

**IOWA DEPARTMENT OF PUBLIC HEALTH
REGULATORY PLAN
FISCAL YEAR 2020**

July 1, 2019

Iowa Department of Public Health:

Vision Statement: Healthy Iowans in Healthy Communities.

Mission Statement: Protecting and Improving the Health of Iowans.

The Department's vision and mission statements broadly describe the obligations imposed on the Department of Public Health by statute. This plan was approved by Gerd Clabaugh, MPA, Director of the Iowa Department of Public Health.

The following table, arranged by Department Divisions, summarizes the administrative rules currently under active consideration or development for fiscal year 2020. This plan includes all potential rules under Iowa Administrative Code [641]: Public Health Department and [645]: Professional Licensure Division as well as the following boards, under the umbrella of Public Health: [Dental Board \[650\]](#); [Board of Medicine \[653\]](#); Board of [Nursing \[655\]](#); and Board of [Pharmacy \[657\]](#). This plan is posted on the Department's web site, <http://idph.iowa.gov/planning-services/Administrative-Rules>.

How Can You Participate?

You can participate by contacting the person listed in the summary of a regulatory action. You may also participate by commenting on proposed rules that are published in the Iowa Administrative Bulletin. Once a rule has been proposed, the Department will consider your comments and address them before issuing a final rule. To be most effective, comments should contain information and data that support your position, and explain why they should be incorporated in the final rule. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

Acute Disease Prevention, Emergency Response and Environmental Health Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641--Chapter 131 Emergency Medical Services--Provider Education/Training/Certification	Total rewrite, review, reorganize EMS Service rules.	Iowa Code chapter 147A	To be determined	Rebecca Curtiss (515-242-5206)	
IAC 641--Chapter 132 Emergency Medical Services--Service Program Authorization	Total rewrite, review, reorganize rules for EMS Service providers.	Iowa Code chapter 147A	To be determined	Rebecca Curtiss (515-242-5206)	
IAC 641--Chapter 130 "Emergency Medical Services Advisory Council,"	The statutory requirement allowing for reimbursement of expenses for members of the Emergency Medical Services Advisory Council has been removed. The proposed amendments will remove the rule in Chapter 130, that describes what expenses are reimbursed and at what rates.	Iowa Code Chapter 147A and 2019 Iowa Acts, House File 766, section 84	July 2019	Rebecca Curtiss (515-242-5206)	
IAC 641--Chapter 138 "Trauma System Advisory Council"	Per 2019 legislation the Trauma System Advisory Council shall now consist of only seven members. The proposed amendments clarify that the Director of the Department of Public Health shall select the seven members from the pool of nominated persons from the listed organizations and entities.	2019 Iowa Acts, House File 766, Section 78. Amends Iowa Code section 147A.24 subsection 2	July 2019	Rebecca Curtiss (515-242-5206)	

Administration and Professional Licensure Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 645-265 Practice of Respiratory Care Practitioners and Polysomnographic Technologists	Adoption of new telehealth rule	Iowa Code Chapters 147, 272C	August 2019	Tony Alden (515) 281-4401	
IAC 645---Chapter 81 Licensure of Dietitians	Amend licensure requirements to be consistent with current national standards and add a new rule on telehealth practice requirements for licensees.	Iowa Code 152A, 147, 272C	January 2020	Sharon Dozier (515) 281-6352	
IAC 645—Chapter 141 Licensure for Nursing Home Administrators	Amend licensure requirements to be consistent with current national examination, national standards and best practices.	Iowa Code 155, 147, 272C	April 2020	Sharon Dozier (515) 281-6352	
IAC 645—Chapter 143 Continuing Education for Nursing Home Administrators	Amend continuing education requirements to be consistent with national standards and best practices.	Iowa Code 155, 147, 272C	April 2020	Sharon Dozier (515) 281-6352	
IAC 645-Chapter 200 Licensure of Physical Therapists and Physical Therapists Assistants	Amend numerous approval process for testing eligibility to decrease the length of the eligibility review, special accommodations as well as clarification on the licensure requirements for foreign-trained applicants.	Iowa Code 17.76	June 14, 2019	Venus Vendoures Walsh (515) 242-6529	
IAC 645—Chapter 240 Licensure for Psychologists	Amend definitions, title designations and documentation requirements for licensure and health service provider designations to provide increased clarity; accept respecialization certificates from APA accredited programs as meeting the academic requirements for licensure; amend the endorsement requirements to require submission of license verifications for applicants with a CPQ, and accept documented licensed practice experience in lieu of postdoctoral supervised experience, to assure equivalent qualifications are accepted for licensure.	154B, 147, 272C	November 2019	Sharon Dozier (515) 281-6352	

