

House Amendment to  
Senate File 477

S-5075

1 Amend Senate File 477, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <DIVISION I

6 LICENSURE OF INTERNATIONALLY TRAINED PHYSICIANS

7 Section 1. NEW SECTION. 148J.1 **Definitions.**

8 For the purposes of this chapter:

9 1. "*Board*" means the board of medicine established pursuant  
10 to chapter 147.

11 2. "*Health care facility*" means all of the following:

12 a. A facility as defined in section 514J.102.

13 b. A facility licensed pursuant to chapter 135B.

14 c. A facility licensed pursuant to chapter 135C.

15 3. "*International medical program*" means a medical school,  
16 residency program, medical internship program, or entity that  
17 provides physicians with a medical education or training  
18 outside of the United States that is substantially similar to  
19 the practice of medicine and surgery or osteopathic medicine  
20 and surgery in Iowa and that has been evaluated by the  
21 educational commission on foreign medical graduates.

22 4. "*International physician*" means an individual who meets  
23 all of the following requirements:

24 a. Has a medical doctorate or substantially similar degree  
25 issued by an international medical program in good standing.

26 b. Has been in good standing with the medical licensing or  
27 regulatory institution of the individual's resident country  
28 during the immediately preceding five years and has no pending  
29 discipline before the licensing or regulatory institution.

30 c. Has completed a residency or substantially similar  
31 postgraduate medical training in the individual's resident  
32 country.

33 d. Has practiced medicine and surgery or osteopathic  
34 medicine and surgery as a licensed physician for five years  
35 following the completion of a residency or substantially

1 similar postgraduate medical training.

2 e. Possesses basic fluency in the English language.

3 Sec. 2. NEW SECTION. 148J.2 International physicians —  
4 provisional licenses.

5 1. a. The board shall grant a provisional license to  
6 practice medicine and surgery or osteopathic medicine and  
7 surgery in this state to an international physician with an  
8 offer for employment as a physician at a health care facility  
9 in this state. However, the board shall not grant a license  
10 pursuant to this subsection to an international physician who  
11 does not possess a federal immigration status allowing the  
12 international medical graduate to practice as a physician  
13 in the United States, or to an international physician who  
14 fails to obtain a passing score on the United States medical  
15 licensing examination.

16 b. A provisional license granted pursuant to paragraph "a"  
17 may be converted to a full license to practice medicine and  
18 surgery or osteopathic medicine and surgery after three years,  
19 unless the license has been revoked pursuant to subsection 2  
20 or surrendered by the licensee.

21 2. a. The board may revoke a provisional license granted  
22 pursuant to subsection 1, paragraph "a", if the board finds by  
23 clear and compelling evidence that the licensee has violated  
24 a provision of section 148.6. A licensee may appeal a  
25 revocation pursuant to this subsection in a court of competent  
26 jurisdiction within one hundred twenty days of the date of  
27 revocation.

28 b. The board may revoke a provisional license granted  
29 pursuant to subsection 1, paragraph "a", if the international  
30 physician is not employed by a health care facility in this  
31 state during the entirety of the provisional licensing period.

32 3. This section does not require the board to grant a  
33 provisional license or full license pursuant to subsection 1 to  
34 an individual that does not do all of the following:

35 a. Complete training substantially similar to a physician

1 and surgeon or osteopathic physician and surgeon.

2 *b.* Receive a passing score on the United States medical  
3 licensing examination.

4 *c.* Pass a background check as required by the board.

5 *d.* Complete a licensure application as required by the  
6 board.

7 *e.* Pay all required fees as required by the board.

8 Sec. 3. EFFECTIVE DATE. This division of this Act takes  
9 effect January 1, 2025.

10

## DIVISION II

11

### ELECTRONIC PROTECTED HEALTH INFORMATION

12 Sec. 4. NEW SECTION. 135.194 Electronic protected health  
13 information of minor — disclosure to legal guardian — option  
14 to provide printed copy.

