

f. Whether current laws which protect the public health, safety and welfare generally are ineffective or inadequate.

g. Whether the characteristics of the profession or occupation make it impractical or impossible to prohibit those practices of the profession or occupation which are detrimental to the public health, safety and welfare.

h. Whether the practitioner performs a service for others which may have a detrimental effect on third parties relying on the expert knowledge of the practitioner.

i. Whether the profession or occupation is required to be regulated by the federal government or an agency thereof.

j. Whether the practitioner performs a service for others which would qualify for payment of part or all of those services by a third party if the practitioner were to be regulated as provided in this Act.

k. Whether there is sufficient demand for the service for which there is no substitute which is not similarly regulated and this service is required by a substantial portion of the population.

l. The view of a substantial portion of the people who do not practice the particular profession or occupation.

Sec. 4. This Act is repealed four years after the effective date of this Act.

Sec. 5. In making the initial appointments under section two (2) of this Act, the governor shall appoint two of the five citizen members to terms of two years.

Approved June 4, 1979

CHAPTER 42

CERTIFICATE OF NEED FOR HEALTH SERVICES

H. F. 725

AN ACT to amend the certificate of need law enacted in 1977, by permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying until January 1, 1980 the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred thirty-five point sixty-three (135.63), subsection one (1), Code 1979, is amended to read as follows:

1. A new institutional health service or changed institutional health service shall not be offered or developed in this state without prior application to the department for and receipt of a certificate of need,

pursuant to this division. The application shall be made upon forms furnished or prescribed by the department and shall contain such information as the department may require under this division after consultation with all health systems agencies serving the state of Iowa. The application shall be accompanied by a fee equivalent to two-tenths of one percent of the anticipated cost of the project, as determined under rules promulgated by the department. The fee shall be remitted by the department to the treasurer of state, who shall place it in the general fund of the state. If an application is voluntarily withdrawn within thirty calendar days after submission, seventy-five percent of the application fee shall be refunded; if the application is voluntarily withdrawn more than thirty but within sixty days after submission, fifty percent of the application fee shall be refunded; if the application is withdrawn voluntarily more than sixty days after submission, twenty-five percent of the application fee shall be refunded.

Sec. 2. Section one hundred thirty-five point sixty-seven (135.67), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department may, with approval of the council, waive the procedures prescribed by ~~section~~ sections one hundred thirty-five point sixty-five (135.65) of the Code and 135.66 and substitute a summary review procedure, which shall be established by rules of the department, when it accepts an application for a certificate of need for a project which meets any of the following criteria:

Sec. 3. Section one hundred thirty-five point seventy (135.70), Code 1979, is amended to read as follows:

135.70 APPEAL OF CERTIFICATE OF NEED DECISIONS. The council's final decision on an application for a certificate of need, when announced pursuant to section 135.69, may be appealed by any dissatisfied party who is an affected person with respect to that application, and who participated or sought unsuccessfully to participate in the formal review procedure prescribed by section 135.66. The appeal shall first be made to the commissioner, who shall review the decision. If the commissioner concludes that the council's decision was inappropriate on the basis of applicable law, federal regulations or administrative rules, the commissioner shall return the matter to the council with a request for a review of its decision. If the appellant remains dissatisfied after the review, an appeal may be taken in the manner provided by chapter 17A.

Sec. 4. Section one hundred thirty-five point seventy-four (135.74), subsection one (1), Code 1979, is amended to read as follows:

1. The department, after study and in consultation with any advisory committees which may be established pursuant to law, shall promulgate by rule pursuant to chapter 17A uniform methods of financial reporting, including such allocation methods as may be prescribed, by which hospitals and health care facilities shall respectively record their revenues, expenses, other income, other outlays, assets and liabilities, and units of service, according to functional activity center. These uniform methods of financial reporting shall not preclude a hospital or health care facility from using any accounting methods for its own purposes provided these accounting methods

can be reconciled to the uniform methods of financial reporting prescribed by the department and can be audited for validity and completeness. Each hospital and each health care facility shall adopt the appropriate system for its fiscal year, effective upon such date as the department shall direct. In determining the effective date for reporting requirements, the department shall consider both the immediate need for uniform reporting of information to effectuate the purposes of this division and the administrative and economic difficulties which hospitals and health care facilities may encounter in complying with the uniform financial reporting requirement, but the effective date shall not be later than ~~one--year--after--July--17--1978~~ January 1, 1980.

Approved June 10, 1979

CHAPTER 43

PROPERTY TAX RELIEF FOR AGED AND DISABLED

S. F. 495

AN ACT relating to additional property tax relief for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older and persons totally disabled by reducing the semiannual mobile home tax rate and by providing for the filing of claims for a credit on the property taxes due in the coming fiscal year, altering the reimbursement and credit schedule for property taxes due or rent constituting property taxes paid, extending the deadline for filing and making clarifying provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred thirty-five D point twenty-two (135D.22), subsection two (2), Code 1979, is amended by striking the subsection and inserting in lieu thereof the following:

2. If the owner of the mobile home was totally disabled, as defined in section four hundred twenty-five point seventeen (425.17), subsection six (6) of the Code on or before December thirty-first of the base year, is a surviving spouse having attained the age of fifty-five years on or before December thirty-first of the base year or has attained the age of sixty-five years on or before December thirty-first of the base year and has an income when included with that of a spouse which is less than four thousand dollars per year, no semiannual tax shall be imposed on the mobile home. If the income is four thousand dollars or more but less than ten thousand dollars, the semiannual tax shall be computed as follows: