

**135Q.1 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Department*” means the department of inspections and appeals.
2. “*Direct services*” means services provided to consumers through person-to-person contact. “*Direct services*” excludes services performed by persons in a health care entity setting that do not involve the provision of any service or treatment to a consumer of a health care entity. “*Direct services*” does not include the practice of medicine and surgery or osteopathic medicine and surgery by an individual licensed under [chapter 148](#) or the practice of nursing by an advanced registered nurse practitioner or an advanced practice registered nurse licensed under [chapter 152](#) or [152E](#).
3. “*Health care employment agency*” or “*agency*” means an agency that contracts with a health care entity in this state to provide agency workers for temporary, temporary-to-hire, direct hire, or other contract or employee placements.
4. “*Health care employment agency worker*” or “*agency worker*” means an individual who contracts with or is employed by a health care employment agency to provide direct services or nursing services to health care entity consumers.
5. “*Health care entity*” means a licensed or certified facility, organization, or agency operated to provide services and supports to meet the health or personal care needs of consumers.
6. “*Managing entity*” means a business entity, owner, ownership group, chief executive officer, program administrator, director, or other decision maker whose responsibilities include directing the management or policies of a health care employment agency. “*Managing entity*” includes an individual who, directly or indirectly, holds a beneficial interest in a corporation, partnership, or other business entity that constitutes a managing entity.
7. “*Nursing services*” means those services which may be provided only by or under the supervision of a nurse. “*Nursing services*” does not include the practice of nursing by an advanced registered nurse practitioner or an advanced practice registered nurse licensed under [chapter 152](#) or [152E](#).

**[2022 Acts, ch 1069, §1](#); [2022 Acts, ch 1153, §49](#)**

Section applies retroactively to any contract between a health care employment agency and an agency worker or health care entity referred to under section [135Q.2, subsection 3](#), that was entered into or executed on or after January 1, 2019; [2022 Acts, ch 1153, §49](#)  
NEW section