

February 5, 1963.  
Public Health, Pharmacy.

**House File 170**  
By DIETZ, CRANE, FALVEY, GITTINS,  
WIER and SWISHER.

Passed House, Date..... Passed Senate, Date.....  
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....  
Approved.....

## A BILL FOR

An Act to provide for the regulation of the practice of nursing.

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

1 Section 1. Any person practicing or offering to practice  
2 professional nursing or practical nursing in this state for  
3 compensation shall be required to submit evidence that he or  
4 she is qualified so to practice, and shall be licensed as herein-  
5 after provided. It shall be unlawful for any person not licensed  
6 under the provisions of this Act to practice or offer to practice  
7 professional nursing or practical nursing in this state; or to  
8 use any sign, card, or device to indicate that such person is a  
9 professional registered nurse or a licensed practical nurse.

1 Sec. 2. The practice of professional nursing means the  
2 performance for compensation of any act in the observation, care  
3 and counsel of the ill, injured or infirm, in the maintenance  
4 of health or prevention of illness of others, in the supervision  
5 and teaching of other personnel, the administration of medication  
6 and treatments as prescribed by a licensed physician or licensed  
7 osteopathic physician or licensed dentist, requiring substantial  
8 specialized judgment and skill based on knowledge and application  
9 of the principles of biological, physical and social science,  
10 but shall not be deemed to include acts of medical diagnosis  
11 or prescription of therapeutic or corrective measures.

1     Sec. 3. The practice of practical nursing in the performance  
2 for compensation of selected acts in the care and guidance of ill,  
3 injured and infirm, under the direction of a professional nurse,  
4 licensed physician, a licensed osteopathic physician, or licensed  
5 dentist not requiring the knowledge, skill and judgment of the  
6 professional nurse, such acts being those included in the recog-  
7 nized roles of the practical nurse performing nursing in situa-  
8 tions where the condition of the ill, injured and infirm is rel-  
9 atively stable and the degree of health deviation is minor and  
10 in assisting a professional nurse in situations where the condi-  
11 tion of the ill, injured or infirm, is not characterized by  
12 stability, and where the degree of health deviation is major.

1     Sec. 4. This Act does not prohibit:

2     1. The furnishing of nursing assistance in an emergency.

3     2. The practice of nursing which is an integral part of  
4 a student's educational program while enrolled in a nursing  
5 educational program accredited by the board of nursing.

6     3. The practice of a nursing student enrolled in a school  
7 approved by the Iowa board of nursing, employed to assist a  
8 registered professional nurse, in a licensed hospital.

9     4. The practice of any legally qualified nurse of another  
10 state who is employed by the United States government or any  
11 bureau, division or agency thereof, while in the discharge of  
12 his or her official duties.

13     5. The practice of nursing by a qualified nurse of another  
14 state who is caring for a patient traveling through Iowa.

15     6. The practice of nursing by one who has applied for and  
16 met requirements of licensure, employed to be under the general  
17 supervision of a registered professional nurse and holding a

18 permit from the board of nursing to perform such acts.

19 7. The performance in support of nursing service and for  
20 compensation of tasks as defined or described by regulations  
21 adopted by the state department of health or upon its failure  
22 to adopt such regulations then by the board of nursing, delegated  
23 by a licensed nurse, a licensed physician or a licensed osteopath-  
24 ic physician to an aide, attendant, orderly, or other personnel  
25 in a hospital or nursing home and performed under the direction  
26 of a licensed nurse, a licensed physician or a licensed osteo-  
27 pathic physician.

28 8. The acts of a dental assistant under the supervision  
29 of a licensed dentist.

30 9. The acts of a medical assistant under the supervision  
31 of a licensed physician or a licensed osteopathic physician.

1 Sec. 5. An applicant for a license to practice professional  
2 nursing shall submit to the board of nursing written evidence,  
3 verified by oath, that said applicant:

4 1. Is of good moral character.

5 2. Has completed an approved four year high school course  
6 of study or the equivalent thereof as approved by the board of  
7 nursing.

