

**House File 935 - Introduced**

HOUSE FILE 935  
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 171)

**A BILL FOR**

1 An Act relating to medical personnel authorized to withdraw a  
2 specimen of blood from a person suspected of operating while  
3 intoxicated.

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

unofficial

1 Section 1. Section 321J.11, subsection 1, Code 2025, is  
2 amended to read as follows:

3 1. Only a licensed physician, licensed physician assistant  
4 ~~as defined in section 148C.1, paramedic if authorized by the~~  
5 paramedic's designated medical director, medical technologist, or  
6 registered nurse, licensed practical nurse, medical laboratory  
7 technician, phlebotomist, laboratory assistant, or other  
8 qualified person, acting at the request of a peace officer, may  
9 withdraw a specimen of blood for the purpose of determining the  
10 alcohol concentration or the presence of a controlled substance  
11 or other drugs. A person who withdraws a specimen of blood  
12 in accordance with this subsection shall act reasonably, in  
13 good faith, and in accordance with standard medical procedures  
14 and applicable occupational safety and health standards while  
15 withdrawing the specimen of blood. However, any peace officer,  
16 using devices and methods approved by the commissioner of public  
17 safety, may take a specimen of a person's breath or urine for  
18 the purpose of determining the alcohol concentration, or may take  
19 a specimen of a person's urine for the purpose of determining  
20 the presence of a controlled substance or other drugs. Except  
21 in cases of negligence while withdrawing a specimen of blood,  
22 a person authorized to withdraw a specimen of blood under this  
23 subsection who acts reasonably, in good faith, and in accordance  
24 with standard medical procedures and applicable occupational  
25 safety and health standards, shall not be liable in any civil  
26 or criminal action for the withdrawal of the specimen. Only  
27 new equipment kept under strictly sanitary and sterile conditions  
28 shall be used for drawing blood.

29 EXPLANATION

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

32 Under current law, when a person is suspected of operating  
33 a motor vehicle in violation of Code chapter 321J (operating  
34 while intoxicated), only a licensed physician, licensed physician  
35 assistant, medical technologist, or registered nurse, who is

1 acting at the request of a peace officer, may withdraw a specimen  
2 of blood for the purpose of determining the alcohol concentration  
3 or the presence of a controlled substance or other drugs.

4 This bill expands the list of persons authorized to withdraw a  
5 specimen of blood. Under the bill, a paramedic if authorized by  
6 the paramedic's designated medical director, licensed practical  
7 nurse, medical laboratory technician, phlebotomist, laboratory  
8 assistant, and other qualified persons are also authorized to  
9 withdraw a specimen of blood at the request of a peace officer.  
10 The bill requires a person who withdraws a specimen of blood to  
11 act reasonably, in good faith, and in accordance with standard  
12 medical procedures and applicable occupational safety and health  
13 standards.

14 The bill shields all authorized persons from civil and  
15 criminal liability for the withdrawal of a specimen of blood,  
16 except in cases of negligence, so long as the person acts in  
17 compliance with the bill.