

MAR 8 2005  
Place On Calendar

HOUSE FILE 620  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 217)

Passed House, Date 3-29-05 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 100 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 5/5/05

**A BILL FOR**

1 An Act relating to the volunteer health care provider program and  
2 providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4

**HOUSE FILE 620**

**H-1195**

1 Amend House File 620 as follows:  
2 1. Page 1, line 10, by striking the words  
3 "medical technology,".  
4 2. Page 2, line 2, by striking the words "medical  
5 technology,".  
6 3. Page 2, line 22, by striking the words  
7 "medical technology,".  
8 4. Page 4, by striking line 5, and inserting the  
9 following: "under chapter 148, 150, or 150A, ~~or~~ a  
10 chiropractor licensed under chapter 151, a physical  
11 therapist".

By HEATON of Henry

**H-1195** FILED MARCH 28, 2005

HF 620

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1 Section 1. Section 135.24, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. The director shall establish within the department a  
4 program to provide to eligible hospitals, clinics, free  
5 clinics, or other health care facilities, health care referral  
6 programs, or charitable organizations, free medical, dental,  
7 and chiropractic, pharmaceutical, nursing, optometric,  
8 psychological, social work, behavioral science, podiatric,  
9 physical therapy, occupational therapy, respiratory therapy,  
10 medical technology, and emergency medical care services given  
11 on a voluntary basis by health care providers. A  
12 participating health care provider shall register with the  
13 department and obtain from the department a list of eligible,  
14 participating hospitals, clinics, free clinics, or other  
15 health care facilities, health care referral programs, or  
16 charitable organizations.

17 Sec. 2. Section 135.24, subsection 2, paragraphs a, c, and  
18 d, Code 2005, are amended to read as follows:

19 a. Procedures for registration of health care providers  
20 deemed qualified by the board of medical examiners, the board  
21 of physician assistant examiners, the board of dental  
22 examiners, the board of nursing, the board of chiropractic  
23 examiners, the board of psychology examiners, the board of  
24 social work examiners, the board of behavioral science  
25 examiners, and the board of pharmacy examiners, the board of  
26 optometry examiners, the board of podiatry examiners, the  
27 board of physical and occupational therapy examiners, the  
28 state board for respiratory care, and the Iowa department of  
29 public health, as applicable.

30 c. Criteria for and identification of hospitals, clinics,  
31 free clinics, or other health care facilities, health care  
32 referral programs, or charitable organizations, eligible to  
33 participate in the provision of free medical, dental, or  
34 chiropractic, pharmaceutical, nursing, optometric,  
35 psychological, social work, behavioral science, podiatric,

1 physical therapy, occupational therapy, respiratory therapy,  
2 medical technology, or emergency medical care services through  
3 the volunteer health care provider program. A free clinic, a  
4 health care facility, a health care referral program, a  
5 charitable organization, or a health care provider  
6 participating in the program shall not bill or charge a  
7 patient for any health care provider service provided under  
8 the volunteer health care provider program.

9 d. Identification of the services to be provided under the  
10 program. The services provided may include, but shall not be  
11 limited to, obstetrical and gynecological medical services,  
12 psychiatric services provided by a physician licensed under  
13 chapter 148, 150, or 150A, dental services provided under  
14 chapter 153, or other services provided under chapter 147A,  
15 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154, 154B, 154C,  
16 154D, or 155A.

17 Sec. 3. Section 135.24, subsection 3, paragraph b, Code  
18 2005, is amended to read as follows:

19 b. Provided medical, dental, or chiropractic,  
20 pharmaceutical, nursing, optometric, psychological, social  
21 work, behavioral science, podiatric, physical therapy,  
22 occupational therapy, respiratory therapy, medical technology,  
23 or emergency medical care services through a hospital, clinic,  
24 free clinic, or other health care facility, health care  
25 referral program, or charitable organization listed as  
26 eligible and participating by the department pursuant to  
27 subsection 1.

