

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF MEDICINE
BILL)

A BILL FOR

1 An Act relating to the administration of medical licenses by
2 the board of medicine.

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

1 Section 1. NEW SECTION. 148.8A Relinquishment of a license
2 — failure to renew or reinstate.

3 A person's license to practice medicine and surgery or
4 osteopathic medicine and surgery shall be deemed relinquished
5 if the person fails to apply for renewal or reinstatement of
6 the license within five years after its expiration. A license
7 shall not be reinstated, reissued, or restored once it is
8 relinquished. The person may apply for a new license pursuant
9 to section 148.3 and applicable administrative rules.

10 Sec. 2. NEW SECTION. 148.11A Administrative medicine
11 license.

12 1. As used in this section:

13 a. "*Administrative medicine*" means administration or
14 management utilizing the medical and clinical knowledge, skill,
15 and judgment of a person licensed to practice medicine and
16 surgery or osteopathic medicine and surgery and capable of
17 affecting the health and safety of the public or any person.

18 b. "*Administrative medicine license*" means a license issued
19 by the board pursuant to this section.

20 2. An application for an administrative medicine license
21 shall be made to the board. An applicant for an administrative
22 medicine license shall meet all of the requirements established
23 in section 148.3 and any additional requirements established by
24 the board by rule. The board shall also adopt rules governing
25 the initial issuance and renewal of administrative medicine
26 licenses and establishing fees therefor. All license and
27 renewal fees shall be paid to the board.

28 3. a. A physician with an administrative medicine license
29 may do any of the following:

30 (1) Advise public or private organizations on health care
31 matters.

32 (2) Authorize or deny payments for care.

33 (3) Organize or direct research programs.

34 (4) Review care provided for quality.

35 (5) Perform other similar duties that do not require direct

1 patient care.

2 *b.* An administrative medicine license does not convey the
3 authority to do any of the following, unless the person is
4 otherwise licensed to perform such duties:

5 (1) Practice clinical medicine.

6 (2) Examine, care for, or treat patients.

7 (3) Prescribe medications including controlled substances.

8 (4) Delegate medical acts or prescriptive authority to
9 others.

10 4. A person issued an administrative medicine license is
11 subject to the same laws and rules governing the practice of
12 medicine as a person issued a license to practice medicine and
13 surgery or osteopathic medicine and surgery under this chapter
14 unless otherwise provided by the board by rule.

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill establishes a process by which a physician's
19 license shall be deemed relinquished. Under the bill, a
20 physician's license is deemed relinquished when the physician
21 fails or declines to apply for renewal or reinstatement of the
22 license for five years. Once a license is relinquished, it
23 cannot be renewed, reinstated, or restored. A physician whose
24 license is relinquished may apply to the board of medicine for
25 a new license.

26 The bill creates an "administrative medicine license" for
27 physicians who engage in nonclinical practice. Under the
28 bill, a physician with an administrative medicine license
29 may advise organizations, authorize or deny payments for
30 care, organize and direct research programs, review care, and
31 perform other duties not requiring direct patient care. An
32 administrative medicine license does not allow a physician to
33 practice clinical medicine, treat patients, prescribe drugs or
34 controlled substances, or delegate authority unless otherwise
35 licensed to do so.

1 The bill requires that applicants to the board of medicine
2 seeking an administrative medicine license meet requirements
3 established for those seeking to practice medicine under Code
4 section 148.3 and any other requirements established by the
5 board by rule. Physicians with an administrative medicine
6 license are subject to the same laws and rules applicable to
7 physicians holding a permanent Iowa medical license.