

135Q.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Department*” means the department of inspections, appeals, and licensing.
2. “*Health care employment agency*” or “*agency*” means an agency that contracts with a health care entity in this state to provide agency workers for temporary or temporary-to-hire employee placements.
3. “*Health care employment agency worker*” or “*agency worker*” means an individual who contracts with or is employed by a health care employment agency to provide nursing services to health care entity consumers.
4. “*Health care entity*” means a facility, agency, or program licensed or certified by the department or by the centers for Medicare and Medicaid services of the United States department of health and human services.
5. “*Managing entity*” means a business entity, owner, ownership group, chief executive officer, program administrator, director, or other decision maker whose responsibilities include directing the management or policies of a health care employment agency. “*Managing entity*” includes an individual who, directly or indirectly, holds a beneficial interest in a corporation, partnership, or other business entity that constitutes a managing entity.
6. “*Nursing services*” means those services which may be provided only by or under the supervision of a nurse. “*Nursing services*” includes services performed by a registered nurse, a licensed practical nurse, a certified nurse aide, a certified medication aide, a home health aide, a medication manager, or by noncertified or nonlicensed staff providing personal care as defined in [section 231C.2](#). “*Nursing services*” does not include the practice of nursing by an advanced registered nurse practitioner or an advanced practice registered nurse licensed under [chapter 152](#) or [152E](#).

[2022 Acts, ch 1069, §1](#); [2022 Acts, ch 1153, §49](#); [2023 Acts, ch 19, §1905](#); [2023 Acts, ch 131, §1, 3](#)

Section applies retroactively to any contract between a health care employment agency and an agency worker or health care entity referred to under [section 135Q.2](#) that was entered into or executed on or after January 1, 2019; [2022 Acts, ch 1153, §49](#); [2023 Acts, ch 131, §3](#)

See Code editor’s note on simple harmonization at the beginning of this Code volume

Section amended