

operating maintenance equipment owned by or under lease to any state or local authority while engaged in road maintenance, road blading, snow and ice control and removal, and granular resurfacing work on a highway, whether or not the highway is closed to traffic.

Sec. 2. Section 321.288, Code 1985, is amended to read as follows:

**321.288 CONTROL OF VEHICLE.**

1. A person operating a motor vehicle shall have the ~~same~~ vehicle under control at all times ~~and~~.

2. A person operating a motor vehicle shall reduce the speed to a reasonable and proper rate:

1 a. When approaching and passing a person walking in the traveled portion of the public highway.

2 b. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

3 c. When approaching and traversing a crossing or intersection of public highways, or a bridge, ~~or a sharp turn, or a curve, or a steep descent,~~ in a public highway.

4 d. When approaching and passing a fusee, flares, red reflector electric lanterns, red reflectors or red flags displayed in accordance with section 321.448, or an emergency vehicle displaying a revolving or flashing light.

5 e. When approaching and passing a slow moving vehicle displaying a reflective device as provided by section 321.383.

f. When approaching and passing through a sign posted construction or maintenance zone upon the public highway.

Approved May 22, 1985

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## CHAPTER 168

### LICENSURE OF DIETICIANS

*H.F. 730*

**AN ACT** relating to the licensure of dietitians.

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

Section 1. Section 147.1, subsections 2 and 3, Code 1985, are amended to read as follows:

2. "Licensed" or "certified" when applied to a physician and surgeon, podiatrist, osteopath, osteopathic physician and surgeon, psychologist or associate psychologist, chiropractor, nurse, dentist, dental hygienist, optometrist, speech pathologist, audiologist, pharmacist, physical therapist, occupational therapist, practitioner of cosmetology, practitioner of barbering, funeral director, dietitian, or social worker means a person licensed under this title.

3. "Profession" means medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, psychology, chiropractic, nursing, dentistry, dental hygiene, optometry, speech pathology, audiology, pharmacy, physical therapy, occupational therapy, cosmetology, barbering, mortuary science, ~~or~~ social work or dietetics.

Sec. 2. Section 147.2, Code 1985, is amended to read as follows:

147.2 LICENSE REQUIRED.

No person shall 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, pharmacy, cosmetology, barbering, dietetics, or mortuary science as defined in the following chapters of this title, unless the person has obtained from the state department of health a license for that purpose.

Sec. 3. Section 147.3, Code 1985, is amended to read as follows:

147.3 QUALIFICATIONS.

An applicant for a license to practice a profession under this title is not ineligible because of age, citizenship, sex, race, religion, marital status or national origin, although the application form may require citizenship information. ~~Any~~ A board may consider the past felony record of an applicant only if the felony conviction relates directly to the practice of medicine, podiatry, osteopathy, osteopathy and surgery, chiropractic, nursing, psychology, optometry, speech pathology, audiology, pharmacy, physical therapy, occupational therapy, cosmetology, barbering, mortuary science ~~or~~, social work or dietetics for which the applicant requests to be licensed. Character references may be required, but shall not be obtained from licensed members of the profession.

Sec. 4. Section 147.13, Code 1985, is amended to read as follows:

147.13 DESIGNATION OF BOARDS.

The examining boards provided in section 147.12 shall be designated as follows: For medicine and surgery, and osteopathy, and osteopathic medicine and surgery, medical examiners; for psychology, psychology examiners; for podiatry, podiatry examiners; for chiropractic, chiropractic examiners; for physical therapists and occupational therapists, physical and occupational therapy examiners; for nursing, board of nursing; for dentistry and dental hygiene, dental examiners; for optometry, optometry examiners; for speech pathology and audiology, speech pathology and audiology examiners; for cosmetology, cosmetology examiners; for barbering, barber examiners; for pharmacy, pharmacy examiners; for mortuary science, mortuary science examiners; for social workers, social work examiners; for dietetics, dietetic examiners.

Sec. 5. Section 147.14, Code 1985, is amended by adding the following new subsection:

**NEW SUBSECTION.** 11. For dietetic examiners, one licensed dietitian representing the approved or accredited dietetic education programs, one licensed dietitian representing clinical dietetics in hospitals, one licensed dietitian representing community nutrition services and two members who are not licensed dietitians and who shall represent the general public. A majority of the members of the board constitute a quorum.

