

Sec. 9. NEW SECTION. 633.653A CLAIMS FOR COST OF MEDICAL CARE OR SERVICES.

The provision of medical care or services to a ward who is a recipient of medical assistance under chapter 249A creates a claim against the conservatorship for the amount owed to the provider under the medical assistance program for the care or services. The amount of the claim, after being allowed or established as provided in this part, shall be paid by the conservator from the assets of the conservatorship.

Approved May 5, 1993

CHAPTER 107

EMERGENCY MEDICAL SERVICES — PHYSICIAN ASSISTANTS

S.F. 80

AN ACT relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations.

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

Section 1. Section 147A.8, subsection 2, paragraphs c and d, Code 1993, are amended to read as follows:

c. Employed by or assigned to a hospital as a member of an authorized ambulance, rescue, or first response service, by rendering lifesaving services in the facility in which employed or assigned pursuant to the advanced emergency medical care provider's certification and under the direct supervision of a physician, physician assistant, or registered nurse. An advanced emergency medical care provider shall not routinely function without the direct supervision of a physician, physician assistant, or registered nurse. However, when the physician, physician assistant, or registered nurse cannot directly assume emergency care of the patient, the advanced emergency medical care provider may perform without direct supervision advanced emergency medical care procedures for which that individual is certified if the life of the patient is in immediate danger and such care is required to preserve the patient's life; or

d. Employed by or assigned to a hospital as a member of an authorized ambulance, rescue, or first response service to perform nonlifesaving procedures for which those individuals have been trained and are designated in a written job description. Such procedures may be performed after the patient is observed by and when the advanced emergency medical care provider is under the supervision of the physician, physician assistant, or registered nurse and where the procedure may be immediately abandoned without risk to the patient.

Sec. 2. Section 147A.9, subsection 1, Code 1993, is amended to read as follows:

1. When voice contact or a telemetered electrocardiogram is monitored by a physician, or physician's designee, or physician assistant, and direct communication is maintained, an advanced emergency medical care provider may upon order of the monitoring physician or upon standing orders of a physician transmitted by the monitoring physician's designee or physician assistant perform any advanced emergency medical care procedure for which that advanced emergency medical care provider is certified.

Sec. 3. Section 147A.10, Code 1993, is amended to read as follows:

147A.10 EXEMPTIONS FROM LIABILITY IN CERTAIN CIRCUMSTANCES.

1. A physician, or physician's designee, or physician assistant, who gives orders, either directly or via communications equipment from some other point, to an appropriately certified advanced emergency medical care provider at the scene of an emergency, and an appropriately certified advanced emergency medical care provider following the orders, are not

subject to criminal liability by reason of having issued or executed the orders, and are not liable for civil damages for acts or omissions relating to the issuance or execution of the orders unless the acts or omissions constitute recklessness.

2. A physician, physician's designee, physician assistant, or advanced emergency medical care provider shall not be subject to civil liability solely by reason of failure to obtain consent before rendering emergency medical, surgical, hospital or health services to any individual, regardless of age, when the patient is unable to give consent for any reason and there is no other person reasonably available who is legally authorized to consent to the providing of such care.

3. An act of commission or omission of any appropriately certified advanced emergency medical care provider or physician assistant while rendering advanced emergency medical care under the responsible supervision and control of a physician to a person who is deemed by them to be in immediate danger of serious injury or loss of life, shall not impose any liability upon the certified advanced emergency medical care provider or physician assistant, the supervising physician, or any hospital, or upon the state, or any county, city or other political subdivision, or the employees of any of these entities; provided that this section shall not relieve any person of liability for civil damages for any act of commission or omission which constitutes recklessness.

Sec. 4. **NEW SECTION. 147A.13 PHYSICIAN ASSISTANT EXCEPTION.**

This chapter does not restrict a physician assistant, licensed pursuant to chapter 148C, from staffing an authorized ambulance, rescue, or first response service if the physician assistant can document equivalency through education and additional skills training essential in the delivery of prehospital emergency care. The equivalency shall be accepted when:

1. Documentation has been reviewed and approved at the local level by the medical director of the ambulance, rescue, or first response service in accordance with the rules of the board of physician assistant examiners.

2. Authorization has been granted to that ambulance, rescue, or first response service by the department.

Approved May 6, 1993

CHAPTER 108
HOSPITAL PRIVILEGES
S.F. 287

AN ACT relating to hospital privileges provided certain professionals including certified health service providers in psychology.

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

Section 1. Section 135B.7, unnumbered paragraph 2, Code 1993, is amended to read as follows:

The rules shall state that a hospital shall not deny clinical privileges to physicians and surgeons, podiatrists, osteopaths, osteopathic surgeons, or dentists, or certified health service providers in psychology licensed under chapter 148, 149, 150, 150A, or 153, or section 154B.7 solely by reason of the license held by the practitioner or solely by reason of the school or institution in which the practitioner received medical schooling or postgraduate training if the medical schooling or postgraduate training was accredited by an organization recognized by the council on postsecondary accreditation or an accrediting group recognized by the United States department of education. A hospital may establish procedures for interaction between