8 3. Has completed a professional nursing educationn program  
9 acceptable to the board of nursing and holds a diploma or degree  
10 as evidence of that fact.

11 4. An applicant for a license as a registered nurse by  
12 examination shall be required to pass a written examination in  
13 such subjects necessary and related to the practice of nursing,  
14 as the board of nursing may determine. East written examination  
15 may be supplemented by an oral examination. Upon successfully

16 passing such examination, the board shall issue to the applicant  
17 a license to practice professional nursing as a registered nurse.

1 Sec. 6. The board of nursing may issue a license to practice  
2 professional nursing as a registered nurse by endorsement to an  
3 applicant who has been licensed as a registered nurse under  
4 the laws of another state, territory or foreign country, if the  
5 applicant meets the qualifications required of a registered  
6 nurse in this state.

1 Sec. 7. A work permit may be issued by the board of nursing  
2 to persons who have completed requirements and applied for licen-  
3 sure either by examination or by endorsement. Tenure of the work  
4 permit for the person applying for license by examination shall  
5 not exceed the time between the application and the time of the  
6 next issuance of licenses.

1 Sec. 8. Any person holding a license or certificate of  
2 registration to practice nursing as a registered nurse previously  
3 issued by the board of nurse examiners pursuant to law which is  
4 valid and effective under the law as of the date of its issuance,  
5 or any person upon application within six (6) months of the ef-  
6 fective date of this Act, who is of good moral character and has  
7 practiced professional nursing in this state for two years preced-  
8 ing the effective date of this Act, and who has completed a pro-  
9 fessional nursing program in any state, territory or foreign  
10 country, which is acceptable to the board, and who holds a diploma  
11 or degree as evidence of this fact at least five years prior to  
12 the effective date of this Act, or who has met all of the forego-  
13 ing requirements except having been within six months of completion  
14 of a professional nursing program in the State of Iowa, which is  
15 acceptable to the board, and can pass a written examination in

16 such subjects necessary and related to the practice of nursing  
17 as the board of nursing may determine, which written examination  
18 may be supplemented by an oral examination, shall be thereafter  
19 deemed to be licensed as a registered nurse under the provisions  
20 of this Act.

1 Sec. 9. Any person who holds a license to practice profes-  
2 sional nursing in this state shall have the right to use the  
3 title "Registered Nurse" and the abbreviation "R.N.". No other  
4 person shall assume such title or use such abbreviation or any  
5 other words, letters, signs or devices to indicate that the  
6 person using the same is a registered nurse.

1 Sec. 10. An applicant for a license to practice as a licensed  
2 practical nurse shall submit to the board of nursing evidence,  
3 verified by oath, that the applicant:

- 4 1. Is of good moral character.
- 5 2. Has completed four years of high school or its equiva-  
6 lent as determined by the appropriate educational agency.
- 7 3. Has completed a prescribed curriculum in a state accred-  
8 ited program for the preparation of practical nurses and holds  
9 a diploma or certificate therefrom.

1 Sec. 11. The applicant for a license to practice as a li-  
2 censed practical nurse by examination shall be required to pass  
3 a written examination in such subjects necessary and related to  
4 the practice of nursing as the board of nursing may determine.  
5 Each written examination may be supplemented by oral examination.  
6 Upon successful completion of such examination the board shall  
7 issue to the applicant a license to practice as a licensed prac-  
8 tical nurse.

1 Sec. 12. The board may issue a license to practice as a

2 licensed practical nurse by endorsement to any applicant who  
3 has been duly licensed or registered as a licensed practical  
4 nurse or a person entitled to perform similar services under a  
5 title under the laws of another state, territory or foreign country  
6 if the applicant meets the requirements for licensed practical  
7 nurse in this state.

1 Sec. 13. Any person holding a license or certificate of  
2 registration to practice nursing as a licensed practical nurse  
3 previously issued by the board of nurse examiners, which is valid  
4 on the date of this Act, shall be deemed to be a licensed practi-  
5 cal nurse under the provisions of this Act.

