

Reprinted

FEB 21 1995

HUMAN RESOURCES

HOUSE FILE 197

BY MUNDIE

Passed House, Date ^(P. 1669) 4/18/95 Passed Senate, Date ^(P. 1302) 4/19/95
 Vote: Ayes 96 Nays 0 Vote: Ayes 49 Nays 0
 Approved May 1, 1995

A BILL FOR

1 An Act relating to the expansion of the volunteer physician
 2 program to include other health care providers.
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 197

H-3385

1 Amend House File 197 as follows:
 2 1. Page 2, line 10, by striking the words
 3 "licensed physician assistant" and inserting the
 4 following: "physician assistant licensed and
 5 practicing under a supervising physician pursuant to
 6 chapter 148C".

By SCHULTE of Linn

H-3385 FILED MARCH 21, 1995
adopted 4-18-95 (P. 1668)

HF 197

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1 Section 1. Section 135.24, Code 1995, is amended to read
2 as follows:

3 135.24 VOLUNTEER PHYSICIAN HEALTH CARE PROVIDER PROGRAM
4 ESTABLISHED -- IMMUNITY FROM CIVIL LIABILITY.

5 1. The director shall establish within the department a
6 program to provide to eligible hospitals, clinics, or other
7 health care facilities, or health care referral programs, free
8 medical services given on a voluntary basis by physicians
9 ~~licensed under chapter 148, 150, or 150A~~ health care
10 providers. A participating physician health care provider
11 shall register with the department and obtain from the
12 department a list of eligible, participating hospitals,
13 clinics, or other health care facilities, or health care
14 referral programs.

15 2. The department, in consultation with the department of
16 human services, shall adopt rules to implement the volunteer
17 physician health care provider program which shall include the
18 following:

19 a. Procedures for registration of physicians health care
20 providers deemed qualified by the board of medical examiners,
21 the board of physician assistant examiners, and the board of
22 nursing.

23 b. Criteria for and identification of hospitals, clinics,
24 or other health care facilities, or health care referral
25 programs eligible to participate in the provision of free
26 medical services through the volunteer physician health care
27 provider program. A health care facility, a health care
28 referral program, or a health care provider participating in
29 the program shall not bill or charge a patient for any
30 physician health care provider service provided under the
31 volunteer physician health care provider program.

32 3. A physician health care provider providing free care
33 under this section shall be considered an employee of the
34 state under chapter 669 and shall be afforded protection as an
35 employee of the state under section 669.21, provided that the

1 physician health care provider has done all of the following:

2 a. Registered with the department pursuant to subsection
3 1.

4 b. Provided medical services through a hospital, clinic,
5 or other health care facility, or health care referral program
6 listed as eligible and participating by the department
7 pursuant to subsection 1.

8 4. For the purposes of this section, "health care
9 provider" means a physician licensed under chapter 148, 150,
10 or 150A, a licensed physician assistant, a licensed practical
11 nurse, or a registered nurse.

12 EXPLANATION

13 This bill expands the existing volunteer physician program
14 to include other health care providers defined in the bill as
15 physicians, licensed physician assistants, licensed practical
16 nurses, and registered nurses. The existing program provides
17 for the utilization of voluntary medical services through
18 registration with the Iowa department of public health and
19 provides for protection from liability to the volunteer for
20 services provided to the extent that a state employee is
21 indemnified and held harmless under the state tort claims Act.

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HOUSE FILE 197
BY MUNDIE

(As Amended and Passed by the House April 18, 1995)

Re- Passed House, Date 4/25/95 (p.1836) Passed Senate, Date 4/19/95
Vote: Ayes 98 Nays 0 Vote: Ayes 49 Nays 0
Approved May 1, 1995

A BILL FOR

1 An Act relating to the expansion of the volunteer physician
2 program to include other health care providers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 135.24, Code 1995, is amended to read
2 as follows:

3 135.24 VOLUNTEER PHYSICIAN HEALTH CARE PROVIDER PROGRAM
4 ESTABLISHED -- IMMUNITY FROM CIVIL LIABILITY.

