

Senate Study Bill 2058

Conference Committee Text

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1 1 Section 1. Section [135.11](#), Code 1995, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 25. Establish ad hoc and advisory
1 4 committees to the director in areas where technical expertise
1 5 is not otherwise readily available. Members may be
1 6 compensated for their actual and necessary expenses incurred
1 7 in the performance of their duties. Expense moneys paid to
1 8 the members shall be paid from funds appropriated to the
1 9 department. A majority of the members of such a committee
1 10 constitutes a quorum.
1 11 Sec. 2. Section 135.107, subsection 3, paragraph b,
1 12 subparagraph (2), subparagraph subdivision (a), Code
1 13 Supplement 1995, is amended to read as follows:
1 14 (a) Determination of eligibility requirements and
1 15 qualifications of an applicant to receive loan repayment under
1 16 the program, including but not limited to years of obligated
1 17 service

~~which shall be for a minimum of ten years unless~~

1 18

~~federal requirements for the program require differently~~

1 19 clinical practice requirements, and residency requirements.
1 20 Loan repayment under the program shall not be approved for a
1 21 health provider whose license or certification is restricted
1 22 by a medical regulatory authority of any jurisdiction of the
1 23 United States, other nations, or territories.
1 24 Sec. 3. Section 135.107, subsection 3, paragraph c,
1 25 subparagraph (2), subparagraph subdivision (a), Code
1 26 Supplement 1995, is amended to read as follows:
1 27 (a) Determination of eligibility requirements and
1 28 qualifications of an applicant to receive scholarships under
1 29 the program, including but not limited to years of obligated
1 30 service

~~which shall be for a minimum of ten years unless~~

1 31

~~federal requirements for the program require differently~~

1 32 clinical practice requirements, and residency requirements.
1 33 Sec. 4. Section 144C.4, subsection 6, Code Supplement
1 34 1995, is amended by adding the following new paragraph:
1 35 NEW PARAGRAPH. g. Facilitate, in cooperation with the
2 1 health data commission established in section 145.2, the
2 2 transfer of historic health data from the commission to the
2 3 data repository.
2 4 Sec. 5. Section [147.8](#), Code 1995, is amended to read as
2 5 follows:
2 6 147.8 RECORD OF LICENSES.
2 7 The name, location, number of years of practice of the
2 8 person to whom a license is issued to practice a profession,
2 9 the number of the certificate, and the date of registration

2 10 thereof shall be

~~entered in a book kept in the office of the~~

2 11

~~department to be known as the registry book, and the same~~

2 12

~~shall be~~

~~kept and made available in a manner which is open to~~

2 13 public inspection.

2 14 Sec. 6. Section 152B.13, unnumbered paragraph 2, Code

2 15 1995, is amended to read as follows:

2 16 The members of the advisory committee shall include two
2 17 licensed physicians with recognized training and experience in
2 18 respiratory care, two respiratory care practitioners, and one
2 19 public member. Not more than a simple majority of the
2 20 advisory committee shall be of one gender. A majority of the
2 21 members of the committee constitutes a quorum. Members shall
2 22 be appointed by the governor, subject to confirmation by the
2 23 senate, and shall serve three-year terms beginning and ending
2 24 in accordance with section 69.19. Members shall be
2 25 compensated for their actual and necessary expenses incurred
2 26 in the performance of their duties. Expense moneys paid to
2 27 the members shall be paid from funds appropriated to the
2 28 department. Each member of the committee may also be eligible
2 29 to receive compensation as provided in section 7E.6.

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

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

2 33 The director of the department shall appoint members of the
2 34 board, including four massage therapists and three persons who
2 35 are not massage therapists and who shall represent the general
3 1 public. A majority of the members of the board constitutes a
3 2 quorum. Members shall be compensated for their actual and
3 3 necessary expenses incurred in the performance of their
3 4 duties. Expense moneys paid to the members shall be paid from
3 5 funds appropriated to the department. The board shall advise
3 6 the department regarding licensure and continuing education
3 7 requirements, standards of practice and professional ethics,
3 8 disciplinary actions, and other issues of concern to the
3 9 board.