28 Sec. 4. Section 135.24, subsection 4, Code 2005, is  
29 amended to read as follows:

30 4. A free clinic providing free care under this section  
31 shall be considered a state agency solely for the purposes of  
32 this section and chapter 669 and shall be afforded protection  
33 under chapter 669 as a state agency for all claims arising  
34 from the provision of free care by a health care provider  
35 registered under subsection 3 who is providing services at the

1 free clinic in accordance with this section or from the  
2 provision of free care by a health care provider who is  
3 covered by adequate medical malpractice insurance as  
4 determined by the department, if the free clinic has  
5 registered with the department pursuant to subsection 1.

6 Sec. 5. Section 135.24, subsections 5 and 6, Code 2005,  
7 are amended to read as follows:

8 ~~5.--For the purposes of this section, "charitable~~  
9 ~~organization" means a charitable organization within the~~  
10 ~~meaning of section 501(c)(3) of the Internal Revenue Code~~  
11 ~~which has as its primary purpose the sponsorship or support of~~  
12 ~~programs designed to improve the quality, awareness, and~~  
13 ~~availability of chiropractic, dental, or medical services to~~  
14 ~~children and to serve as a funding mechanism for provision of~~  
15 ~~chiropractic, dental, or medical services, including but not~~  
16 ~~limited to immunizations, to children in this state.~~

17 6. 5. For the purposes of this section:

18 a. "Charitable organization" means a charitable  
19 organization within the meaning of section 501(c)(3) of the  
20 Internal Revenue Code which has as its primary purpose the  
21 sponsorship or support of programs designed to improve the  
22 quality, awareness, and availability of chiropractic, dental,  
23 medical, pharmaceutical, nursing, optometric, psychological,  
24 social work, behavioral science, podiatric, physical therapy,  
25 occupational therapy, respiratory therapy, or emergency  
26 medical care services to children and to serve as a funding  
27 mechanism for provision of chiropractic, dental, medical,  
28 pharmaceutical, nursing, optometric, psychological, social  
29 work, behavioral science, podiatric, physical therapy,  
30 occupational therapy, respiratory therapy, or emergency  
31 medical care services, including but not limited to  
32 immunizations, to children in this state.

33 a. b. "Free clinic" means a facility, other than a  
34 hospital or health care provider's office which is exempt from  
35 taxation under section 501(c)(3) of the Internal Revenue Code

1 and which has as its sole purpose the provision of health care  
2 services without charge to individuals who are otherwise  
3 unable to pay for the services.

4 ~~b.~~ c. "Health care provider" means a physician licensed  
5 under chapter 148, 150, 150A, or 151, a physical therapist  
6 licensed pursuant to chapter 148A, an occupational therapist  
7 licensed pursuant to chapter 148B, a podiatrist licensed  
8 pursuant to chapter 149, a physician assistant licensed and  
9 practicing under a supervising physician pursuant to chapter  
10 148C, a licensed practical nurse, a registered nurse, or an  
11 advanced registered nurse practitioner licensed pursuant to  
12 chapter 152 or 152E, a respiratory therapist licensed pursuant  
13 to chapter 152B, a dentist, dental hygienist, or dental  
14 assistant registered or licensed to practice under chapter  
15 153, an optometrist licensed pursuant to chapter 154, a  
16 psychologist licensed pursuant to chapter 154B, a social  
17 worker licensed pursuant to chapter 154C, a mental health  
18 counselor or a marital and family therapist licensed pursuant  
19 to chapter 154D, or a pharmacist licensed pursuant to chapter  
20 155A, or an emergency medical care provider certified pursuant  
21 to chapter 147A.

22 Sec. 6. EFFECTIVE DATE. This Act, being deemed of  
23 immediate importance, takes effect upon enactment.

24 EXPLANATION

25 This bill adds to the definition of "health care provider"  
26 under the volunteer health care provider program, physical  
27 therapists, occupational therapists, podiatrists, respiratory  
28 therapists, medical technologists, and emergency medical care  
29 providers. The bill also makes conforming changes to the  
30 section of the Code establishing the volunteer health care  
31 provider program to include physical therapists, occupational  
32 therapists, podiatrists, medical technologists, and emergency  
33 medical care providers.