15 1. A health care provider or facility that maintains  
16 or transmits electronic protected health information shall  
17 disclose to the legal guardian of a minor the minor's  
18 electronic protected health information, with the following  
19 exceptions:

20 *a.* Electronic protected health information that relates  
21 to health care for which the minor is legally authorized to  
22 consent without the consent of a legal guardian.

23 *b.* If disclosure of the electronic protected health  
24 information to a legal guardian is otherwise prohibited  
25 by state law or federal law, including federal statute,  
26 regulation, or centers for disease control and prevention  
27 guidelines.

28 2. In lieu of disclosing the minor's electronic protected  
29 health information to the legal guardian of a minor as required  
30 pursuant to subsection 1, a health care provider or facility  
31 may comply with this section by providing a printed copy of the  
32 minor's electronic protected health information, subject to  
33 the exceptions prescribed pursuant to subsection 1, and at no  
34 charge to the legal guardian of the minor.

35 3. For the purposes of this section:

1     *a. "Disclosure"* means the release, transfer, provision of  
2 access to, or divulging in any manner of electronic protected  
3 health information outside the entity holding the electronic  
4 protected health information.

5     *b. "Electronic media"* means electronic storage material  
6 on which data is or may be recorded electronically and  
7 transmission media used to exchange information already in  
8 electronic storage media.

9     *c. "Electronic protected health information"* means protected  
10 health information that is transmitted or maintained by or in  
11 electronic media.

12     *d. "Facility"* means a health care delivery system location  
13 that provides a range of primary, secondary, and tertiary  
14 inpatient, outpatient, and physician services; an institution  
15 providing health care services; and any other health care  
16 setting including but not limited to a hospital or other  
17 licensed inpatient center, ambulatory surgical center  
18 or treatment center, skilled nursing center, residential  
19 treatment center, diagnostic, laboratory or imaging centers,  
20 rehabilitation or other therapeutic health setting, or the  
21 private office or clinic of an individual health care provider  
22 or group of health care providers.

23     *e. "Health care"* means care, services, or supplies related  
24 to the health of a person and includes but is not limited to:  
25         (1) Preventive, diagnostic, therapeutic, rehabilitative,  
26 maintenance, or palliative care, and any counseling, service,  
27 assessment, or procedure with respect to the physical or mental  
28 condition, or functional status of a person, or that affects  
29 the structure or function of the body.

30         (2) The sale or dispensing of a drug, device, equipment, or  
31 other item in accordance with a prescription.

32     *f. "Health care provider"* means a physician or osteopathic  
33 physician licensed under chapter 148, a physician assistant  
34 licensed under chapter 148C, a podiatrist licensed under  
35 chapter 149, a chiropractor licensed under chapter 151, a

1 licensed practical nurse, a registered nurse, or an advanced  
2 registered nurse practitioner licensed under chapter 152 or  
3 152E, a dentist licensed under chapter 153, an optometrist  
4 licensed under chapter 154, a pharmacist licensed under chapter  
5 155A, or any other person who is licensed, certified, or  
6 otherwise authorized or permitted by the law of this state to  
7 administer health care in the ordinary course of business or in  
8 the practice of a profession.

9 *g. "Health information"* means health information as defined  
10 in 45 C.F.R. §160.103 that is maintained or transmitted by a  
11 health care provider or facility.

12 *h. "Legal guardian"* means a person appointed by a court as  
13 the guardian of a minor pursuant to chapter 633, or the parent  
14 or other person responsible for the care of the minor.

15 *i. "Protected health information"* means protected health  
16 information as defined in 45 C.F.R. §160.103 that is maintained  
17 or transmitted by a health care provider or facility.>

18 2. Title page, line 1, after <to> by inserting <health care,  
19 including>

20 3. Title page, line 2, after <and> by inserting <electronic  
21 protected health information, and>