

with a proceeding under this section, issue subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence and may request the attorney general to bring an action to enforce the subpoena.

c. A person aggrieved by the imposition of a civil penalty under this section may seek judicial review in accordance with section 17A.19. The board shall notify the attorney general of the failure to pay a civil penalty within thirty days after entry of an order pursuant to this subsection, or within ten days following final judgment in favor of the board if an order has been stayed pending appeal. The attorney general may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs. An action to enforce an order under this subsection may be joined with an action for an injunction.

Approved April 7, 2004

CHAPTER 1045

ATHLETIC TRAINING — LICENSURE REQUIREMENTS

H.F. 2452

AN ACT providing for licensure requirements relating to the practice of athletic training and increasing a penalty.

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

Section 1. Section 147.2, unnumbered paragraph 1, Code 2003, is amended to read as follows:

A person shall not engage in the practice of medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, psychology, chiropractic, physical therapy, nursing, dentistry, dental hygiene, optometry, speech pathology, audiology, occupational therapy, respiratory care, pharmacy, cosmetology, barbering, social work, dietetics, marital and family therapy or mental health counseling, massage therapy, mortuary science, athletic training, or acupuncture, or shall not practice as a physician assistant as defined in the following chapters of this subtitle, unless the person has obtained from the department a license for that purpose.

Sec. 2. Section 147.74, subsection 20, Code Supplement 2003, is amended to read as follows:

20. An athletic trainer licensed under chapter 152D and this chapter may use the title words “licensed athletic trainer” or the letters “LAT” after the person’s name.

Sec. 3. Section 152D.1, Code 2003, is amended by striking the section and inserting in lieu thereof the following:

152D.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. “Athlete” means a person who participates in a sanctioned amateur or professional sport or other recreational sports activity.
2. “Athletic injury” means any of the following:
 - a. An injury or illness sustained by an athlete as a result of the athlete’s participation in sports, games, or recreational sports activities.

b. An injury or illness that impedes or prevents an athlete from participating in sports, games, or recreational sports activities.

3. "Athletic trainer" means a person licensed under this chapter to practice athletic training under the direction of a licensed physician.

4. "Athletic training" means the practice of prevention, recognition, assessment, physical evaluation, management, treatment, disposition, and physical reconditioning of athletic injuries that are within the professional preparation and education of a licensed athletic trainer and under the direction of a licensed physician. The term "athletic training" includes the organization and administration of educational programs and athletic facilities, and the education and counseling of the public on matters relating to athletic training.

5. "Board" means the board of examiners for athletic training created under chapter 147.

Sec. 4. Section 152D.3, Code 2003, is amended to read as follows:

152D.3 QUALIFICATIONS—PROCEDURES REQUIREMENTS FOR LICENSURE.

1. An applicant for an athletic trainer license must possess the following qualifications a license to practice athletic training shall:

a. ~~Graduation from~~ Be a graduate of an accredited college or university and ~~compliance~~ comply with the minimum athletic training curriculum requirements established by the board.

b. ~~Successful completion of~~ Have successfully completed an examination prepared or selected by the board.

~~2. An out-of-state applicant for an athletic trainer license must fulfill the requirements of subsection 1, paragraphs "a" and "b", and submit proof of active engagement as an athletic trainer in the other state.~~

~~3. 2.~~ Application and renewal procedures, fees, and reciprocal agreements shall be provided in accordance with ~~this chapter~~ rules adopted by the board pursuant to chapter 17A.

Sec. 5. Section 152D.4, subsection 1, Code 2003, is amended to read as follows:

1. Persons otherwise licensed to practice medicine and surgery, osteopathy, osteopathic medicine and surgery, optometry, occupational therapy, nursing, chiropractic, podiatry, dentistry, or physical therapy, or a licensed physician assistant who do¹ not represent themselves to the public as athletic trainers.

Sec. 6. Section 152D.4, Code 2003, is amended by adding the following new subsection: NEW SUBSECTION. 4. An athletic trainer who is in this state temporarily with an individual or group that is participating in an athletic event and who is licensed, certified, or registered by another state or country, or certified as an athletic trainer by the board of certification of the national athletic trainers association or its successor organization.

Sec. 7. Section 152D.5, subsection 3, Code 2003, is amended to read as follows:

3. Prepare and conduct, or prescribe, an examination for applicants for a license.

Sec. 8. NEW SECTION. 152D.7 PRACTICE OR USE OF TITLE — LICENSE REQUIRED.

1. An individual licensed pursuant to this chapter shall be designated a licensed athletic trainer and may use the letters "LAT" after the individual's name.

2. It is unlawful for a person to engage in the practice of athletic training, or use in connection with the person's name the title "athletic trainer", "licensed athletic trainer", "registered athletic trainer", the letters "AT", "AT,C", "LAT", "ATC/L", or "ATC-L", or other words, abbreviations, or insignia that imply or represent that the person practices athletic training, unless the person is licensed pursuant to this chapter.

3. The practice of physical reconditioning shall be carried out under the oral or written orders of a physician or physician assistant. A physician or physician assistant who issues an oral order must reduce the order to writing and provide a copy of the order to the athletic trainer within thirty days of the oral order.

¹ According to enrolled Act

Sec. 9. Section 152D.8, Code 2003, is amended to read as follows:

152D.8 PENALTY.

A person who violates a provision of this chapter is guilty of a ~~simple~~ serious misdemeanor.

Sec. 10. NEW SECTION. 152D.9 TRANSITION PROVISIONS.

1. Applicants for licensure under this chapter who have not passed a licensure examination administered or approved by the board by July 1, 2004, shall be issued a temporary license to practice athletic training for a period of three years, commencing on July 1, 2004, provided that the applicant satisfies all of the following requirements:

a. Submits a letter of recommendation to the board from the applicant's most recent employer.

b. Submits letters of recommendation to the board from two licensed physicians attesting to the competency of the applicant.

c. Presents satisfactory evidence to the board that the applicant possesses current cardiopulmonary resuscitation and first aid certification.

d. Presents satisfactory evidence to the board demonstrating that the applicant possesses a baccalaureate degree from an accredited college or university.

2. An applicant issued a temporary license pursuant to this section shall pass a licensure examination administered or approved by the board on or before July 1, 2007, in order to remain licensed as an athletic trainer.

Sec. 11. Section 152D.2, Code 2003, is repealed.

Approved April 7, 2004

CHAPTER 1046

GOVERNMENT PURCHASING PROCEDURES — IOWA-BASED PRODUCTS AND SERVICES

H.F. 2520

AN ACT relating to purchasing preferences for Iowa-based products and services.

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

Section 1. Section 73.1, Code 2003, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All requests for proposals for materials, products, supplies, provisions, and other needed articles and services to be purchased at public expense shall not knowingly be written in such a way as to exclude an Iowa-based company capable of filling the needs of the purchasing entity from submitting a responsive proposal.

Approved April 7, 2004