

House File 409 - Introduced

HOUSE FILE 409
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A BILL FOR

1 An Act relating to the licensing of, and granting of clinical
2 privileges to, certain health care professionals.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 135B.7, Code 2025, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6. The department shall also adopt rules
4 prohibiting hospitals and rural emergency hospitals from
5 including on an application for clinical privileges a question
6 regarding whether the applicant has a past history or diagnosis
7 of mental illness, substance use disorders, or other physical or
8 behavioral health conditions. The rules shall allow hospitals
9 and rural emergency hospitals to include on an application for
10 clinical privileges a question regarding whether the applicant
11 currently has any condition that is not being appropriately
12 treated which impairs or adversely affects the applicant's
13 ability to practice with reasonable skill and safety in a
14 competent, ethical, and professional manner.

15 Sec. 2. NEW SECTION. **147.4A Applications — current**
16 **impairment.**

17 A board shall not include on an application for licensure or
18 renewal of a license a question regarding whether the applicant
19 has a past history or diagnosis of mental illness, substance use
20 disorders, or other physical or behavioral health conditions. A
21 board may include on an application for licensure or renewal of
22 a license a question regarding whether the applicant currently
23 has any condition that is not being appropriately treated which
24 impairs or adversely affects the applicant's ability to practice
25 with reasonable skill and safety in a competent, ethical, and
26 professional manner.

27 **EXPLANATION**

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

30 This bill relates to applications for clinical privileges
31 to practice at a hospital and for licenses for health-related
32 professions. The bill requires the department of inspections,
33 appeals, and licensing to adopt rules prohibiting a hospital or
34 rural emergency hospital from including on an application for
35 clinical privileges a question regarding whether the applicant

1 has a past history or diagnosis of mental illness, substance use
2 disorders, or other physical or behavioral health conditions.
3 The rules shall allow a hospital or rural emergency hospital
4 to include a question regarding whether the applicant currently
5 has any condition that is not being appropriately treated which
6 impairs or adversely affects the applicant's ability to practice
7 with reasonable skill and safety in a competent, ethical, and
8 professional manner.

9 The bill similarly prohibits licensing boards for
10 health-related professions from asking about an applicant's past
11 history or diagnosis of mental illness, substance use disorders,
12 or other physical or behavioral health conditions. The bill
13 allows licensing boards for health-related professions to ask
14 whether the applicant currently has any condition that is not
15 being appropriately treated which impairs or adversely affects
16 the applicant's ability to practice.