

Iowa



Iowa - 02.05.2021

Sponsor: Governor Kim Reynolds (R)

Actions: 02/05/2021 Executive Order Extended

Summary: Summary of 2/5/20201 Version

Governor Kim Reynolds (R) will relax existing public health measures and continue critical regulatory relief to those on the frontlines of COVID19 recovery for an additional 30 days. The Declaration suspended several state COVID-19 mitigation measures as of 12:01 a.m. Sunday, Feb. 7, 2021, including a statewide mask order.

This measure will protect Vulnerable Iowans

Those with preexisting medical conditions, those older than 65 in all counties will continue to stay indoors and limit in-person interaction.

Employee and Public Interaction

Businesses will remain open with in-person interaction and social distancing practices. Businesses will not be required to close.

Professional Licensing Relief

Iowa will continue to suspend the practice of medicine and surgery in osteopathic medicine and surgery, nursing, respiratory care by any licensee whose license is inactive or lapsed. The measure also implements administrative rules establishing exam deadlines to be licensed as a professional engineer or land surveyor. The measure will also require the completion of background checks for initial applicants as a condition of obtaining professional licensure.

Food Establishment Licensure Relief

This requires food establishments to renew their license within 60 days of expiration.

Critical Trucking Operations

This restricts the movement of oversize and overweight loads of vaccines, antivirals, prescription drugs, other household goods, agricultural products, or any other goods and supplies necessary to respond to the public health emergency. It indicates that the trucks cannot exceed a weight of 90,000 pounds gross weight without a permit, but only for the duration of this proclamation.

Motor carriers may transport vaccines and other prescription drugs, PPE by making sure none of their drivers are ill or fatigued while operating the motor vehicle. The company must give their drivers 34 consecutive hours off if the driver has been on duty for more than 72 hours.

Motor Vehicle Registration Relief

A motor vehicle may be operated on the highways of this state without registration plates for a period of 45 days but only up to 90 days.

Apprenticeship Training

This section will limit the use of online instruction for determining contact hours for apprenticeship sponsors or lead apprenticeship sponsors.

Summary 2/5/2021 Version

Governor Kim Reynolds has issued an executive order in response to the COVID-19 pandemic.

This order suspends the \$25 penalty for the failure to register a pool or spa if it was not registered by April 30 or the first business day thereafter if it was closed during the month. The department must refund any owner who already paid such penalty for the period beginning May 1, 2020.

This order will remain in effect until March 7.

Summary 2/5/2021 Version

Governor Kim Reynolds has issued an executive order in response to the COVID-19 pandemic.

This order suspends the required distribution of paper bids and documents by a government entity under the Iowa Construction Bidding Procedures Act. Such acts may be completed electronically.

This order will remain in effect until March 7.

Summary 2/5/2021 Version

Governor Kim Reynolds has issued an executive order in response to the COVID-19 pandemic.

This measure suspends the enforcement date of May 1, 2020 for the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators (2011).

This order will remain in effect until March 7.

Summary for 2/5/2021 Version

Governor Kim Reynolds (R) issued a new proclamation extending the public health mitigation

measures that are currently in place, including healthcare-related regulatory relief measures and professional licensure relief for healthcare workers.

DENTAL SERVICES

This measure states that a dentist and his or her dental staff may resume providing any dental services if the dentist complies with the following requirements:

(1) All dental services are provided in compliance with the Guidelines for the Safe Transition Back to Practice adopted by the Iowa Dental Board on November 13, 2020.

(2) The dentist has adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local PPE stockpiles to comply with the Guidance for Returning to Work During COVID-19.

(3) The dentist has a plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health.

MANDATORY SCREENING OF HEALTH FACILITY STAFF

This measure orders all hospitals, nursing facilities, intermediate care facilities, residential care facilities, hospice programs, and assisted living programs to screen all staff at the beginning of their shift for fever or respiratory symptoms, absence or shortness of breath, new or change in cough, or sore throat, take the employee's temperature, and take any preventative measures based on that screening to prevent the spread of COVID-19 within the hospitals, nursing facilities, intermediate care facilities, hospice programs, residential care facilities, and assisted living programs.

REGULATORY RELIEF TO HEALTH CARE SYSTEM

This proclamation temporarily suspends the regulatory provisions requiring an institutional health facility to obtain a certificate of need prior to operating additional bed capacity. Suspension of these provisions is limited to the duration of this proclamation and is further limited to the provision of medical assistance and treatment of victims of this public health emergency.

This proclamation temporarily suspends the regulatory provisions requiring residential care facilities and nursing facilities assist residents to obtain regular and emergency dental services, to the extent those facilities continue to assist residents in obtaining emergency dental services.

This proclamation temporarily suspends the regulatory provisions requiring group activities provided by residential care facilities and nursing facilities, so long as any group activities that are conducted are in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and/or the Iowa Department of Inspections and Appeals.