Administration and Professional Licensure Division (continued):					
Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 645—Chapter 326 Licensure of Physician Assistants, Chapter 327 Practice of Physician Assistants, Chapter 328 Continuing Education For Physician Assistants, Chapter 329 Discipline For Physician Assistants	Ongoing review of existing rules pursuant to Iowa Code § 17A.7(2).	Iowa Code 17A, 147, 148C, 272C	October 16, 2019	Susan Reynolds (515) 281-5234	

Behavioral Health Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 -- Chapter 93 "Mandatory Reporter Training Curricula"	Rescind Ch 93 as required by 2019 legislation.	2019 Iowa Acts House File 731, Sec. 1	July 2019	Deann Decker (515) 281-0928	
IAC 641-- Chapter 154 "Medical Cannabidiol Program"	Minor technical corrections to the chapter	Iowa Code Chapter 124E	To be determined	Randy Mayer (515) 242-5150	
IAC 641--Chapter 155 "Licensure Standards for Substance Use Disorder and Problem Gambling Treatment Programs"	Change time frame for additional training on mandatory reporter training, from 5 to 3 years and allow for additional employer required training specific to a person's professional practice. Amend 155.21(9) d.	2019 Iowa Acts House File 731	July 2019	Deann Decker (515) 281-0928	

Director's Office:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641-- Chapter 186	Rescind Chapter 186 required by 2019 legislation.	2019 Iowa Acts, House File 766, Sec. 72-74	July 2019	Joy Harris (515) 281-3377	
IAC 641-- Chapter 88 "Volunteer Health Provider Program"	Amend portions of the rules to remove the "Iowa Collective Safety Net Provider Network" that was eliminated in 2019 legislation.	2019 Iowa Acts House File 766, Section 66. Iowa Code section 135	July 2019	Susan Dixon (515) 281-2183	
IAC 641--Chapter 110 Center for Rural Health and Primary Care	The proposed amendments to Chapter 110 will rescind the rules regarding the advisory committee's purpose, organization and meetings.	2019 Iowa Acts House File 766, sec. 70 strikes subsection 5 of 135.107.	July 2019	Susan Dixon (515) 281-2183	

Health Promotion and Chronic Disease Prevention Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 -- Chapter 75 (NEW) Family Planning Services (title to be determined)	Amend rules to include eligibility requirements for applicants as each distinct location of a nonprofit health care delivery system shall be assigned a distinct provider identification number and complete an attestation that abortions are not performed at the distinct location.	2019 Iowa Acts House File 766, Section 98	To be determined	Marcus Johnson-Miller (515) 281-4911 Lindsey Jones (515) 321-8159	
New Chapter	Adopt rules for eligibility for applicants for the Personal Responsibility Education Program (PREP) and Sexual Risk Avoidance Education (SRAE) program as an applicant, grantee, grantee contractor, or grantee subcontractor under the personal responsibility education program or sexual risk avoidance education grant program, each distinct location of a nonprofit health care delivery system shall be assigned a distinct identification number and complete an attestation that abortions are not performed at the distinct location.	2019 Iowa Acts House File 766, Section 99	To be determined - (On hold due to legal challenge)	Marcus Johnson-Miller (515) 281-4911 Rebecca Goldsmith (515) 281-7721 Mary Greene (515) 446-1100	

Medical Examiner's Office:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641--Chapter 90 "Iowa Child Death Review Team"	Rescind the rule for "Expenses of the team members." 641--90.7(135) is proposed to be rescinded due to the removal of the underlying statutory authority.	2019 Iowa Acts House File 766, sec. 82.	July 2019	Jon Thompson (515) 725-1400	
IAC 641--Chapter 124 "Interagency Coordinating Council for the State Medical Examiner" and Chapter 125, "Advisory Council for the State Medical Examiner"	The proposed amendments to Chapter 124 will incorporate the Advisory Council for the State Medical Examiners duties and members into the Interagency Coordinated Council for the State Medical Examiner as prescribed in HF 766. The proposed rescinding of Chapter 125 will remove the no longer required rules, pertaining to the eliminated Advisory Council for the State Medical Examiners Advisory Council.	2019 Iowa Acts, House file 766, Sec. 76 and 77 and Iowa Code chapter 691.	July 2019	Jon Thompson (515) 725-1400	

Tobacco Use Prevention and Control Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
None at this time.					