5 1. The director shall establish within the department a
6 program to provide to eligible hospitals, clinics, or other
7 health care facilities, or health care referral programs, free
8 medical services given on a voluntary basis by physicians
9 licensed-under-chapter-148,-150,-or-150A health care
10 providers. A participating physician health care provider
11 shall register with the department and obtain from the
12 department a list of eligible, participating hospitals,
13 clinics, or other health care facilities, or health care
14 referral programs.

15 2. The department, in consultation with the department of
16 human services, shall adopt rules to implement the volunteer
17 physician health care provider program which shall include the
18 following:

19 a. Procedures for registration of physicians health care
20 providers deemed qualified by the board of medical examiners,
21 the board of physician assistant examiners, and the board of
22 nursing.

23 b. Criteria for and identification of hospitals, clinics,
24 or other health care facilities, or health care referral
25 programs eligible to participate in the provision of free
26 medical services through the volunteer physician health care
27 provider program. A health care facility, a health care
28 referral program, or a health care provider participating in
29 the program shall not bill or charge a patient for any
30 physician health care provider service provided under the
31 volunteer physician health care provider program.

32 3. A physician health care provider providing free care
33 under this section shall be considered an employee of the
34 state under chapter 669 and shall be afforded protection as an
35 employee of the state under section 669.21, provided that the

1 physician health care provider has done all of the following:

2 a. Registered with the department pursuant to subsection
3 1.

4 b. Provided medical services through a hospital, clinic,
5 or other health care facility, or health care referral program
6 listed as eligible and participating by the department
7 pursuant to subsection 1.

8 4. For the purposes of this section, "health care
9 provider" means a physician licensed under chapter 148, 150,
10 or 150A, a physician assistant licensed and practicing under a
11 supervising physician pursuant to chapter 148C, a licensed
12 practical nurse, or a registered nurse.

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HOUSE FILE 197

S-3493

- 1 Amend House File 197, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 1, by striking line 7 and inserting the
4 following "health care facilities, ~~or~~ health care
5 referral programs, or charitable organizations, free".
- 6 2. Page 1, line 13, by striking the words "or
7 health" and inserting the following: "~~or~~ health".
- 8 3. Page 1, line 14, by inserting after the word
9 "programs" the following: ", or charitable
10 organizations".
- 11 4. Page 1, line 24, by striking the words "or
12 health" and inserting the following: "~~or~~ health".
- 13 5. Page 1, line 25, by inserting after the word
14 "programs" the following: ", or charitable
15 organizations".
- 16 6. Page 1, line 28, by inserting after the word
17 "program," the following: "a charitable
18 organization".
- 19 7. Page 2, line 5, by striking the words "or
20 health care referral program" and inserting the
21 following: "~~or~~ health care referral program, or
22 charitable organization".
- 23 8. Page 2, by inserting after line 12 the
24 following:
25 "5. For the purposes of this section, "charitable
26 organization" means a charitable organization within
27 the meaning of section 501(c)(3) of the Internal
28 Revenue Code which has as its primary purpose the
29 sponsorship or support of programs designed to improve
30 the quality, awareness, and availability of medical
31 services to children and to serve as a funding
32 mechanism for provision of medical services, including
33 but not limited to immunizations, to children in this
34 state."
- 35 9. Title page, line 2, by inserting after the
36 word "providers" the following: "and to apply to
37 certain charitable organizations".

