

Senate File 436 - Introduced

SENATE FILE 436
BY LOFGREN

A BILL FOR

1 An Act relating to the board of medicine, including membership
2 of the board and licensee discipline.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.14, subsection 1, paragraph b, Code
2 2023, is amended to read as follows:

3 b. For medicine, five members licensed to practice medicine
4 and surgery, two members licensed to practice osteopathic
5 medicine and surgery, and ~~three~~ five members not licensed to
6 practice either medicine and surgery or osteopathic medicine
7 and surgery, three of whom shall demonstrate a history of
8 assertive patient safety advocacy, and who shall represent the
9 general public.

10 Sec. 2. Section 148.7, Code 2023, is amended by adding the
11 following new subsections:

12 NEW SUBSECTION. 7A. After the licensee has appeared
13 personally or by an attorney pursuant to subsections 5 and 7,
14 the person who submitted the complaint under investigation,
15 if any, shall be allowed to review the evidence and arguments
16 submitted by the licensee and to offer a response.

17 NEW SUBSECTION. 11. Upon the conclusion of an
18 investigation, the board shall communicate its findings
19 and decisions, and the reasons therefor, to the person who
20 submitted the complaint under investigation, if any.

21 Sec. 3. NEW SECTION. **148.7A Licensee discipline — public**
22 **notice.**

23 1. The board shall post on the internet site of the board
24 all substantiated findings of investigated complaints against
25 a licensee within thirty days of the board's findings being
26 served on the licensee. The board shall also post in detail
27 on the internet site of the board all settlements and awards
28 against a licensee within thirty days of the settlement or
29 imposition of the award.

30 2. The board shall include on the internet site of the board
31 the reason why a license is labeled as monitored, on probation,
32 suspended, restricted, or revoked.

33 3. The board shall post prominently on the internet site
34 of the board links to information about public complaints and
35 actions against licensees.

1 Sec. 4. NEW SECTION. **148.15 Ethics — rules.**

2 The board shall adopt rules pursuant to chapter 17A that are
3 substantially similar to the most recent edition of the code of
4 medical ethics of the American medical association.

5 EXPLANATION

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

8 This bill relates to the board of medicine (board).

9 The bill expands the number of public members on the board
10 from three to five and requires that three of those members
11 demonstrate a history of assertive patient safety advocacy.

12 During an investigation of a person licensed to practice
13 medicine and surgery or osteopathic medicine and surgery, the
14 bill requires the board to allow the person who submitted the
15 complaint under investigation, if any, to respond to evidence
16 and arguments made by the licensee under investigation. The
17 bill also requires the board to communicate its findings
18 and decisions, and the reasons therefor, to the person who
19 submitted the complaint under investigation, if any.

20 The bill requires the board to post on the internet site of
21 the board all substantiated findings of investigated complaints
22 against a licensee within 30 days of the findings being served
23 on the licensee and to post in detail all settlements and
24 awards against a licensee within 30 days of the settlement or
25 imposition of the award. The board shall also include on the
26 internet site of the board the reason why a license is labeled
27 as monitored, on probation, suspended, restricted, or revoked,
28 and to post prominently links to information about public
29 complaints and actions against licensees.

30 The bill requires the board to adopt rules that are
31 substantially similar to the most recent edition of the code of
32 medical ethics of the American medical association.