

Senate Study Bill 1238 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

A BILL FOR

1 An Act relating to the practice and licensure of physician
2 assistants, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.74, subsection 17, Code 2019, is
2 amended to read as follows:

3 17. A physician assistant licensed under [chapter 148C](#)
4 may use the letters "P.A." as a prefix or may use the words
5 "physician assistant" ~~after the person's name or signify the~~
6 ~~same by the use of~~ or the letters "P.A." after the person's
7 name.

8 Sec. 2. Section 147.136, subsection 1, Code 2019, is amended
9 to read as follows:

10 1. Except as otherwise provided in [subsection 2](#), in an
11 action for damages for personal injury against a physician and
12 surgeon, osteopathic physician and surgeon, dentist, podiatric
13 physician, optometrist, pharmacist, chiropractor, physician
14 assistant, or nurse licensed to practice that profession in
15 this state, or against a hospital licensed for operation in
16 this state, based on the alleged negligence of the practitioner
17 in the practice of the profession or occupation, or upon the
18 alleged negligence of the hospital in patient care, in which
19 liability is admitted or established, the damages awarded shall
20 not include actual economic losses incurred or to be incurred
21 in the future by the claimant by reason of the personal
22 injury, including but not limited to the cost of reasonable and
23 necessary medical care, rehabilitation services, and custodial
24 care, and the loss of services and loss of earned income, to
25 the extent that those losses are replaced or are indemnified by
26 insurance, or by governmental, employment, or service benefit
27 programs or from any other source.

28 Sec. 3. Section 147.136A, subsection 1, paragraph a, Code
29 2019, is amended to read as follows:

30 *a.* "Health care provider" means a hospital as defined in
31 section 135B.1, a health care facility as defined in section
32 135C.1, a health facility as defined in [section 135P.1](#), a
33 physician or an osteopathic physician licensed under chapter
34 148, a physician assistant licensed ~~and practicing under a~~
35 ~~supervising physician~~ under [chapter 148C](#), a podiatrist licensed

1 under [chapter 149](#), a chiropractor licensed under [chapter 151](#), a
2 licensed practical nurse, a registered nurse, or an advanced
3 registered nurse practitioner licensed under [chapter 152](#) or
4 [152E](#), a dentist licensed under [chapter 153](#), an optometrist
5 licensed under [chapter 154](#), a pharmacist licensed under chapter
6 [155A](#), a professional corporation under [chapter 496C](#) that is
7 owned by persons licensed to practice a profession listed in
8 this paragraph, or any other person or entity who is licensed,
9 certified, or otherwise authorized or permitted by the law of
10 this state to administer health care in the ordinary course of
11 business or in the practice of a profession.

12 Sec. 4. Section 147.138, Code 2019, is amended to read as
13 follows:

14 **147.138 Contingent fee of attorney reviewed by court.**

15 In any action for personal injury or wrongful death against
16 any physician and surgeon, osteopathic physician and surgeon,
17 dentist, podiatric physician, optometrist, pharmacist,
18 chiropractor, physician assistant, or nurse licensed under
19 this chapter or against any hospital licensed under chapter
20 [135B](#), based upon the alleged negligence of the licensee in the
21 practice of that profession or occupation, or upon the alleged
22 negligence of the hospital in patient care, the court shall
23 determine the reasonableness of any contingent fee arrangement
24 between the plaintiff and the plaintiff's attorney.

25 Sec. 5. Section [148C.1](#), subsection 1, Code 2019, is amended
26 to read as follows:

27 1. "*Approved program*" means a program for the education
28 of physician assistants which has been accredited by the
29 ~~American medical association's committee on allied health~~
30 ~~education and accreditation or its successor, by the commission~~
31 ~~on accreditation of allied health educational programs or~~
32 ~~its successor, or by the accreditation review commission on~~
33 ~~education for the physician assistant or its successor, or, if~~
34 accredited prior to 2001, either by the committee on allied
35 health education and accreditation, or the commission on

1 accreditation of allied health education programs.

