

House Amendment 8389

PAG LIN

1 1 Amend House File 2592 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 135.2, Code 2005, is amended
1 5 to read as follows:
1 6 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.
1 7 1. a. The governor shall appoint the director of
1 8 the department, subject to confirmation by the senate.
1 9 The director shall serve at the pleasure of the
1 10 governor. The director is exempt from the merit
1 11 system provisions of chapter 8A, subchapter IV. The
1 12 governor shall set the salary of the director within
1 13 the range established by the general assembly.
1 14 b. The director shall possess education and
1 15 experience in public health.
1 16 2. The director may appoint an employee of the
1 17 department to be acting director, who shall have all
1 18 the powers and duties possessed by the director. The
1 19 director may appoint more than one acting director but
1 20 only one acting director shall exercise the powers and
1 21 duties of the director at any time.
1 22 Sec. 2. NEW SECTION. 135.12 OFFICE OF
1 23 MULTICULTURAL HEALTH == ESTABLISHED == DUTIES.
1 24 The office of multicultural health is established
1 25 within the department. The office shall be
1 26 responsible for all of the following:
1 27 1. Providing comprehensive management strategies
1 28 to address culturally and linguistically appropriate
1 29 services, including strategic goals, plans, policies,
1 30 and procedures, and designating staff responsible for
1 31 implementation.
1 32 2. Requiring and arranging for ongoing education
1 33 and training for administrative, clinical, and other
1 34 appropriate staff in culturally and linguistically
1 35 competent health care and service delivery.
1 36 3. Utilizing formal mechanisms for community and
1 37 consumer involvement and coordinating with other state
1 38 agencies to identify resources and programs that
1 39 affect the health service delivery systems.>
1 40 #2. Page 1, by inserting after line 16 the
1 41 following:
1 42 <Sec. _____. Section 135.63, subsection 2,
1 43 paragraphs l and o, Code 2005, are amended to read as
1 44 follows:
1 45 1. The replacement or modernization of any
1 46 institutional health facility if the replacement or
1 47 modernization does not add new health services or
1 48 additional bed capacity for existing health services,
1 49 notwithstanding any provision in this division to the
1 50 contrary. This exclusion is applicable only if the
2 1 institutional health facility ceases offering the
2 2 health services simultaneously with the initiation of
2 3 the offering of the health services by the replacement
2 4 institutional health facility or the modernized
2 5 institutional health facility.
2 6 o. The change in ownership, licensure,
2 7 organizational structure, or designation of the type
2 8 of institutional health facility if the health
2 9 services offered by the successor institutional health
2 10 facility are unchanged. This exclusion is applicable
2 11 only if the institutional health facility consents to
2 12 the change in ownership, licensure, organizational
2 13 structure, or designation of the type of institutional
2 14 health facility and ceases offering the health
2 15 services simultaneously with the initiation of the
2 16 offering of health services by the successor
2 17 institutional health facility.>
2 18 #3. Page 1, by inserting after line 31 the
2 19 following:
2 20 <Sec. _____. Section 135.140, subsection 6,
2 21 paragraph a, Code Supplement 2005, is amended by
2 22 adding the following new subparagraphs:
2 23 NEW SUBPARAGRAPH. (6) A natural occurrence or
2 24 incident, including but not limited to fire, flood,

