

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 123

January 27, 1947.
Public Health.

By MORRISSEY, LAWRENCE,
FIMMEN, POSTON.

A BILL FOR

An Act to amend section one hundred forty-seven point sixteen (147.16); to amend section one hundred forty-seven point nineteen (147.19); to amend section one hundred forty-seven point eighty (147.80); to amend section one hundred forty-seven point one hundred seven (147.107); to repeal section one hundred forty seven point one hundred eight (147.108) and to enact a new section in lieu thereof; to amend section one hundred fifty-two point one (152.1); to amend section one hundred fifty-two point two (152.2); to repeal section one hundred fifty-two point three (152.3); and to enact a new section in lieu thereof; to amend section one hundred fifty-two point four (152.4); to add a new section to chapter one hundred fifty-two (152), Code, 1946, relating to the qualification and term of nurse examiners, defining the practice of nursing, and relating to the licensing of persons to practice nursing, and providing for the administration of Title VIII, Code, 1946 as it relates to the practice of nursing, and changing the amount of the fee for license to practice nursing under reciprocal agreement.

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

1 Section 1. That section one hundred forty-seven point
2 sixteen (147.16), Code 1946 is amended by striking the period
3 (.) at the end of said section and adding thereto, the following:
4 “, except nurse examiners who shall be so actively engaged for
5 a period of five years, but only the last two of which need
6 be in this state.”

1 Sec. 2. That section one hundred forty-seven point
2 nineteen (147.19), Code 1946 is amended by adding after the
3 period in line four (4) thereof the following: “No nurse
4 examiner shall be appointed to more than two consecutive terms.”

1 Sec. 3. That section one hundred forty-seven point eighty
2 (147.80), Code 1946, is amended by striking the period (.) at
3 the end of subsection 6, and adding thereto, the following:
4 “except that a license to practice nursing shall be ten dollars.”

1 Sec. 4. That section one hundred forty-seven point one
2 hundred seven (147.107), Code 1946, is amended by striking the
3 first two sentences thereof and enacting in lieu thereof the
4 following: “Notwithstanding the provisions of Sections 147.29
5 to 147.43 inclusive, every application for a license to practice
6 nursing in this state shall be made to and granted by the board
7 of nurse examiners but in the conduct of the examination and
8 licensing of applicants the board shall conform as nearly as
9 possible to the provisions of such sections 147.29 to 147.43
10 inclusive. Upon granting any such license the secretary of the
11 board shall promptly certify the date thereof and the name of
12 licensee to the department of health. Notwithstanding the
13 provisions of sections 147.44 to 147.54 inclusive, every
14 reciprocal agreement for the recognition of any such license
15 issued in another state shall be negotiated by the board, and
16 it may issue a license to practice nursing in this state without
17 examinations to an applicant who has been duly licensed as a
18 nurse by examination under the laws of another state, territory

19 or foreign country, if in the opinion of the board the applicant
20 meets all the qualifications required for registered or practical
21 nurses under section 152.3.”

1 Sec. 5. That section one hundred forty-seven point
2 one hundred eight (147.108), Code 1946, is repealed and the
3 following enacted in lieu thereof: “The board of nurse
4 examiners may employ such assistants, inspectors and clerical
5 help as may be necessary to properly administer and enforce the
6 provisions of Sections 147.105 to 147.110 inclusive, and such
7 portions of chapter 152 as relate to the granting of licenses
8 and approval of schools of nursing, and to investigate and
9 report to proper authorities any violation of the provisions
10 of said chapter, and shall determine the qualifications, duties
11 and compensation of the secretary and such other employees.”

1 Sec. 6. That section one hundred fifty-two point one
2 (152.1), Code 1946 is amended by striking all of said Section
3 after the word “who”, in line three (3) thereof, and enacting
4 in lieu thereof the following: “for compensation or personal
5 profit (a) performs any professional service requiring the
6 application of principles of nursing based on biological
7 psychological, physical or social sciences, such as represent
8 supervision of a patient requiring skill in observation of
9 symptoms and reactions and the accurate recording of the facts,
10 and carrying out of treatments and medication is prescribed
11 by a licensed physician, and the application of such nursing
12 procedures as involve the understanding of cause and effect of

13 illness and remedies in order to safeguard the life and health
14 of a patient and others; or (b) performs such duties and services
15 as are required in the physical care of aged, convalescent, or
16 chronically ill persons, or in carrying out medical orders
17 as prescribed by a licensed physician requiring an understanding
18 of practical nursing but not requiring the professional services
19 outlined in (a) hereof.”

