

the dates of April 6, 1917, and July 2, 1921, World War II between the dates of December 7, 1941, and December 31, 1946, the Korean conflict between the dates of June 27, 1950, and January 31, 1955, or the Vietnam conflict between August 5, 1964, and May 7, 1975, or the Persian Gulf Conflict between August 2, 1990, and the date the president or the congress of the United States declares a permanent cessation of hostilities, all dates inclusive, and "disabled" means entitled to compensation under the United States Code, title 38, chapter 11.

Sec. 5. Section 110.24, Code 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 17.** The department shall issue without charge a special annual fishing or combined hunting and fishing license to residents of this state who are permanently disabled and whose income falls below the federal poverty guidelines as published by the United States department of health and human services or residents of this state who are sixty-five years of age or older and whose income falls below the federal poverty guidelines as published by the United States department of health and human services. The commission shall provide for, by rule, an application to be used by an applicant requesting a permanent disabled status or age status. The commission shall require proof of age, income, and proof of permanent disability.

Sec. 6. EFFECTIVE DATES.

1. The fees specified in section 3 of this Act are effective for the 1992 license year and each subsequent license year until otherwise provided by the general assembly, except as provided in subsection 2.

2. This Act takes effect on December 15, 1991, except that:

a. This section, the deer hunting license fees specified in section 110.1, subsection 2, paragraphs "b" and "e", and the wild turkey hunting license fees specified in section 110.1, subsection 2, paragraphs "c" and "f", take effect on July 1, 1991.

b. A lifetime license issued before January 1, 1992, pursuant to section 110.1, subsection 1, paragraph "b", Code 1991, or section 110.1, subsection 3, paragraph "b", Code 1991, and preceding Codes, is valid for the lifetime of the licensee unless sooner suspended or revoked as otherwise provided by law.

c. The falconry license fee in section 110.1 shall be for three years beginning and ending as provided by rule of the natural resource commission.

Approved June 4, 1991

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## CHAPTER 238

### AUTHORITY OF PHYSICIAN ASSISTANTS

*S.F. 42*

**AN ACT** relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances, and providing an effective date.

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

Section 1. Section 147.107, Code 1991, is amended by adding the following new subsections:

**NEW SUBSECTION. 3A.** Notwithstanding subsection 3, a physician assistant shall not dispense prescription drugs as an incident to the practice of the supervising physician or the physician assistant, but may supply, when pharmacist services are not reasonably available, or when it is in the best interests of the patient, a quantity of properly packaged and labeled prescription drugs, controlled substances, or medical devices necessary to complete a course of therapy. However, a remote clinic, staffed by a physician assistant, where pharmacy

services are not reasonably available, shall secure the regular advice and consultation of a pharmacist regarding the distribution, storage, and appropriate use of such drugs, substances, and devices. Prescription drugs supplied under the provisions of this subsection shall be supplied for the purpose of accommodating the patient and shall not be sold for more than the cost of the drug and reasonable overhead costs, as they relate to supplying prescription drugs to the patient, and not at a profit to the physician or the physician assistant. If prescription drug supplying authority is delegated by a supervising physician to a physician assistant, a nurse or staff assistant may assist the physician assistant in providing that service. Rules shall be adopted by the board of physician assistant examiners, after consultation with the board of pharmacy examiners, to implement this subsection.

**NEW SUBSECTION. 3B.** Notwithstanding subsection 1 and any other provision of this section to the contrary, a physician may delegate the function of prescribing drugs, controlled substances, and medical devices to a physician assistant licensed pursuant to chapter 148C. When delegated prescribing occurs, the supervising physician's name shall be used, recorded, or otherwise indicated in connection with each individual prescription so that the individual who dispenses or administers the prescription knows under whose delegated authority the physician assistant is prescribing. Rules relating to the authority of physician assistants to prescribe drugs, controlled substances, and medical devices pursuant to this subsection shall be adopted by the board of physician assistant examiners, after consultation with the board of medical examiners and the board of pharmacy examiners, as soon as possible after July 1, 1991. The rules shall be reviewed and approved by the physician assistant rules review group created under subsection 3D and shall be adopted in final form by January 1, 1993. However, the rules shall prohibit the prescribing of Schedule II controlled substances which are listed as stimulants or depressants pursuant to chapter 204. If rules are not reviewed and approved by the physician assistant rules review group created under subsection 3D and adopted in final form by January 1, 1993, a physician assistant may prescribe drugs as a delegated act of a supervising physician under rules adopted by the physician assistant board of examiners and subject to the rules review process established in section 148C.7. The board of physician assistant examiners shall be the only board to regulate the practice of physician assistants relating to prescribing and supplying prescription drugs, controlled substances and medical devices, notwithstanding section 148C.6A.

**NEW SUBSECTION. 3C.** Health care providers shall consider the instructions of the physician assistant to be instructions of the supervising physician if the instructions concern duties delegated to the physician assistant by a supervising physician.

**NEW SUBSECTION. 3D.** A physician assistant rules review group is established consisting of two physician assistants selected by the board of physician assistants, two physicians selected by the board of medical examiners, and one physician currently practicing as a supervising physician of physician assistants selected by the four other members of the rules review group no later than August 1, 1991. The rules review group shall select its own chairperson.

The rules review group shall review and approve or disapprove rules proposed for adoption relating to the authority of physician assistants to supply or prescribe drugs, controlled substances, and medical devices pursuant to subsection 3B. Approval shall be by a simple majority of the members of the rules review group. A rule shall not become effective without the approval of the rules review group unless otherwise specified under this section.

## Sec. 2. LIMITATION OF POWERS.

This Act shall not be construed to limit the powers currently delegated or authorized by statute or departmental rules to physician assistants. This Act shall also not be construed to limit the current authority of the board of medical examiners over a supervising physician.

**Sec. 3. EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved June 5, 1991