

**CHAPTER 74****HEALTH CARE ENTITIES, ORGANIZATIONS, AND  
INSTITUTIONS — NAMES AND COMPOSITION***S.F. 114*

**AN ACT** relating to the composition of the medical assistance advisory council.

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

Section 1. Section 85A.20, Code 2001, is amended to read as follows:  
85A.20 INVESTIGATION.

The workers' compensation commissioner may designate the industrial hygiene physician of the Iowa department of public health and two physicians selected by the dean of the university of Iowa college of medicine ~~of the state university of Iowa~~, from the staff of the college, who shall be qualified to diagnose and report on occupational diseases. For the purpose of investigating occupational diseases, the physicians shall have the use, without charge, of all necessary laboratory and other facilities of the university of Iowa college of medicine and of the university hospital at the state university of Iowa, and of the Iowa department of public health in performing its duties.

Sec. 2. Section 135.83, Code 2001, is amended to read as follows:

135.83 CONTRACTS FOR ASSISTANCE WITH ANALYSES, STUDIES, AND DATA.

In furtherance of the department's responsibilities under sections 135.76 and 135.78, the director may contract with the ~~association of Iowa hospitals and health systems~~ hospital association and third party payers, the Iowa health care facilities association and third party payers, or the Iowa association of homes for the aging and third party payers for the establishment of pilot programs dealing with prospective rate review in hospitals or health care facilities, or both. Such contract shall be subject to the approval of the executive council and shall provide for an equitable representation of health care providers, third party payers, and health care consumers in the determination of criterion for rate review. No third party payer shall be excluded from positive financial incentives based upon volume of gross patient revenues. No state or federal funds appropriated or available to the department shall be used for any such pilot program.

Sec. 3. Section 142C.2, subsection 6, Code 2001, is amended to read as follows:

6. "Enucleator" means an individual who is certified by the department of ophthalmology of the university of Iowa college of medicine ~~of the university of Iowa~~, or by the eye bank association of America to remove or process eyes or parts of eyes.

Sec. 4. Section 142C.16, subsection 1, paragraph c, Code 2001, is amended to read as follows:

c. The ~~association of Iowa hospitals and health systems~~ hospital association.

Sec. 5. Section 147A.2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

An EMS advisory council shall be appointed by the director. Membership of the council shall be comprised of individuals nominated from, but not limited to, the following state or national organizations: Iowa osteopathic medical association, Iowa medical society, American college of emergency physicians, Iowa physician assistant society, Iowa academy of family physicians, university of Iowa hospitals and clinics, Iowa EMS association, Iowa firemen's association, Iowa professional firefighters, EMS education programs committee, EMS regional council, Iowa nurses association, ~~association of Iowa hospitals and health systems~~ hospital association, and the Iowa state association of counties.

Sec. 6. Section 147A.24, subsection 1, paragraphs i and j, Code 2001, are amended to read as follows:

i. ~~Association of Iowa hospitals and health systems~~ hospital association representing rural hospitals.

j. ~~Association of Iowa hospitals and health systems~~ hospital association representing urban hospitals.

Sec. 7. Section 148D.1, subsection 2, Code 2001, is amended to read as follows:

2. "College of medicine" means the university of Iowa college of medicine ~~at the state University of Iowa.~~

Sec. 8. Section 206.23, subsection 1, paragraph b, Code 2001, is amended to read as follows:

b. The dean, university of Iowa college of medicine, ~~University of Iowa,~~ or the dean's designee;

Sec. 9. Section 225.2, Code 2001, is amended to read as follows:

225.2 NAME — LOCATION.

It shall be known as the state psychiatric hospital, and shall be located at Iowa City, and integrated with the university of Iowa college of medicine and university hospital of the state university of Iowa.

Sec. 10. Section 225.30, Code 2001, is amended to read as follows:

225.30 BLANKS — AUDIT.

The medical faculty ~~of the hospital~~ of the university of Iowa college of medicine ~~of the state University of Iowa~~ shall prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines a person or respondent whose referral to the state psychiatric hospital is contemplated. A judge may request that a physician who examines a respondent as required by section 229.10 complete such blanks in duplicate in the course of the examination. A physician who proposes to file an information under section 225.10 shall obtain and complete such blanks in duplicate and file them with the information. The blanks shall be printed by the state and a supply thereof shall be sent to the clerk of each district court of the state. The director of revenue and finance shall audit, allow, and pay the cost of the blanks as other bills for public printing are allowed and paid.

