

Senate File 300 - Introduced

SENATE FILE 300
BY WESTRICH

A BILL FOR

1 An Act relating to professional disciplinary actions against
2 persons in health-related professions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 147.57 Grounds for discipline —
2 limitation.

3 1. Notwithstanding any other provision of law to the
4 contrary, a person licensed by a board under this subtitle
5 shall not be subject to discipline under this chapter or
6 the board's enabling statute based solely on the licensee's
7 failure to follow or implement guidelines, recommendations, or
8 regulations of the United States food and drug administration,
9 centers for disease control and prevention of the United States
10 department of health and human services, or national institutes
11 of health, unless such failure also constitutes a violation of
12 a law of this state.

13 2. A person licensed by a board under this subtitle who has
14 been subject to a fine solely due to the person's failure to
15 follow or implement guidelines, recommendations, or regulations
16 of the United States food and drug administration after the
17 effective date of this Act may petition the board for repayment
18 of the fine.

19 3. Each board under this subtitle shall adopt rules for the
20 implementation of this section.

21

EXPLANATION

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

24 This bill prohibits a professional licensing board
25 under Code chapter 147 (general provisions, health-related
26 professions) from imposing discipline on a licensee for
27 failure to follow or implement guidelines, recommendations, or
28 regulations of the United States food and drug administration,
29 centers for disease control and prevention, or national
30 institutes of health, unless such failure also constitutes
31 a violation of a law of this state. The bill allows a
32 person subject to a fine by the United States food and drug
33 administration for conduct that is not a violation of state law
34 after the effective date of the bill to petition the board for
35 repayment of that fine. The bill requires each relevant board

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1 to adopt rules to implement the bill.