

*Substituted  
for H.F. 197  
4-19-95 (p. 1301)*

*2-14-95 Human Res  
3-16-95 Do Pass*  
**FILED MAR 13 1995**

SENATE FILE 323

BY RIFE

WITHDRAWN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the expansion of the volunteer physician  
2 program to apply to charitable organizations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**S.F. 323**

WITHDRAWN

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

3 135.24 VOLUNTEER PHYSICIAN PROGRAM ESTABLISHED -- IMMUNITY  
4 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, or  
8 charitable organizations, free medical services given on a  
9 voluntary basis by physicians licensed under chapter 148, 150,  
10 or 150A. A participating physician shall register with the  
11 department and obtain from the department a list of eligible,  
12 participating hospitals, clinics, or other health care  
13 facilities, ~~or~~ health care referral programs, or charitable  
14 organizations.

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

18 a. Procedures for registration of physicians deemed  
19 qualified by the board of medical examiners.

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

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

34 a. Registered with the department pursuant to subsection  
35 1.

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

5 4. For the purposes of this section, "charitable  
6 organization" means a charitable organization within the  
7 meaning of section 501(c)(3) of the Internal Revenue Code  
8 which has as one of its purposes the sponsorship or support of  
9 programs designed to improve the quality, awareness, and  
10 availability of medical services to children and to serve as a  
11 funding mechanism for provision of medical services, including  
12 but not limited to immunizations, to children in this state.

13 EXPLANATION

14 This bill provides for expansion of the entities through  
15 which volunteer physicians may provide medical services under  
16 the volunteer physician program. The existing program  
17 provides for the utilization of volunteer physician services  
18 through a program established in the Iowa department of public  
19 health. The current program provides immunity from civil  
20 liability for participating volunteer physicians. The bill  
21 expands the entities through which these services may be  
22 provided to include charitable organizations which have as one  
23 purpose to sponsor or support programs designed to improve the  
24 quality awareness and availability of medical services to  
25 children and to serve as a funding mechanism for provision of  
26 medical services, including but not limited to immunizations,  
27 to children in this state.

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## SENATE FILE 323

S-3494

1 Amend Senate File 323 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

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

6 135.24 VOLUNTEER PHYSICIAN HEALTH CARE PROVIDER  
7 PROGRAM ESTABLISHED -- IMMUNITY FROM CIVIL LIABILITY.

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

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

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

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

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

43 a. Registered with the department pursuant to  
44 subsection 1.

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

49 4. For the purposes of this section, "health care  
50 provider" means a physician licensed under chapter

S-3494

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**S-3494**

Page 2

1 148, 150, or 150A, a physician assistant licensed and  
2 practicing under a supervising physician pursuant to  
3 chapter 148C, a licensed practical nurse, or a  
4 registered nurse."

5 2. Title page, by striking line 2 and inserting  
6 the following: "program to include other health care  
7 providers."

By MARY E. KRAMER

**S-3494 FILED APRIL 19, 1995**

ADOPTED (p. 1301)