

**Senate Study Bill 3139 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HEALTH AND HUMAN SERVICES  
BILL BY CHAIRPERSON WARME)

**A BILL FOR**

1 An Act relating to health-related matters, including  
2 health-related professions, certificates of need, and  
3 nutrition, and including applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

CONTINUING EDUCATION REQUIREMENTS — NUTRITION AND METABOLIC HEALTH

Section 1. Section 148.3, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The board shall adopt rules pursuant to chapter 17A requiring a licensee practicing family medicine, internal medicine, pediatrics, psychiatry, endocrinology, gastroenterology, cardiology, oncology, rheumatology, neurology, nephrology, dermatology, pulmonology, surgery, immunology, hematology, obstetrics, or gynecology to complete a minimum of one hour of continuing education on nutrition and metabolic health every four years as a condition of license renewal.

Sec. 2. Section 148C.3, subsection 1, paragraph c, Code 2026, is amended to read as follows:

c. Hours of continuing medical education necessary to become or remain licensed. The board shall adopt rules pursuant to chapter 17A requiring a licensee practicing family medicine, internal medicine, pediatrics, psychiatry, endocrinology, gastroenterology, cardiology, oncology, rheumatology, neurology, nephrology, dermatology, pulmonology, surgery, immunology, hematology, obstetrics, or gynecology to complete a minimum of one hour of continuing education on nutrition and metabolic health every four years as a condition of license renewal.

DIVISION II

CERTIFICATE OF NEED

Sec. 3. Section 135.61, subsection 16, paragraphs e, g, i, and k, Code 2026, are amended by striking the paragraphs.

Sec. 4. Section 135.61, subsection 16, paragraph m, subparagraphs (2) and (3), Code 2026, are amended by striking the subparagraphs.

Sec. 5. Section 135.62, subsection 2, paragraph a, Code 2026, is amended to read as follows:

1     *a.* Private offices and private clinics of an individual  
2 physician, dentist, or other practitioner or group of  
3 health care providers, except as provided by section 135.61,  
4 subsection 16, paragraphs ~~"g"~~, ~~"h"~~ and ~~"m"~~, and section 135.61,  
5 subsections 2 and 18.

6     Sec. 6. Section 135.62, subsection 2, paragraph e,  
7 subparagraph (2), Code 2026, is amended to read as follows:

8     (2) Acquires major medical equipment as provided by section  
9 135.61, subsection 16, ~~paragraphs "i" and "j"~~ paragraph "j".

10     Sec. 7. Section 135.62, subsection 2, paragraph g,  
11 subparagraph (1), unnumbered paragraph 1, Code 2026, is amended  
12 to read as follows:

13     A reduction in bed capacity of an institutional health  
14 facility, notwithstanding any provision in [this subchapter](#) to  
15 the contrary, except where a provision expressly exempts such a  
16 reduction, if all of the following conditions exist:

17     Sec. 8. Section 135.62, subsection 2, paragraph k,  
18 subparagraph (1), unnumbered paragraph 1, Code 2026, is amended  
19 to read as follows:

20     The redistribution of beds by a hospital within the acute  
21 care category of bed usage, notwithstanding any provision in  
22 this subchapter to the contrary, except where a provision  
23 expressly exempts such a redistribution of skilled nursing  
24 facility or swing beds by a hospital, if all of the following  
25 conditions exist:

26     Sec. 9. Section 135.62, subsection 2, paragraph p, Code  
27 2026, is amended by striking the paragraph.

28     Sec. 10. Section 135.62, subsection 2, Code 2026, is amended  
29 by adding the following new paragraphs:

30     NEW PARAGRAPH. *r.* An outpatient facility that provides  
31 behavioral health services, as defined by rule by the  
32 department, to individuals on an outpatient basis, including  
33 but not limited to substitution-based treatment centers for  
34 opiate addiction.

35     NEW PARAGRAPH. *s.* Open heart surgical services.

1 NEW PARAGRAPH. *t.* Organ transplantation services.

2 NEW PARAGRAPH. *u.* Notwithstanding any provision of this  
3 subchapter to the contrary, any acquisition whether acquired  
4 by purchase, lease, or donation by or on behalf of a health  
5 care provider or a group of health care providers of any piece  
6 of replacement equipment with a value in excess of one million  
7 five hundred thousand dollars.

8 NEW PARAGRAPH. *v.* Notwithstanding any provision of  
9 this subchapter to the contrary, any acquisition whether  
10 acquired by purchase, lease, or donation by or on behalf of  
11 an institutional health facility or a health maintenance  
12 organization of any piece of replacement equipment with a value  
13 in excess of one million five hundred thousand dollars.