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HOUSE FILE 620  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 217)

(As Amended and Passed by the House March 29, 2005)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4-14-05  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 49 Nays 0  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the volunteer health care provider program and  
2 providing an effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

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Deleted Language \*

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1 Section 1. Section 135.24, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. The director shall establish within the department a  
4 program to provide to eligible hospitals, clinics, free  
5 clinics, or other health care facilities, health care referral  
6 programs, or charitable organizations, free medical, dental,  
7 and chiropractic, pharmaceutical, nursing, optometric,  
8 psychological, social work, behavioral science, podiatric,  
9 physical therapy, occupational therapy, respiratory therapy,

\*10 and emergency medical care services given on a voluntary basis  
11 by health care providers. A participating health care  
12 provider shall register with the department and obtain from  
13 the department a list of eligible, participating hospitals,  
14 clinics, free clinics, or other health care facilities, health  
15 care referral programs, or charitable organizations.

16 Sec. 2. Section 135.24, subsection 2, paragraphs a, c, and  
17 d, Code 2005, are amended to read as follows:

18 a. Procedures for registration of health care providers  
19 deemed qualified by the board of medical examiners, the board  
20 of physician assistant examiners, the board of dental  
21 examiners, the board of nursing, the board of chiropractic  
22 examiners, the board of psychology examiners, the board of  
23 social work examiners, the board of behavioral science  
24 examiners, and the board of pharmacy examiners, the board of  
25 optometry examiners, the board of podiatry examiners, the  
26 board of physical and occupational therapy examiners, the  
27 state board for respiratory care, and the Iowa department of  
28 public health, as applicable.

29 c. Criteria for and identification of hospitals, clinics,  
30 free clinics, or other health care facilities, health care  
31 referral programs, or charitable organizations, eligible to  
32 participate in the provision of free medical, dental, or  
33 chiropractic, pharmaceutical, nursing, optometric,  
34 psychological, social work, behavioral science, podiatric,  
35 physical therapy, occupational therapy, respiratory therapy,

\*1 or emergency medical care services through the volunteer  
2 health care provider program. A free clinic, a health care  
3 facility, a health care referral program, a charitable  
4 organization, or a health care provider participating in the  
5 program shall not bill or charge a patient for any health care  
6 provider service provided under the volunteer health care  
7 provider program.

8 d. Identification of the services to be provided under the  
9 program. The services provided may include, but shall not be  
10 limited to, obstetrical and gynecological medical services,  
11 psychiatric services provided by a physician licensed under  
12 chapter 148, 150, or 150A, dental services provided under  
13 chapter 153, or other services provided under chapter 147A,  
14 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154, 154B, 154C,  
15 154D, or 155A.

16 Sec. 3. Section 135.24, subsection 3, paragraph b, Code  
17 2005, is amended to read as follows:

18 b. Provided medical, dental, ~~or~~ chiropractic,  
19 pharmaceutical, nursing, optometric, psychological, social  
20 work, behavioral science, podiatric, physical therapy,  
\*21 occupational therapy, respiratory therapy, or emergency  
22 medical care services through a hospital, clinic, free clinic,  
23 or other health care facility, health care referral program,  
24 or charitable organization listed as eligible and  
25 participating by the department pursuant to subsection 1.

26 Sec. 4. Section 135.24, subsection 4, Code 2005, is  
27 amended to read as follows:

28 4. A free clinic providing free care under this section  
29 shall be considered a state agency solely for the purposes of  
30 this section and chapter 669 and shall be afforded protection  
31 under chapter 669 as a state agency for all claims arising  
32 from the provision of free care by a health care provider  
33 registered under subsection 3 who is providing services at the  
34 free clinic in accordance with this section or from the  
35 provision of free care by a health care provider who is

1 covered by adequate medical malpractice insurance as  
2 determined by the department, if the free clinic has  
3 registered with the department pursuant to subsection 1.

