

Senate Study Bill 1131

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CO=CHAIRPERSON RAGAN)

Passed Senate, Date _____ Passed House, 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 1700SC 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 referring clinical laboratory, other than the
1 13 laboratory of a physician's office or group practice, that
1 14 ordered the services.
1 15 e. A governmental agency or a specified public or private
1 16 agent, agency, or organization that is responsible for payment
1 17 of the services on behalf of the recipient of the services.
1 18 2. Except as provided under subsection 5, a clinical
1 19 laboratory or a physician providing anatomic pathology
1 20 services to patients in this state shall not, directly or
1 21 indirectly, charge, bill, or otherwise solicit payment for
1 22 such services unless the services were personally rendered by
1 23 a physician or under the direct supervision of a physician in
1 24 accordance with section 353 of the federal Public Health
1 25 Service Act, 42 U.S.C. } 263a.
1 26 3. A person to whom a claim, bill, or demand for payment
1 27 for anatomic pathology services is submitted is not required
1 28 to pay the claim, bill, or demand for payment if the claim,
1 29 bill, or demand for payment is submitted in violation of this
1 30 section.
1 31 4. This section shall not be construed to mandate the
1 32 assignment of benefits for anatomic pathology services as
1 33 defined in this section.
1 34 5. This section does not prohibit claims or charges
1 35 presented by a referring clinical laboratory, other than a
2 1 laboratory of a physician's office or group practice, to
2 2 another clinical laboratory when samples are transferred
2 3 between laboratories for the provision of anatomic pathology
2 4 services.
2 5 6. A violation of this section by a physician shall
2 6 subject the physician to the disciplinary provisions of
2 7 section 272C.3, subsection 2.
2 8 7. As used in this section:
2 9 a. "Anatomic pathology services" includes all of the
2 10 following:
2 11 (1) Histopathology or surgical pathology, meaning the
2 12 gross and microscopic examination and histologic processing of
2 13 organ tissue, performed by a physician or under the
2 14 supervision of a physician.
2 15 (2) Cytopathology, meaning the examination of cells from
2 16 fluids, aspirates, washings, brushings, or smears, including

2 17 the pap test examination, performed by a physician or under
2 18 the supervision of a physician.
2 19 (3) Hematology, meaning the microscopic evaluation of bone
2 20 marrow aspirates and biopsies performed by a physician or
2 21 under the supervision of a physician, and the examination of
2 22 peripheral blood smears, performed by a physician or under the
2 23 supervision of a physician, upon the request of an attending
2 24 or treating physician or technologist that a blood smear be
2 25 reviewed by a physician.
2 26 (4) Subcellular pathology and molecular pathology
2 27 services, performed by a physician or under the supervision of
2 28 a physician.
2 29 (5) Bloodbanking services, performed by a physician or
2 30 under the supervision of a physician.
2 31 b. "Physician" means any person licensed to practice
2 32 medicine and surgery, osteopathic medicine and surgery, or
2 33 osteopathy in this state or in another state.
2 34 EXPLANATION
2 35 This bill creates new Code section 147.105 relating to
3 1 bills submitted by a clinical laboratory or physician for the
3 2 provision of anatomic pathology services to a patient in this
3 3 state. The bill provides that a claim, bill, or demand for
3 4 payment for such services shall only be presented to certain
3 5 specified persons.
3 6 The bill also provides that a clinical laboratory or
3 7 physician shall not solicit payment for such services unless
3 8 the services were personally rendered by a physician or under
3 9 the supervision of a physician in accordance with federal law.
3 10 A person who receives a claim, bill, or demand for payment
3 11 that is made in violation of the new Code section is not
3 12 required to pay that claim, bill, or demand for payment. The
3 13 new Code section shall not be construed to mandate the
3 14 assignment of benefits for anatomic pathology services. The
3 15 bill does not prohibit claims or charges presented by one
3 16 clinical laboratory, other than a laboratory of a physician's
3 17 office or group practice, to another clinical laboratory when
3 18 samples are transferred between laboratories for the provision
3 19 of anatomic pathology services. The bill allows the board of
3 20 medical examiners to revoke, suspend, or deny renewal of
3 21 licensure to a physician licensed in this state who violates
3 22 the provisions of the bill.
3 23 The bill defines "anatomic pathology services". The bill
3 24 also defines "physician" as any person licensed to practice
3 25 medicine and surgery, osteopathic medicine and surgery, or
3 26 osteopathy in this state or in another state.
3 27 LSB 1700SC 81
3 28 av:nh/gg/14.1