striking the words "rescue  
 6 unit" and inserting the following: "ambulance,  
 7 rescue, or first response service".  
 8 3. Page 3, line 29, by striking the word "1989"  
 9 and inserting the following: "1990".  
 10 4. Page 3, line 33, by striking the words  
 11 "subsection 1, Code 1989," and inserting the  
 12 following: "subsection 6, Code Supplement 1989,".

By HANSON OF Delaware

H-5002 FILED JANUARY 15, 1990

*WLD 4/13 (p. 1751)*

SENATE FILE 205

H-3851

- 1 Amend Senate File 205, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 8 and 9 and
- 4 inserting the following:
- 5 "Persons who are not certified under this chapter
- 6 but who perform respiratory care as defined by
- 7 sections 135F.2 and 135F.3 shall comply with the".
- 8 2. Page 3, by inserting after line 12 the
- 9 following:
- 10 "This section does not apply to persons who are
- 11 licensed to practice a health profession covered by
- 12 chapter 147 or to any person who performs respiratory
- 13 care procedures as a first responder, emergency rescue
- 14 technician, emergency medical technician-ambulance,
- 15 advanced emergency medical care provider, or other
- 16 person functioning as part of a rescue unit or in a
- 17 hospital as authorized by chapter 147A."
- 18 3. Page 3, by striking lines 13 through 32.
- 19 4. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT  
BLANSHAN of Greene, Chairperson

H-3851 FILED APRIL 5, 1989

*Adopted as amended by 5760 (4/5/89)*

SENATE FILE 205

H-3888

- 1 Amend the amendment, H-3851, to Senate File 205 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting before line 3 the
- 5 following:
- 6 "\_\_\_\_\_: Page 1, by striking line 30 through page 2,
- 7 line 3."
- 8 2. Page 1, line 17, by inserting after the figure
- 9 "147A" the following: ", or to persons whose function
- 10 with respect to respiratory care is limited to the
- 11 home delivery and connection of oxygen tanks".

By BEATTY of Warren

H-3888 FILED APRIL 6, 1989

*w/18 4/5 (p. 1762)*

SENATE FILE 205

H-3954

- 1 Amend Senate File 205 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 30 through page 2,
- 4 line 3.
- 5 2. By renumbering as necessary.

By BEATTY of Warren

H-3954 FILED APRIL 10, 1989

*w/18 4/3 (p. 1737)*

## SENATE FILE 205

H-5760

1 Amend the amendment, H-3851, to Senate File 205, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by inserting before line 3, the  
5 following:

6 "\_\_\_\_\_. Page 1, line 14, by striking the word  
7 "certification" and inserting the following:  
8 "~~certification~~ licensure".

9 \_\_\_\_\_ . Page 1, line 24, by striking the word  
10 "certification" and inserting the following:  
11 "~~certification~~ licensure".

12 \_\_\_\_\_ . By striking page 1, line 30, through page 2,  
13 line 3.

14 \_\_\_\_\_ . Page 2, by inserting before line 4 the  
15 following:

16 "Sec. \_\_\_\_\_. Section 135F.2, Code 1989, is amended  
17 by adding the following new unnumbered paragraph after  
18 subsection 5:

19 NEW UNNUMBERED PARAGRAPH. "Respiratory care as a  
20 practice" does not include the delivery, assembly,  
21 setup, testing, or demonstration of respiratory care  
22 equipment in the home upon the order of a licensed  
23 physician. As used in this paragraph, "demonstration"  
24 does not include the actual teaching, administration,  
25 or performance of the respiratory care procedures.

26 Sec. \_\_\_\_\_. Section 135F.5, unnumbered paragraph 3,  
27 Code 1989, is amended to read as follows:

28 A graduate of an approved respiratory care training  
29 program employed in an organized health care system  
30 may render services as defined in sections 135F.2 and  
31 135F.3 under the direct and immediate supervision of a  
32 respiratory care practitioner for one year. The  
33 graduate shall be identified as a "respiratory care  
34 practitioner-certification licensure applicant".

35 \_\_\_\_\_ . Page 2, by striking line 4, and inserting  
36 the following:

37 "Sec. \_\_\_\_\_. Section 135F.6, subsections 2 and 3,  
38 Code 1989, are".

39 \_\_\_\_\_ . Page 2, line 7, by striking the word  
40 "certification" and inserting the following:

41 "licensure".

42 \_\_\_\_\_ . Page 2, line 9, by striking the word  
43 "certification" and inserting the following:

44 "licensure".

45 \_\_\_\_\_ . Page 2, by inserting after line 12 the  
46 following:

47 "3. The designation of certification licensure  
48 examinations for respiratory care practitioners."