Sec. 11. Section 225.33, Code 2001, is amended to read as follows:

225.33 DEATH OF PATIENT — DISPOSAL OF BODY.

In the event that a committed public patient or a voluntary public patient or a committed private patient should die while at the state psychiatric hospital or at the ~~general~~ university hospital ~~of the college of medicine of the state University of Iowa,~~ the state psychiatric hospital shall have the body prepared for shipment in accordance with the rules prescribed by the state board of health for shipping such bodies; and it shall be the duty of the state board of regents to make arrangements for the embalming and such other preparation as may be necessary to comply with the rules and for the purchase of suitable caskets.

Sec. 12. Section 225B.3, subsection 1, paragraphs b, c, and d, Code 2001, are amended to read as follows:

b. Three providers of disability prevention services, recommended by the ~~Iowa~~ governor's ~~planning council~~ for developmental disabilities council, appointed by the governor, and confirmed by the senate.

c. Three persons with expertise in priority prevention areas, recommended by the ~~Iowa~~ governor's ~~planning council~~ for developmental disabilities council, appointed by the governor, and confirmed by the senate.

d. Three persons with disabilities or family members of a person with disabilities, recommended by the ~~Iowa~~ governor's ~~planning council~~ for developmental disabilities council, appointed by the governor and confirmed by the senate.

Sec. 13. Section 225B.7, subsection 2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The council shall, during the fiscal year beginning July 1, 1991, request grants from the Iowa governor's ~~planning council for~~ developmental disabilities council and from private foundations to defray a minimum of seventy-five percent of the costs of implementation of this chapter. The funds shall be used to carry out the purposes of this chapter, including but not limited to, any of the following purposes:

Sec. 14. Section 225C.6, subsection 1, paragraph k, Code 2001, is amended to read as follows:

k. Coordinate activities with the Iowa governor's ~~planning council for~~ developmental disabilities council.

Sec. 15. Section 235C.2, subsection 8, Code 2001, is amended to read as follows:

8. A hospital administrator or the administrator's designee selected by the board of the ~~association of Iowa hospitals and health systems~~ hospital association.

Sec. 16. Section 235C.3, subsection 2, paragraph b, Code 2001, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the university of Iowa college of medicine at the state university of Iowa and Des Moines university — osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 17. Section 249A.4, subsection 8, unnumbered paragraph 1, Code 2001, is amended to read as follows:

Shall advise and consult at least semiannually with a council composed of the presidents of the following organizations, or a president's representative who is a member of the organization represented by the president: the Iowa medical society, the Iowa osteopathic medical association, the Iowa academy of family physicians, the Iowa chapter of the American academy of pediatrics, the Iowa physical therapy association, the Iowa ~~state~~ dental ~~society~~ association, the Iowa ~~state~~ nurses association, the Iowa ~~pharmacists~~ pharmacy association, the Iowa ~~podiatry~~ podiatric medical society, the Iowa optometric association, the Iowa association of community providers, the Iowa psychological association, the Iowa psychiatric society, the Iowa chapter of the national association of social workers, ~~the association of Iowa hospitals and health systems~~ hospital association, the Iowa association of rural health clinics, ~~the Iowa osteopathic hospital association~~, opticians' association of Iowa, inc., the Iowa association of hearing aid society health professionals, the Iowa speech, ~~language,~~ and hearing association, the Iowa health care association, the Iowa association for home care, the Iowa council of health care centers, the Iowa physician assistant society, the Iowa association of nurse practitioners, the Iowa occupational therapy association, ~~and~~ the Iowa association of homes and services for the aging, the arc of Iowa which was formerly known as the association for retarded citizens of Iowa, the alliance for the mentally ill of Iowa, Iowa state association of counties, and the ~~Iowa governor's planning council for~~ developmental disabilities council, together with one person designated by the Iowa ~~state board of chiropractic examiners~~ society; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, each for a term of two years; four public representatives, appointed by the governor for staggered terms of two years each, none of whom shall be members of, or practitioners of, or have a pecuniary interest in any of the professions or businesses represented by any of the several profes-

sional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the director of public health, or a representative designated by the director; the dean of Des Moines university — osteopathic medical center, or a representative designated by the dean; and the dean of the ~~college of medicine,~~ university of Iowa college of medicine, or a representative designated by the dean.

