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Serial Sermed 1/21, Pass 2/9/71

Reprinted 2/22
SENATE FILE 78

By TAPSCOTT, WALSH, POTGETER,
and ROBINSON
(Mayberry, Holden, Jesse,
and Lipsky)

Passed Senate, Date 2-19-71 Passed House, Date _____
Vote: Ayes 44 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to establish a program to permit doctors' assistants to
2 work under a doctor's supervision.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. DEFINITIONS. For the purposes of this chapter:

2 1. "Board" means the board of medical examiners of the
3 state of Iowa.

4 2. "Department" means the state department of health.

5 3. "Approved program" means a program for the education
6 of physician's assistants which has been formally approved
7 by the board.

8 4. "Trainee" means a person who is currently enrolled
9 in an approved program.

10 5. "Physician's assistant" means a person who has success-
11 fully completed an approved program and is approved by the
12 board to perform medical services under the supervision of a
13 physician approved by the board to supervise such assistant.

14 Sec. 2. APPROVED PROGRAMS. The department shall issue
15 certificates of approval for programs for the education and
16 training of physician's assistants which meet board standards.
17 In developing criteria for program approval, the board shall
18 give consideration to and encourage the utilization of
19 equivalency and proficiency testing and other mechanisms
20 whereby full credit is given to trainees for past education
21 and experience in health fields. The board shall adopt and
22 publish standards to insure that such programs operate in a
23 manner which does not endanger the health and welfare of
24 patients who receive services within the scope of the program.
25 The board shall review the quality of curriculum, faculty, and
26 the facilities of such programs and shall issue certificates of
27 approval. The board may adopt such regulations as are reason-
28 ably necessary to carry out the purposes of this chapter.

29 Sec. 3. APPLICATION. The board shall formulate guide-
30 lines for the consideration of applications by a licensed
31 physician to supervise physician's assistants. Each applica-
32 tion made by a physician to the board shall include all of the
33 following:

34 1. The qualifications, including related experience, pos-
35 sessed by the proposed physician's assistant.

1 2. The professional background and specialty of the
2 physician.

3 3. A description by the physician of his practice, and
4 the way in which the assistant is to be utilized.

5 The board shall not approve an application by any one
6 physician to supervise more than two physician's assistants
7 at any one time.

8 The board shall approve an application by a licensed
9 physician to supervise a physician's assistant when the board
10 finds that the proposed assistant is a graduate of an approved
11 program, and is fully qualified by reason of experience or
12 education to perform medical services under the supervision
13 of a licensed physician.

14 Sec. 4. SERVICES PERFORMED BY ASSISTANTS. A physician's
15 assistant may perform medical service when such services are
16 rendered under the supervision of a licensed physician or physi-
17 cians approved by the board. A trainee may perform medical
18 services when such services are rendered within the scope of
19 an approved program. No medical services may be performed
20 under this chapter in any of the following areas:

21 1. The measurement of the powers or range of human vision,
22 or the determination of the accommodation and refractive states
23 of the human eye or the scope of its functions in general, or
24 the fitting or adaptation of lenses or frames for the aid there-
25 of.

26 2. The prescribing or directing the use of, or using, any
27 optical device in connection with ocular exercises, visual
28 training, vision training or orthoptics.

29 3. The prescribing of contact lenses for, or the fitting
30 or adaptation of contact lenses to, the human eye.

31 4. The practice of dentistry or dental hygiene as defined
32 in section one hundred fifty-three point thirteen (153.13)
33 of the Code.

34 Nothing in this section shall preclude the performance of
35 routine visual screening.

1 Sec. 5. ADVISORY COMMITTEE CREATED. There is established
2 an advisory committee on physicians' assistant programs which
3 shall be advisory to the board on matters pertaining to the
4 education of physicians' assistants and approval of applicants
5 to supervise a physician's assistant. The committee shall con-
6 sist of eight members appointed by the governor. The members
7 of the committee shall include one representative of the board
8 who shall be chairman of the committee, a representative of an
9 Iowa medical school, an educator with experience in the develop-
10 ment of health manpower programming, one physician, and one
11 registered nurse. Each member of the committee shall receive
12 a per diem and expenses within the limits prescribed by sec-
13 tion one hundred forty-seven point twenty-four (147.24) of
14 the Code.

