



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 25, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 641, an Act providing for changes relating to programs under the purview of the Iowa Department of Public Health.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 641

AN ACT

PROVIDING FOR CHANGES RELATING TO PROGRAMS UNDER THE PURVIEW
OF THE IOWA DEPARTMENT OF PUBLIC HEALTH.

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

Section 1. Section 139A.8, subsection 1, Code 2003, is amended to read as follows:

1. A parent or legal guardian shall assure that the person's minor children residing in the state are adequately immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, and rubella, and varicella according to recommendations provided by the department subject to the provisions of subsections 3 and 4.

Sec. 2. Section 139A.8, subsection 2, paragraph a, Code 2003, is amended to read as follows:

a. A person shall not be enrolled in any licensed child care center or elementary or secondary school in Iowa without evidence of adequate immunizations against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, and rubella, and varicella.

Sec. 3. Section 139A.8, subsection 4, paragraph a, Code 2003, is amended to read as follows:

a. The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits to the admitting official a statement signed by a physician, advanced registered nurse practitioner, or physician assistant who is licensed by the state board of medical examiners, board of nursing, or board of physician assistant examiners ~~that, in the physician's opinion,~~ the immunizations required would be injurious to the health and well-being of the applicant or any member of the applicant's family.

Sec. 4. Section 152.1, subsection 5, paragraph b, Code 2003, is amended by striking the paragraph and inserting in lieu thereof the following:

b. The performance of nursing services by an unlicensed student enrolled in a nursing education program if performance is part of the course of study. Individuals who have been licensed as registered nurses or licensed practical or vocational nurses in any state or jurisdiction of the United States are not subject to this exemption.

Sec. 5. Section 152.1, subsection 5, paragraph c, Code 2003, is amended to read as follows:

c. The performance of services by ~~employed~~ unlicensed workers employed in offices, hospitals, or health care facilities, as defined in section 135C.1, under the supervision of a physician or a nurse licensed under this chapter, or employed in the office of a psychologist, podiatric physician, optometrist, chiropractor, speech pathologist, audiologist, or physical therapist licensed to practice in this state, and when acting while within the scope of the employer's license.

Sec. 6. Section 272C.3, subsection 1, paragraph k, Code 2003, is amended to read as follows:

k. Establish a licensee review committee for the purpose of evaluating and monitoring licensees who ~~self-report physical-or-mental-impairments-to-the-board~~ are impaired as a result of alcohol or drug abuse, dependency, or addiction, or by any mental or physical disorder or disability, and who self-report the impairment to the committee, or who are referred by the board to the committee. The board shall adopt rules for the establishment and administration of the committee, including but not limited to establishment of the criteria for eligibility for referral to the committee and the grounds for disciplinary action for noncompliance with committee decisions. Information in the possession of the board or the licensee review committee, under this paragraph, shall be subject to the confidentiality requirements of section 272C.6. Referral of a licensee by the board to a licensee review committee shall not relieve the board of any duties of the board and shall not divest the board of any authority or jurisdiction otherwise provided. A licensee who

violates section 272C.10 or the rules of the board while under review by the licensee review committee shall be referred to the board for appropriate action.



CHRISTOPHER C. RANTS

Speaker of the House



MARY E. KRAMER

President of the Senate

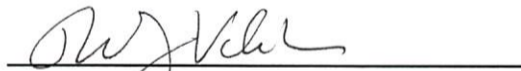
I hereby certify that this bill originated in the House and is known as House File 641, Eightieth General Assembly.



MARGARET THOMSON

Chief Clerk of the House

Approved April 25, 2003



THOMAS J. VILSACK

Governor