1 Sec. 14. Any person who holds a license to practice as a  
2 practical nurse in this state shall have the right to use the  
3 title "Licensed Practical Nurse" and the abbreviation "L.P.N."  
4 No other person shall assume such title or use such abbreviation  
5 or any other words, letters, signs, or devices to indicate that  
6 the person using the same is a licensed practical nurse.

1 Sec. 15. An institution desiring to conduct a nursing ed-  
2 ucation program to prepare professional or practical nurses, shall  
3 apply to the board of nursing for accreditation and submit evi-  
4 dence that:

5 1. It is prepared to carry out a sound professional nursing  
6 education program which will prepare the graduate of that program  
7 to practice professional nursing as it is defined in this Act;  
8 or a practical nursing program which will prepare graduates of  
9 that program to practice practical nursing as it is defined in  
10 this Act.

11 2. It is prepared to meet such other standards as shall  
12 be established in this Act and by the board of nursing.

1     Sec. 16. A survey of any such institution seeking accredit-  
2 ation together with its entire nursing program shall be made by  
3 an authorized employee of the board of nursing or by a member  
4 of such board, who shall submit a written report of the survey  
5 to the board of nursing. If the requirements for accredited  
6 nursing education program are met it shall be accredited as a  
7 nursing education program for professional or practical nurses  
8 as the case may be.

9     From time to time as deemed necessary by the board of nurs-  
10 ing it shall be the duty of such board acting through its exec-  
11 utive director or other authorized representative, to survey  
12 all nursing education programs in the state. Written reports  
13 of such surveys shall be submitted to the board. If the board  
14 of nursing determines that any accredited nursing education pro-  
15 gram is not maintaining the standards required by the statute  
16 and by said board, notice thereof in writing specifying the  
17 defect or defects shall be immediately given to the institution  
18 conducting the program. A school which fails to correct these  
19 conditions to the satisfaction of the board of nursing within a  
20 reasonable time, shall be removed from the list of state accred-  
21 ited schools, after opportunity for a hearing before the board  
22 of nursing.

1     Sec. 17. Amend Section one hundred forty-seven point one  
2 hundred six (147.106), Code 1962, as follows:

- 3     1. Strike from line three (3) the word "secretary" and  
4 insert in lieu thereof the words "executive director".
- 5     2. Strike from lines four (4) and five (5) the words "board  
6 of nurse examiners" and insert in lieu thereof "board of nursing".

1     Sec. 18. Amend Chapter one hundred forty-seven (147), Code

2 1962, by adding the following new section thereto:

3 "The board of nursing is authorized to:

4 1. Adopt and from time to time revise such rules and regu-  
5 lations not inconsistent with the law as may be necessary to  
6 enable it to carry into effect its duties and functions as pre-  
7 scribed in this Act.

8 2. Prescribe criteria and standards for educational program  
9 preparing persons for licensure under this Act.

10 3. Provide for surveys of such programs at such times as  
11 it may deem necessary.

12 4. Accredite such programs as meet the requirements of this  
13 Act and of the board.

14 5. Deny or withdraw accreditation from educational programs  
15 for failure to meet prescribed criteria or other standards.

16 6. Examine, issue licenses and renewal licenses to duly  
17 qualified applicants.

18 7. The board of nursing may refuse to grant a renewal li-  
19 cense to any person, otherwise qualified, upon any grounds for  
20 which a license may be revoked by the district court.

21 8. Issue a temporary permit as described in Section seven  
22 (7) of this Act.

23 9. Conduct hearings on charges calling for discipline of  
24 a licensee.

25 10. Issue subpoenas, and compel attendance of witnesses  
26 and administer oaths to persons giving testimony at hearings in  
27 the same manner and with the same power of enforcement accorded  
28 to a justice of the peace.

29 11. Cause the prosecution of all persons violating this  
30 Act as provided herein and as provided in Chapter one hundred

31 forty-seven (147) of the Code, and have the power to incur nec-  
32 essary expenses in procuring necessary witnesses for the purpose.

33 12. Keep a record of all its proceedings.

34 13. Make a biennial report to the governor.