15 Sec. 6. REPORT OF THE COMMITTEE. The board shall report
16 to the governor and general assembly no later than January
17 31, 1973:

- 18 1. The number and types of programs which have been ap-
19 proved and a description of each.
- 20 2. The number of physicians' assistants who have been ap-
21 proved for supervision under this Act.
- 22 3. The education and qualifications of each physician's
23 assistant.
- 24 4. Background concerning the numbers of physicians super-
25 vising assistants, their specialties, and the counties in
26 which they practice.
- 27 5. The scope of practice of approved physicians' assistants.
- 28 6. Recommendations for establishing a permanent program of
29 certification of licensure for physicians' assistants.

30 In developing criteria for program approval and approval of
31 applications to utilize physician's assistants and in prepar-
32 ing its report, the board shall consult with and seek the ad-
33 vice of professional medical organizations and specialty so-
34 cieties.

35 Sec. 7. FEES. A fee of ten dollars shall be charged for

1 each application to the board by a physician to supervise each
2 physician's assistant. A fee of fifty dollars shall be charged
3 for each approval initially granted by the board. Approval
4 shall be limited to one year. The board may renew an applica-
5 tion, and a fee of twenty-five dollars shall be paid for such
6 renewal. A fee of fifty dollars shall be charged to each
7 applicant seeking program approval by the board.

8 Fees required by this section shall be remitted by one de-
9 partment in the name of the board to the treasurer of state
10 and deposited by him in the state board of medical examiners
11 fund. Such fees shall be used to finance the provisions of
12 this Act and shall be subject to the provisions of section
13 one hundred forty-seven point one hundred three (147.103) of
14 the Code.

15 Sec. 8. APPLICABILITY OF OTHER PROVISIONS OF LAW. The
16 provisions of chapter one hundred forty-seven (147) of the
17 Code, not otherwise inconsistent with the provisions of this
18 Act, shall apply to the provisions of this Act.

19 EXPLANATION

20 This bill encourages the more effective utilization of the
21 skills of physicians by enabling them to delegate health care
22 tasks to qualified physician's assistants where such delega-
23 tion is consistent with the patient's health and welfare.

24 The Act, which is modeled after a California statute, is
25 not permanent in nature since it requires a report of the
26 administration of the program to be made to the governor and
27 the general assembly meeting in the year 1973. It is antici-
28 pated that further legislation may be considered at that time.
29 The Act will be administered by the board of medical examiners
30 and the department of health, although a special advisory
31 committee is established in order to provide professional
32 consultation in initiating the programs.

33 The ultimate objective which this Act endeavors to accomplish
34 is to provide more medical services to the people of Iowa by
35 making better use of the physicians that are presently available.

1 Amend Senate File 78, page 4, line 1 by striking the word
2 "Committed" and inserting the word "Committee".

Filed - *Adopted 2-19*
January 25, 1971

By TAPSCOTT

; Amend Senate File 78 as follows:

2 1. Page 4, line 14, by adding after the period the
3 following:

4 "Per diem and expense payments shall be made from
5 the state board of medical examiners fund."

6 2. Page 5, line 14, by adding after the period the
7 following:

8 "However, the fees required by this section shall
9 not be included in computing the remainder in excess of
10 twenty-five thousand dollars in the state board of
11 medical examiners fund as provided in section one
12 hundred forty-seven point one hundred three (147.103)
13 of the Code, and such fees shall not revert to the
14 general fund of the state."

Filed - *Adopted as amended 2-19*
February 15, 1971

By TAPSCOTT and MESSERLY

1 Amend Senate File 78 as follows:

2 Page 4, line 7, by inserting after the second "the"
3 the word "medical".

Filed - *Adopted 2-19-71*
February 17, 1971

By TAPSCOTT

February 22, 1971
See Social Services, Pass 3/10

SENATE FILE 78
By TAPSCOTT, WALSH, POTGETER
and ROBINSON
(Mayberry, Holden, Jesse
and Lipsky)
(AS PASSED BY THE SENATE)

Passed Senate, Date.....~~4-13~~-71..... Passed House, Date4-8-71.....
Vote: Ayes94..... Nays0..... Vote: Ayes94..... Nays0.....
Approved4-26-71.....