49 \_\_\_\_\_ . Page 2, line 17, by striking the word

50 "certified" and inserting the following: "licensed".

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Page 2

- 1 \_\_\_\_\_ Page 2, line 21, by striking the word  
2 "certified" and inserting the following: "licensed".  
3 \_\_\_\_\_ Page 2, line 26, by striking the word  
4 "certified" and inserting the following: "licensed".  
5 \_\_\_\_\_ Page 3, line 1, by striking the figure  
6 "1990" and inserting the following: "1991".  
7 \_\_\_\_\_ Page 3, line 3, by striking the word  
8 "certification" and inserting the following:  
9 "certification licensure".  
10 \_\_\_\_\_ Page 3, line 7, by striking the word  
11 "certification" and inserting the following:  
12 "certification licensure".  
13 2. Page 1, line 5, by striking the word  
14 "certified" and inserting the following: "licensed".  
15 3. Page 1, line 17, by inserting after the figure  
16 "147A" the following: ", or to persons whose function  
17 with respect to respiratory care is limited to the  
18 home delivery and connection of oxygen tanks".  
19 4. Page 1, by inserting after line 17, the  
20 following:  
21 "Sec. \_\_\_\_ Section 135F.12, Code 1989, is amended  
22 to read as follows:  
23 135F.12 SUSPENSION AND REVOCATION OF CERTIFICATES  
24 LICENSES.  
25 The department may suspend, revoke or impose  
26 probationary conditions upon a certificate license  
27 issued pursuant to rules adopted in accordance with  
28 section 135F.6."  
29 5. Page 1, by inserting after line 18, the  
30 following:  
31 "\_\_\_\_ Page 3, line 33, by striking the words  
32 "subsection 1, Code" and inserting the following:  
33 "subsection 6, Code Supplement".  
34 \_\_\_\_\_ Page 4, line 1, by striking the word  
35 "certifying" and inserting the following:  
36 "licensing".

By HANSON of Delaware  
BEATTY of Warren

H-5760 FILED MARCH 19, 1990

*Adopted 4/3 (p. 1734)*

## SENATE FILE 205

B-5759

1 Amend Senate File 205, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "Section 1. Section 135F.1, subsections 1, 3, and  
6 4, Code 1989, are amended to read as follows:

7 1. "Respiratory care practitioner" or  
8 "practitioner" means a person who has-qualified  
9 qualifies as a respiratory therapist or respiratory  
10 therapy technician. ~~Neither-term-refers-to-a-person~~  
11 ~~currently-working-in-the-field-of-respiratory-care-who~~  
12 ~~does-not-become-certified-under-this-chapter-~~

13 3. "Respiratory therapist" means a respiratory  
14 care-practitioner person who has successfully  
15 completed a respiratory therapy training program, and  
16 has passed the registry examination for respiratory  
17 therapists administered by the national board for  
18 respiratory care and-passed or a respiratory therapy  
19 certification examination approved by the department.  
20 Two years of supervised clinical experience in an  
21 acceptable location for the practice of respiratory  
22 care, as described in section 135F.4, may be  
23 substituted for the completion of a respiratory  
24 therapy training program.

25 4. "Respiratory therapy technician" means a  
26 respiratory-care-practitioner person who has  
27 successfully completed a respiratory therapy training  
28 program, and has passed the certification examination  
29 for respiratory therapy technicians administered by  
30 the national board for respiratory care and-passed or  
31 a respiratory therapy technicians' certification  
32 examination approved by the department. Two years of  
33 supervised clinical experience in an acceptable  
34 location for the practice of respiratory care, as  
35 described in section 135F.4, may be substituted for  
36 the completion of a respiratory therapy training  
37 program.

38 Sec. 2. Section 135F.2, unnumbered paragraph 1,  
39 Code 1989, is amended to read as follows:

40 "Respiratory care as a practice" means a health  
41 care profession, under ~~medical-direction~~ a medical  
42 director, employed in the therapy, management,  
43 rehabilitation, diagnostic evaluation, and care of  
44 patients with deficiencies and abnormalities which  
45 affect the pulmonary system and associated aspects of  
46 cardiopulmonary and other systems' functions, and  
47 includes all of the following:

48 Sec. 3. Section 135F.2, Code 1989, is amended by  
49 adding the following new unnumbered paragraph after  
50 subsection 5:

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Page 2

1 NEW UNNUMBERED PARAGRAPH. "Respiratory care as a  
2 practice" does not include the delivery, assembly,  
3 setup, testing, or demonstration of respiratory care  
4 equipment in the home upon the order of a licensed  
5 physician. As used in this paragraph, "demonstration"  
6 does not include the actual teaching, administration,  
7 or performance of the respiratory care procedures.