2 Sec. 6. Section 148C.3, Code 2019, is amended to read as
3 follows:

4 **148C.3 Licensure.**

5 1. ~~The Pursuant to section 147.36, the board shall adopt~~
6 ~~rules to govern the licensure of physician assistants. An~~
7 ~~applicant for licensure shall submit the fee prescribed by the~~
8 ~~board and shall meet the requirements established by the board~~
9 ~~with respect to each of the following:~~

10 ~~a. Academic qualifications, including evidence of graduation~~
11 ~~from an approved program. A physician assistant who is not a~~
12 ~~graduate of an approved program, but who passed the national~~
13 ~~commission on certification of physician assistants' physician~~
14 ~~assistant national certifying examination prior to 1986, is~~
15 ~~exempt from this graduation requirement.~~

16 ~~b. Evidence of passing the national commission on the~~
17 ~~certification of physician assistants' physician assistant~~
18 ~~national certifying examination or an equivalent examination~~
19 ~~approved by the board.~~

20 ~~c. Hours of continuing medical education necessary to become~~
21 ~~or remain licensed.~~

22 2. ~~Rules shall be adopted by the board pursuant to this~~
23 ~~chapter requiring a licensed physician assistant to be~~
24 ~~supervised by physicians. The rules shall provide that not~~
25 ~~more than five physician assistants shall be supervised by a~~
26 ~~physician at one time. The rules shall also provide that a~~
27 ~~physician assistant shall notify the board of the identity of~~
28 ~~the physician assistant's supervising physician and of any~~
29 ~~change in the status of the supervisory relationship. The~~
30 ~~board may grant a license to an applicant under this chapter~~
31 ~~who meets all of the following requirements:~~

32 ~~a. Submits an application on forms approved by the board.~~

33 ~~b. Pays the appropriate fee prescribed by the board pursuant~~
34 ~~to section 147.80.~~

35 ~~c. Has successfully completed an educational program for~~

1 physician assistants from an approved program. The board
2 may grant a license to an applicant who does not meet the
3 educational requirement under this paragraph "c" if the
4 applicant passed the physician assistant national certifying
5 examination administered by the national commission on
6 certification of physician assistants prior to 1986.

7 d. Has passed an examination prescribed by the board
8 pursuant to section 147.34.

9 e. Is mentally and physically able to engage safely in
10 practice as a physician assistant.

11 f. Is not subject to current discipline, revocation,
12 suspension, or probation for cause resulting from the
13 applicant's practice as a physician assistant, unless the
14 board, following consideration of the condition agrees to
15 licensure.

16 g. Is of good moral character.

17 h. Submits to the board any other information the board
18 deems necessary to evaluate the applicant's qualifications.

19 3. Pursuant to section 147.4, the board may refuse to grant
20 a license to any person otherwise qualified upon the grounds
21 for which a license may be revoked or suspended.

22 4. The form of the license shall comply with section 147.5.

23 ~~3-~~ 5. A licensed physician assistant shall perform only
24 those services for which the licensed physician assistant is
25 qualified by training or education or not prohibited by the
26 board.

27 ~~4-~~ 6. The board may issue a temporary license under special
28 circumstances and upon conditions prescribed by the board as
29 specified in section 148C.24. A temporary license shall not
30 be valid for more than one year and shall not be renewed more
31 than once.

32 ~~5-~~ 7. The board may issue an inactive license under
33 conditions prescribed by rules adopted by the board.

34 ~~6-~~ 8. The board shall adopt rules pursuant to this section
35 after consultation with the board of medicine.

1 9. The board shall comply with section 147.3 in determining
2 an applicant's qualifications.

3 10. The board shall maintain records of licenses pursuant
4 to section 147.8.

5 Sec. 7. NEW SECTION. **148C.4A Blood specimen — peace**
6 **officer.**

7 A physician assistant may, at the request of a peace officer,
8 withdraw a specimen of blood from a patient for the purpose of
9 determining the alcohol concentration or the presence of drugs
10 in the patient's body.

