

**House File 591 - Introduced**

HOUSE FILE 591  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HF 189)

**A BILL FOR**

1 An Act relating to physician supervision of physician  
2 assistants, and including effective date and retroactive  
3 applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 148C.5 Supervising physicians —  
2 board of medicine — rulemaking requirements.

3 1. If the board commences a contested case hearing against  
4 a physician assistant by delivering a statement of charges  
5 and notice of hearing to the physician assistant, the board  
6 shall deliver a copy of the statement of charges and notice of  
7 hearing to the physician assistant's supervising physician.

8 2. The board shall adopt rules pursuant to chapter 17A  
9 to establish specific procedures for consulting with and  
10 sharing information with the board of medicine regarding cases  
11 where evidence exists that a physician assistant may have  
12 been inadequately supervised by the physician assistant's  
13 supervising physician.

14 3. The board shall not amend or rescind any of the following  
15 rules unless, prior to the submission of such an amendment or  
16 rescission to the administrative rules coordinator, the board  
17 consults with and receives approval from the board of medicine  
18 to make such a submission:

19 a. 645 IAC 326.1 regarding the following terms:

- 20 (1) "Physician".  
21 (2) "Physician assistant".  
22 (3) "Supervising physician".  
23 (4) "Supervision".

24 b. 645 IAC 326.2(1)(f).

25 c. 645 IAC 326.4(6).

26 d. 645 IAC 326.8.

27 e. 645 IAC 326.19(3)(b)(3).

28 f. 645 IAC 327.1(1)(s)(1)-(4).

29 g. 645 IAC 327.1(1)(u).

30 h. 645 IAC 327.1(1)(z).

31 i. 645 IAC 327.4(1)(b)(2)-(4).

32 j. 645 IAC 327.4(2).

33 k. 645 IAC 327.6(1)(d).

34 Sec. 2. REPEAL. 2015 Iowa Acts, chapter 137, section 113,  
35 is repealed.

1 Sec. 3. PHYSICIAN ASSISTANT SUPERVISION RULEMAKING ACTIONS.

2 1. The board of physician assistants shall take no further  
3 action relating to ARC 2832C. ARC 2832C is terminated as of  
4 the effective date of this Act.

5 2. a. The amendments to 653 Iowa administrative code, rules  
6 21.4, 21.5, 21.6, 21.7, and 21.8; and 653 Iowa administrative  
7 code, chapter 21, implementation sentence, as appearing in ARC  
8 2532C, as published in the Iowa administrative bulletin, volume  
9 XXXVIII, number 23, dated May 11, 2016, pp. 2190-2193, are  
10 rescinded.

11 b. As soon as practicable, the Iowa administrative code  
12 editor shall restore the language of the Iowa administrative  
13 code referenced in paragraph "a" of this subsection to the  
14 language that existed on May 10, 2016.

15 Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act  
16 repealing 2015 Iowa Acts, chapter 137, section 113, applies  
17 retroactively to July 1, 2015.

18 Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate  
19 importance, shall be effective upon enactment.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill requires the board of physician assistants to  
24 deliver a copy of the statement of charges and notice of  
25 hearing to a physician assistant's supervising physician if the  
26 board commences a contested case hearing against a physician  
27 assistant.

28 The bill requires the board of physician assistants to adopt  
29 rules to establish specific procedures for consulting with  
30 and sharing information with the board of medicine regarding  
31 cases where evidence exists that a physician assistant may  
32 have been inadequately supervised by the physician assistant's  
33 supervising physician.

34 The bill prohibits the board of physician assistants from  
35 amending or rescinding certain specified rules unless, prior

1 to the submission of such an amendment or rescission to the  
2 administrative rules coordinator, the board consults with and  
3 receives approval from the board of medicine to make such a  
4 submission.

5 The bill repeals a requirement that the boards of physician  
6 assistants and medicine jointly adopt rules pursuant to  
7 Code chapter 17A to establish specific minimum standards  
8 or a definition of supervision for appropriate supervision  
9 of physician assistants by physicians. The repeal applies  
10 retroactively to July 1, 2015.

11 The bill prohibits the board of physician assistants from  
12 taking further action relating to rule filing ARC 2832C. The  
13 bill provides that ARC 2832C is terminated as of the effective  
14 date of the bill.

15 The bill rescinds rules and amendments to rules of the  
16 board of medicine relating to physician assistant supervision.  
17 The effect of rescinding the amendments to these rules is  
18 to restore the language of the affected rules to that as it  
19 existed prior to the date the adopted amendments to the rules  
20 were published in the Iowa administrative bulletin. The bill  
21 directs the Iowa administrative code editor to restore the  
22 text of the affected rules to the language that existed on  
23 May 10, 2016, which was the day before the amendments were  
24 published in the Iowa administrative bulletin. The bill also  
25 directs the Iowa administrative code editor to remove language  
26 of the rescinded rules from the Iowa administrative code. The  
27 Iowa administrative code editor is required to complete these  
28 actions as soon as practicable.

29 The bill takes effect upon enactment.