8 Sec. 4. Section 135F.6, subsection 2, Code 1989,  
9 is amended to read as follows:

10 2. ~~The establishment and collection of fees of a~~  
11 system for the registration certification of  
12 respiratory care practitioners and the establishment  
13 and collection of certification fees. The fees  
14 charged shall be sufficient to defray the costs of  
15 administration of this chapter and all fees collected  
16 shall be deposited with the treasurer of state who  
17 shall deposit them in the general fund of the state.

18 Sec. 5. Section 135F.7, Code 1989, is amended to  
19 read as follows:

20 135F.7 REPRESENTATION.

21 A person who is qualified as a respiratory care  
22 practitioner and is registered with certified by the  
23 department may use the title "respiratory care  
24 practitioner" or the letters R.C.P. after the person's  
25 name to indicate that the person is a qualified  
26 respiratory care practitioner registered with  
27 certified by the department. No other person is  
28 entitled to use the title or letters or any other  
29 title or letters that indicate or imply that the  
30 person is a respiratory care practitioner, nor may a  
31 person make any representation, orally or in writing,  
32 expressly or by implication, that the person is a  
33 registered certified respiratory care practitioner. A  
34 ~~person working in the field of respiratory care on~~  
35 ~~July 17, 1985 shall be permitted to continue to do so~~  
36 ~~except that the person shall not be entitled to~~  
37 ~~designate or refer to themselves as a "respiratory~~  
38 ~~care practitioner" or use the letters R.C.P. after the~~  
39 ~~person's name.~~

40 Sec. 6. Section 135F.11, Code 1989, is amended to  
41 read as follows:

42 135F.11 CONTINUING EDUCATION.

43 After July 1, ~~1988~~ 1991, a respiratory care  
44 practitioner shall submit evidence satisfactory to the  
45 department that during the year preceding renewal of  
46 certification the practitioner has completed  
47 continuing education courses as prescribed by the  
48 department. In lieu of the continuing education, a  
49 person may successfully complete the most current  
50 version of the certification examination.

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Page 3

1 Persons who are not certified under this chapter  
2 but who perform respiratory care as defined by  
3 sections 135F.2 and 135F.3 shall comply with the  
4 continuing education requirements of this section.  
5 The department shall adopt rules for the  
6 administration of this requirement.

7 This section does not apply to persons who are  
8 licensed to practice a health profession covered by  
9 chapter 147 or to any person who performs respiratory  
10 care procedures as a first responder, emergency rescue  
11 technician, emergency medical technician-ambulance,  
12 advanced emergency medical care provider, or other  
13 person functioning as part of a rescue unit or in a  
14 hospital as authorized by chapter 147A.

15 Sec. 7. NEW SECTION. 135F.14 CERTIFICATION  
16 REQUIRED -- EXCEPTIONS.

17 1. Except as otherwise provided in this section  
18 and section 135F.5, a person shall not engage in the  
19 practice of respiratory care unless the person has  
20 obtained a certificate from the department.

21 2. This chapter does not prohibit the performance  
22 of respiratory care procedures by a person who is  
23 licensed to practice a health profession covered by  
24 chapter 147.

25 3. This chapter does not prohibit the performance  
26 of respiratory care procedures by a first responder,  
27 emergency rescue technician, emergency medical  
28 technician-ambulance, advanced emergency medical care  
29 provider, or other person functioning as part of an  
30 ambulance, rescue, or first response service or in a  
31 hospital as authorized by chapter 147A.

32 4. A person working in the field of respiratory  
33 care on July 1, 1990, may continue to do so without  
34 meeting the certification requirements of this  
35 chapter, but the person shall not claim to be a  
36 "respiratory care practitioner" or use the letters  
37 R.C.P. after the person's name.

38 Sec. 8. Section 258A.1, subsection 6, Code  
39 Supplement 1989, is amended by adding the following  
40 new paragraph:

41 NEW PARAGRAPH. aa. The Iowa department of public  
42 health in certifying respiratory care practitioners  
43 pursuant to chapter 135F."

By HAMMOND of Story

H-5759 FILED MARCH 19, 1990

*Done 4/3 (p. 1131)*

HOUSE AMENDMENT TO  
SENATE FILE 205

S-5886

1 Amend Senate File 205, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 14, by striking the word  
4 "certification" and inserting the following:  
5 "certification licensure".

6 2. Page 1, line 24, by striking the word  
7 "certification" and inserting the following:  
8 "certification licensure".