A BILL FOR

- 1 An Act to establish a program to permit doctors' assistants to
- 2 work under a doctor's supervision.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. DEFINITIONS. For the purposes of this chapter:

2 1. "Board means the board of medical examiners of the
3 state of Iowa.

4 2. "Department" means the state department of health.

5 3. "Approved program" means a program for the education
6 of physician's assistants which has been formally approved
7 by the board.

8 4. "Trainee" means a person who is currently enrolled
9 in an approved program.

10 5. "Physician's assistant" means a person who has success-
11 fully completed an approved program and is approved by the
12 board to perform medical services under the supervision of a
13 physician approved by the board to supervise such assistant.

14 Sec. 2. APPROVED PROGRAMS. The department shall issue
15 certificates of approval for programs for the education and
16 training of physician's assistants which meet board standards.

17 In developing criteria for program approval, the board shall
18 give consideration to and encourage the utilization of
19 equivalency and proficiency testing and other mechanisms
20 whereby full credit is given to trainees for past education
21 and experience in health fields. The board shall adopt and
22 publish standards to insure that such programs operate in a
23 manner which does not endanger the health and welfare of
24 patients who receive services within the scope of the program.
25 The board shall review the quality of curriculum, faculty, and
26 the facilities of such programs and shall issue certificates of
27 approval. The board may adopt such regulations as are reason-
28 ably necessary to carry out the purposes of this chapter.

29 Sec. 3. APPLICATION. The board shall formulate guide-
30 lines for the consideration of applications by a licensed
31 physician to supervise physician's assistants. Each applica-
32 tion made by a physician to the board shall include all of the
33 following:

34 1. The qualifications, including related experience, pos-
35 sessed by the proposed physician's assistant.

1 Sec. 5. ADVISORY COMMITTEE CREATED. There is estab-
2 an advisory committee on physicians' assistant programs which
3 shall be advisory to the board on matters pertaining to the
4 education of physicians' assistants and approval of applicants
5 to supervise a physician's assistant. The committee shall con-
6 sist of eight members appointed by the governor. The members
7 of the committee shall include on representative of the *medical board*
8 who shall be chairman of the committee, a representative of an
9 Iowa medical school, an educator with experience in the develop-
10 ment of health manpower programming, one physician, and one
11 registered nurse. Each member of the committee shall receive
12 a per diem and expenses within the limits prescribed by sec-
13 tion one hundred forty-seven point twenty-four (147.24) of
14 the Code. *Per diem and expense payments shall be made from*
15 *the state board of medical examiners fund.*

16 Sec. 6. REPORT OF THE COMMITTEE. The board shall report
17 to the governor and general assembly no later than January
18 31, 1973:

19 1. The number and types of programs which have been ap-
20 proved and a description of each.

21 2. The number of physicians' assistants who have been ap-
22 proved for supervision under this Act.

23 3. The education and qualifications of each physician's
24 assistant.

25 4. Background concerning the numbers of physicians super-
26 vising assistants, their specialties, and the counties in
27 which they practice.

28 5. The scope of practice of approved physicians' assistants.

29 6. Recommendations for establishing a permanent program
30 for physicians' assistants.

31 In developing criteria for program approval and approval of
32 applications to utilize physician's assistants and in prepar-
33 ing its report, the board shall consult with and seek the ad-
34 vice of professional medical organizations and specialty so-
35 cieties.

36 Sec. 7. FEES. A fee of ten dollars shall be charged for

1 each application to the board by a physician to supervise each
2 physician's assistant. A fee of fifty dollars shall be charged
3 for each approval initially granted by the board. Approval
4 shall be limited to one year. The board may renew an applica-
5 tion, and a fee of twenty-five dollars shall be paid for such
6 renewal. A fee of fifty dollars shall be charged to each
7 applicant seeking program approval by the board.

