

**481—55.3(135Q) General requirements.** A health care employment agency or health care technology platform shall adhere to all requirements under Iowa Code section 135Q.2(2) or 135Q.3(2), as applicable, and do all of the following.

**55.3(1) *Verification of employment standards.*** A health care employment agency shall ensure that its agency workers comply with all applicable state and federal requirements and qualifications for personnel in health care entity settings pursuant to Iowa Code section 135Q.2(2)“a” through “c.” A health care technology platform shall verify that independent nursing services professionals supply documentation demonstrating compliance with all applicable state and federal requirements and qualifications for personnel in health care entity settings pursuant to Iowa Code section 135Q.3(2)“a” through “c.” These include but are not limited to a health care employment agency ensuring or a health care technology platform verifying the following:

*a.* Completion of all requirements regarding criminal, dependent adult abuse, and child abuse record checks that would otherwise be the responsibility of the health care entity if the health care entity employed the agency worker or contracted with the independent nursing services professional directly;

*b.* Completion of the physical examination and screening and testing for tuberculosis procedures that would otherwise be the responsibility of the health care entity if the health care entity employed the agency worker or contracted with the independent nursing services professional directly; and

*c.* That an agency worker or independent nursing services professional has completed all education, training, and continuing education requirements for the agency worker’s or independent nursing services professional’s occupation and that the agency worker or independent nursing services professional is in good standing with any minimum licensing or certification standards to appropriately engage in the worker’s or professional’s profession.

**55.3(2) *Allegations of dependent adult abuse.***

*a.* If an allegation of dependent adult abuse is received by a health care employment agency against an agency worker or is received by a health care technology platform against an independent nursing services professional, the health care employment agency or health care technology platform shall immediately notify the facility in which the alleged abuse occurred so that the facility may immediately separate the victim and alleged dependent adult abuser. The health care employment agency or health care technology platform shall also notify the department within 24 hours or the next business day. If the health care employment agency or health care technology platform has reason to believe that immediate protection for the dependent adult is advisable, it should also make an oral report to an appropriate law enforcement agency. After receiving notice of an allegation of dependent adult abuse against an agency worker or independent nursing services professional and before the department’s dependent adult abuse investigation is completed and the abuse determination is made, the health care employment agency or health care technology platform shall disclose such investigation to any prospective health care entity with which the agency worker will be placed or the independent nursing services professional will provide services.

*b.* In addition to any other requirement under state or federal law with respect to the receipt of an allegation of dependent adult abuse, if a health care entity receives an allegation of dependent adult abuse against an agency worker or independent nursing services professional, the health care entity shall immediately notify the health care employment agency or health care technology platform of the allegation. This does not exempt the health care entity from any of its duties with respect to alleged dependent adult abuse under state or federal law.

*c.* If the health care employment agency or health care technology platform terminates the alleged dependent adult abuser or deactivates the alleged abuser’s account as a result of the investigation or the alleged dependent adult abuser resigns, the alleged dependent adult abuser shall disclose such termination, deactivation, or investigation to any prospective facility or program employer.

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