11 Sec. 8. NEW SECTION. **148C.4B Staff of ambulance or rescue**
12 **squad.**

13 A physician assistant may be a member of the staff of
14 an ambulance or rescue squad pursuant to chapter 147A. A
15 physician assistant who is a member of such staff shall possess
16 skills, training, and education equivalent to that required
17 of a certified advanced emergency medical technician or a
18 paramedic.

19 Sec. 9. NEW SECTION. **148C.14 Physician assistant title.**

20 1. In accordance with section 147.74, a person who meets
21 the qualifications for licensure under this chapter may use
22 the letters "P.A." as a prefix or may use the words "physician
23 assistant" or the letters "P.A." after the person's name.

24 2. A person who meets the qualifications for licensure under
25 this chapter but does not possess a current license may use
26 the title "P.A." or "physician assistant" but may not act or
27 practice as a physician assistant unless licensed under this
28 chapter.

29 Sec. 10. NEW SECTION. **148C.15 Licensure by endorsement.**

30 1. An applicant who has been licensed under the laws of
31 another jurisdiction may file an application for licensure by
32 endorsement.

33 2. An applicant for licensure by endorsement shall do all
34 of the following:

35 a. Submit to the board a completed application according to

1 the instructions on the application.

2 *b.* Pay the nonrefundable licensure fee.

3 *c.* Provide an official copy of the transcript sent directly
4 to the board from an approved program for the education of
5 physician assistants or qualify for the exception determined
6 by the board.

7 *d.* Provide a copy of the initial certification from the
8 national commission on certification of physician assistants
9 or its successor agency sent directly to the board from the
10 national commission on certification of physician assistants,
11 or its successor agency.

12 *e.* Provide one of the following documents:

13 (1) A copy of current certification from the national
14 commission on certification of physician assistants or its
15 successor agency sent directly to the board from the national
16 commission on certification of physician assistants or its
17 successor agency.

18 (2) Proof of completion of one hundred continuing medical
19 education hours for each biennium since initial certification.

20 *f.* Provide verification of a license from every jurisdiction
21 in which the applicant has been licensed, sent directly from
22 the jurisdiction to the board office. Web-based verification
23 may be substituted for verification sent directly from the
24 jurisdiction's board office if the verification provides all
25 of the following:

26 (1) The licensee's name.

27 (2) The date of initial licensure.

28 (3) The applicant's current licensure status.

29 (4) Any disciplinary action taken against the license.

30 **Sec. 11. NEW SECTION. 148C.16 License renewal.**

31 1. The biennial license renewal period for a license to
32 practice as a physician assistant shall begin on October
33 1 and end on September 30 two years later. The licensee
34 shall be responsible for renewing the license prior to its
35 expiration. Failure of the licensee to receive notice from the

1 board regarding renewal shall not relieve the licensee of the
2 responsibility for renewing the license.

3 2. An individual who was issued a license within six months
4 of the license renewal date shall not be required to renew the
5 license until the subsequent renewal date two years later.

6 3. A licensee seeking renewal shall comply with all of the
7 following:

8 a. Meet the continuing education requirements specified by
9 the board. A licensee whose license was reactivated during the
10 current renewal compliance period may use continuing education
11 credit earned during the compliance period for the first
12 renewal following reactivation.

13 b. Submit the completed renewal application and renewal fee
14 before the license expiration date.

15 c. (1) Complete mandatory reporter child abuse training
16 requirements as established in section 232.69. A licensee who,
17 in the scope of professional practice or in the licensee's
18 employment responsibilities, examines, attends, counsels, or
19 treats children in this state shall indicate on the renewal
20 application completion of two hours of training in child abuse
21 identification and reporting in the previous five years or
22 conditions for waiver of this requirement as identified in
23 subparagraph (5).