9 3. By striking page 1, line 30, through page 2,  
10 line 3.

11 4. Page 2, by inserting before line 4 the  
12 following:

13 "Sec. \_\_\_\_ . Section 135F.2, Code 1989, is amended  
14 by adding the following new unnumbered paragraph after  
15 subsection 5:

16 NEW UNNUMBERED PARAGRAPH. "Respiratory care as a  
17 practice" does not include the delivery, assembly,  
18 setup, testing, or demonstration of respiratory care  
19 equipment in the home upon the order of a licensed  
20 physician. As used in this paragraph, "demonstration"  
21 does not include the actual teaching, administration,  
22 or performance of the respiratory care procedures.

23 Sec. \_\_\_\_ . Section 135F.5, unnumbered paragraph 3,  
24 Code 1989, is amended to read as follows:

25 A graduate of an approved respiratory care training  
26 program employed in an organized health care system  
27 may render services as defined in sections 135F.2 and  
28 135F.3 under the direct and immediate supervision of a  
29 respiratory care practitioner for one year. The  
30 graduate shall be identified as a "respiratory care  
31 practitioner-certification licensure applicant".

32 5. Page 2, by striking line 4, and inserting the  
33 following:

34 "Sec. \_\_\_\_ . Section 135F.6, subsections 2 and 3,  
35 Code 1989, are".

36 6. Page 2, line 7, by striking the word  
37 "certification" and inserting the following:  
38 "licensure".

39 7. Page 2, line 9, by striking the word  
40 "certification" and inserting the following:  
41 "licensure".

42 8. Page 2, by inserting after line 12 the  
43 following:

44 "3. The designation of certification licensure  
45 examinations for respiratory care practitioners."

46 9. Page 2, line 17, by striking the word  
47 "certified" and inserting the following: "licensed".

48 10. Page 2, line 21, by striking the word  
49 "certified" and inserting the following: "licensed".

50 11. Page 2, line 26, by striking the word

S-5886

Page 2

- 1 "certified" and inserting the following: "licensed".  
2 12. Page 3, line 1, by striking the figure "1990"  
3 and inserting the following: "1991".  
4 13. Page 3, line 3, by striking the word  
5 "certification" and inserting the following:  
6 "~~certification~~ licensure".  
7 14. Page 3, line 7, by striking the word  
8 "certification" and inserting the following:  
9 "~~certification~~ licensure".  
10 15. Page 3, by striking lines 8 and 9 and  
11 inserting the following:  
12 "Persons who are not licensed under this chapter  
13 but who perform respiratory care as defined by  
14 sections 135F.2 and 135F.3 shall comply with the".  
15 16. Page 3, by inserting after line 12 the  
16 following:  
17 "This section does not apply to persons who are  
18 licensed to practice a health profession covered by  
19 chapter 147 or to any person who performs respiratory  
20 care procedures as a first responder, emergency rescue  
21 technician, emergency medical technician-ambulance,  
22 advanced emergency medical care provider, or other  
23 person functioning as part of a rescue unit or in a  
24 hospital as authorized by chapter 147A, or to persons  
25 whose function with respect to respiratory care is  
26 limited to the home delivery and connection of oxygen  
27 tanks.  
28 Sec. \_\_\_\_ . Section 135F.12, Code 1989, is amended  
29 to read as follows:  
30 135F.12 SUSPENSION AND REVOCATION OF CERTIFICATE  
31 LICENSES.  
32 The department may suspend, revoke or impose  
33 probationary conditions upon a certificate license  
34 issued pursuant to rules adopted in accordance with  
35 section 135F.6."  
36 17. Page 3, by striking lines 13 through 32.  
37 18. Page 3, line 33, by striking the words  
38 "subsection 1, Code" and inserting the following:  
39 "subsection 6, Code Supplement".  
40 19. Page 4, line 1, by striking the word  
41 "certifying" and inserting the following:  
42 "licensing".  
43 20. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5886 FILED APRIL 4, 1990

*Senate Concurrence 4/7 (p. 16 73)*

## SENATE FILE 205

## AN ACT

RELATING TO THE CREDENTIALING AND REGULATION OF RESPIRATORY  
CARE PRACTITIONERS.