14 NEW PARAGRAPH. *w.* Any air transportation service for  
15 transportation of patients or medical personnel offered through  
16 an institutional health facility.

17 NEW PARAGRAPH. *x.* Notwithstanding any provision of  
18 this subchapter to the contrary, bed capacity changes by an  
19 institutional health facility that constitute a permanent  
20 change or reduction in, or a redistribution, deletion, or  
21 conversion of, nursing facility beds, skilled nursing facility  
22 beds, or swing beds.

23 NEW PARAGRAPH. *y.* Notwithstanding any provision of  
24 this subchapter to the contrary, bed capacity changes  
25 that constitute a permanent change or reduction in, or  
26 a redistribution, deletion, or conversion of, beds in  
27 intermediate care facilities for persons with mental  
28 illness, or intermediate care facilities for persons with an  
29 intellectual disability.

30 Sec. 11. Section 135.62, subsection 4, Code 2026, is amended  
31 to read as follows:

32 4. The department shall not process applications for an  
33 intermediate care facility for persons with an intellectual  
34 disability, or consider a new or changed institutional health  
35 service for an intermediate care facility for persons with

1 an intellectual disability, unless ~~both of the following~~  
2 ~~conditions are met:~~

3 ~~a. The new or changed beds shall not result in an~~  
4 ~~increase in the total number of medical assistance certified~~  
5 ~~intermediate care facility beds for persons with an~~  
6 ~~intellectual disability in the state, exclusive of those beds~~  
7 ~~at the state resource centers or other state institutions,~~  
8 ~~beyond one thousand six hundred thirty six beds.~~

9 ~~b. A~~ a letter of support for the application is provided by  
10 the county board of supervisors, or the board's designee, in  
11 the county in which the beds facility is or would be located.

12 Sec. 12. Section 135.65, subsection 3, paragraph b, Code  
13 2026, is amended to read as follows:

14 b. A period for the submission of written public hearing  
15 comments from affected persons on the application, to be held  
16 scheduled prior to completion of the evaluation required by  
17 paragraph "a".

18 Sec. 13. Section 135.65, subsection 4, Code 2026, is amended  
19 by striking the subsection.

20 Sec. 14. Section 135.70, subsection 2, Code 2026, is amended  
21 to read as follows:

22 2. Upon expiration of a certificate of need, and prior to  
23 extension of the certificate of need, any affected person shall  
24 have the right to submit to the department information which  
25 may be relevant to the question of granting an extension. ~~The~~  
26 ~~department may call a public hearing for this purpose.~~

27 DIVISION III

28 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM — SUMMER ELECTRONIC  
29 BENEFITS TRANSFER FOR CHILDREN PROGRAM

30 Sec. 15. Section 234.1, Code 2026, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 4A. *"Summer electronic benefits transfer*  
33 *for children program"* or *"summer EBT program"* means the summer  
34 electronic benefits transfer for children program established  
35 in 42 U.S.C. §1762.



1 breakfast or lunch program.

2     Sec. 19. NEW SECTION. 283A.6 School district breakfast  
3 and lunch programs — food and beverages provided to students —  
4 prohibited ingredients.

5     1. *a.* A school district shall not serve a meal to students  
6 as part of the school district's breakfast or lunch program  
7 that contains any of the following ingredients:

- 8       (1) Blue dye 1.
- 9       (2) Blue dye 2.
- 10      (3) Green dye 3.
- 11      (4) Potassium bromate.
- 12      (5) Propylparaben.
- 13      (6) Red dye 40.
- 14      (7) Yellow dye 5.
- 15      (8) Yellow dye 6.

16     *b.* Paragraph "a" does not apply to food and beverages  
17 received as part of a direct delivery from the foods in schools  
18 program of the United States department of agriculture.

19     2. An employee or contracted vendor of a school district  
20 shall not provide any food or beverages that contain an  
21 ingredient described in subsection 1 to a student enrolled in  
22 the school district during the school day.

23     3. A school district shall not permit the sale to students  
24 of any foods or beverages that contain an ingredient described  
25 in subsection 1 on the school campus, as school campus is  
26 defined in 7 C.F.R. §210.11 as of January 1, 2026, unless the  
27 sale takes place outside of the school day, as school day is  
28 defined in 7 C.F.R. §210.11 as of January 1, 2026.

