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SENATE FILE
BY CONNOLLY

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

A BILL FOR

1 An Act relating to the licensure of qualified foreign
2 professionals and providing for the assessment of fees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 402 EDUCATION

1 Section 1. NEW SECTION. 272D.1 INTENT.

2 The general assembly finds that there are foreign
3 professionals living in the state of Iowa who possessed
4 professional licenses and credentials and practiced
5 professionally in their home country, but are unable to
6 practice their professions in this state. Barriers to
7 practice by foreign professionals in this state include the
8 loss or destruction of records evidencing professional
9 licensure, limited English proficiency, and bureaucratic
10 impediments in the state's existing professional licensure
11 regulatory system. The general assembly finds that foreign
12 professionals formerly practicing in their home country are a
13 tremendous unused human resource, and that allowing qualified
14 foreign professionals to practice in the state of Iowa will
15 benefit the state and is consistent with efforts to attract a
16 skilled professional workforce. It is the intent of the
17 general assembly to simplify and expedite the licensure of
18 qualified foreign professionals to practice in this state.

19 Sec. 2. NEW SECTION. 272D.2 DEFINITIONS.

20 As used in this chapter, unless the context otherwise
21 requires:

22 1. "Appropriate professional licensing board" means a
23 licensing board under the jurisdiction of the department of
24 agriculture and land stewardship, the department of commerce,
25 or the Iowa department of public health which is listed in
26 section 272C.1, or any other agency, board, or professional
27 association authorized to regulate the licensure and practice
28 of a profession in this state.

29 2. "Board" means the board of foreign professional
30 examiners created in section 272D.3.

31 3. "Qualified foreign professional" means an immigrant who
32 possesses a professional license or credential in the
33 individual's native country, and who is determined by the
34 board to be qualified to practice professionally in this
35 state.

1 Sec. 3. NEW SECTION. 272D.3 BOARD ESTABLISHED.

2 A board of foreign professional examiners is established
3 consisting of the director of the department of economic
4 development or the director's designee, the director of the
5 division of professional licensure of the Iowa department of
6 public health or the director's designee, the director of the
7 department of human services or the director's designee, the
8 director of the department of education or the director's
9 designee, and a designee selected by the governor. The
10 governor's designee shall convene the board and serve as
11 chairperson. The purpose of the board shall be to expedite
12 the professional licensure and credentialing of qualified
13 foreign professionals within the state of Iowa, to eliminate
14 or reduce barriers to licensing and credentialing that are
15 determined by the board to unreasonably deny foreign
16 professionals the ability to practice in this state, and to
17 promote an atmosphere which encourages foreign professionals
18 to live and work in this state.

19 Sec. 4. NEW SECTION. 272D.4 DUTIES OF THE BOARD.

20 The board shall have the following powers and duties:

- 21 1. To adopt rules pursuant to chapter 17A necessary to
22 carry out the provisions of this chapter.
- 23 2. To retain employees and contract for services.
- 24 3. To directly accept, process, and rule on applications
25 from foreign professionals for licensure in this state. The
26 board shall consider the provision of adequate protection to
27 consumers in ruling on an application, and may place limits on
28 the practice of a foreign professional, including a
29 probationary period or practice, supervised practice, or
30 required education concurrent with or preceding the granting
31 of a probationary practice, provided that the limits
32 themselves do not form or constitute an unreasonable barrier
33 to practice. The limits may be subject to periodic review at
34 the request of the foreign professional.
- 35 4. To issue a final ruling on an application no later than

1 six months from the date of original submission. Failure to
2 take action within six months from the date of original
3 submission shall constitute a ruling in favor of the granting
4 of a license, subject to any limitations determined by the
5 board, and a license shall be issued by the appropriate
6 professional licensing board pursuant to section 272D.5.

7 5. To establish and collect fees in an amount
8 corresponding to the level of fees collected by professional
9 licensing boards pursuant to section 147.80. Costs incurred
10 by the board, to the extent not defrayed by fees, shall be
11 reimbursed from the budgets of the respective professional
12 licensing boards in proportion to the ratio of the number of
13 applications processed by the board and referred for issuance
14 of a license to a particular licensing board to the total
15 number of applications processed and referred for licensure by
16 the board.

17 Sec. 5. NEW SECTION. 272D.5 LICENSURE.

18 Within sixty days following the approval by the board of an
19 application from a foreign professional, the appropriate
20 licensing board shall issue a license, notwithstanding any
21 provision to the contrary which, absent approval by the
22 foreign professional licensure board, would disqualify an
23 applicant from licensure. A license shall be issued subject
24 to the limits specified by the board in ruling upon an
25 application. A license issued pursuant to this section shall
26 be subject to a review procedure every six months as
27 established by the appropriate board by rule.

28 Sec. 6. NEW SECTION. 272D.6 LICENSE REVOCATION OR
29 SUSPENSION.

30 In addition to the grounds for revocation or suspension
31 referred to in section 147.55, a license issued by the
32 appropriate licensing board based upon the recommendation of
33 the board of foreign professional licensure may be revoked or
34 suspended by the appropriate licensing board that issued the
35 license.

1 EXPLANATION

2 This bill provides for the licensure of qualified foreign
3 professionals. The bill contains findings by the general
4 assembly that there are foreign professionals living in the
5 state of Iowa with professional licenses, credentials, and
6 backgrounds who are unable to practice in this state due to
7 barriers such as the loss or destruction of records, limited
8 English proficiency, and bureaucratic impediments in the
9 state's existing professional licensure regulatory system.
10 The bill provides that the general assembly finds that foreign
11 professionals are a tremendous unused human resource, that
12 allowing qualified foreign professionals to practice in the
13 state of Iowa will benefit the state and is consistent with
14 efforts to attract a skilled professional workforce, and that
15 the general assembly intends to simplify and expedite the
16 licensure of qualified foreign professionals.

17 The bill provides for the appointment of a board of foreign
18 professional examiners to expedite the professional licensure
19 and credentialing of qualified foreign professionals within
20 the state of Iowa, to eliminate or reduce barriers to
21 licensing and credentialing, and to promote an atmosphere
22 which encourages foreign professionals to live and work in the
23 state. The board is given various powers and duties,
24 including the power to directly accept, process, and rule on
25 applications from foreign professionals for licensure. The
26 board is required to consider the provision of adequate
27 consumer protection when ruling on an application, and may
28 stipulate limits on the practice of a foreign professional.
29 The bill provides that failure to rule on an application
30 within six months from the date of original submission
31 constitutes a ruling in favor of the granting of a license.
32 The board is permitted to establish and collect fees in an
33 amount corresponding to the level of fees collected by
34 professional licensing boards pursuant to Code section 147.80,
35 and costs incurred by the board are to be reimbursed from the

1 budgets of the respective professional licensing boards. The
2 bill provides that within 60 days following the approval by
3 the board of foreign professional licensure, the appropriate
4 licensing board shall issue a license, notwithstanding any
5 provision to the contrary which, absent approval by the
6 foreign professional licensure board, would disqualify an
7 applicant from licensure. The bill provides that a license
8 shall be issued subject to the limits specified by the board
9 in ruling upon an application, and shall be subject to a
10 review procedure every six months as established by the board
11 by rule. The bill provides that in addition to the grounds
12 for revocation or suspension referred to in Code section
13 147.55, a license issued by the appropriate licensing board
14 based upon the recommendation of the board of foreign
15 professional licensure may be revoked or suspended by the
16 appropriate licensing board that issued the license.

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