4 Sec. 5. Section 135.24, subsections 5 and 6, Code 2005,  
5 are amended to read as follows:

6 ~~5--For the purposes of this section, "charitable~~  
7 ~~organization" means a charitable organization within the~~  
8 ~~meaning of section 501(c)(3) of the Internal Revenue Code~~  
9 ~~which has as its primary purpose the sponsorship or support of~~  
10 ~~programs designed to improve the quality, awareness, and~~  
11 ~~availability of chiropractic, dental, or medical services to~~  
12 ~~children and to serve as a funding mechanism for provision of~~  
13 ~~chiropractic, dental, or medical services, including but not~~  
14 ~~limited to immunizations, to children in this state.~~

15 6. 5. For the purposes of this section:

16 a. "Charitable organization" means a charitable  
17 organization within the meaning of section 501(c)(3) of the  
18 Internal Revenue Code which has as its primary purpose the  
19 sponsorship or support of programs designed to improve the  
20 quality, awareness, and availability of chiropractic, dental,  
21 medical, pharmaceutical, nursing, optometric, psychological,  
22 social work, behavioral science, podiatric, physical therapy,  
23 occupational therapy, respiratory therapy, or emergency  
24 medical care services to children and to serve as a funding  
25 mechanism for provision of chiropractic, dental, medical,  
26 pharmaceutical, nursing, optometric, psychological, social  
27 work, behavioral science, podiatric, physical therapy,  
28 occupational therapy, respiratory therapy, or emergency  
29 medical care services, including but not limited to  
30 immunizations, to children in this state.

31 a. b. "Free clinic" means a facility, other than a  
32 hospital or health care provider's office which is exempt from  
33 taxation under section 501(c)(3) of the Internal Revenue Code  
34 and which has as its sole purpose the provision of health care  
35 services without charge to individuals who are otherwise

1 unable to pay for the services.

2     b- c. "Health care provider" means a physician licensed  
3 under chapter 148, 150, or 150A, or a chiropractor licensed  
4 under chapter 151, a physical therapist licensed pursuant to  
5 chapter 148A, an occupational therapist licensed pursuant to  
6 chapter 148B, a podiatrist licensed pursuant to chapter 149, a  
7 physician assistant licensed and practicing under a  
8 supervising physician pursuant to chapter 148C, a licensed  
9 practical nurse, a registered nurse, or an advanced registered  
10 nurse practitioner licensed pursuant to chapter 152 or 152E, a  
11 respiratory therapist licensed pursuant to chapter 152B, a  
12 dentist, dental hygienist, or dental assistant registered or  
13 licensed to practice under chapter 153, an optometrist  
14 licensed pursuant to chapter 154, a psychologist licensed  
15 pursuant to chapter 154B, a social worker licensed pursuant to  
16 chapter 154C, a mental health counselor or a marital and  
17 family therapist licensed pursuant to chapter 154D, or a  
18 pharmacist licensed pursuant to chapter 155A, or an emergency  
19 medical care provider certified pursuant to chapter 147A.

20     Sec. 6. EFFECTIVE DATE. This Act, being deemed of  
21 immediate importance, takes effect upon enactment.

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HOUSE FILE 620

AN ACT

RELATING TO THE VOLUNTEER HEALTH CARE PROVIDER PROGRAM AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 135.24, subsection 1, Code 2005, is amended to read as follows:

1. The director shall establish within the department a program to provide to eligible hospitals, clinics, free clinics, or other health care facilities, health care referral programs, or charitable organizations, free medical, dental, and chiropractic, pharmaceutical, nursing, optometric, psychological, social work, behavioral science, podiatric, physical therapy, occupational therapy, respiratory therapy, and emergency medical care services given on a voluntary basis by health care providers. A participating health care provider shall register with the department and obtain from the department a list of eligible, participating hospitals, clinics, free clinics, or other health care facilities, health care referral programs, or charitable organizations.