Sec. 18. Section 255.29, Code 2001, is amended to read as follows:

255.29 MEDICAL CARE FOR PAROLEES AND PERSONS ON WORK RELEASE.

The director of the Iowa department of corrections may send former inmates of the institutions provided for in section 904.102, while on parole or work release, to the hospital of the university of Iowa college of medicine of the state University of Iowa for treatment and care as provided in this chapter, without securing the order of the court required in other cases. The director may pay the traveling expenses of any patient thus committed, and when necessary the traveling expenses of an attendant of the patient out of funds appropriated for the use of the department.

Sec. 19. Section 263.17, subsection 2, paragraph a, subparagraph (2), Code 2001, is amended to read as follows:

(2) The ~~state university of Iowa~~ department of pediatrics of the university of Iowa college of medicine.

Sec. 20. Section 691.5, Code 2001, is amended to read as follows:

691.5 STATE MEDICAL EXAMINER.

The office and position of state medical examiner is established for administrative purposes within the Iowa department of public health. Other state agencies shall cooperate with the state medical examiner in the use of state-owned facilities when appropriate for the performance of nonadministrative duties of the state medical examiner. The state medical examiner shall be a physician and surgeon or osteopathic physician and surgeon, be licensed to practice medicine in the state of Iowa, and be board certified or eligible to be board certified in anatomic and forensic pathology by the American board of pathology. The state medical examiner shall be appointed by and serve at the pleasure of the director of public health upon the advice of and in consultation with the director of public safety and the governor. The state medical examiner, in consultation with the director of public health, shall be responsible for developing and administering the medical examiner's budget and for employment of medical examiner staff and assistants. The state medical examiner may be a faculty member of the university of Iowa college of medicine or the college of law at the university of Iowa, and any of the examiner's assistants or staff may be members of the faculty or staff of the university of Iowa college of medicine or the college of law at the university of Iowa.

Sec. 21. Section 691.6A, Code 2001, is amended to read as follows:

691.6A DEPUTY STATE MEDICAL EXAMINER — CREATION AND DUTIES.

The position of deputy state medical examiner is created within the office of the state medical examiner. The deputy state medical examiner shall report to and be responsible to the state medical examiner. The deputy state medical examiner shall meet the qualification criteria established in section 691.5 for the state medical examiner and shall be subject to rules adopted by the state medical examiner as provided in section 691.6, subsection 3. The state medical examiner and the deputy state medical examiner shall function as a team, providing peer review as necessary, fulfilling each other's job responsibilities during times of absence, and working jointly to provide services and education to county medical examiners, law enforcement officials, hospital pathologists, and other individuals and entities. The deputy medical examiner may be, but is not required to be, a full-time salaried faculty member of the department of pathology of the university of Iowa college of medicine ~~at the university of Iowa~~. If the medical examiner is a full-time salaried faculty member of the

department of pathology of the university of Iowa college of medicine at the ~~university of Iowa~~, the Iowa department of public health and the state board of regents shall enter into a chapter 28E agreement to define the activities and functions of the deputy medical examiner, and to allocate deputy medical examiner costs, consistent with the requirements of this section.

Approved April 25, 2001

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## CHAPTER 75

### COUNTY HOSPITAL FUND TAX LEVY

S.F. 186

**AN ACT** providing for a tax levy for the county hospital fund in certain counties and providing an effective date.

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

Section 1. Section 347.7, unnumbered paragraph 1, Code 2001, is amended to read as follows:

If a county hospital is established, the board of supervisors, at the time of levying ordinary taxes, shall levy a tax at the rate voted not to exceed fifty-four cents per thousand dollars of assessed value in any one year for the erection and equipment of the hospital, and also a tax not to exceed twenty-seven cents per thousand dollars of value for the improvement, maintenance, and replacements of the hospital, as certified by the board of hospital trustees. However, in counties having a population of two hundred twenty-five thousand or over, the levy for taxes payable in the fiscal year beginning July 1, ~~1996~~ 2001, and for subsequent fiscal years, for improvements and maintenance of the hospital shall not exceed ~~one dollar two dollars~~ and seventy-five five cents per thousand dollars of assessed value in any one year. The proceeds of the taxes constitute the county public hospital fund and the fund is subject to review by the board of supervisors in counties ~~over~~ having a population of two hundred twenty-five thousand or over. However, the board of trustees of a county hospital, where funds are available in the county public hospital fund of the county which are unappropriated, may use the unappropriated funds for erecting and equipping hospital buildings and additions ~~thereto~~ to the hospital buildings without authority from the voters of the county.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 25, 2001