Dental Board:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 650--Chapter 10 "General Requirements"	Review, update expanded functions rules for RDH	Iowa Code 153.15	November 2018	Steven Garrison (515) 281-3248	

Dental Board (continued):					
Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 650-Chapter 20 "Dental Assistants"	Review, update remediation rules, expanded functions rules	Iowa Code 153.38 and 153.39	November 2018	Steven Garrison (515) 281-3248	
IAC 650-Chapter 27 "Standards of Practice and Principles of Professional Ethics"	Teledentistry rules	Iowa Code 153.13, 153.15, 153.33 and 153.38	January 2019	Steven Garrison (515) 281-3248	
IAC 650-Chapter 29 "Sedation and Nitrous Oxide Inhalation Analgesia"	Review requirements for allowing sedation in dental offices by CRNAs or MDs, and related requirements.	Iowa Code 147.76 and 153.33	January 2019	Steven Garrison (515) 281-3248	
IAC 650-Chapter 20 "Dental Assistants"	Review/update application and remediation requirements.	Iowa Code 153.38, 153.39	April 2019 started discussion	Steven Garrison (515) 281-3248	
IAC 650-Chapter 22 "Dental Assistant Radiography Qualification"	Review and update requirements for obtaining and reinstating a qualification in dental radiography.	Iowa Code 153.38, 153.39, 147.10, 147.11 and 272C.2	April 2019 started discussion	Steven Garrison (515) 281-3248	
IAC 650—Chapter 13 "Special Licenses"	Review/Update resident/faculty application requirements	Iowa Code 153.22 and 153.37	Scheduled for June 2019 to start discussion	Steven Garrison (515) 281-3248	
IAC 650-Chapter 35 "Iowa Practitioner Review Committee"	Review/update program eligibility.	Iowa Code Chapter 153, 272C	Scheduled for August 2019 to start discussions	Steven Garrison (515) 281-3248	
IAC 650-Chapter 27 "Standards of Practice and Principles of Professional Ethics"	Discontinuation of practice. These rules need to be updated to reflect new practice structures.	Iowa Code 153.33(8), 153.34 and 147.76	Scheduled for August 2019 to start discussions	Steven Garrison (515) 281-3248	
IAC 650—Chapter 10 "General Requirements"	Review/update, including cross references in 10.3(1)b to Chapter 29 (29.6(4),(5))	Iowa Code 153.15, 153.33A	Scheduled for April 2019 to start discussions	Steven Garrison (515) 281-3248	
IAC 650-Chapter 27 "Standards of Practice and Principles of Professional Ethics"	Review/updates to 27.11(2) with respect to study models and casts, taking newer technology into account when determining what (digital) models should be retained with the pt. record.	Iowa Code 153.34(7), 153.34(9), 272C.3, 272C.4(1f), 272C.4(6)	Schedule TBD	Steven Garrison (515) 281-3248	

Board of Medicine: *

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 653—Chapters 1-26	<ol style="list-style-type: none"> 1. General language updates throughout for consistency in definitions, citations, practices and procedures, as identified in ongoing rules review. 2. General updates throughout to address rulemaking mandated by 2019 Iowa Acts. 	Iowa Code 147, 148, 148E, 148H, 17A, 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 10 Resident, Special and Temporary Licensure	<ol style="list-style-type: none"> 1. Redefine the definition of “special” and the requirements for special licensure. Amend application review process for international medical school graduates who seek a temporary license. 2. Define “grace period” for an expiring resident license. 	Iowa Code 147, 148 and 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 11 Continuing Education and Training Requirements	<ol style="list-style-type: none"> 1. Recognize the Federation of State Medical Boards as an accredited continuing medical education provider. 2. Establish rule on CME’s for Genetic Counselors. 	Iowa Code 147, 148 and 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 13 Standards of Practice	<ol style="list-style-type: none"> 1. Establish standards on opioid prescribing and use of the Prescription Drug Monitoring Program. 2. Abortion standards pursuant to 2017, 2018 legislation. 	Iowa Code 147, 148 and 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 17 Licensure of Acupuncturists	<ol style="list-style-type: none"> 1. Update process used for licensee discipline. 	Iowa Code 147, 148E and 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 19 (new chapter) Physician Supervision of a Conditional Prescribing Psychologist	<ol style="list-style-type: none"> 1. Adopt Board rules for supervision and collaboration of prescribing psychologists. 	Iowa Code 147, 148	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	
IAC 653—Chapter 23 Grounds for Discipline	<ol style="list-style-type: none"> 1. Inappropriate supervision of a conditional prescribing psychologist. 2. Inappropriate opioid prescribing. 3. Fraud or misrepresentation on licensure application or application for letter of qualification. 	Iowa Code 147, 148, 272C	July 1, 2019, through December 31, 2019	Kent Nebel (515) 281-7088	

