

**CHAPTER 1063****VOLUNTEER EMERGENCY SERVICES PROVIDER DEATH BENEFITS  
— HEART ATTACKS OR STROKES***S.F. 2044*

**AN ACT** concerning eligibility requirements for payment of a volunteer emergency services provider death benefit resulting from a heart attack or stroke.

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

Section 1. Section 100B.11, subsection 2, paragraph b, subparagraph (1), Code Supplement 2003, is amended to read as follows:

(1) (a) The death resulted from stress, strain, occupational illness, or a chronic, progressive, or congenital illness, including, but not limited to, a disease of the heart, lungs, or respiratory system, unless a traumatic personal injury was a substantial contributing factor to the volunteer emergency services provider's death.

(b) However, if the death was the direct and proximate result of a heart attack or stroke, the volunteer emergency services provider shall be presumed to have died as a result of a traumatic personal injury if the provider engaged in a nonroutine stressful or strenuous physical activity within the scope of the provider's duties and the death resulted while engaging in that activity, while still on duty after engaging in that activity, or not later than twenty-four hours after engaging in that activity, and the presumption is not overcome by competent medical evidence to the contrary. For purposes of this subparagraph subdivision, "nonroutine stressful or strenuous physical activity" includes, but is not limited to, nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, emergency response, and training exercise activities. "Nonroutine stressful or strenuous physical activity" does not include activities of a clerical, administrative, or nonmanual nature.

Approved April 13, 2004

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**CHAPTER 1064****SEX OFFENDER REGISTRATION REQUIREMENTS —  
INCEST COMMITTED AGAINST DEPENDENT ADULT***H.F. 2146*

**AN ACT** making changes to sex offender registry requirements for persons convicted of incest against a dependent adult.

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

Section 1. Section 692A.1, subsection 7, paragraph d, Code Supplement 2003, is amended to read as follows:

d. Incest committed against a dependent adult as defined in section 235B.2 in violation of section 726.2.

e. A criminal offense committed in another jurisdiction which would constitute an indictable offense under paragraphs “a” through “e” “d” if committed in this state.

Approved April 13, 2004

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**CHAPTER 1065**  
**MASSAGE THERAPY —**  
**EXEMPTIONS FROM LICENSURE REQUIREMENTS**  
*H.F. 2201*

**AN ACT** providing for exemptions from massage therapy licensure requirements.

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

Section 1. Section 152C.1, subsection 3, Code 2003, is amended to read as follows:

3. “Massage therapy” means performance for compensation of massage, myotherapy, massotherapy, bodywork, bodywork therapy, or therapeutic massage including hydrotherapy, superficial hot and cold applications, vibration and topical applications, or other therapy which involves manipulation of the muscle and connective tissue of the body, excluding osseous tissue, to treat the muscle tonus system for the purpose of enhancing health, muscle relaxation, increasing range of motion, reducing stress, relieving pain, or improving circulation. ~~“Massage therapy” does not include diagnosis or service which requires a license to practice medicine or surgery, osteopathic medicine and surgery, osteopathy, chiropractic, cosmetology arts and sciences, or podiatry, and does not include service performed by athletic trainers, technicians, nurses, occupational therapists, or physical therapists who act under a professional license, certificate, or registration or under the prescription or supervision of a person licensed to practice medicine or surgery or osteopathic medicine and surgery.~~

Sec. 2. Section 152C.1, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 4. “Reflexology” means manipulation of the soft tissues of the human body which is restricted to the hands, feet, or ears, performed by persons who do not hold themselves out to be massage therapists or to be performing massage therapy.

Sec. 3. NEW SECTION. 152C.9 EXEMPTIONS.

This chapter shall not apply to the following persons:

1. Persons who are licensed to practice medicine or surgery, osteopathic medicine and surgery, osteopathy, chiropractic, cosmetology arts and sciences, or podiatry in this state; or athletic trainers, technicians, nurses, occupational therapists, physical therapists, or physician assistants licensed, certified, or registered in this state or acting under the prescription or supervision of a person licensed to practice medicine or surgery or osteopathic medicine and surgery in this state.

2. Persons who are licensed, registered, or certified in another state, territory, the District of Columbia, or a foreign country when incidentally present in this state to teach a course of instruction related to massage and bodywork therapy or to consult with a person licensed under subtitle 3 of this title.

3. Students enrolled in a program recognized by the board while completing a clinical requirement for graduation performed under the supervision of a person licensed under subtitle 3 of this title.