24 (2) Complete mandatory reporter dependent adult abuse
25 training requirements as established in sections 235B.3
26 and 235E.2. A licensee who, in the course of employment
27 responsibilities, examines, attends, counsels, or treats
28 adults in this state shall indicate on the renewal application
29 completion of two hours of training in dependent adult abuse
30 identification and reporting in the previous five years or
31 conditions for waiver of this requirement as identified in
32 subparagraph (5).

33 (3) A licensee who, in the scope of professional practice or
34 in the course of employment, examines, attends, counsels, or
35 treats both children and adults in this state shall indicate

1 on the renewal application completion of training in abuse
2 identification and reporting for children and dependent adults
3 in the previous five years or conditions for waiver of this
4 requirement as identified in subparagraph (5). Training
5 may be completed through separate courses as identified in
6 subparagraphs (1) and (2) or in one combined two-hour course
7 that includes curricula for identifying and reporting child
8 abuse and dependent adult abuse. The course shall be a
9 curriculum reviewed and approved by the department.

10 (4) The licensee shall maintain written documentation
11 for five years after mandatory training as identified in
12 subparagraphs (1), (2), and (3), including program date,
13 content, duration, and proof of participation.

14 (5) The requirement for mandatory training for identifying
15 and reporting child abuse and dependent adult abuse shall be
16 suspended if the board determines that suspension is in the
17 public interest or that a person at the time of license renewal
18 meets one of the following conditions:

19 (a) Is engaged in active duty in the military service of
20 this state or the United States.

21 (b) Holds a current waiver by the board based on evidence of
22 significant hardship in complying with training requirements,
23 including an exemption of continuing education requirements or
24 extension of time in which to fulfill requirements due to a
25 physical or mental disability or illness as identified in 645
26 IAC 328.

27 4. The board may select licensees for audit of compliance
28 with the requirements in subsection 3, paragraph "c".

29 5. Upon receiving the information required by this section
30 and the required fee, board staff shall administratively issue
31 a two-year license and shall send the licensee a wallet card
32 by regular mail. In the event the board receives adverse
33 information on the renewal application, the board shall issue
34 the renewal license but may refer the adverse information for
35 further consideration or disciplinary investigation.

1 6. A person licensed to practice as a physician assistant
2 shall keep the physician assistant's license certificate and
3 wallet card displayed in a conspicuous public place at the
4 primary site of practice.

5 7. A license shall be deemed late when the license has
6 not been renewed by the expiration date on the wallet card,
7 and the licensee shall be assessed a late fee as specified
8 by the board. To renew a license deemed late, the licensee
9 shall complete the renewal requirements and submit the late fee
10 within the grace period.

11 8. If a licensee fails to renew a license by the end of
12 the grace period, the license shall be deemed inactive. A
13 licensee whose license is inactive shall continue to hold the
14 privilege of licensure in the state, but shall not practice
15 as a physician assistant in the state until the license is
16 reactivated. A licensee who practices as a physician assistant
17 in this state with an inactive license may be subject to
18 disciplinary action by the board, injunctive action pursuant to
19 section 147.83, criminal penalties pursuant to section 147.86,
20 and other available legal remedies.

21 Sec. 12. NEW SECTION. 148C.17 **Grounds for discipline.**

22 The board may impose any of the following disciplinary
23 sanctions when the board determines that the licensee is guilty
24 of any of the following acts or offenses:

25 1. Fraud in procuring a license. Fraud in procuring
26 a license includes but is not limited to an intentional
27 perversion of the truth in making application for a license to
28 practice in this state which includes the following:

29 a. False representations of a material fact, whether by
30 word or by conduct, by false or misleading allegations, or by
31 concealment of information which should have been disclosed
32 when making application for a license in this state.

33 b. Attempting to file or filing with the board or the
34 department any false or forged diploma or certificate or
35 affidavit or identification or qualification in making an

1 application for a license in this state.

2 2. Professional incompetency. Professional incompetency
3 includes, but is not limited to:

4 a. A substantial lack of knowledge or ability to discharge
5 professional obligations within the scope of practice.

