

REPRINTED

FILED FEB 9 1996

SENATE FILE 2171
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 2058)

(P.793)
Passed Senate, Date 3-14-96

(P.1455)
Passed House, Date 4-9-96

Vote: Ayes 49 Nays 0

Vote: Ayes 95 Nays 0

Approved 4-17-96

A BILL FOR

1 An Act relating to public health administration, including the
2 duties of the director of public health, primary care
3 recruitment and retention, professional licensure, and health
4 data.

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

SENATE FILE 2171

S-5250

1 Amend Senate File 2171 as follows:

- 2 1. Page 1, line 19, by inserting after the word
- 3 "requirements." the following: "One year of obligated
- 4 service shall be provided by the applicant in exchange
- 5 for each year of loan repayment, unless federal
- 6 requirements otherwise require."
- 7 2. Page 1, line 32, by inserting after the word
- 8 "requirements." the following: "One year of obligated
- 9 service shall be provided by the applicant in exchange
- 10 for each year of loan repayment, unless federal
- 11 requirements otherwise require."

By MARY NEUHAUSER

Adopted 3/14/96 (P.792)

S-5250 FILED MARCH 11, 1996

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S.F. 2171

REPRINTED

1 Section 1. Section 135.11, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 25. Establish ad hoc and advisory
4 committees to the director in areas where technical expertise
5 is not otherwise readily available. Members may be
6 compensated for their actual and necessary expenses incurred
7 in the performance of their duties. Expense moneys paid to
8 the members shall be paid from funds appropriated to the
9 department. A majority of the members of such a committee
10 constitutes a quorum.

11 Sec. 2. Section 135.107, subsection 3, paragraph b,
12 subparagraph (2), subparagraph subdivision (a), Code
13 Supplement 1995, is amended to read as follows:

14 (a) Determination of eligibility requirements and
15 qualifications of an applicant to receive loan repayment under
16 the program, including but not limited to years of obligated
17 service ~~which shall be for a minimum of ten years unless~~
18 ~~federal requirements for the program require differently,~~
19 clinical practice requirements, and residency requirements.
20 Loan repayment under the program shall not be approved for a
21 health provider whose license or certification is restricted
22 by a medical regulatory authority of any jurisdiction of the
23 United States, other nations, or territories.

24 Sec. 3. Section 135.107, subsection 3, paragraph c,
25 subparagraph (2), subparagraph subdivision (a), Code
26 Supplement 1995, is amended to read as follows:

27 (a) Determination of eligibility requirements and
28 qualifications of an applicant to receive scholarships under
29 the program, including but not limited to years of obligated
30 service ~~which shall be for a minimum of ten years unless~~
31 ~~federal requirements for the program require differently,~~
32 clinical practice requirements, and residency requirements.

33 Sec. 4. Section 144C.4, subsection 6, Code Supplement
34 1995, is amended by adding the following new paragraph:

35 NEW PARAGRAPH. g. Facilitate, in cooperation with the

1 health data commission established in section 145.2, the
2 transfer of historic health data from the commission to the
3 data repository.

4 Sec. 5. Section 147.8, Code 1995, is amended to read as
5 follows:

6 147.8 RECORD OF LICENSES.

7 The name, location, number of years of practice of the
8 person to whom a license is issued to practice a profession,
9 the number of the certificate, and the date of registration
10 thereof shall be ~~entered-in-a-book-kept-in-the-office-of-the~~
11 ~~department-to-be-known-as-the-registry-book,-and-the-same~~
12 ~~shall-be~~ kept and made available in a manner which is open to
13 public inspection.

14 Sec. 6. Section 152B.13, unnumbered paragraph 2, Code
15 1995, is amended to read as follows:

16 The members of the advisory committee shall include two
17 licensed physicians with recognized training and experience in
18 respiratory care, two respiratory care practitioners, and one
19 public member. Not more than a simple majority of the
20 advisory committee shall be of one gender. A majority of the
21 members of the committee constitutes a quorum. Members shall
22 be appointed by the governor, subject to confirmation by the
23 senate, and shall serve three-year terms beginning and ending
24 in accordance with section 69.19. Members shall be
25 compensated for their actual and necessary expenses incurred
26 in the performance of their duties. Expense moneys paid to
27 the members shall be paid from funds appropriated to the
28 department. Each member of the committee may also be eligible
29 to receive compensation as provided in section 7E.6.