8 Fees required by this section shall be remitted by one de-
9 partment in the name of the board to the treasurer of state
10 and deposited by him in the state board of medical examiners
11 fund. Such fees shall be used to finance the provisions of
12 this Act and shall be subject to the provisions of section
13 one hundred forty-seven point one hundred three (147.103) of
14 the Code. *However, the fees required by this Act shall not*
15 *be included in computing the remainder in excess of twenty-five*
16 *thousand dollars in the state board of medical examiners fund*
17 *as provided in section one hundred forty-seven point one*
18 *hundred three (147.103) of the Code, and such fees shall not*
19 *revert to the general fund of the state.*

20 Sec. 8. APPLICABILITY OF OTHER PROVISIONS OF LAW.

The

21 provisions of chapter one hundred forty-seven (147) of the
22 Code, not otherwise inconsistent with the provisions of this
23 Act, shall apply to the provisions of this Act.

24 *Sec. 9. This Act, being deemed of immediate importance,*
25 *shall take effect and be in force from and after its publi-*
26 *cation in The Telegraph-Herald, a newspaper published in*
27 *Dubuque, Iowa, and in the Eldora Herald-Ledger, a newspaper*
28 *published in Eldora, Iowa.*

29 EXPLANATION

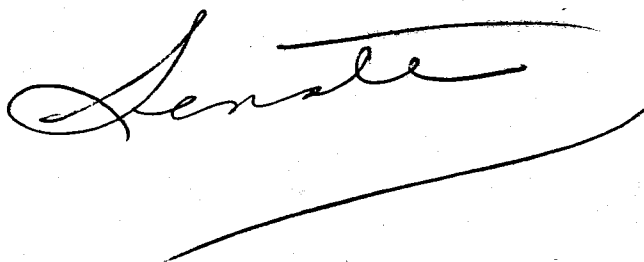
30 This bill encourages the more effective utilization of the
31 skills of physicians by enabling them to delegate health care
32 tasks to qualified physician's assistants where such delega-
33 tion is consistent with the patient's health and welfare.

34 The Act, which is modeled after a California statute, is
35 not permanent in nature since it requires a report of the

36 administration of the program to be made to the governor and
37 the general assembly meeting in the year 1973. It is antici-
38 pated that further legislation may be considered at that time.
39 The Act will be administered by the board of medical examiners
40 and the department of health, although a special advisory
41 committee is established in order to provide professional
42 consultation in initiating the programs.
43 The ultimate objective which this Act endeavors to accomplish
44 is to provide more medical services to the people of Iowa by
45 making better use of the physicians that are presently available.

Proof of Publication 5/13/71
The Telegraph-Herald 5/3
Eldora Herald-Ledger 5/4

Senate 2
Feb. 22, 1971



SENATE FILE 78

- 1 Amend the Tapscott-Messerly amendment filed February 15, 1971
- 2 to Senate File 78, line 8, by striking the word "section"
- 3 and inserting in lieu thereof the word "Act".

Filed and Adopted
February 19, 1971

By MESSERLY

SENATE FILE 78

- 1 Amend Senate File 78, page 5, by adding after line 18 the
- 2 following new section:
- 3 Sec. 9: This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in The Telegraph-Herald, a newspaper published in Dubuque, Iowa,
- 6 and in the Eldora Herald-Ledger, a newspaper published in Eldora,
- 7 Iowa.

Filed and Adopted
February 19, 1971

By WALSH and POTGETER

SENATE FILE 78

Division 1.

- 1 Amend Senate File 78 as follows;
- 2 1. Page 3, by striking all after the period in line
- 3 19 through line 35 inclusively.

Division 2.

- 4 2. Page 4, line 28 by striking the word "of".
- 5 Page 4, line 29 by striking the words "certification
- 6 of licensure".

Filed, Divisions 1 and 2 Adopted
February 19, 1971

By TAPSCOTT, POTGETER,
WALSH and ROBINSON

1 Amend Senate File 78, as passed by the Senate
2 and reprinted, as follows
3 Page 3, by inserting after line 19 the following:
4 "No medical services may be performed under this
5 Chapter in any of the following areas".
6 The measurement of visual power and visual
7 efficiency of the human eye; prescribing or adapting
8 of lenses; prisms and contact lenses; the using or
9 employing of visual training or ocular exercises,
10 for the aid, relief or correction of vision."