Sec. 6. Section 147.25, unnumbered paragraph 4, Code 1985, is amended to read as follows:

In addition to any other fee provided by law, a fee may be set by the respective examining boards for each license and renewal of a license to practice medicine, surgery, podiatry, osteopathy, osteopathic medicine and surgery, chiropractic, nursing, dentistry, dental hygiene, optometry, pharmacy, physical therapy, occupational therapy, social work, ~~and~~ veterinary medicine, dietetics, which fee shall be based on the annual cost of collecting information for use by the department of health in the administration of the system of health personnel statistics established by this section. The fee shall be collected, transmitted to the treasurer of state and deposited in the general fund of the state in the manner in which license and renewal fees of the respective professions are collected, transmitted, and deposited in the general fund.

Sec. 7. Section 147.80, Code 1985, is amended by adding the following new subsection:  
**NEW SUBSECTION. 21.** License to practice dietetics issued upon the basis of an examination given by the board of dietetic examiners, license to practice dietetics or nutrition issued under a reciprocal agreement, or renewal of a licensed\* to practice dietetics or nutrition.

Sec. 8. **NEW SECTION. 158A.1 DEFINITIONS.**

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

1. "Licensed dietitian" or "dietitian" means a person who holds a valid license to practice dietetics pursuant to this chapter.

2. "Board" means the board of dietetic examiners.

Sec. 9. **NEW SECTION. 158A.2 LICENSE REQUIREMENTS.**

1. An applicant shall be issued a license to practice dietetics by the board when the applicant satisfies all of the following:

a. Possesses a baccalaureate degree or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food systems management, or in an equivalent major course of study which meets minimum academic requirements as established by the American dietetic association and approved by the board.

b. Completes an internship or preplanned professional experience program approved by the American dietetic association and approved by the board.

c. Satisfactorily completes an examination designed by the board.

2. Renewal of a license granted under this chapter shall not be approved unless the applicant has satisfactorily completed the continuing education requirements for the license as prescribed by the board.

Sec. 10. **NEW SECTION. 158A.3 EXEMPTIONS.**

The following are not subject to this chapter:

1. Licensed physicians and surgeons, nurses, chiropractors, dentists, dental hygienists, pharmacists or physical therapists who make dietetic or nutritional assessments, or give dietetic or nutritional advice in the normal practice of their profession or as otherwise authorized by law.

2. Dietetics students who engage in clinical practice under the supervision of a dietitian as part of a dietetic education program approved or accredited by the American dietetic association.

3. Dietitians who serve in the armed forces or the public health service of the United States or are employed by the veterans administration, provided their practice is limited to that service or employment.

4. Dietitians who are licensed in another state, United States possession, or country, or have received at least a baccalaureate degree and are in this state for the purpose of:

a. Consultation, provided the practice in this state is limited to consultation.

b. Conducting a teaching clinical demonstration in connection with a program of basic clinical education, graduate education, or postgraduate education which is sponsored by a dietetic education program or accredited by the American dietetic association and carried out in an educational institution or its affiliated clinical facility or health care agency, or before a group of licensed dietitians.

5. Individuals who do not call themselves dietitians but routinely, in the course of doing business, market or distribute weight loss programs or sell nutritional products and provide explanations for customers regarding the use of the programs or products relative to normal nutritional needs.

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\*According to enrolled Act

6. Individuals who provide routine education and advice regarding normal nutritional requirements and sources of nutrients, including, but not limited to, persons who provide information as to the use and sale of food and food materials including dietary supplements.

Sec. 11. Notwithstanding section 2 of this Act, for one year, beginning on the effective date of this Act, the board shall waive the examination requirement as described in section 2 and shall grant a license to any applicant who is registered by the commission on dietetic registration, or who has met the American dietetic association's academic requirements for registry eligibility and has been actively engaged in the practice of dietetics for at least three of the preceding five years.

Sec. 12. Notwithstanding section 147.19, of the initial appointees to the board, one member shall be appointed for a term of one year, two members shall be appointed for a term of two years and two members shall be appointed for a term of three years. The initial appointees' successors shall be appointed for terms of three years each, except that a person chosen to fill a vacancy shall be appointed only for the unexpired term of the board member replaced.

Approved May 22, 1985

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## CHAPTER 169

### CLINICAL PRIVILEGES OF CERTAIN PRACTITIONERS

*H.F. 308*

**AN ACT** relating to clinical privileges of certain licensed practitioners.

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

Section 1. Section 135B.7, Code 1985, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** The rules shall state that a hospital shall not deny clinical privileges to physicians and surgeons, podiatrists, osteopaths or osteopathic surgeons, or dentists licensed under chapter 148, 149, 150, 150A, or 153, solely by reason of the license held by the practitioner.

Approved May 22, 1985