

SENATE FILE 287
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 33)

Passed Senate, Date (P.980) 4-2-93 Passed House, Date _____
Vote: Ayes 32 Nays 15 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to hospital privileges provided certain
2 professionals including certified health service providers in
3 psychology.

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

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SF287

1 Section 1. Section 135B.7, unnumbered paragraph 2, Code
2 1993, is amended to read as follows:

3 The rules shall state that a hospital shall not deny
4 clinical privileges to physicians and surgeons, podiatrists,
5 osteopaths, osteopathic surgeons, or dentists, or certified
6 health service providers in psychology licensed under chapter
7 148, 149, 150, 150A, or 153, or section 154B.7 solely by
8 reason of the license held by the practitioner or solely by
9 reason of the school or institution in which the practitioner
10 received medical schooling or postgraduate training if the
11 medical schooling or postgraduate training was accredited by
12 an organization recognized by the council on postsecondary
13 accreditation or an accrediting group recognized by the United
14 States department of education. A hospital may establish
15 procedures for interaction between a patient and a
16 practitioner. Nothing in the rules shall prohibit a hospital
17 from limiting, restricting, or revoking clinical privileges of
18 a practitioner for violation of hospital rules, regulations,
19 or procedures established under this paragraph, when applied
20 in good faith and in a nondiscriminatory manner. Nothing in
21 this paragraph shall require a hospital to expand the
22 hospital's current scope of service delivery solely to offer
23 the services of a class of providers not currently providing
24 services at the hospital. Nothing in this section shall be
25 construed to require a hospital to establish rules which are
26 inconsistent with the scope of practice established for
27 licensure of practitioners to whom this paragraph applies.

28 EXPLANATION

29 This bill includes certified health service providers in
30 psychology in the group of practitioners who may not be denied
31 hospital privileges solely on the basis of the license held or
32 professional education received.

33 The bill limits the prohibition on the denial of hospital
34 privileges by allowing a hospital to establish procedures for
35 interaction between a patient and the practitioners; by

1 allowing a hospital to limit, restrict, or revoke clinical
2 privileges of a practitioner for violations of hospital rules,
3 regulations, or procedures established and applied in good
4 faith and in a nondiscriminatory fashion; and by not requiring
5 a hospital to expand the current scope of service delivery
6 solely to grant privileges to practitioners and by not
7 requiring a hospital to establish rules which are inconsistent
8 with the scope of practice established for licensure of a
9 particular practitioner.

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SENATE FILE 287

S-3354

1 Amend Senate File 287 as follows:

2 1. Page 1, by inserting after line 27, the
3 following:

4 "The rules shall require that a hospital establish
5 and implement written criteria for the granting of
6 clinical privileges. The written criteria shall
7 include but are not limited to consideration of the
8 ability of an applicant for privileges to provide
9 patient care services independently and appropriately
10 in the hospital; the license held by the applicant to
11 practice; training, experience, and competence of the
12 applicant; the relationship between the applicant's
13 request for the granting of privileges and the
14 hospital's current scope of patient care services, as
15 well as the hospital's determination of the necessity
16 to grant privileges to a practitioner authorized to
17 provide comprehensive, appropriate, and cost-effective
18 services."

By WILLIAM D. PALMER

S-3354 FILED APRIL 1, 1993

adopted
4-2-93
(p. 979)

4.5.93 Human Resources
4/12/93 Amend/Do Pass W/H-3837

SENATE FILE 287
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 33)

(AS AMENDED AND PASSED BY THE SENATE APRIL 2, 1993)

~~_____~~ - New Language by the Senate

Passed Senate, Date 4/23/93 (P1519) Passed House, Date 4/21/93
Vote: Ayes 44 Nays 0 Vote: Ayes 82 Nays 16
Approved 5/6/93

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25 construed to require a hospital to establish rules which are
26 inconsistent with the scope of practice established for
27 licensure of practitioners to whom this paragraph applies.

28 The rules shall require that a hospital establish and
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30 privileges. The written criteria shall include but are not
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SENATE FILE 287

H-3837

1 Amend Senate File 287, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 27, by inserting after the word
4 "applies." the following: "This section shall not be
5 construed to authorize the denial of clinical
6 privileges to a practitioner or class of practitioners
7 solely because a hospital has as employees of the
8 hospital identically licensed practitioners providing
9 the same or similar services."

By HUMAN RESOURCES COMMITTEE
PLASIER of Sioux, Chairperson

H-3837 FILED APRIL 12, 1993

Adopted 4/21/93 (p. 1519)

HOUSE AMENDMENT TO
SENATE FILE 287

S-3590

1 Amend Senate File 287, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 27, by inserting after the word
4 "applies." the following: "This section shall not be
5 construed to authorize the denial of clinical
6 privileges to a practitioner or class of practitioners
7 solely because a hospital has as employees of the
8 hospital identically licensed practitioners providing
9 the same or similar services."

RECEIVED FROM THE HOUSE

S-3590 FILED APRIL 22, 1993

Senate Concurred 4/23/93 (p. 1311)

Riordan, et.
Rittmer
Lloyd-Jones

SSB 33
Human Resources

SENATE FILE 287
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON SZYMONIAK)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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SENATE FILE 287

AN ACT

RELATING TO HOSPITAL PRIVILEGES PROVIDED CERTAIN PROFESSIONALS
INCLUDING CERTIFIED HEALTH SERVICE PROVIDERS IN PSYCHOLOGY.

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

Section 1. Section 135B.7, unnumbered paragraph 2, Code
1993, is amended to read as follows:

The rules shall state that a hospital shall not deny
clinical privileges to physicians and surgeons, podiatrists,
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or procedures established under this paragraph, when applied
in good faith and in a nondiscriminatory manner. Nothing in
this paragraph shall require a hospital to expand the
hospital's current scope of service delivery solely to offer
the services of a class of providers not currently providing
services at the hospital. Nothing in this section shall be
construed to require a hospital to establish rules which are
inconsistent with the scope of practice established for
licensure of practitioners to whom this paragraph applies.
This section shall not be construed to authorize the denial of
clinical privileges to a practitioner or class of
practitioners solely because a hospital has as employees of
the hospital identically licensed practitioners providing the
same or similar services.

The rules shall require that a hospital establish and
implement written criteria for the granting of clinical
privileges. The written criteria shall include but are not
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request for the granting of privileges and the hospital's
current scope of patient care services, as well as the
hospital's determination of the necessity to grant privileges

to a practitioner authorized to provide comprehensive,
appropriate, and cost-effective services.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 287, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 6, 1993

TERRY E. BRANSTAD
Governor