29     Sec. 20. Section 283A.10, Code 2026, is amended to read as  
30 follows:

31     **283A.10 School breakfast or lunch in nonpublic schools.**

32     The authorities in charge of nonpublic schools may operate  
33 or provide for the operation of school breakfast or lunch  
34 programs in schools under their jurisdiction and may use funds  
35 appropriated to them by the general assembly, gifts, funds

1 received from sale of school breakfasts or lunches under such  
2 programs, and any other funds available to the nonpublic  
3 school. However, school breakfast or lunch programs shall not  
4 be required in nonpublic schools. The department of education  
5 shall direct the disbursement of state funds to nonpublic  
6 schools for school breakfast or lunch programs in the same  
7 manner as state funds are disbursed to public schools. If  
8 a nonpublic school receives state funds for the operation of  
9 a school breakfast or lunch program, meals served under the  
10 program shall be nutritionally adequate meals, as defined in  
11 section 283A.1, and shall comply with the requirements of  
12 section 283A.6.

13 Sec. 21. APPLICABILITY. This division of this Act applies  
14 to school years beginning on or after July 1, 2027.

15 EXPLANATION

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

18 This bill relates to the regulation of health-related  
19 matters, including health-related professions, certificates of  
20 need, and nutrition. The bill is organized in divisions.

21 DIVISION I — CONTINUING EDUCATION REQUIREMENTS — NUTRITION  
22 AND METABOLIC HEALTH. The bill requires the board of medicine  
23 and the board of physician assistants to adopt rules requiring  
24 certain licensees to receive continuing education credits  
25 regarding nutritional and metabolic health as a condition of  
26 license renewal.

27 DIVISION II — CERTIFICATE OF NEED. The bill changes the  
28 definition of "new institutional health service" or "changed  
29 institutional health service". The bill alters the list of  
30 items that are excluded from the provisions of Code chapter  
31 135 (department of health and human services — public  
32 health), subchapter VI (health facilities). The bill strikes  
33 a provision restricting the department of health and human  
34 services (HHS) from processing applications for an intermediate  
35 care facility for persons with an intellectual disability, or

1 considering a new or changed institutional health service for  
2 an intermediate care facility for persons with an intellectual  
3 disability, unless the new or changed beds shall not result  
4 in an increase in the total number of medical assistance  
5 certified intermediate care facility beds for persons with an  
6 intellectual disability in the state, exclusive of those beds  
7 at the state resource centers or other state institutions,  
8 beyond 1,636 beds.

9 The bill replaces a requirement that HHS hold a public  
10 hearing on an application for a certificate of need with a  
11 requirement that the department provide a period for the  
12 submission of written comments from affected persons. The bill  
13 strikes an authorization for the department to call a public  
14 hearing on the question of whether to grant an extension for an  
15 expiring certificate of need.

16 DIVISION III — SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM —  
17 SUMMER ELECTRONIC BENEFITS TRANSFER FOR CHILDREN PROGRAM. The  
18 bill requires HHS to continuously maintain state participation  
19 in the federal supplemental nutrition assistance program (SNAP)  
20 by administering the program in accordance with guidelines  
21 approved by the United States department of agriculture, food  
22 and nutrition service, to define "eligible foods" as "healthy  
23 foods", as that term is defined by the department, and to seek  
24 any federal approval necessary to ensure that provision of  
25 benefits is continuous. The bill requires HHS to ensure that  
26 the provision of SNAP benefits to recipients is uninterrupted.

27 The bill also allows HHS to participate in the summer  
28 electronic benefits transfer for children program, subject to  
29 federal approval of guidelines for eligible foods under the  
30 program that are similar to the guidelines for eligible foods  
31 under SNAP.

32 DIVISION IV — SCHOOL FOODS AND BEVERAGES. The bill  
33 prohibits school districts, certain charter schools, and  
34 innovation zone schools from serving meals to students as  
35 part of the school's breakfast or lunch program that contain

1 blue dye 1, blue dye 2, green dye 3, potassium bromate,  
2 propylparaben, red dye 40, yellow dye 5, or yellow dye 6,  
3 unless the foods or beverages in the meal were received as  
4 part of a direct delivery from the foods in schools program of  
5 the United States department of agriculture. The bill also  
6 prohibits schools from permitting the sale to students of any  
7 foods or beverages that contain such ingredients on school  
8 campus unless the sale takes place after the end of the school  
9 day. The bill requires nonpublic schools that use moneys  
10 appropriated by the general assembly to provide breakfast or  
11 lunch to students to ensure that the meals comply with the same  
12 prohibition on ingredients as school districts.  
13 This division of the bill applies to school years beginning  
14 on or after July 1, 2027.