



TERRY E. BRANSTAD  
GOVERNOR

**OFFICE OF THE GOVERNOR**

KIM REYNOLDS  
LT. GOVERNOR

April 27, 2012

The Honorable Matt Schultz  
Secretary of State of Iowa  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 364, an Act relating to the licensure and regulation of persons offering occupational therapy services, and orthotists, prosthetists, and pedorthists, providing exceptions for persons practicing within the scope of their professions, and providing for fees and penalties.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad  
Governor

cc: Secretary of the Senate  
Clerk of the House



Senate File 364

AN ACT

RELATING TO THE LICENSURE AND REGULATION OF PERSONS OFFERING OCCUPATIONAL THERAPY SERVICES, AND ORTHOTISTS, PROSTHETISTS, AND PEDORTHISTS, PROVIDING EXCEPTIONS FOR PERSONS PRACTICING WITHIN THE SCOPE OF THEIR PROFESSIONS, AND PROVIDING FOR FEES AND PENALTIES.

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

Section 1. Section 147.1, subsections 3 and 6, Code 2011, are amended to read as follows:

3. *"Licensed"* or *"certified"*, when applied to a physician and surgeon, podiatric physician, osteopathic physician and surgeon, physician assistant, psychologist, chiropractor, nurse, dentist, dental hygienist, dental assistant, optometrist, speech pathologist, audiologist, pharmacist, physical therapist, physical therapist assistant, occupational therapist, occupational therapy assistant, orthotist, prosthetist, pedorthist, respiratory care practitioner, practitioner of cosmetology arts and sciences, practitioner of barbering, funeral director, dietitian, marital and family therapist, mental health counselor, social worker, massage therapist, athletic trainer, acupuncturist, nursing home administrator, hearing aid dispenser, or sign language interpreter or transliterator means a person licensed under this subtitle.

6. *"Profession"* means medicine and surgery, podiatry, osteopathic medicine and surgery, practice as a physician assistant, psychology, chiropractic, nursing, dentistry, dental hygiene, dental assisting, optometry, speech pathology, audiology, pharmacy, physical therapy, physical therapist

assisting, occupational therapy, occupational therapy assisting, respiratory care, cosmetology arts and sciences, barbering, mortuary science, marital and family therapy, mental health counseling, social work, dietetics, massage therapy, athletic training, acupuncture, nursing home administration, hearing aid dispensing, ~~or~~ sign language interpreting or transliterating, orthotics, prosthetics, or pedorthics.

Sec. 2. Section 147.2, subsection 1, Code 2011, is amended to read as follows:

1. A person shall not engage in the practice of medicine and surgery, podiatry, osteopathic medicine and surgery, psychology, chiropractic, physical therapy, physical therapist assisting, nursing, dentistry, dental hygiene, dental assisting, optometry, speech pathology, audiology, occupational therapy, occupational therapy assisting, orthotics, prosthetics, pedorthics, respiratory care, pharmacy, cosmetology arts and sciences, barbering, social work, dietetics, marital and family therapy or mental health counseling, massage therapy, mortuary science, athletic training, acupuncture, nursing home administration, hearing aid dispensing, or sign language interpreting or transliterating, or shall not practice as a physician assistant, unless the person has obtained a license for that purpose from the board for the profession.

Sec. 3. Section 147.13, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 24. For orthotics, prosthetics, and pedorthics, the board of podiatry.

Sec. 4. Section 147.14, subsection 1, paragraph s, Code 2011, is amended to read as follows:

s. For podiatry, five members licensed to practice podiatry, two members licensed to practice orthotics, prosthetics, or pedorthics, and two members who are not so licensed ~~to practice~~ podiatry and who shall represent the general public.

Sec. 5. Section 147.74, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 24. a. An orthotist licensed under chapter 148F may use the words "licensed orthotist" after the person's name or signify the same by the use of the letters "L.O." after the person's name.

b. A pedorthist licensed under chapter 148F may use the words "licensed pedorthist" after the person's name or signify the same by the use of the letters "L.ped." after the person's