Filed - *Withdrawn 4/7*
March 29, 1971

By FREEMAN of Buena Vista, District 15
CHRISTENSEN of Union, District 95
PELTON of Clinton, District 74
CAMP of Clinton, District 73
DEN HERDER of Sioux, District 1
KRUSE of O'Brien, District 4

House

1 Amend Senate File 78, as passed by the Senate and
2 reprinted, as follows:
3 Page 3, by inserting after line 19 the following:
4 "No medical services may be performed under this Act
5 in any area requiring the measurement of visual power and
6 visual efficiency of the human eye for the purpose of
7 prescribing and adapting of lenses, prisms and contact
8 lenses, and the using or employing of visual training or
9 ocular exercises, for the aid, relief or correction of
10 vision. Nothing in this section shall preclude the
11 performance of routine visual screening."

Filed - *Withdrawn 4/7*
March 31, 1971

House By FREEMAN of Buena Vista
District 15

1 Amend the Den Herder-Holden Amendment to
2 Senate File 78 as follows:
3 1. By striking lines 42 and 43 and inserting
4 in lieu thereof the following:
5 4. By adding the following new sections:
6 2. By striking all of section 10.

Filed - *Adopted 4/8*
April 7, 1971

By RADL of Linn
District 43

House

House 6
April 7, 1971

SENATE FILE 78

1 Amend Senate File 78 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 2, by striking lines 10 through 13,
4 inclusive, and inserting in lieu thereof the following:

5 "5. 'Physician' means a person who is currently
6 licensed in Iowa to practice medicine and surgery,
7 osteopathic medicine and surgery, or osteopathy.

8 6. 'Physician's assistant' means a person who
9 has successfully completed an approved program or is
10 otherwise found to be qualified as a physician's
11 assistant and is approved by the board to perform
12 medical services under the supervision of one or more
13 physicians approved by the board to supervise such
14 assistant. The term 'supervision' shall not be
15 construed as requiring the personal presence of a
16 supervising physician at the place where such services
17 are rendered except insofar as the personal presence
18 is required by the rules and regulations adopted
19 pursuant to this Act or as is expressly required in
20 this Act."

21 2. Page 2, by inserting after line 28 a new
22 paragraph as follows:

23 "If the board determines that a person has
24 sufficient knowledge and experience to qualify as a
25 physician's assistant, the board may approve an
26 application to supervise such person as a physician's
27 assistant without requiring the completion of an
28 approved program."

29 3. Page 3, by inserting a paragraph after line
30 13 as follows:

31 "The board may modify the proposed utilization of
32 a physician's assistant as detailed in any application
33 and then approve the application as modified. A
34 physician's assistant shall perform only those
35 services for which he is qualified by training, and
36 shall not perform any service that is not permitted
37 to be performed by the board. Approval of an applica-
38 tion to supervise a physician's assistant may be
39 revoked or suspended at any time upon such grounds
40 and pursuant to such procedure as the board shall
41 establish by regulation."

42 4. Page 5A by striking lines 20 through 23,
43 inclusive, and inserting in lieu thereof the following:

44 "Sec. 8. REGULATIONS. Regulations adopted by the
45 board to implement the provisions of this Act shall be

House 7
April 7, 1971

46 designed to encourage the utilization of physicians'
47 assistants in a manner that is consistent with the
48 provision of quality health care and medical services
49 for the citizens of Iowa through better utilization of
50 available physicians and the development of sound
51 programs for the education and training of skilled
52 physician's assistants well qualified to assist
53 physicians in providing health care and medical
54 services.

55 Sec. 9. RIGHT TO DELEGATE. Nothing in this Act
56 shall affect or limit a physician's existing right to
57 delegate various medical tasks to aides, assistants
58 or others acting under his supervision or direction.
59 Aides, assistants or others who perform only those
60 tasks which can be so delegated shall not be required
61 to qualify as physician's assistants hereunder.

