

**Senate File 131 - Introduced**

SENATE FILE 131

BY HATCH

(COMPANION TO LSB 2044HH BY  
HUNTER)

**A BILL FOR**

1 An Act relating to indemnification of hospitals participating  
2 in the volunteer health care provider program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.24, subsection 2, paragraphs b and c,  
2 Code 2011, are amended to read as follows:

3 b. Procedures for registration of hospitals, free clinics,  
4 field dental clinics, and specialty health care provider  
5 offices.

6 c. Criteria for and identification of hospitals, clinics,  
7 free clinics, field dental clinics, specialty health care  
8 provider offices, or other health care facilities, health  
9 care referral programs, or charitable organizations,  
10 eligible to participate in the provision of free medical,  
11 dental, chiropractic, pharmaceutical, nursing, optometric,  
12 psychological, social work, behavioral science, podiatric,  
13 physical therapy, occupational therapy, respiratory therapy,  
14 or emergency medical care services through the volunteer  
15 health care provider program. A hospital, a clinic, a  
16 free clinic, a field dental clinic, a specialty health care  
17 provider office, a health care facility, a health care referral  
18 program, a charitable organization, or a health care provider  
19 participating in the program shall not bill or charge a  
20 patient for any health care provider service provided under the  
21 volunteer health care provider program.

22 Sec. 2. Section 135.24, Code 2011, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 6A. A hospital providing free care under  
25 this section shall be considered a state agency solely for  
26 the purposes of this section and chapter 669 and shall be  
27 afforded protection under chapter 669 as a state agency for  
28 all claims arising from the provision of free care by a health  
29 care provider registered under subsection 3 who is providing  
30 services at the hospital in accordance with this section or  
31 from the provision of free care by a health care provider  
32 who is covered by adequate medical malpractice insurance, as  
33 determined by the department, if the hospital has registered  
34 with the department pursuant to subsection 1.

35 Sec. 3. Section 135.24, subsection 7, Code 2011, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *0e.* "Hospital" means hospital as defined in  
3 section 135B.1.

4

EXPLANATION

5 This bill relates to hospitals under the volunteer health  
6 care provider program. The bill provides that a hospital  
7 providing free care under the program is considered a state  
8 agency solely for the purposes of the program and Code chapter  
9 669 (state tort claims Act) and is to be afforded protection  
10 under Code chapter 669 as a state agency for all claims arising  
11 from the provision of free care by a health care provider  
12 registered under the program who is providing services at  
13 the hospital in accordance with the program, and also is  
14 afforded protection for the provision of free care by a health  
15 care provider who is covered by adequate medical malpractice  
16 insurance if the hospital has registered with the department of  
17 public health as required under the program.