This proclamation temporarily suspends the regulatory provisions permitting in-person visits with residents in nursing facilities, so long as any in-person visitation is conducted in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and the Iowa Department of Inspections and Appeals.

This proclamation temporarily suspends the regulatory provisions requiring minimum standards for training paid nutritional assistants, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

This proclamation temporarily suspends the regulatory provisions requiring a new program manager and delegating nurse in assisted living programs complete an assisted living management class and/or an assisted living nursing class within six months of employment.

This proclamation temporarily suspends the regulatory provisions requiring a residential care facility screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a facility to do so, to the extent the facility continues to perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

This proclamation temporarily suspends the regulatory provisions requiring a person administering medications in a residential care facility and intermediate care facility for the intellectually disabled to complete a department-approved medication aide course and pass a department-approved medication aide exam, to the extent the person has successfully completed a state-approved medication manager course and passed a state-approved medication manager exam to administer medications.

This proclamation temporarily suspends the regulatory provisions related to trauma data registry reporting by trauma care facilities within certain timeframes.

This proclamation temporarily suspends the regulatory provisions related to initial and continuing trauma education requirements for trauma team members.

This proclamation temporarily suspends the regulatory provisions requiring hospital inspectors be free of conflicts of interest.

This proclamation temporarily suspends the regulatory provisions defining a “doctor” and “medical staff” as requiring all doctors and medical staff be licensed to practice in this state, to the extent that individual is licensed to practice in another state or in accordance with Section 83 of this Proclamation of Disaster Emergency.

This proclamation temporarily suspends the regulatory provisions requiring a hospital to complete a criminal history check prior to employment of an individual, to the extent that a hospital may employ an individual once that criminal history check is submitted, pending completion.

This proclamation temporarily suspends the regulatory provisions requiring physical separation and distinction between a long-term acute care hospital located within a general hospital, to the extent that it is not feasible for a hospital to do so.

This proclamation temporarily suspends the regulatory provisions requiring written criteria for the granting of clinical privileges, to the extent that policies shall not be required to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

This proclamation temporarily suspends the regulatory provisions requiring hospitals to adopt a statement of principles relating to patient rights and responsibilities, to the extent that policies shall not be required to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

This proclamation temporarily suspends the regulatory provisions requiring the clear definition of authority, responsibility, and function of each nurse, to the extent that there is evidence that each nurse has been assessed competent in any area where they function.

This proclamation temporarily suspends the regulatory provisions requiring utilization of the nursing process, to the extent that it is not feasible to do so.

This proclamation temporarily suspends the regulatory provisions to the extent that all nurses employed in a hospital who practice nursing as a registered nurse or licensed practical nurse must hold an active Iowa license, an active license in another state and be recognized for licensure in this

state pursuant to the nurse licensure compact in Iowa Code section 152E.1, or be qualified for employment in accordance with Section 83 of this Proclamation of Disaster Emergency.

This proclamation temporarily suspends the regulatory provisions requiring the nursing service to have adequate numbers of licensed registered nurses, licensed practical nurses, and other personnel to provide nursing care, to the extent that the hospital has made all reasonable efforts to maintain sufficient staffing levels.

This proclamation temporarily suspends the regulatory provisions requiring written policies and procedures be established for the administrative and technical guidance of the personnel in the hospital and that each employee be familiar with those policies or procedures.

This proclamation temporarily suspends the regulatory provisions requiring hospital medical record and report maintenance, to the extent that records shall continue to be maintained as required by federal regulation.

This proclamation temporarily suspends the regulatory provisions requiring procedures for authentication of verbal orders and standing orders, to the extent that hospitals comply with federal regulation related to such orders.

This proclamation temporarily suspends the regulatory provisions requiring maintenance of a current diet manual, to the extent those manuals would be maintained at surge capacity sites.

This proclamation temporarily suspends the regulatory provisions requiring hospital equipment be selected, maintained and utilized in accordance with the manufacturer's specifications, to the extent it is not feasible to do so.

This proclamation temporarily suspends the regulatory provisions requiring segregation of patients' beds, to the extent hospitals take all reasonable precautions to provide for the prevention of cross-infections and the control of communicable diseases.

This proclamation temporarily suspends the regulatory provisions requiring a hospital perform a health assessment and screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a hospital to do so, to the extent the hospital continues to assess new employees for infectious or communicable diseases and perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

This proclamation temporarily suspends the regulatory provisions requiring a hospital to have written policies and procedures specifying the scope and conduct of patient care to be provided in the emergency service, to the extent that policies shall not be required to be rewritten to accommodate this public health disaster emergency.