Board of Nursing:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 655 - Chapter 1 Administrative and Regulatory Authority	Review and revise as needed	Iowa Code Chapter 152	FY 2020	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 3 Licensure	Remove all references to wallet cards. Revise mandatory reporting rules based on 2019 Iowa Acts chapter 91 or H.F. 731.	Iowa Code Chapters 17A,147,152,272C	Oct. 2019	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 4 Discipline	Add rule based on 2019 Iowa Acts chapter 13 or S.F. 304 prohibiting discipline based on nonpayment of a student loan.	Iowa Code Chapter 252J	July 2019	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 5 Continuing Education	Remove subrule 5.2(8)"a" pertaining to exemption to continuing education if licensee is serving on active duty in the United States military services. Revise subrule 5.2(10)"b" to meet mandatory reporting regulations based on 2019 Iowa Acts chapter 91 or H.F. 731.	Iowa Code Chapter 272C 2019 Iowa Acts chapter 91, H.F. 731	Oct. 2019	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 6 LPN/RN Scope of Practice	Revise for clarity and current standards of care for LPN/RN Scope of Practice.	Iowa Code Chapter 152.	FY 2020	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 17 Nonpayment of Child Support, Student Loan, or State Debt	Revise title and rescind rules based on 2019 Iowa Acts chapter 13 or S.F. 304 pertaining to default on repayment of a student loan.	Iowa Code Chapter 252J	July 2019	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 18 Military Service and Veteran Reciprocity	Revise and add spouse of an active duty member of the military forces of the United States based on 2019 Iowa Acts chapter 8 or H.F. 288.	2019 Iowa Acts chapter 8, H.F. 288	July 2019	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 19 Iowa Nurse Assistance Program	Review and revise as needed	Iowa Code Chapter 272C	FY 2020	Kathy Weinberg (515) 281-4822	

Board of Pharmacy:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 657-Chapter 10 Controlled Substances	Drug Scheduling actions in response to actions taken by federal DEA (ongoing and annual processes)	Iowa Code Chapter 124.201	Dependent on federal DEA action	Sue Mears or Andrew Funk (515) 281-5944	
IAC 657-Chapter 8 Universal Practice Standards, Chapter 10 Controlled Substances, and Chapter 21, Electronic Data and Automated Systems in Pharmacy Practice	Review and amend rules as appropriate to implement relevant changes to Iowa Code enacted during the 2018 session relating to electronic prescriptions	Iowa Code section 124.308, as amended by HF 2377, section 10; Iowa Code section 155A.27, as amended by HF 2377, section 11	Currently in process	Sue Mears, or Andrew Funk (515) 281-5944	Anticipated September 2019
IAC 657-Chapter 2 Pharmacist Licenses	Update rules to be consistent with current procedures and conduct overall 5 year review	Iowa Code sections 147.10, 147.11, 147.34, 147.36, 147.44, 147.53, 147.76, 147.80, 155A.6, 155A.9, 155A.11, 155A.40, 155A.44, 272C.2 thru 272C.4, and Iowa Code subsection 17A.7(2)	Currently in process	Sue Mears, or Andrew Funk (515) 281-5944	Anticipated September 2019
IAC 657-Chapter 31 Student Loan Default or Noncompliance with Agreement for Payment of Obligation and Chapter 36 Discipline	Update rules to prohibit disciplinary action against a licensee for student loan default	Iowa Code section 272C.4, as amended by 2019 Iowa Acts, Senate File 304	Currently in process	Sue Mears, or Andrew Funk (515) 281-5944	Anticipated September 2019
IAC 657-Chapter 33 Military Service and Veteran Reciprocity	Update rules to include the spouse of active military personnel for expedited licensure	Iowa Code section 272C.4, as amended by 2019 Iowa Acts, House File 288	Currently in process	Sue Mears, or Andrew Funk (515) 281-5944	Anticipated September 2019
IAC 657-Chapter 10 Controlled Substances and Chapter 100 Iowa Real-time Electronic Pseudoephedrine Tracking System	Update rules to expand the pharmacy personnel allowed to sell pseudoephedrine products to include pharmacy technician trainees and pharmacy support persons	Iowa Code section 124.212B	Currently in process	Sue Mears, or Andrew Funk (515) 281-5944	Anticipated fall 2019
IAC 657 Various Chapters	Continue to review Board rules to ensure rules are current, relevant, and enforceable (ongoing 5 year review)	Iowa Code subsection 17A.7(2)	Next 5 year review - by June 2022	Sue Mears or Andrew Funk (515) 281-5944	