

January 26, 1965.

Industrial and Human Relations. *Pass 2/3* By MAHAN and DODERER (Burns).

House File 69

Passed House, Date *2-10-65* Passed Senate, Date *3-9-65*

Vote: Ayes *117* Nays *0* Vote: Ayes *32* Nays *15*

Approved *March 18, 1965*

*Passed on Feb 2/11/2/2  
Public Health 2/12  
Pass 2/17*

## A BILL FOR

An Act to amend chapter ninety-seven B (97B), Code 1962, to exempt internes and resident doctors in training at state hospitals from the Iowa public employment retirement system.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section ninety-seven B point forty-two (97B.42), Code 1962, is
- 2 hereby amended by inserting in line thirty-six (36) after the word
- 3 "employment" the following:
- 4 " , nor to graduate medical students while serving as internes
- 5 or resident doctors in training at any hospital operated by the
- 6 state of Iowa".

### EXPLANATION OF HOUSE FILE 69

Hospital internes are excluded under the federal social security law. A federal court decision involving a Cleveland hospital held that the exception is broad enough to apply to resident doctors in training.

The IPERS law as written excludes "students who devote their time and efforts chiefly to their studies, rather than to incidental employment." The Iowa Employment Security Commission has taken the view that this exception applies only to internes during their first year, but not to resident doctors in training.

The University Hospital has about 228 resident doctors in training with an annual salary figure of \$700,000. If IPERS is applicable, it will cost the state about \$24,500 per year in contributions. Many of these doctors after finishing their training leave the state and withdraw their own contributions.

Psychopathic Hospital residents will cost the state \$3,950. Figures are not available on the other state hospitals, but all will be involved in a procedure of requiring increased appropriations which will only be transferred to another state agency—IPERS.

Resident doctors at University Hospital are classified as students and are pursuing a progressive course of training for specialization in various fields of medicine. The residents receive a stipend based on bare living expenses or less, more as a manner of providing maintenance than as compensation for services rendered.

The purpose of this bill is to clarify the IPERS law to insure that resident doctors at the state hospital will be classified as the students which they are which will exempt them from the payment of IPERS contribution.

HOUSE FILE 69

- 1 Amend House File 69 as follows:
- 2 1. Amend House File 69 by striking all after the word
- 3 "hospital" in lines five (5) and six (6) and inserting in
- 4 lieu thereof a period.

Filed  
February 9, 1965.

*adopted 2/10/65*  
MALEY of Polk.

HOUSE FILE 69

- 1 Amend House File 69 as follows:
- 2 1. By inserting in line three (3) of the title after
- 3 the word "hospitals" the words "and county medical examiners
- 4 and deputy county medical examiners".
- 5 2. By inserting at the beginning of line one (1) the
- 6 word and figure "Section 1."
- 7 3. By inserting in line six (6) after the word "Iowa"
- 8 the following: ", nor to county medical examiners and deputy
- 9 county medical examiners under the provisions of chapter 399
- 10 of the Code".

Filed  
February 9, 1965.

*adopted as amended 2/10/65*  
MILLEN of Jefferson-Van Buren.  
REICHARDT of Polk.  
MILLER of Page.

HOUSE FILE 69

- 1 Amend the amendment to House File 69, filed by Millen, et
- 2 al., on February 9, 1965, by striking lines seven (7) through
- 3 ten (10), inclusive, and inserting in lieu thereof the following:
- 4 "3. By inserting in line five (5) after the word 'hospital'
- 5 the following: ', nor to county medical examiners and deputy
- 6 county medical examiners under the provisions of chapter 339
- 7 of the Code'."

Filed and adopted  
February 10, 1965.

*adopted 2/10/65*  
MILLEN of Jefferson-Van Buren.

HOUSE FILE 69

- 1 Amend the title to House File 69 by striking from line two
- 2 (2) the word "state".

Filed and adopted  
February 10, 1965.

MALEY of Polk.