30 Sec. 7. Section 152C.2, Code 1995, is amended to read as
31 follows:

32 152C.2 MASSAGE THERAPY ADVISORY BOARD CREATED -- DUTIES.

33 The director of the department shall appoint members of the
34 board, including four massage therapists and three persons who
35 are not massage therapists and who shall represent the general

1 public. A majority of the members of the board constitutes a
2 quorum. Members shall be compensated for their actual and
3 necessary expenses incurred in the performance of their
4 duties. Expense moneys paid to the members shall be paid from
5 funds appropriated to the department. The board shall advise
6 the department regarding licensure and continuing education
7 requirements, standards of practice and professional ethics,
8 disciplinary actions, and other issues of concern to the
9 board.

10 Sec. 8. Section 152D.7, unnumbered paragraph 2, Code 1995,
11 is amended to read as follows:

12 The members of the advisory board shall include three
13 licensed athletic trainers, three physicians licensed to
14 practice medicine in all its branches, and one public member.
15 Not more than a simple majority of the advisory board shall be
16 of one gender. A majority of the members of the board
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24 board may also be eligible to receive compensation as provided
25 in section 7E.6.

26 EXPLANATION

27 This bill relates to the administration of boards and
28 programs under the supervision of the department of public
29 health.

30 The bill authorizes the director of public health to
31 establish ad hoc and advisory committees supplying technical
32 expertise not otherwise available to the department, and
33 addresses compensation and majority vote aspects of committee
34 membership.

35 The bill deletes a requirement that applicants for loan

1 repayment or scholarship programs pursuant to primary care
2 recruitment and retention endeavor (PRIMECARRE) commit to a
3 minimum service obligation of 10 years.

4 The bill also deletes a recordkeeping requirement of the
5 bureau of professional licensure that a written registry book
6 containing licensee registration information be maintained for
7 public inspection. The information is available and open for
8 public inspection directly without the necessity of
9 maintaining a registry book.

10 The bill provides that the requirement of a two-thirds
11 majority vote to establish a quorum, pursuant to section
12 17A.2, will not apply with respect to the respiratory care,
13 massage therapy, and athletic trainer advisory boards.
14 Instead, a majority of the board members shall constitute a
15 quorum. The bill also provides for the compensation of
16 appointed members of the massage therapy board for expenses.

17 The bill requires the community health management
18 information system governing board to work together with the
19 health data commission to facilitate the transfer of historic
20 health data from the commission to the community health
21 management information system data repository.

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H. 3/14/96 Human Res.
H. 3/25/96 Do Pass

SENATE FILE 2171
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 2058)

(AS AMENDED AND PASSED BY THE SENATE MARCH 14, 1996)

 - New Language by the Senate

Passed Senate, Date _____ Passed House, ^(P. 1455) Date 4-9-96
Vote: Ayes _____ Nays _____ Vote: Ayes 95 Nays 0
Approved 4-17-96

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S.F. 2171

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8 the members shall be paid from funds appropriated to the
9 department. A majority of the members of such a committee
10 constitutes a quorum.

11 Sec. 2. Section 135.107, subsection 3, paragraph b,
12 subparagraph (2), subparagraph subdivision (a), Code
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17 ~~service which shall be for a minimum of ten years unless~~
18 ~~federal requirements for the program require differently,~~
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21 applicant in exchange for each year of loan repayment, unless
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4 Sec. 4. Section 144C.4, subsection 6, Code Supplement
5 1995, is amended by adding the following new paragraph:

6 NEW PARAGRAPH. g. Facilitate, in cooperation with the
7 health data commission established in section 145.2, the
8 transfer of historic health data from the commission to the
9 data repository.

10 Sec. 5. Section 147.8, Code 1995, is amended to read as
11 follows:

12 147.8 RECORD OF LICENSES.

13 The name, location, number of years of practice of the
14 person to whom a license is issued to practice a profession,
15 the number of the certificate, and the date of registration
16 thereof shall be ~~entered in a book kept in the office of the~~
17 ~~department to be known as the registry book, and the same~~
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Neuhouser
Hammond
Boettger

SS B. 2058
Human Resource
Succeeded by
SF/HF 2171

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH BILL)

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

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26 EXPLANATION

27 This bill relates to the administration of boards and
28 programs under the supervision of the department of public
29 health.