6 b. A substantial deviation from the standards of learning
7 or skill ordinarily possessed and applied by other physician
8 assistants in this state acting in the same or similar
9 circumstances.

10 c. Failure to exercise the degree of care which is
11 ordinarily exercised by the average physician assistant acting
12 in the same or similar circumstances.

13 d. Failure to conform to the minimal standard of acceptable
14 and prevailing practice of a physician assistant in this state.

15 e. Inability to practice with reasonable skill and safety
16 by reason of illness, drunkenness, excessive use of drugs,
17 narcotics, chemicals, or any other type of material or as a
18 result of a mental or physical condition.

19 f. Being adjudged mentally incompetent by a court of
20 competent jurisdiction.

21 3. Knowingly making misleading, deceptive, untrue, or
22 fraudulent representations in the practice of the profession
23 or engaging in unethical conduct or practice harmful or
24 detrimental to the public. Proof of actual injury need not be
25 established to constitute an offense under this subsection.

26 4. Practice outside the scope of the profession.

27 5. Use of untruthful or improbable statements in
28 advertisements. Use of untruthful or improbable statements in
29 advertisements includes but is not limited to an action by a
30 licensee in making information or intention known to the public
31 which is false, deceptive, misleading, or promoted through
32 fraud or misrepresentation.

33 6. Habitual intoxication or addiction to the use of drugs.

34 7. Obtaining, possessing, attempting to obtain or possess,
35 or administering controlled substances without lawful

1 authority.

2 8. Falsification of client records.

3 9. Acceptance of any fee by fraud or misrepresentation.

4 10. Negligence by the licensee in the practice of the
5 profession. Negligence by the licensee in the practice of the
6 profession includes a failure to exercise due care including
7 negligent delegation of duties or supervision of employees
8 or other individuals, whether or not injury results, or any
9 conduct, practice, or conditions which impair the ability to
10 safely and skillfully practice the profession.

11 11. Conviction of a crime related to the profession or
12 occupation of the licensee or the conviction of any crime that
13 would affect the licensee's ability to practice within the
14 profession, regardless of whether the judgment of conviction
15 or sentence was deferred. A copy of the record of conviction
16 or plea of guilty shall be conclusive evidence of the offense
17 under this subsection.

18 12. Violation of a regulation or law of this state, another
19 state, or the United States, which relates to the practice of
20 the profession.

21 13. Revocation, suspension, or other disciplinary action
22 taken by a licensing authority of this state, another state,
23 territory, or country, or failure by the licensee to report
24 in writing to the board revocation, suspension, or other
25 disciplinary action taken by a licensing authority within
26 thirty days of the final action. A stay by an appellate
27 court shall not negate this requirement; however, if such
28 disciplinary action is overturned or reversed by a court of
29 last resort, the report shall be expunged from the records of
30 the board.

31 14. Failure of a licensee or an applicant for licensure
32 in this state to report any voluntary agreements restricting
33 the practice of the profession in another state, territory, or
34 country.

35 15. Failure to notify the board of a criminal conviction

1 within thirty days of the action, regardless of the
2 jurisdiction where the criminal conviction occurred.

3 16. Failure to notify the board within thirty days after any
4 judgment or settlement of a malpractice claim or action.

5 17. Engaging in any conduct that subverts or attempts to
6 subvert a board investigation.

7 18. Failure to comply with a subpoena issued by the board
8 or to otherwise fail to cooperate with an investigation of the
9 board.

10 19. Failure to comply with the terms of a board order or the
11 terms of a settlement agreement or consent order.

12 20. Failure to pay costs assessed in any disciplinary
13 action.

14 21. Submission of a false report of continuing education or
15 failure to submit the biennial report of continuing education.

16 22. Failure to report another licensee to the board for any
17 violations pursuant to section 272C.9.

18 23. Knowingly aiding, assisting, procuring, or advising a
19 person to unlawfully practice as a physician assistant.

20 24. Failure to report a change of name or address within
21 thirty days after it occurs.