1 Sec. 7. That section one hundred fifty-two point two
2 (152.2), Code 1946, is amended by striking all of said section
3 after the word “not”, in line two (2) thereof, and enacting
4 in lieu the following:

5 “be construed as conferring any authority to practice
6 medicine, as defined in chapter one hundred forty-eight (148),
7 or the practice of osteopathy or osteopathy and surgery as
8 defined in chapter one hundred fifty (150), nor shall it be
9 construed as prohibiting the care of sick by domestic servants,
10 housekeepers, nursemaids, companions or household aides, whether
11 employed regularly or because of an emergency or illness, provided
12 such person is employed primarily in a domestic capacity and
13 does not hold himself or herself out, or accept employment, as
14 a person licensed to practice nursing for hire, or preventing
15 any person from the domestic administration of family remedies
16 or the furnishing of nursing assistance in the case of an
17 emergency; nor shall it be construed as prohibiting the practice
18 of nursing by students enrolled in accredited schools incidental
19 to their course of study, or attendants in hospitals or nursing

20 homes under the direct supervision of a licensed physician or
21 a nurse licensed under this title, nor shall it be construed
22 as prohibiting the practice of nursing in this state by any
23 legally licensed nurse of another state or county whose employ-
24 ment requires him or her to accompany and care for a patient
25 temporarily residing in this state; nor shall it be construed
26 as prohibiting the care of the sick done in connection with the
27 practice of the religious tenets of any church by adherents
28 thereof, provided they do not hold themselves out as licensed
29 to practice nursing as a registered, graduate or practical
30 nurse, under the provisions of this title; nor shall it be
31 construed as prohibiting the practice of any legally licensed
32 nurse of another state who is employed by the United States
33 government or any bureau, division, or agency thereof, while
34 in the discharge of his or her official duties.”

1 Sec. 8. That section one hundred fifty-two point three
2 (152.3), Code 1946, is repealed and that there is enacted in
3 lieu thereof, the following:

4 “Licenses to practice nursing shall be issued in two
5 classifications, (1) a license to practice nursing as a
6 registered or graduate nurse; and (2) a license to practice
7 nursing as a practical nurse.

8 Notwithstanding the provisions of section 147.3, every
9 applicant for a license to practice nursing as a registered
10 or graduate nurse shall:

11 1. Be twenty (20) years of age;

- 12 2. Be of good moral character;
- 13 3. Be a citizen of the United States, or legally declared
- 14 his or her intention of becoming such a citizen;
- 15 4. Be a graduate of an accredited high school and have
- 16 completed a course of study in, and hold a diploma
- 17 issued by a school of nursing approved by the board
- 18 of nurse examiners; and,
- 19 5. Pass an examination in such subjects affecting the
- 20 practice of nursing as the board of nurse examiners
- 21 may, by published regulations, determine.

22 Notwithstanding the provisions of section 147.3, every

23 applicant for a license to practice nursing as a practical

24 nurse shall:

- 25 1. Be nineteen (19) years of age;
- 26 2. Be of good moral character;
- 27 3. Be a citizen of the United States or legally declared
- 28 his or her intention of becoming a citizen;
- 29 4. Have completed a course of study through the tenth
- 30 grade in public schools or its equivalent in parochial
- 31 or secular schools; and,
- 32 5. Pass an examination in practical nursing on subjects
- 33 relating to the duties and services stated in (b) of
- 34 section 152.2, as the board of nurse examiners may,
- 35 by published regulations, determine.

36 The board of nurse examiners shall license as a practical

37 nurse any person meeting the requirements as to age, character

38 and citizenship, specified above, who has reputably practiced
39 nursing, as defined by subsection (b) of section 152.1, for a
40 period of not less than two (2) years in the five (5) years
41 immediately prior to January 1, 1947, which practice must be
42 verified by affidavits of two physicians licensed under this
43 title. No license shall be granted under this paragraph of
44 this section unless application therefor shall be made on or
45 before July 4, 1949.

1 Sec. 9. That section one hundred fifty-two point four
2 (152.4), Code 1946, is amended by striking all of lines one
3 (1) to twelve (1) inclusive, thereof and enacting in lieu the
4 following:

5 "No school of nursing shall be approved by the board of
6 nurse examiners as a school of recognized standing unless said
7 school is affiliated with a general hospital and:

8 1. Requires for graduation or any degree the completion
9 of a course of study in subjects prescribed by the
10 Board over a period of at least three (3) years;

11 2. Gives an adequate course of study in subjects pre-
12 scribed by the board of nurse examiners."

1 Sec. 10. That a new section is enacted to immediately
2 follow section one hundred fifty-two point four (152.4),
3 Code 1946, to read as follows:

4 "No person shall assume the title of registered, graduate,
5 or practical nurse, or use the abbreviations "RN", "GN" or "PN"
6 after his or her name or in any manner, by words, letters,

- 7 figures or representations, oral or otherwise, hold himself or
8 herself out or profess to be a registered, graduate, or
9 practical nurse in this state without first procuring a license
10 under the provisions of this title.”

EXPLANATION OF H. F. 123

Doctors, hospitals, nurses and others interested in the health of our people, report a critical shortage of registered and graduate nurses in the State of Iowa. The increasing demands of the public for competent nursing services, coupled with the lower student enrollment in schools of nursing sustain the belief that this critical shortage of nursing services will continue into the predictable future.

Doctors, hospitals, nurses and others likewise believe the best answer to this problem lies in the expanded utilization of the services of what we commonly call in Iowa, the “practical nurse.” This proposed legislation provides for licensing such practical nurses and establishing minimum qualifications to the end that the profession may be given dignity and stature and can thus be used by hospitals and doctors in servicing the important needs of the public.

This aim is accomplished in Sections 6, 7 and 8 of the bill. The remaining sections provide administrative changes to allow the more efficient operation of the Board of Nurse Examiners during this period of need.