

SENATE FILE _____
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A BILL FOR

1 An Act providing for the use of flashing white lights on motor
2 vehicles owned by certain on-call health care professionals,
3 and making a penalty applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DRAFT

1 Section 1. Section 321.423, subsection 1, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0c.* "Health care professional" means as
4 defined in section 135.157.

5 Sec. 2. Section 321.423, subsection 7, paragraph a, Code
6 2011, is amended by adding the following new subparagraph:

7 NEW SUBPARAGRAPH. (4) On a vehicle authorized by the
8 director of public health when all of the following apply:

9 (a) The vehicle is owned by a health care professional who
10 is employed by a hospital licensed under chapter 135B.

11 (b) The request is made by the health care professional on
12 forms provided by the department of public health.

13 (c) The necessity for authorization is demonstrated in the
14 request.

15 (d) The hospital certifies that the health care
16 professional is an employee in good standing; certifies that
17 in the regular course of employment with the hospital, the
18 health care professional is required to be on-call for medical
19 emergencies; and recommends that the authorization be granted.

20 Sec. 3. Section 321.423, subsection 7, paragraph b, Code
21 2011, is amended to read as follows:

22 *b.* The Iowa department of public health shall adopt
23 rules to establish issuance standards, including allowing
24 hospitals and local emergency medical service providers to
25 issue certificates of authorization, and shall adopt rules to
26 establish certificate of authorization revocation procedures.

27 EXPLANATION

28 This bill allows certain on-call health care professionals
29 employed by a licensed hospital to use flashing white lights on
30 a personal motor vehicle when responding to an emergency. The
31 bill defines "health care professional" to mean a person who is
32 licensed, certified, or otherwise authorized or permitted by
33 the law of this state to administer health care in the ordinary
34 course of business or in the practice of a profession.

35 Under the bill, the director of public health may authorize

1 the use of flashing white lights on a vehicle owned by a health
2 care professional in a manner similar to the process currently
3 in place for members of an ambulance, rescue, or first response
4 service. The health care professional's application to the
5 department of public health must demonstrate a necessity
6 for authorization. The hospital that employs the health
7 care professional must recommend that the authorization be
8 granted and must certify that the health care professional is
9 an employee in good standing and, in the regular course of
10 employment, is required to be on-call for medical emergencies.

11 The bill authorizes the department to adopt rules
12 establishing standards for the issuance of certificates of
13 authorization by hospitals and establishing procedures for
14 revocation of certificates of authorization.

15 The authorized use of flashing white lights on a motor
16 vehicle identifies the vehicle as being operated in the course
17 of an emergency, but does not authorize the driver to operate
18 the vehicle in violation of traffic laws. Pursuant to current
19 law, the unauthorized use of flashing white lights on a motor
20 vehicle is a simple misdemeanor punishable by a scheduled fine
21 of \$30.