



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 23, 2010

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2284, an Act relating to various activities regulated and programs administered by the department of public health, including fetal death certification, and optometry, cosmetology, and barbering licensure.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", with a long horizontal flourish extending to the right.

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





House File 2284

AN ACT

RELATING TO VARIOUS ACTIVITIES REGULATED AND PROGRAMS
ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH, INCLUDING
FETAL DEATH CERTIFICATION, AND OPTOMETRY, COSMETOLOGY, AND
BARBERING LICENSURE.

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

Section 1. Section 144.31, Code 2009, is amended to read as follows:

144.31 Medical certification — fetal death.

1. The medical certification for a fetal death shall be completed within ~~twenty-four~~ seventy-two hours after delivery by the physician in attendance at or after delivery except when inquiry is required by the county medical examiner.

2. When a fetal death occurs without medical attendance upon the mother at or after delivery or when inquiry is required by the county medical examiner, the medical examiner shall investigate the cause of fetal death and shall complete the medical certification within ~~twenty-four~~ seventy-two hours after taking charge of the case. The person completing the medical certification of cause of fetal death shall attest to its accuracy either by signature or as authorized by rule.

Sec. 2. Section 148.3, subsection 1, paragraph a, unnumbered paragraph 1, Code Supplement 2009, is amended to read as follows:

A Evidence of a diploma issued by a medical college or college of osteopathic medicine and surgery approved by the board, or other evidence of equivalent medical education approved by the board. The board may accept, in lieu of a diploma from a medical college approved by the board, all of the following:

Sec. 3. Section 154.1, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Beginning July 1, 2012, all licensed optometrists shall meet requirements established by the board by rule to employ diagnostic and therapeutic pharmaceutical agents for the practice of optometry. All licensees practicing optometry in this state shall have demonstrated qualifications and obtained certification to use diagnostic and therapeutic pharmaceutical agents as a condition of license renewal.

Sec. 4. Section 157.1, subsection 5, paragraph c, Code 2009, is amended to read as follows:

c. Removing superfluous hair from the face or body of a person with the use of depilatories, wax, sugars, threading, or tweezing.

Sec. 5. Section 157.1, subsection 12, paragraph c, Code 2009, is amended to read as follows:

c. Removing superfluous hair from the body of a person by the use of depilatories, waxing, sugaring, tweezers, threading, or use of any certified laser products or intense pulsed light devices. This excludes the practice of electrolysis, whereby hair is removed with an electric needle.

Sec. 6. Section 157.8, subsection 2, Code 2009, is amended to read as follows:

2. a. The number of instructors for each school shall be based upon total enrollment, with a minimum of two licensed instructors employed on a full-time basis for up to

thirty students and an additional licensed instructor for each fifteen additional students. A student instructor shall not be used to meet licensed instructor-to-student ratios. However, a A school operated by an area community college prior to September 1, 1982, with only one instructor per fifteen students is not subject to this paragraph and may continue to operate with the ratio of one licensed instructor to fifteen students. A student instructor may not be used to meet this requirement.

b. A school with less than thirty students enrolled may have one licensed instructor on site in the school if offering only clinic services or only theory instruction in a single classroom and less than fifteen students are present. If a school is offering clinic services and theory instruction simultaneously to less than fifteen students, at least two licensed instructors must be on site. Schools with more than thirty students enrolled shall meet the licensed instructor-to-student ratio as provided in paragraph "a".

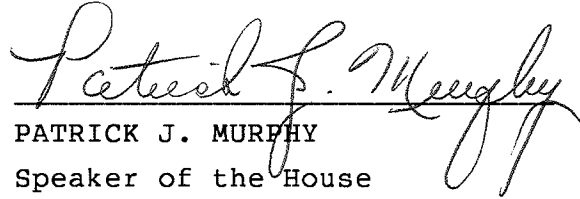
~~a. c.~~ A person employed as an instructor in the cosmetology arts and sciences by a licensed school shall be licensed in the practice and shall possess a separate instructor's license which shall be renewed biennially. An instructor shall file an application with the department on forms prescribed by the board. ~~Prior to licensure, an applicant for an instructor's license shall have been actively engaged in the practice for a period of two years and complete a course of study required by the board or an instructor's course at a school for cosmetology arts and sciences, and meet any other requirement established by the board.~~ Requirements for licensure as an instructor shall be determined by the board by rule.

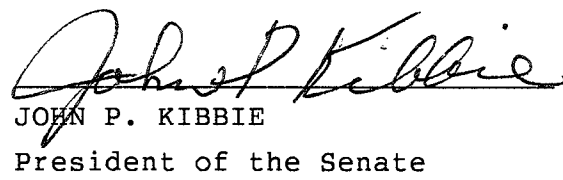
~~b. d.~~ The application for an instructor's license shall be accompanied by the biennial fee determined pursuant to section 147.80.

Sec. 7. Section 158.4, subsection 2, Code 2009, is amended to read as follows:

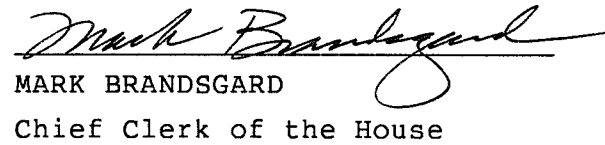
2. The department may issue a temporary permit ~~for the purpose of demonstrating barbering upon recommendation of the board~~ which allows the applicant to practice barbering for purposes determined by rule. The board shall determine and state its recommendations and the length of time the temporary permit issued under this subsection is valid.

Sec. 8. REPEAL. Section 152B.13, Code Supplement 2009, is repealed.

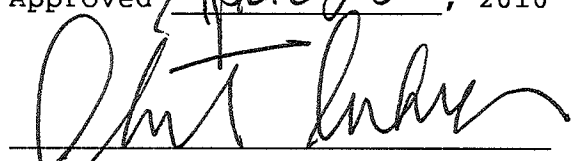

PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2284, Eighty-third General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved April 23rd, 2010


CHESTER J. CULVER
Governor