Sec. 2. Section 135.24, subsection 2, paragraphs a, c, and d, Code 2005, are amended to read as follows:

a. Procedures for registration of health care providers deemed qualified by the board of medical examiners, the board of physician assistant examiners, the board of dental

examiners, the board of nursing, the board of chiropractic examiners, the board of psychology examiners, the board of social work examiners, the board of behavioral science examiners, and the board of pharmacy examiners, the board of optometry examiners, the board of podiatry examiners, the board of physical and occupational therapy examiners, the state board for respiratory care, and the Iowa department of public health, as applicable.

c. Criteria for and identification of hospitals, clinics, free clinics, or other health care facilities, health care referral programs, or charitable organizations, eligible to participate in the provision of free medical, dental, or chiropractic, pharmaceutical, nursing, optometric, psychological, social work, behavioral science, podiatric, physical therapy, occupational therapy, respiratory therapy, or emergency medical care services through the volunteer health care provider program. A free clinic, a health care facility, a health care referral program, a charitable organization, or a health care provider participating in the program shall not bill or charge a patient for any health care provider service provided under the volunteer health care provider program.

d. Identification of the services to be provided under the program. The services provided may include, but shall not be limited to, obstetrical and gynecological medical services, psychiatric services provided by a physician licensed under chapter 148, 150, or 150A, dental services provided under chapter 153, or other services provided under chapter 147A, 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154, 154B, 154C, 154D, or 155A.

Sec. 3. Section 135.24, subsection 3, paragraph b, Code 2005, is amended to read as follows:

b. Provided medical, dental, or chiropractic, pharmaceutical, nursing, optometric, psychological, social work, behavioral science, podiatric, physical therapy,

occupational therapy, respiratory therapy, or emergency medical care services through a hospital, clinic, free clinic, or other health care facility, health care referral program, or charitable organization listed as eligible and participating by the department pursuant to subsection 1.

Sec. 4. Section 135.24, subsection 4, Code 2005, is amended to read as follows:

4. A free clinic providing free care under this section shall be considered a state agency solely for the purposes of this section and chapter 669 and shall be afforded protection under chapter 669 as a state agency for all claims arising from the provision of free care by a health care provider registered under subsection 3 who is providing services at the free clinic in accordance with this section or from the provision of free care by a health care provider who is covered by adequate medical malpractice insurance as determined by the department, if the free clinic has registered with the department pursuant to subsection 1.

Sec. 5. Section 135.24, subsections 5 and 6, Code 2005, are amended to read as follows:

~~5. For the purposes of this section, "charitable organization" means a charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which has as its primary purpose the sponsorship or support of programs designed to improve the quality, awareness, and availability of chiropractic, dental, or medical services to children and to serve as a funding mechanism for provision of chiropractic, dental, or medical services, including but not limited to immunizations, to children in this state.~~

6. 5. For the purposes of this section:

a. "Charitable organization" means a charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which has as its primary purpose the sponsorship or support of programs designed to improve the quality, awareness, and availability of chiropractic, dental,

medical, pharmaceutical, nursing, optometric, psychological, social work, behavioral science, podiatric, physical therapy, occupational therapy, respiratory therapy, or emergency medical care services to children and to serve as a funding mechanism for provision of chiropractic, dental, medical, pharmaceutical, nursing, optometric, psychological, social work, behavioral science, podiatric, physical therapy, occupational therapy, respiratory therapy, or emergency medical care services, including but not limited to immunizations, to children in this state.

a. b. "Free clinic" means a facility, other than a hospital or health care provider's office which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code and which has as its sole purpose the provision of health care services without charge to individuals who are otherwise unable to pay for the services.

b. c. "Health care provider" means a physician licensed under chapter 148, 150, or 150A, or a chiropractor licensed under chapter 151, a physical therapist licensed pursuant to chapter 148A, an occupational therapist licensed pursuant to chapter 148B, a podiatrist licensed pursuant to chapter 149, a physician assistant licensed and practicing under a supervising physician pursuant to chapter 148C, a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed pursuant to chapter 152 or 152E, a respiratory therapist licensed pursuant to chapter 152B, a dentist, dental hygienist, or dental assistant registered or licensed to practice under chapter 153, an optometrist licensed pursuant to chapter 154, a psychologist licensed pursuant to chapter 154B, a social worker licensed pursuant to chapter 154C, a mental health counselor or a marital and family therapist licensed pursuant to chapter 154D, or a pharmacist licensed pursuant to chapter 155A, or an emergency medical care provider certified pursuant to chapter 147A.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 620, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 5/5, 2005

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THOMAS J. VILSACK  
Governor