

**CHAPTER 1093****ALLOWED GROWTH FACTOR  
FOR COUNTY MENTAL HEALTH, MENTAL RETARDATION,  
AND DEVELOPMENTAL DISABILITIES SERVICES FUNDING***H.F. 2330*

**AN ACT** relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

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

Section 1. Section 331.438, subsection 2, Code Supplement 2005, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** d. Unless otherwise provided by law, in order to be included in any distribution formula for the allowed growth factor adjustment and to receive an allowed growth factor adjustment payment, a county must levy seventy percent or more of the maximum amount allowed for the county's services fund for taxes due and payable in the fiscal year for which the allowed growth factor adjustment is payable.

Sec. 2. 2004 Iowa Acts, chapter 1175, section 173, subsection 4, paragraph c, as enacted by 2005 Iowa Acts, chapter 175, section 52, is amended to read as follows:

c. For an ending balance percentage of 10 or more but less than 25 percent, a withholding factor of 25 28.043 percent. However, for a county with an ending balance percentage of 10 or more but less than 15 percent that meets the eligibility requirements for a distribution from the per capita expenditure target pool under section 426B.5 for the fiscal year beginning July 1, 2005, the withholding factor shall be 14.643 percent.

Sec. 3. **EFFECTIVE DATE — RETROACTIVE APPLICABILITY.** This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to July 1, 2005, and is applicable on and after that date.

Approved April 26, 2006

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**CHAPTER 1094****PHYSICIAN ASSISTANT PRESCRIBING AUTHORITY***H.F. 2331*

**AN ACT** to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

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

Section 1. Section 147.107, subsection 5, Code 2005, 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. However, the rules shall prohibit the prescribing of schedule II controlled substances which are listed as stimulants or depressants pursuant to chapter 124.

Approved April 26, 2006

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## CHAPTER 1095

### ENERGY CONSERVATION STANDARDS FOR NEW RESIDENTIAL CONSTRUCTION

*H.F. 2361*

**AN ACT** relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

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

Section 1. Section 103A.8A, Code 2005, is amended to read as follows:  
103A.8A MINIMUM ENERGY EFFICIENCY STANDARD.

The state building code commissioner shall adopt as a part of the state building code a requirement that new single-family or two-family residential construction shall ~~meet an established minimum energy efficiency standard. The standard shall be stated in terms of the home heating index developed by the physics department at Iowa state university of science and technology. The minimum standard shall be the average energy consumption of new single-family or two-family residential construction as determined by a survey conducted by the department of natural resources of the average actual energy consumption, as expressed in terms of the home heating index comply with energy conservation requirements. The requirements adopted by the commissioner shall be based upon a nationally recognized standard or code for energy conservation.~~ The minimum standard requirements shall only apply to single-family or two-family residential construction commenced after the adoption of the standard requirements. This chapter shall not be construed to prohibit a governmental subdivision from adopting or enacting a minimum energy standard which is substantially in accordance and consistent with ~~model~~ energy codes and standards developed by a nationally recognized organization in effect on or after July 1, 2002. A governmental subdivision that adopts or enacts a minimum energy standard which is substantially in accordance and consistent with ~~model~~ energy codes and standards developed by a nationally recognized organization shall adopt or enact any update or revision to the ~~model~~ energy codes and standards.

Approved April 26, 2006