35 14. Define the duties, fix the compensation, appoint and  
36 employ a qualified person who shall not be a member of the board,  
37 to serve as its executive director. In addition to meeting all  
38 other requirements and qualifications of a board member. The  
39 executive director shall have had at least eight (8) years exper-  
40 ience in nursing since graduation, five (5) years of which shall  
41 have been in nursing education.

42 15. Employ such other persons and fix their compensation  
43 as may be necessary to carry on the work of the board.”

1 Sec. 19. Amend section one hundred forty-seven point twenty-  
2 four (147.24), Code 1962, by striking in line three (3) the word  
3 “ten” and inserting in lieu thereof the word “twenty-five”.

1 Sec. 20. Amend section one hundred forty-sevent point eighty  
2 (147.80), subsection seven (7), by striking from line nine (9)  
3 the word “two” and inserting in lieu thereof the word “four”.

1 Sec. 21. Amend section one hundred forty-seven point eighty  
2 (147.80), Code 1962, by adding the following new subsections:

- 3 1. An applicant for a license to practice as a professional  
4 nurse, upon the basis of an examination, shall pay a fee of thirty  
5 (30.00) dollars to the board of nursing. An additional fee of  
6 twenty (20.00) dollars shall be paid for each re-examination.
- 7 2. An applicant for a license to practice as a licensed  
8 practical nurse upon the basis of examination shall pay a fee  
9 of twenty (20.00) dollars to the board of nursing. An additional  
10 fee of ten (10.00) dollars shall be paid for each re-examination.

11 3. The penalty for late payment of the renewal fee for the  
12 practice of professional nursing is two (2.00) dollars.

13 4. A nurse who does not engage in nursing during the year  
14 succeeding the annual expiration of the license shall notify  
15 the board to place the nurse upon the inactive list and the  
16 nurse shall not be required to pay the renewal fees so long as  
17 he or she remains inactive and so notifies the board. To resume  
18 nursing the nurse shall notify the board and remit the renewal  
19 fee for the current annual period.

1 Sec. 22. Section one hundred forty-seven point eighty  
2 (147.80), Code 1962, subsection six (6) is hereby amended by  
3 striking all after the semicolon in line four (4) and inserting  
4 in lieu thereof the following: "excepting that for a license  
5 to practice nursing based on an endorsement from another state,  
6 territory or foreign country, the fee shall be ten (10.00) dol-  
7 lars."

1 Sec. 23. Section one hundred forty-seven point one hundred  
2 seven (147.107), Code 1962, is hereby amended as follows:

3 1. By striking all of lines one (1) through line twenty-  
4 one (21) ending with the figures "152.3".

5 2. By inserting after the word "examination," in line twenty-  
6 one (21) the words "certification, endorsement,".

1 Sec. 24. Section one hundred forty-seven point thirteen  
2 (147.13), Code 1962, is hereby amended by striking from line  
3 eight (8) the words "nurse examiners" and inserting in lieu there-  
4 of the words "board of nursing".

1 Sec. 25. Section one hundred forty-seven point one hundred  
2 five (147.105), Code 1962, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) the words

4 "The board of nurse examiners" and inserting in lieu thereof the  
5 words "The board of nursing".

6 2. By striking from line three (3) the word "secretary" and  
7 inserting in lieu thereof the words "executive director".

1 Sec. 26. Section one hundred forty-seven point three (147.3)  
2 Code 1962, is hereby amended by adding after the word "cosmetolo-  
3 gists" in lines eight (8) and nine (9), the following: ", or as  
4 nurses,".

1 Sec. 27. Chapter one hundred fifty-two (152), Code 1962,  
2 is hereby repealed.

1 Sec. 28. If any provisions of this Act, or the application  
2 of such provisions to any person or circumstances, shall be held  
3 invalid, the remainder of this Act, or the application of such  
4 provisions to persons or circumstances other than those to which  
5 it is invalid, shall not be thereby affected.

#### EXPLANATION OF HOUSE FILE 170

The purpose of this act is the improvement of standards of nursing practices through a uniform definition of nursing and mandatory licensure. The bill also provides for accrediting of schools of nursing and specific duties of the board of nursing.