

House Study Bill 99

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON UPMEYER)

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

A BILL FOR

1 An Act concerning billing for anatomic pathology services and
2 making licensing sanctions applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1700YC 81
5 av/gg/14

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1 1 Section 1. NEW SECTION. 147.105 ANATOMIC PATHOLOGY
1 2 SERVICES == BILLING.
1 3 1. A physician or a clinical laboratory located in this
1 4 state or in another state that provides anatomic pathology
1 5 services to a patient in this state shall present or cause to
1 6 be presented a claim, bill, or demand for payment for such
1 7 services only to the following persons:
1 8 a. The patient who is the recipient of the services.
1 9 b. The insurer or other third-party payor responsible for
1 10 payment of the services.
1 11 c. The hospital or clinic that ordered the services.
1 12 d. The referral laboratory, other than a physician's
1 13 office laboratory, that ordered the services.
1 14 e. A governmental agency or a specified public or private
1 15 agent, agency, or organization that is responsible for payment
1 16 of the services on behalf of the recipient of the services.
1 17 2. Except as provided under subsection 5, a clinical
1 18 laboratory or a physician providing anatomic pathology
1 19 services to patients in this state shall not, directly or
1 20 indirectly, charge, bill, or otherwise solicit payment for
1 21 such services unless the services were personally rendered by
1 22 a physician or under the direct supervision of a physician in
1 23 accordance with the federal Public Health Service Act, 42
1 24 U.S.C. } 263a.
1 25 3. A person to whom a claim, bill, or demand for payment
1 26 for anatomic pathology services is submitted is not required
1 27 to pay the claim, bill, or demand for payment if the claim,
1 28 bill, or demand for payment is submitted in violation of this
1 29 section.
1 30 4. This section shall not be construed to mandate the
1 31 assignment of benefits for anatomic pathology services as
1 32 defined in this section.
1 33 5. This section does not prohibit claims or charges
1 34 presented by one clinical laboratory to another clinical
1 35 laboratory when samples are transferred between laboratories
2 1 for the provision of anatomic pathology services.
2 2 6. A violation of this section by a physician shall
2 3 subject the physician to the disciplinary provisions of
2 4 section 272C.3, subsection 2.
2 5 7. As used in this section:
2 6 a. "Anatomic pathology services" includes all of the
2 7 following:
2 8 (1) Histopathology or surgical pathology, meaning the
2 9 gross and microscopic examination and histologic processing of
2 10 organ tissue, performed by a physician or under the
2 11 supervision of a physician.
2 12 (2) Cytopathology, meaning the examination of cells from
2 13 fluids, aspirates, washings, brushings, or smears, including
2 14 the pap test examination, performed by a physician or under
2 15 the supervision of a physician.
2 16 (3) Hematology, meaning the microscopic evaluation of bone
2 17 marrow aspirates and biopsies performed by a physician or
2 18 under the supervision of a physician, and the examination of

2 19 peripheral blood smears, performed by a physician or under the
2 20 supervision of a physician, upon the request of an attending
2 21 or treating physician or technologist that a blood smear be
2 22 reviewed by a physician.

2 23 (4) Subcellular pathology and molecular pathology
2 24 services, performed by a physician or under the supervision of
2 25 a physician.

2 26 (5) Bloodbanking services, performed by a physician or
2 27 under the supervision of a physician.

2 28 b. "Physician" means any person licensed to practice
2 29 medicine and surgery, osteopathic medicine and surgery, or
2 30 osteopathy in this state or in another state.

2 31 EXPLANATION

2 32 This bill creates new Code section 147.105 relating to
2 33 bills submitted by a clinical laboratory or physician for the
2 34 provision of anatomic pathology services to a patient in this
2 35 state. The bill provides that a claim, bill, or demand for
3 1 payment for such services shall only be presented to certain
3 2 specified persons.

3 3 The bill also provides that a clinical laboratory or
3 4 physician shall not solicit payment for such services unless
3 5 the services were personally rendered by a physician or under
3 6 the supervision of a physician in accordance with federal law.
3 7 A person who receives a claim, bill, or demand for payment
3 8 that is made in violation of the new Code section is not
3 9 required to pay that claim, bill, or demand for payment. The
3 10 new Code section shall not be construed to mandate the
3 11 assignment of benefits for anatomic pathology services. The
3 12 bill does not prohibit claims or charges presented by one
3 13 clinical laboratory to another when samples are transferred
3 14 between laboratories for the provision of anatomic pathology
3 15 services. The bill allows the board of medical examiners to
3 16 revoke, suspend, or deny renewal of licensure to a physician
3 17 licensed in this state who violates the provisions of the
3 18 bill.

3 19 The bill defines "anatomic pathology services". The bill
3 20 also defines "physician" as any person licensed to practice
3 21 medicine and surgery, osteopathic medicine and surgery, or
3 22 osteopathy in this state or in another state.

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