This proclamation temporarily suspends the regulatory provisions requiring minimum standards of construction for hospitals, to the extent that the Department of Inspections and Appeals and State Fire Marshal's Office have approved the location as one that sufficiently addresses safety and comfort for patients and staff.

This proclamation temporarily suspends the regulatory provisions requiring critical access hospitals maintain no more than 25 acute care inpatient beds.

This proclamation temporarily suspends the regulatory provisions requiring critical access hospitals meet the Medicare conditions of participation as described in 42 CFR Part 485, Subpart F, to the extent waivers have been issued by the Centers for Medicare and Medicaid Services.

This proclamation temporarily suspends the regulatory provisions requiring a nurse aide who has not completed the state-approved 75-hour nurse's aide program be required to participate in a structured on-the-job training program of 20 hours' duration, to the extent that the individual has completed a comparable training course approved by the department of inspections and appeals or has completed at least 20 hours of the state-approved 75-hour nurse's aide program and the facility has documentation that it has implemented training and supervision measures to ensure the individual's competency in any tasks performed.

This proclamation temporarily suspends the regulatory provisions requiring that certified nurse aides who have received training other than the Iowa state-approved program must pass a challenge examination, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

This proclamation temporarily suspends the regulatory provisions requiring that a facility not use any person working in the facility as a nurse aide for more than four months unless that person has completed a training and competency evaluation program approved by the department of inspections and appeals, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

This proclamation temporarily suspends the regulatory provisions requiring that the department of inspections and appeals remove certified nurse aides from the Iowa Direct Care Workers Registry if they have performed no nursing or nursing-related services for monetary compensation for a period of 24 consecutive months, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

This proclamation temporarily suspends the regulatory provisions requiring minimum standards for nurse aide training and competency evaluation programs the department of inspections and appeals may approve, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

This proclamation temporarily suspends the regulatory provisions requiring a person who has written documentation of certification as a medication aide in another state complete a department-approved nurse aide competency examination and medication aide challenge examination, to the extent the individual is able to demonstrate competency in safe medication administration.

This proclamation temporarily suspends the regulatory provisions of Iowa Code §§ 135C.16(1), 135C.38(1), and 135C.40(1)(a) to the extent those provisions require on-site inspections of health care facilities.

This proclamation temporarily suspends the regulatory provisions to the extent they require a person who is subject to the mandatory reporting requirements of those provisions to complete a training provided by the Department of Human Services within six months of initial employment.

TELEHEALTH SERVICES

This proclamation temporarily suspends the regulatory provisions of Iowa Code chapters § 514C.34 to the extent that it excludes from the definition of telehealth the provision of services through audio-only telephone transmission, and I direct the Insurance Commissioner to use all available means, including the authority of Iowa Code §§ 505.8(1), (7), and 29C.19, to ensure that any health carrier, as defined in Iowa Code § 514J.102, shall reimburse a health care professional, as defined in Iowa Code § 514J.102, for medically necessary, clinically appropriate covered services by telehealth, as defined in § 514C.34(1) or via audio-only telephone transmission, provided to a covered person, as defined in Iowa Code § 514J.102, on the same basis and at the same rate as the health carrier

would apply to the same health care services provided to a covered person by the health care professional in person for the duration of this proclamation.

Additionally, this proclamation suspends the regulatory provisions of Iowa Code § 147.137 and Iowa Admin. Code rule 653-13.11, rule 641-155.2, and other implementing administrative rules establishing preconditions, limitations, or restrictions on the provision of telehealth or telemedicine services, and I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 641-155.21(19) and 155.23(4) and other administrative rules which require face-to-face interactions with health care providers and impose requirements for residential and outpatient substance use disorder treatment and for face-to-face visitations.

PHARMACY THERAPEUTIC SUBSTITUTION

This proclamation temporarily suspends the regulatory provisions of Iowa Code § 155A.32 and any implementing administrative rules to the extent they prohibit the practice of therapeutic substitution by a pharmacist without prior consent by the prescriber. Suspension of this provision shall extend through the duration of this Proclamation and any further extension of this suspension.

SUSPENSION OF INVOLUNTARY DISCHARGE FOR NONPAYMENT

This measure temporarily suspends the regulatory provisions of Iowa Admin Code rules 481-57.14(1)(e) and 58.40(1)(c), permitting a residential care facility or nursing facility to involuntarily discharge or transfer a resident for nonpayment for the resident's stay.

PROFESSIONAL LICENSING RELIEF

This proclamation temporarily suspends the regulatory provisions of Iowa Code chapters §§ 147.2, 148.3, 148.5, 148C.3, 152.7, 152B.7A, and any other implementing administrative rules to the extent they prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant for an individual who has not yet obtained an initial license, if the licensing board determines that the individual has completed sufficient education and should be granted an emergency license to practice in accordance with any guidance issued by the board.

