

**Senate Study Bill 3040 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON RAGAN)

**A BILL FOR**

1 An Act relating to the licensed professionals authorized to  
2 prescribe respiratory care services.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 152B.2, subsection 1, paragraph a,  
2 subparagraph (2), Code 2011, is amended to read as follows:

3 (2) Direct and indirect respiratory care services,  
4 including but not limited to, the administration of  
5 pharmacological and diagnostic and therapeutic agents related  
6 to respiratory care procedures necessary to implement a  
7 treatment, disease prevention, pulmonary rehabilitative, or  
8 diagnostic regimen prescribed by a licensed physician, ~~or~~  
9 surgeon, physician assistant, or advanced registered nurse  
10 practitioner.

11 Sec. 2. Section 152B.2, subsection 1, paragraph b, Code  
12 2011, is amended to read as follows:

13 b. "*Respiratory care as a practice*" does not include  
14 the delivery, assembly, setup, testing, or demonstration of  
15 respiratory care equipment in the home upon the order of a  
16 licensed physician, physician assistant, or advanced registered  
17 nurse practitioner. As used in this paragraph, "*demonstration*"  
18 does not include the actual teaching, administration, or  
19 performance of the respiratory care procedures.

20 Sec. 3. Section 152B.2, subsection 2, Code 2011, is amended  
21 to read as follows:

22 2. "*Respiratory care protocols*" as used in this section  
23 means policies and procedures developed by an organized health  
24 care system through consultation, when appropriate, with  
25 administrators, licensed physicians and surgeons, licensed  
26 physician assistants, licensed registered nurses, licensed  
27 physical therapists, licensed respiratory care practitioners,  
28 and other licensed health care practitioners.

29 Sec. 4. Section 152B.3, subsection 1, unnumbered paragraph  
30 1, Code 2011, is amended to read as follows:

31 The performance of respiratory care shall be in accordance  
32 with the prescription of a licensed physician, ~~or~~ surgeon,  
33 physician assistant, or advanced registered nurse practitioner  
34 and includes but is not limited to the diagnostic and  
35 therapeutic use of the following:

1      Sec. 5. Section 152B.3, subsection 2, Code 2011, is amended  
2 to read as follows:

3      2. A respiratory care practitioner may transcribe and  
4 implement a written or verbal order from a licensed physician,  
5 ~~or surgeon~~, physician assistant, or advanced registered nurse  
6 practitioner pertaining to the practice of respiratory care.

7      Sec. 6. Section 152B.4, Code 2011, is amended to read as  
8 follows:

9      **152B.4 Location of respiratory care.**

10     The practice of respiratory care may be performed in a  
11 hospital as defined in section 135B.1, subsection 3, and other  
12 settings where respiratory care is to be provided in accordance  
13 with a prescription of a licensed physician, ~~or surgeon~~,  
14 physician assistant, or advanced registered nurse practitioner.  
15 Respiratory care may be provided during transportation of a  
16 patient and under circumstances where an emergency necessitates  
17 respiratory care.

18   EXPLANATION

19     Respiratory care is a licensed profession that, under  
20 current law, must be prescribed by a licensed physician or  
21 surgeon. This bill allows licensed physician assistants and  
22 licensed advanced registered nurse practitioners to prescribe  
23 respiratory care.