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

Section 1. Section 135F.1, subsections 1, 3, and 4, Code 1989, are amended to read as follows:

1. "Respiratory care practitioner" or "practitioner" means a person who ~~was qualified~~ qualifies as a respiratory therapist or respiratory therapy technician. ~~Neither term refers to a person currently working in the field of respiratory care who does not become certified under this chapter.~~

3. "Respiratory therapist" means a ~~respiratory care practitioner person~~ who has successfully completed a respiratory therapy training program and has passed the registry examination for respiratory therapists administered by the national board for respiratory care ~~and passed~~ or a respiratory therapy certification licensure examination approved by the department. Two years of supervised clinical experience in an acceptable location for the practice of respiratory care, as described in section 135F.4, may be substituted for the completion of a respiratory therapy training program.

4. "Respiratory therapy technician" means a ~~respiratory care practitioner person~~ who has successfully completed a respiratory therapy training program and has passed the certification examination for respiratory therapy technicians administered by the national board for respiratory care ~~and passed~~ or a respiratory therapy technicians' certification licensure examination approved by the department. Two years of supervised clinical experience in an acceptable location for the practice of respiratory care, as described in section

135F.4, may be substituted for the completion of a respiratory therapy training program.

Sec. 2. Section 135F.2, Code 1989, is amended by adding the following new unnumbered paragraph after subsection 5:  
NEW UNNUMBERED PARAGRAPH. "Respiratory care as a practice" does not include the delivery, assembly, setup, testing, or demonstration of respiratory care equipment in the home upon the order of a licensed physician. As used in this paragraph, "demonstration" does not include the actual teaching, administration, or performance of the respiratory care procedures.

Sec. 3. Section 135F.5, unnumbered paragraph 3, Code 1989, is amended to read as follows:

A graduate of an approved respiratory care training program employed in an organized health care system may render services as defined in sections 135F.2 and 135F.3 under the direct and immediate supervision of a respiratory care practitioner for one year. The graduate shall be identified as a "respiratory care practitioner-certification licensure applicant."

Sec. 4. Section 135F.6, subsections 2 and 3, Code 1989, are amended to read as follows:

2. The establishment ~~and collection of fees~~ of a system for the registration licensure of respiratory care practitioners and the establishment and collection of licensure fees. The fees charged shall be sufficient to defray the costs of administration of this chapter and all fees collected shall be deposited with the treasurer of state who shall deposit them in the general fund of the state.

3. The designation of certification licensure examinations for respiratory care practitioners.

Sec. 5. Section 135F.7, Code 1989, is amended to read as follows:

## 135F.7 REPRESENTATION.

A person who is qualified as a respiratory care practitioner and is ~~registered with~~ licensed by the department may use the title "respiratory care practitioner" or the

letters R.C.P. after the person's name to indicate that the person is a qualified respiratory care practitioner registered with licensed by the department. No other person is entitled to use the title or letters or any other title or letters that indicate or imply that the person is a respiratory care practitioner, nor may a person make any representation, orally or in writing, expressly or by implication, that the person is a registered licensed respiratory care practitioner. A person working in the field of respiratory care on July 1, 1985 shall be permitted to continue to do so except that the person shall not be entitled to designate or refer to themselves as a "respiratory care practitioner" or use the letters R.C.P. after the person's name.

Sec. 6. Section 135F.11, Code 1989, is amended to read as follows:

135F.11 CONTINUING EDUCATION.

After July 1, 1988 1991, a respiratory care practitioner shall submit evidence satisfactory to the department that during the year preceding renewal of certification licensure the practitioner has completed continuing education courses as prescribed by the department. In lieu of the continuing education, a person may successfully complete the most current version of the certification licensure examination.

Persons who are not licensed under this chapter but who perform respiratory care as defined by sections 135F.2 and 135F.3 shall comply with the continuing education requirements of this section. The department shall adopt rules for the administration of this requirement.

This section does not apply to persons who are licensed to practice a health profession covered by chapter 147 or to any person who performs respiratory care procedures as a first responder, emergency rescue technician, emergency medical technician-arbalance, advanced emergency medical care provider, or other person functioning as part of a rescue unit or in a hospital as authorized by chapter 147A, or to persons whose function with respect to respiratory care is limited to the none delivery and connection of oxygen tanks.

Sec. 7. Section 135F.12, Code 1989, is amended to read as follows:

135F.12 SUSPENSION AND REVOCATION OF CERTIFICATES LICENSES.

The department may suspend, revoke or impose probationary conditions upon a certificate license issued pursuant to rules adopted in accordance with section 135F.6.

Sec. 8. Section 258A.1, subsection 6, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. aa. The Iowa department of public health in licensing respiratory care practitioners pursuant to chapter 135F.

JO ANN ZIMMERMAN  
President of the Senate

DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 205, Seventy-third General Assembly.

JOHN F. DWYER  
Secretary of the Senate

Approved  , 1990

TERRY E. BRANSTAD  
Governor