2 25 storm, drought, earthquake, tornado, or windstorm.
2 26 NEW SUBPARAGRAPH. (7) A man-made occurrence or
2 27 incident, including but not limited to an attack,
2 28 spill, or explosion.>
2 29 #4. Page 2, by inserting after line 3 the
2 30 following:
2 31 <Sec. _____. NEW SECTION. 139A.13A ISOLATION OR
2 32 QUARANTINE == EMPLOYMENT PROTECTION.
2 33 1. An employer shall not discharge an employee, or
2 34 take or fail to take action regarding an employee's
2 35 promotion or proposed promotion, or take action to
2 36 reduce an employee's wages or benefits for actual time
2 37 worked, due to the compliance of an employee with a
2 38 quarantine or isolation order issued by the department
2 39 or a local board.
2 40 2. An employee whose employer violates this
2 41 section may petition the court for imposition of a
2 42 cease and desist order against the person's employer
2 43 and for reinstatement to the person's previous
2 44 position of employment. This section does not create
2 45 a private cause of action for relief of money damages.
2 46 Sec. _____. Section 147.82, subsection 3, Code
2 47 Supplement 2005, is amended to read as follows:
2 48 3. The department may annually retain and expend
2 49 not more than one hundred thousand dollars for
2 50 reduction of the number of days necessary to process
3 1 medical license requests and for reduction of the
3 2 number of days needed for consideration of malpractice
3 3 cases from fees collected pursuant to section 147.80
3 4 by the board of medical examiners ~~in the fiscal year~~
~~3 5 beginning July 1, 2005, and ending June 30, 2006.~~
3 6 Fees retained by the department pursuant to this
3 7 subsection shall be considered repayment receipts as
3 8 defined in section 8.2 and shall be used for the
3 9 purposes described in this subsection.>
3 10 #5. Page 2, by inserting after line 35 the
3 11 following:
3 12 <Sec. _____. Section 148.2, subsection 5, Code 2005,
3 13 is amended to read as follows:
3 14 5. Physicians and surgeons of the United States
3 15 army, navy, ~~or air force, marines,~~ public health
3 16 service, ~~or other uniformed service~~ when acting in the
3 17 line of duty in this state, and holding a current,
~~3 18 active permanent license in good standing in another~~
~~3 19 state, district, or territory of the United States, or~~
3 20 physicians and surgeons licensed in another state,
3 21 when incidentally called into this state in
3 22 consultation with a physician and surgeon licensed in
3 23 this state.>
3 24 #6. Page 6, by inserting after line 9 the
3 25 following:
3 26 <Sec. _____. NEW SECTION. 154E.3A TEMPORARY
3 27 LICENSE.
3 28 Beginning July 1, 2007, an individual who does not
3 29 meet the requirements for licensure by examination
3 30 pursuant to section 154E.3 may apply for or renew a
3 31 temporary license. The temporary license shall
3 32 authorize the licensee to practice as a sign language
3 33 interpreter or transliterator under the direct
3 34 supervision of a sign language interpreter or
3 35 transliterator licensed pursuant to section 154E.3.
3 36 The temporary license shall be valid for two years and
3 37 may only be renewed one time in accordance with
3 38 standards established by rule. An individual shall
3 39 not practice for more than a total of four years under
3 40 a temporary license. The board may revoke a temporary
3 41 license if it determines that the temporary licensee
3 42 has violated standards established by rule. The board
3 43 may adopt requirements for temporary licensure to
3 44 implement this section.
3 45 Sec. _____. Section 154E.4, subsection 2, Code
3 46 Supplement 2005, is amended by adding the following
3 47 new paragraph:
3 48 NEW PARAGRAPH. e. Students enrolled in a school
3 49 of interpreting may interpret only under the direct
3 50 supervision of a permanently licensed interpreter as
4 1 part of the student's course of study.>
4 2 #7. Page 7, by inserting after line 6 the
4 3 following:
4 4 <Sec. _____. Section 157.13, subsection 1, Code
4 5 Supplement 2005, is amended by striking the subsection

4 6 and inserting in lieu thereof the following:
4 7 1. It is unlawful for a person to employ an
4 8 individual to practice cosmetology arts and sciences
4 9 unless that individual is licensed or has obtained a
4 10 temporary permit under this chapter. It is unlawful
4 11 for a licensee to practice with or without
4 12 compensation in any place other than a licensed salon,
4 13 a licensed school of cosmetology arts and sciences, or
4 14 a licensed barbershop as defined in section 158.1.
4 15 The following exceptions to this subsection shall

4 16 apply:

4 17 a. A licensee may practice at a location which is
4 18 not a licensed salon, school of cosmetology arts and
4 19 sciences, or licensed barbershop under extenuating
4 20 circumstances arising from physical or mental
4 21 disability or death of a customer.

4 22 b. Notwithstanding section 157.12, when the
4 23 licensee is employed by a physician and provides
4 24 cosmetology services at the place of practice of a
4 25 physician and is under the supervision of a physician
4 26 licensed to practice pursuant to chapter 148, 150, or
4 27 150A.

4 28 c. When the practice occurs in a facility licensed
4 29 pursuant to chapter 135B or 135C.

4 30 Sec. _____. Section 157.13, Code Supplement 2005, is
4 31 amended by adding the following new subsection:

4 32 NEW SUBSECTION. 1A. It is unlawful for a licensee
4 33 to claim to be a licensed barber, however a licensed
4 34 cosmetologist may work in a licensed barbershop. It
4 35 is unlawful for a person to employ a licensed
4 36 cosmetologist, esthetician, or electrologist to
4 37 perform the services described in section 157.3A if
4 38 the licensee has not received the additional training
4 39 and met the other requirements specified in section
4 40 157.3A.

4 41 Sec. _____. Section 272C.1, subsection 6, Code
4 42 Supplement 2005, is amended by adding the following
4 43 new paragraph:

4 44 NEW PARAGRAPH. ad. The director of public health
4 45 in certifying emergency medical care providers and
4 46 emergency medical care services pursuant to chapter
4 47 147A.

4 48 Sec. _____. Section 691.6, Code Supplement 2005, is
4 49 amended by adding the following new subsection:

4 50 NEW SUBSECTION. 8. To retain tissues, organs, and
5 1 bodily fluids as necessary to determine the cause and
5 2 manner of death or as deemed advisable by the state
5 3 medical examiner for medical or public health
5 4 investigation, teaching, or research. Tissues,
5 5 organs, and bodily fluids shall be properly disposed
5 6 of by following procedures and precautions for
5 7 handling biologic material and blood-borne pathogens
5 8 as established by rule.

5 9 Sec. _____. 2004 Iowa Acts, chapter 1175, section
5 10 432, subsection 3, is amended to read as follows:

5 11 3. Applicants issued a temporary license pursuant
5 12 to this section shall pass a licensure examination
5 13 approved by the board on or before July 1, 2007, in
5 14 order to ~~remain licensed as an interpreter~~ qualify to
5 15 be licensed by examination.

5 16 #8. Title page, line 2, by striking the word
5 17 <related> and inserting the following: <other>.

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5 21 ROBERTS of Carroll

5 22 HF 2592.503 81

5 23 rn/je/4324