By MARY E. KRAMER

S-3493 FILED APRIL 19, 1995

ADOPTED

(P.1302)

SENATE AMENDMENT TO HOUSE FILE 197

H-3991

- 1 Amend House File 197, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 1, by striking line 7 and inserting the
4 following "health care facilities, ~~or~~ health care
5 referral programs, or charitable organizations, free".
- 6 2. Page 1, line 13, by striking the words "or
7 health" and inserting the following: "~~or~~ health".
- 8 3. Page 1, line 14, by inserting after the word
9 "programs" the following: ", or charitable
10 organizations".
- 11 4. Page 1, line 24, by striking the words "or
12 health" and inserting the following: "~~or~~ health".
- 13 5. Page 1, line 25, by inserting after the word
14 "programs" the following: ", or charitable
15 organizations,".
- 16 6. Page 1, line 28, by inserting after the word
17 "program," the following: "a charitable
18 organization,".
- 19 7. Page 2, line 5, by striking the words "or
20 health care referral program" and inserting the
21 following: "~~or~~ health care referral program, or
22 charitable organization".
- 23 8. Page 2, by inserting after line 12 the
24 following:
25 "5. For the purposes of this section, "charitable
26 organization" means a charitable organization within
27 the meaning of section 501(c)(3) of the Internal
28 Revenue Code which has as its primary purpose the
29 sponsorship or support of programs designed to improve
30 the quality, awareness, and availability of medical
31 services to children and to serve as a funding
32 mechanism for provision of medical services, including
33 but not limited to immunizations, to children in this
34 state."
- 35 9. Title page, line 2, by inserting after the
36 word "providers" the following: "and to apply to
37 certain charitable organizations".

RECEIVED FROM THE SENATE

H-3991 FILED APRIL 20, 1995

House concurred 4/25/95 (p. 1836)

HOUSE FILE 197

AN ACT

RELATING TO THE EXPANSION OF THE VOLUNTEER PHYSICIAN PROGRAM TO INCLUDE OTHER HEALTH CARE PROVIDERS AND TO APPLY TO CERTAIN CHARITABLE ORGANIZATIONS.

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

Section 1. Section 135.24, Code 1995, is amended to read as follows:

135.24 VOLUNTEER PHYSICIAN HEALTH CARE PROVIDER PROGRAM ESTABLISHED -- IMMUNITY FROM CIVIL LIABILITY.

1. The director shall establish within the department a program to provide to eligible hospitals, clinics, or other health care facilities, or health care referral programs, or charitable organizations, free medical services given on a voluntary basis by physicians-licensed-under-chapter-148,-150, or-150A health care providers. A participating physician health care provider shall register with the department and obtain from the department a list of eligible, participating hospitals, clinics, or other health care facilities, or health care referral programs, or charitable organizations.

2. The department, in consultation with the department of human services, shall adopt rules to implement the volunteer physician health care provider program which shall include the following:

a. Procedures for registration of physicians health care providers deemed qualified by the board of medical examiners, the board of physician assistant examiners, and the board of nursing.

b. Criteria for and identification of hospitals, clinics, or other health care facilities, or health care referral programs, or charitable organizations, eligible to participate in the provision of free medical services through the volunteer physician health care provider program. A health care facility, a health care referral program, a charitable organization, or a health care provider participating in the program shall not bill or charge a patient for any physician health care provider service provided under the volunteer physician health care provider program.

3. A physician health care provider providing free care under this section shall be considered an employee of the state under chapter 669 and shall be afforded protection as an employee of the state under section 669.21, provided that the physician health care provider has done all of the following:

a. Registered with the department pursuant to subsection 1.

b. Provided medical services through a hospital, clinic, or other health care facility, or health care referral program, or charitable organization listed as eligible and participating by the department pursuant to subsection 1.

4. For the purposes of this section, "health care provider" means a physician licensed under chapter 148, 150, or 150A, a physician assistant licensed and practicing under a supervising physician pursuant to chapter 148C, a licensed practical nurse, or a registered nurse.

5. For the purposes of this section, "charitable organization" means a charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which has as its primary purpose the sponsorship or support of programs designed to improve the quality, awareness, and

availability of medical services to children and to serve as a
funding mechanism for provision of medical services, including
but not limited to immunizations, to children in this state.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 197, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *J. May 1*, 1995

TERRY E. BRANSTAD
Governor