22 25. Permitting another person to use the licensee's license
23 for any purpose.

24 26. Permitting an unlicensed employee or person under the
25 licensee's control to perform activities requiring a license.

26 27. Unethical conduct. In accordance with section 147.55,
27 behavior, including acts, knowledge, and practices, which
28 constitutes unethical conduct including but not limited to the
29 following:

30 a. Verbally or physically abusing a patient, client, or
31 coworker.

32 b. Improper sexual contact with, or making suggestive,
33 lewd, lascivious, or improper remarks or advances to a patient,
34 client, or coworker.

35 c. Betrayal of a professional confidence.

1 d. Engaging in a professional conflict of interest.

2 28. Failure to comply with universal precautions for
3 preventing transmission of infectious diseases as issued by the
4 centers for disease control and prevention of the United States
5 department of health and human services.

6 29. Violation of the terms of an initial agreement with
7 the impaired practitioner review committee or violation of the
8 terms of an impaired practitioner recovery contract with the
9 impaired practitioner review committee.

10 Sec. 13. NEW SECTION. 148C.18 Method of discipline.

11 The board has the authority to impose the following
12 disciplinary sanctions:

13 1. Revocation of license.

14 2. Suspension of a license until further order of the board
15 or for a specific period.

16 3. Prohibition permanently, until further order of the
17 board, or for a specific period, against engaging in specified
18 procedures, methods, or acts.

19 4. Probation.

20 5. Required additional education or training.

21 6. Required reexamination.

22 7. Ordering a mental, physical, or clinical competency
23 examination or an alcohol and drug screening within a time
24 specified by the board.

25 8. Imposing civil penalties not to exceed one thousand
26 dollars.

27 9. Issuing a citation and warning.

28 10. Such other sanctions allowed by law as may be
29 appropriate.

30 Sec. 14. NEW SECTION. 148C.19 Discretion of board.

31 The following factors may be considered by the board in
32 determining the nature and severity of the disciplinary
33 sanction to be imposed:

34 1. The relative serious nature of the violation as it
35 relates to ensuring a high standard of professional care to the

1 citizens of this state.

2 2. The facts of the particular violation.

3 3. Any extenuating facts or other countervailing
4 considerations.

5 4. The number of prior violations or complaints.

6 5. The seriousness of prior violations or complaints.

7 6. Whether remedial action has been taken.

8 7. Such other factors as may reflect upon the competency,
9 ethical standards, and professional conduct of the licensee.

10 Sec. 15. NEW SECTION. 148C.20 **Lyme disease.**

11 A licensee shall not be disciplined based solely on the
12 licensee's recommendation of a treatment method for Lyme
13 disease or other tick-borne disease if the recommendation meets
14 the criteria specified in section 147.56.

15 Sec. 16. NEW SECTION. 148C.21 **Student physician assistant.**

16 1. Any person who is enrolled as a student in an approved
17 program shall comply with this chapter. However, a student is
18 exempt from the licensure requirements under this chapter.

19 2. Notwithstanding any other provision of this chapter to
20 the contrary, a student may perform medical services when the
21 medical services are rendered within the scope of an approved
22 program.

23 Sec. 17. NEW SECTION. 148C.22 **License reactivation.**

24 In accordance with section 147.11, a licensee may apply for
25 reactivation of an inactive license. To apply for reactivation
26 of an inactive license, a licensee shall do all of the
27 following:

28 1. Submit a reactivation application on a form provided by
29 the board.

30 2. Pay the reactivation fee determined by the board.

31 3. Provide verification of current competence to practice
32 as a physician assistant by satisfying one of the following
33 criteria:

34 a. If the license has been on inactive status for five
35 years or less, an applicant must provide verification of the

1 license from every jurisdiction in which the applicant is or
2 has been licensed and is or has been practicing during the time
3 period the Iowa license was inactive, sent directly from the
4 jurisdiction to the board office. Web-based verification may
5 be substituted for verification from a jurisdiction's board
6 office if the verification includes:

- 7 (1) The licensee's name.
- 8 (2) The date of initial licensure.
- 9 (3) The applicant's current licensure status.
- 10 (4) Any disciplinary action taken against the licensee.
- 11 (5) Verification of completion of one hundred hours of
12 continuing education within two years of an application for
13 reactivation or certification from the national commission on
14 certification of physician assistants or its successor agency.

