

CHAPTER 77**GAMBLING IN PUBLIC PLACES —
NONPROFIT ORGANIZATIONS CONDUCTING BINGO OCCASIONS***H.F. 603*

AN ACT providing an exception to licensing requirements for certain bingo occasions conducted by nonprofit organizations.

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

Section 1. Section 99B.9, subsection 1, unnumbered paragraph 1, Code 2003, is amended to read as follows:

Except as otherwise permitted by section 99B.3, 99B.5, 99B.6, 99B.7, 99B.8, ~~or~~ 99B.11, or 99B.12A, it is unlawful to permit gambling on any premises owned, leased, rented, or otherwise occupied by a person other than a government, governmental agency or subdivision, unless all of the following are complied with:

Sec. 2. NEW SECTION. 99B.12A BINGO EXCEPTION.

An organization that is exempt from federal income taxes under section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code as defined in section 422.3, shall be authorized to conduct a bingo occasion without a license as otherwise required by this chapter if all of the following requirements are met:

1. Participants in the bingo occasion are not charged to enter the premises where bingo is conducted.
2. Participants in the bingo occasion are not charged to play.
3. Any prize awarded at the bingo occasion shall be donated.
4. The bingo occasion is conducted as an activity and not for fundraising purposes.

Approved April 25, 2003

CHAPTER 78**PUBLIC HEALTH REGULATION — MISCELLANEOUS PROVISIONS***H.F. 641*

ANACT providing for changes relating to programs under the purview of the Iowa department of public health.

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

Section 1. Section 139A.8, subsection 1, Code 2003, is amended to read as follows:

1. A parent or legal guardian shall assure that the person's minor children residing in the state are adequately immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, and rubella, and varicella according to recommendations provided by the department subject to the provisions of subsections 3 and 4.

Sec. 2. Section 139A.8, subsection 2, paragraph a, Code 2003, is amended to read as follows:

a. A person shall not be enrolled in any licensed child care center or elementary or secondary school in Iowa without evidence of adequate immunizations against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, ~~and rubella, and varicella.~~

Sec. 3. Section 139A.8, subsection 4, paragraph a, Code 2003, is amended to read as follows:

a. The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits to the admitting official a statement signed by a physician, advanced registered nurse practitioner, or physician assistant who is licensed by the state board of medical examiners, board of nursing, or board of physician assistant examiners that, ~~in the physician's opinion,~~ the immunizations required would be injurious to the health and well-being of the applicant or any member of the applicant's family.

Sec. 4. Section 152.1, subsection 5, paragraph b, Code 2003, is amended by striking the paragraph and inserting in lieu thereof the following:

b. The performance of nursing services by an unlicensed student enrolled in a nursing education program if performance is part of the course of study. Individuals who have been licensed as registered nurses or licensed practical or vocational nurses in any state or jurisdiction of the United States are not subject to this exemption.

Sec. 5. Section 152.1, subsection 5, paragraph c, Code 2003, is amended to read as follows:

c. The performance of services by ~~employed unlicensed~~ workers employed in offices, hospitals, or health care facilities, as defined in section 135C.1, under the supervision of a physician or a nurse licensed under this chapter, or employed in the office of a psychologist, podiatric physician, optometrist, chiropractor, speech pathologist, audiologist, or physical therapist licensed to practice in this state, and when acting while within the scope of the employer's license.

Sec. 6. Section 272C.3, subsection 1, paragraph k, Code 2003, is amended to read as follows:

k. Establish a licensee review committee for the purpose of evaluating and monitoring licensees who ~~self-report physical or mental impairments to the board are impaired as a result of alcohol or drug abuse, dependency, or addiction, or by any mental or physical disorder or disability, and who self-report the impairment to the committee, or who are referred by the board to the committee.~~ The board shall adopt rules for the establishment and administration of the committee, including but not limited to establishment of the criteria for eligibility for referral to the committee and the grounds for disciplinary action for noncompliance with committee decisions. Information in the possession of the board or the licensee review committee, under this paragraph, shall be subject to the confidentiality requirements of section 272C.6. Referral of a licensee by the board to a licensee review committee shall not relieve the board of any duties of the board and shall not divest the board of any authority or jurisdiction otherwise provided. A licensee who violates section 272C.10 or the rules of the board while under review by the licensee review committee shall be referred to the board for appropriate action.

Approved April 25, 2003