

Sec. 11. Section 633.20, Code 1993, is amended by adding the following new subsection:
NEW SUBSECTION. 3. The chief judge of a judicial district may appoint an associate probate judge and may remove the associate probate judge for cause following a hearing. The associate probate judge shall be an attorney admitted to practice law in this state and shall be qualified for the position by training and experience. The associate probate judge shall have jurisdiction to audit accounts of fiduciaries and to perform ministerial duties and judicial functions as the court prescribes.

Sec. 12. Section 633.29, Code 1993, is amended to read as follows:
633.29 PROBATE RECORD.

The clerk shall also keep a book to be known as the Probate Record that shall contain ~~full and complete~~ journal entries of all orders made in relation to the business of each estate. When ~~and journal entries~~ when real estate is sold or mortgaged by a fiduciary under an order of court ~~therefor, a complete record of the same shall be made in the probate record, including the petition, the notice, the returns of service, and all other papers filed, with the orders made relating thereto.~~

Sec. 13. Section 633.300, Code 1993, is amended to read as follows:
633.300 CERTIFICATE OF PROBATE.

When a will has been admitted to probate the clerk shall have a certificate of such fact, endorsed thereon or annexed thereto, signed by the clerk and attested by the seal of the court; and, when so certified, it, ~~or the record thereof,~~ or the transcript of ~~such~~ the record properly authenticated, may be read in evidence in all courts without further proof.

Sec. 14. Section 633.301, Code 1993, is amended to read as follows:
633.301 RECORD — COPY OF WILL FOR EXECUTOR.

When a will has been admitted to probate, ~~it, together with the certificate herein required, shall be recorded in a book kept for that purpose,~~ and certified pursuant to section 633.300, the clerk shall cause an authenticated copy thereof to be placed in the hands of the executor to whom letters are issued. The clerk shall retain the will in a separate file provided for that purpose until the time for contest has expired, and promptly thereafter shall place it with the files of ~~said~~ the estate.

Sec. 15. Sections 602.6203, 624.21, and 633.30, Code 1993, are repealed.

Approved April 28, 1993

CHAPTER 71

MASSAGE THERAPISTS

H.F. 562

AN ACT relating to requirements for licensure of massage therapists.

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

Section 1. Section 152C.3, subsection 1, paragraph a, Code 1993, is amended to read as follows:

a. Completion of a curriculum of massage education at a ~~state licensed or an accredited~~ school approved by the department which requires for admission a diploma from an accredited high school or the equivalent and requires completion of at least five hundred hours of supervised academic instruction. However, educational requirements under this paragraph are subject to reduction by the department if, after public notice and hearing, the department determines that the welfare of the public may be adequately protected with fewer hours of education.

Sec. 2. 1992 Iowa Acts, chapter 1137, section 8, subsection 1, is amended to read as follows:

1. a. A person practicing massage therapy on the effective date of this bill Act, who applies for licensure prior to December 31, 1993, is eligible to receive a temporary license at the discretion of the department which is valid for up to two years. The department shall adopt rules determining criteria for receipt of a temporary license.

b. A person who can demonstrate that the person has practiced massage therapy for ten years or more prior to the effective date of this Act and who applies for licensure prior to December 31, 1993, is eligible to receive a temporary license at the discretion of the department which is valid for six years. The department shall adopt rules determining criteria for receipt of a temporary license which shall include successful passage of a practical examination given by the department, and shall not include passage of a written examination.

Approved April 28, 1993

CHAPTER 72

ELDER GROUP HOMES

S.F. 3

***AN ACT** relating to the establishment and regulation of elder group homes.

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

Section 1. FINDINGS AND PURPOSE.

1. The general assembly finds that elder group homes are an important part of the long-term care system in the state. Elder group homes provide a less restrictive alternative for persons requiring long-term care and promote independent living for tenants.

2. The purposes of this Act are all of the following:

a. To encourage the establishment and maintenance of homes that provide a humane, safe, and home-like environment for persons who require some assistance to live independently but who do not require the level of services provided by a nursing facility.

b. To establish standards for elder group homes that adequately protect tenants' rights and guarantee safety and sanitation, but that are not so restrictive as to discourage the development of elder group homes.

c. To establish standards for elder group homes that promote a social model of service delivery which focuses on tenant independence, individual need and preference, and customer-driven quality of service.

d. To encourage public participation in the development of elder group homes.

Sec. 2. NEW SECTION. 231B.1 DEFINITIONS.

1. "Ambulatory" means the condition of a person who immediately and without aid of another is physically and mentally capable of traveling a normal path to safety, including the ascent and descent of stairs.

2. "Department" means the department of elder affairs or the department's designee.

3. "Elder" means a person sixty years of age or older.

4. "Elder group home" means a single-family residence that is a residence of a person who is providing room, board, and personal care to three through five elders who are not related to the person providing the service within the third degree of consanguinity or affinity.

5. "Personal care" means assistance with the essential activities of daily living which the recipient can perform personally only with difficulty. "Personal care" may include bathing, personal hygiene, dressing, grooming, and the supervision of self-administered medications, but does not include the administration of medications.

*Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State