15 *b.* If the license has been on inactive status for more
16 than five years, an applicant must provide verification of the
17 license from every jurisdiction in which the applicant is or
18 has been licensed and is or has been practicing during the time
19 period the Iowa license was inactive, sent directly from the
20 jurisdiction to the board office. Web-based verification may
21 be substituted for verification from a jurisdiction's board
22 office if the verification includes:

- 23 (1) The licensee's name.
- 24 (2) The date of initial licensure.
- 25 (3) The licensee's current licensure status.
- 26 (4) Any disciplinary action taken against the licensee.
- 27 (5) Verification of completion of two hundred hours of
28 continuing education within two years of an application for
29 reactivation, of which at least forty percent of the hours
30 completed shall be in category I or certification from the
31 national commission on certification of physician assistants
32 or its successor agency.

33 **Sec. 18. NEW SECTION. 148C.23 License reinstatement.**

34 In accordance with section 147.11, a licensee whose license
35 has been revoked, suspended, or voluntarily surrendered

1 must apply for and receive reinstatement of the license and
2 must apply for and be granted reactivation of the license
3 in accordance with section 148C.22 prior to practicing as a
4 physician assistant in this state.

5 Sec. 19. NEW SECTION. 148C.24 Temporary licensure.

6 1. A temporary license may be issued for an applicant
7 who has not taken the national commission on certification
8 of physician assistants initial certification examination or
9 successor agency examination or is waiting for the results of
10 the examination.

11 2. The applicant must complete an application and pay the
12 appropriate fee established by the board.

13 3. A temporary license shall be valid for one year from the
14 date of issuance.

15 4. The temporary license shall be renewed only once upon
16 the applicant showing proof that, through no fault of the
17 applicant, the applicant was unable to take the certification
18 examination recognized by the board. Proof of inability to
19 take the certification examination shall be submitted to the
20 board office with a written request for renewal of a temporary
21 license, accompanied by the temporary license renewal fee.

22 5. If the temporary licensee fails the certification
23 examination, the temporary licensee must cease practice
24 immediately and surrender the temporary license by the next
25 business day.

26 6. There shall be no additional fee for an applicant
27 converting temporary licensure to permanent licensure.

28 7. The applicant shall ensure that certification of
29 completion is sent to the board directly from an approved
30 program for the education of physician assistants. The
31 certification of completion must be signed by a designee from
32 the approved program.

33 Sec. 20. Section 249A.4, subsection 7, paragraph b, Code
34 2019, is amended to read as follows:

35 b. Advanced registered nurse practitioners licensed pursuant

1 to chapter 152 and physician assistants licensed pursuant to
2 chapter 148C shall be regarded as approved providers of health
3 care services, including primary care, for purposes of managed
4 care or prepaid services contracts under the medical assistance
5 program. This paragraph shall not be construed to expand the
6 scope of practice of an advanced registered nurse practitioner
7 pursuant to chapter 152 or physician assistants pursuant to
8 chapter 148C.

9

EXPLANATION

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

12 This bill relates to the practice and licensure of physician
13 assistants in the state. The bill codifies several provisions
14 currently in administrative rules including those relating
15 to services which may be performed by a physician assistant,
16 a physician assistant's title, licensure by endorsement,
17 license renewal, grounds for discipline, methods of discipline,
18 the discretionary factors to be considered by the board of
19 physician assistants in a disciplinary action, discipline
20 relative to treatment for Lyme disease, student physician
21 assistants, license reactivation, license reinstatement, and
22 temporary licensure. The bill also makes conforming changes in
23 the Code to reflect the other changes in the bill.