30 The bill authorizes the director of public health to
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32 expertise not otherwise available to the department, and
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3 minimum service obligation of 10 years.

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5 bureau of professional licensure that a written registry book
6 containing licensee registration information be maintained for
7 public inspection. The information is available and open for
8 public inspection directly without the necessity of
9 maintaining a registry book.

10 The bill provides that the requirement of a two-thirds
11 majority vote to establish a quorum, pursuant to section
12 17A.2, will not apply with respect to the respiratory care,
13 massage therapy, and athletic trainer advisory boards.
14 Instead, a majority of the board members shall constitute a
15 quorum. The bill also provides for the compensation of
16 appointed members of the massage therapy board for expenses.

17 The bill requires the community health management
18 information system governing board to work together with the
19 health data commission to facilitate the transfer of historic
20 health data from the commission to the community health
21 management information system data repository.

22 BACKGROUND STATEMENT

23 SUBMITTED BY THE AGENCY

24 This bill makes various technical and corrective changes
25 necessary to the continued administration of the department of
26 public health.

27 Section 1 makes an addition to the enumerated duties of the
28 director of the department of public health. The director
29 would be provided the authority to establish ad hoc and
30 advisory committees for the purpose of advising and providing
31 technical expertise to the director that may be otherwise
32 unavailable to the department. The director would be given
33 the discretion and authority to reimburse committee member's
34 expenses as appropriate. Notwithstanding the provisions of
35 chapter 17A, a majority of the members of these committees

1 would constitute a quorum.

2 Sections 2 and 3 make modifications to the minimum service
3 obligations for recipients under the loan repayment and
4 scholarship programs of the PRIMECARRE (Primary Care
5 Recruitment and Retention Endeavor) established during the
6 1994 Session. The existing service obligation has proven to
7 be an obstacle for Iowa communities and their efforts to
8 recruit primary care providers. The ten-year commitment is
9 substantially greater than similar incentives in other states
10 and the two-year obligation required by federally funded
11 scholarship and loan programs.

12 Section 4 will enable the transfer of health data from the
13 commission to the data repository established by the community
14 health management information system (CHMIS). This will allow
15 historic, longitudinal, and trend analysis of health data.

16 Section 5 makes a nonsubstantive modification in the
17 recordkeeping requirements for the bureau of professional
18 licensure which will allow for the maintenance of licensure
19 records on computer. The change will eliminate the need to
20 duplicate these records in a written log. The existing public
21 access and inspection of professional licensure records is not
22 changed.

23 Sections 6, 7, and 8 make changes necessary to establish
24 that a majority of the board members constitutes a quorum for
25 the respiratory care, massage therapy, and athletic trainer
26 advisory boards. Under current law and unlike the examining
27 boards, these advisory boards are required under chapter 17A
28 to have a two-thirds majority to establish a quorum.

29 In addition, section 7 also provides for the compensation
30 of the appointed members of the massage therapy advisory board
31 for their expenses. Under current law, all of the examining
32 boards and remaining licensure advisory boards have specific
33 language authorizing reimbursement for expenses. The proposed
34 language for the massage therapy board would provide for equal
35 treatment regarding reimbursement of expenses of all

1 professional licensure board members.

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SENATE FILE 2171

AN ACT

RELATING TO PUBLIC HEALTH ADMINISTRATION, INCLUDING THE DUTIES OF THE DIRECTOR OF PUBLIC HEALTH, PRIMARY CARE RECRUITMENT AND RETENTION, PROFESSIONAL LICENSURE, AND HEALTH DATA.

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

Section 1. Section 135.11, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 25. Establish ad hoc and advisory committees to the director in areas where technical expertise is not otherwise readily available. Members may be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. A majority of the members of such a committee constitutes a quorum.

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The director of the department shall appoint members of the board, including four massage therapists and three persons who are not massage therapists and who shall represent the general public. A majority of the members of the board constitutes a quorum. Members shall be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. The board shall advise the department regarding licensure and continuing education requirements, standards of practice and professional ethics, disciplinary actions, and other issues of concern to the board.

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LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2171, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved 4/17, 1996

TERRY E. BRANSTAD
Governor