3 10 Sec. 8. Section 152D.7, unnumbered paragraph 2, Code 1995,
3 11 is amended to read as follows:

3 12 The members of the advisory board shall include three
3 13 licensed athletic trainers, three physicians licensed to
3 14 practice medicine in all its branches, and one public member.
3 15 Not more than a simple majority of the advisory board shall be
3 16 of one gender. A majority of the members of the board
3 17 constitutes a quorum. Members shall be appointed by the
3 18 governor, subject to confirmation by the senate, and shall
3 19 serve three-year terms beginning and ending in accordance with
3 20 section 69.19. Members shall be compensated for their actual
3 21 and necessary expenses incurred in the performance of their
3 22 duties. Expense moneys paid to the members shall be paid from
3 23 funds appropriated to the department. Each member of the
3 24 board may also be eligible to receive compensation as provided
3 25 in section 7E.6.

3 26 EXPLANATION

3 27 This bill relates to the administration of boards and
3 28 programs under the supervision of the department of public
3 29 health.

3 30 The bill authorizes the director of public health to
3 31 establish ad hoc and advisory committees supplying technical
3 32 expertise not otherwise available to the department, and

3 33 addresses compensation and majority vote aspects of committee
3 34 membership.

3 35 The bill deletes a requirement that applicants for loan
4 1 repayment or scholarship programs pursuant to primary care
4 2 recruitment and retention endeavor (PRIMECARRE) commit to a
4 3 minimum service obligation of 10 years.

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

4 10 The bill provides that the requirement of a two-thirds
4 11 majority vote to establish a quorum, pursuant to section
4 12 17A.2, will not apply with respect to the respiratory care,
4 13 massage therapy, and athletic trainer advisory boards.

4 14 Instead, a majority of the board members shall constitute a
4 15 quorum. The bill also provides for the compensation of
4 16 appointed members of the massage therapy board for expenses.

4 17 The bill requires the community health management
4 18 information system governing board to work together with the
4 19 health data commission to facilitate the transfer of historic
4 20 health data from the commission to the community health
4 21 management information system data repository.

4 22 BACKGROUND STATEMENT

4 23 SUBMITTED BY THE AGENCY

4 24 This bill makes various technical and corrective changes
4 25 necessary to the continued administration of the department of
4 26 public health.

4 27 Section 1 makes an addition to the enumerated duties of the
4 28 director of the department of public health. The director
4 29 would be provided the authority to establish ad hoc and
4 30 advisory committees for the purpose of advising and providing
4 31 technical expertise to the director that may be otherwise
4 32 unavailable to the department. The director would be given
4 33 the discretion and authority to reimburse committee member's
4 34 expenses as appropriate. Notwithstanding the provisions of
4 35 chapter 17A, a majority of the members of these committees
5 1 would constitute a quorum.

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

5 12 Section 4 will enable the transfer of health data from the
5 13 commission to the data repository established by the community
5 14 health management information system (CHMIS). This will allow
5 15 historic, longitudinal, and trend analysis of health data.

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

5 23 Sections 6, 7, and 8 make changes necessary to establish
5 24 that a majority of the board members constitutes a quorum for
5 25 the respiratory care, massage therapy, and athletic trainer
5 26 advisory boards. Under current law and unlike the examining
5 27 boards, these advisory boards are required under chapter 17A
5 28 to have a two-thirds majority to establish a quorum.

5 29 In addition, section 7 also provides for the compensation

5 30 of the appointed members of the massage therapy advisory board
5 31 for their expenses. Under current law, all of the examining
5 32 boards and remaining licensure advisory boards have specific
5 33 language authorizing reimbursement for expenses. The proposed
5 34 language for the massage therapy board would provide for equal
5 35 treatment regarding reimbursement of expenses of all
6 1 professional licensure board members.
6 2 LSB 3367DP 76
6 3 rn/sc/14.1