62 Sec. 10. APPLICATION OF OTHER CODE PROVISIONS.
63 The use of physician's assistants shall be regulated
64 by this Act and the regulations promulgated hereunder,
65 and no other provision of the Code shall be construed
66 as prohibiting a physician's assistant from performing
67 any medical act that may lawfully be performed as
68 provided in this Act and regulations promulgated
69 pursuant to it.

70 Sec. 11. No physician's assistant shall be
71 permitted to prescribe lenses, prisms or contact
72 lenses for the aid, relief or correction of human
73 vision. No physician's assistant shall be permitted
74 to measure the visual power and visual efficiency of
75 the human eye, as distinguished from routine visual
76 screening, except in the personal presence of a
77 supervising physician at the place where such
78 services are rendered."

79 5. Page 5A, line 24, by striking the number "9"
80 and inserting in lieu thereof the number "12".

Filed - *Adopted 4/8 (as amended)*
April 6, 1971

By DEN HERDER of Sioux
District 1
HOLDEN of Scott
District 75

House

HOUSE AMENDMENT TO SENATE FILE 78

1 Amend Senate File 78 as amended, passed and reprinted
2 by the Senate as follows:

3 1. Page 2, by striking lines 10 through 13, inclusive,
4 and inserting in lieu thereof the following:

5 5. "Physician" means a person who is currently licensed
6 in Iowa to practice medicine and surgery, osteopathic
7 medicine and surgery, or osteopathy.

8 6. "Physician's assistant" ~~means~~ a person who has
9 successfully completed an approved program or is otherwise
10 found to be qualified as a physician's assistant and is
11 approved by the board to perform medical services under
12 the supervision of one or more physicians approved by
13 the board to supervise such assistant. The term
14 "supervision" shall not be construed as requiring the
15 personal presence of a supervising physician at the place
16 where such services are rendered except insofar as the
17 personal presence is required by the rules and regulations
18 adopted pursuant to this Act or as is expressly required in
19 this Act.

20 2. Page 2, by inserting after line 28 a new paragraph
21 as follows:

22 If the board determines that a person has sufficient
23 knowledge and experience to qualify as a physician's
24 assistant, the board may approve an application to supervise
25 such person as a physician's assistant without requiring

Page 2

1 the completion of an approved program.

2 3. Page 3, by inserting a paragraph after line 13
3 as follows:

4 The board may modify the proposed utilization of a
5 physician's assistant as detailed in any application and
6 then approve the application as modified. A physician's
7 assistant shall perform only those services for which he
8 is qualified by training, and shall not perform any service
9 that is not permitted to be performed by the board.

10 Approval of an application to supervise a physician's
11 assistant may be revoked or suspended at any time upon such
12 grounds and pursuant to such procedure as the board shall
13 establish by regulation.

14 4. By adding the following new sections after Section 7:

15 Sec. 8. REGULATIONS. Regulations adopted by the board
16 to implement the provisions of this Act shall be designed
17 to encourage the utilization of physicians' assistants in
18 a manner that is consistent with the provision of quality
19 health care and medical services for the citizens of Iowa
20 through better utilization of available physicians and
21 the development of sound programs for the education and
22 training of skilled physicians's assistants well qualified
23 to assist physicians in providing health care and medical

Senate 4
April 13, 1971

24 services.

25 Sec. 9. RIGHT TO DELEGATE. Nothing in this Act shall
Page 3

1 affect or limit a physician's existing right to delegate
2 various medical tasks to aides, assistants or others acting
3 under his supervision or direction. Aides, assistants
4 or others who perform only those tasks which can be so
5 delegated shall not be required to qualify as physicians'
6 assistants hereunder.

7 Sec. 10. No physician's assistant shall be permitted
8 to prescribe lenses, prisms or contact lenses for the aid,
9 relief or correction of human vision. No physician's
10 assistant shall be permitted to measure the visual power
11 and visual efficiency of the human eye, as distinguished
12 from routine visual screening, except in the personal
13 presence of a supervising physician at the place where
14 such services are rendered.

15 5. Page 5A, line 20, by striking the number "8" and
16 inserting in lieu thereof the number "11", and in line 24,
17 by striking the number "9" and inserting in lieu thereof
18 the number "12".

Received from House
April 12, 1971

Senate concurred 4/13