This proclamation temporarily suspends the regulatory provisions of Iowa Code § 147.10 and Iowa Admin. Code rules 653-9.13(6) and 9.14, rules 655-3.7(5), rules 645-261.8, and rules 645-326.9(8), and all other implementing administrative rules which prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant, by a licensee whose license has become inactive or has lapsed in the past five years.

This proclamation temporarily suspends the regulatory provisions of Iowa Admin. Code rules 650-11.2(2), 11.3(2), 11.5(2), 11.6(2), 13.2(2), and 20.6(2)(b)(8) requiring an applicant for initial licensure in dentistry, dental hygiene, assisting, or for a faculty permit to attest to current certification in cardiopulmonary resuscitation.

This proclamation temporarily suspends the regulatory provisions of Iowa Code § 47.10 and Iowa Admin. Code r. 657-2.3, 2.11(2), 3.5(1), and any other implementing administrative rules which prohibit the practice of pharmacy by a pharmacist licensee whose license has become inactive or has lapsed in the past five years, or by a pharmacy technician trainee who is unable to become nationally certified due to closed testing locations.

This proclamation temporarily suspends the regulatory provisions of Iowa Admin. Code r. 657-2.4(2) requiring an applicant for a pharmacist license to complete all components in Iowa within a period of one year from the date the candidate passed the initial component.

This proclamation temporarily suspends the regulatory provisions of Iowa Code §§ 147.2, 148B.8, and 154B.4, and Iowa Admin. Code r. 645-201.3(4) and 645-208.3(4), to the extent that they require out-of-state physical therapists, physical therapist assistants, occupational therapists, occupational therapy assistants, speech pathologists, audiologists, optometrists, podiatrists, psychologists, dietitians, hearing aid specialists, physician assistants, behavior analysts, assistant behavior analysts, orthotists, pedorthists, and prosthetists who hold an active license in another state to be licensed in Iowa to provide services by telephone or other electronic means to individuals in the State of Iowa.

ENACTMENT

The effective date is immediate and continues through 1/8/2021.

Bill Links [2/5/2021 Version](#)



Iowa - HB 2265

Sponsor: Representative Jon Jacobsen (R)

Actions: 02/04/2022 Introduced; Referred to House Human Resources Committee

Summary: Summary for 2/4/2022 Version

This measure relates to the dispensing of prescription drugs.

This measure requires pharmacists to dispense any specific prescription drugs approved by the United States Food and drug administration including for off-label use. This measure states that pharmacists who refuse to dispense prescription drugs are guilty of an aggravated misdemeanor.

Bill Links [2/4/2022 Version](#)



Iowa - HF 873

Sponsor: Representative Ruth Gaines (D)

Actions: 04/21/2021 Introduced; Referred to House Commerce Committee

Summary: Summary for 4/21/2021 Version

This measure creates Iowa code to require coverage for stage IV cancer medication.

This measure applies to individual or group accident and sickness insurance, individual or group hospital or medical service contracts, and individual or group health maintenance organizations.

This measure requires coverage for prescription cancer drugs to treat stage IV cancer. Coverage must be provided without a step therapy protocol for any FDA-approved drug used to care for stage

IV cancer. A step therapy protocol may be imposed for a prescription drug that is used to treat associated conditions.

This measure authorizes the Commissioner of insurance to adopt rules and regulations in order to carry out this measure.

This measure will take effect on January 1, 2022.

Bill Links [4/21/2021 Version](#)



Iowa - SF 2165

Sponsor: Senator Annette Sweeney (R)

Actions: 02/01/2022 Introduced; Referred to Senate Commerce

Summary: Summary for 2/1/2022 Version

This measure requires insurance coverage for drugs prescribed to treat metastatic cancers.

This measure requires insurance policies or plans delivered, continued, or renewed on or after January 1, 2023 who provide third-party payment or prepayment for expenses related to coverage of prescription drugs to cover prescription cancer drugs. The policy is required to provide coverage without imposing a step therapy protocol for cancer drugs that have been approved by the FDA.

The commissioner is permitted to adopt any rules for implementation of this measure.

Definitions:

- “Associated conditions” means symptoms or side effects associated with metastatic cancer, or with the health care services for metastatic cancer provided by a covered person’s health care professional and which in the judgment of the covered person’s health professional jeopardizes the health of the covered person
- “Covered person” means a policyholder, subscriber, or other person participating in a policy, contract, or plan that provides for third-party payment or prepayment of health or medical expenses that provides coverage for prescription drugs.
- “Health care services” means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.
- “Metastatic cancer” means cancer that has spread from the primary or original site of the cancer to tissue, lymph nodes, or other parts of the body. Metastatic cancer may also be referred to as advanced cancer or stage 4 cancer.
- “Prescription cancer drug” means a prescription drug that is used for the treatment of metastatic cancer or associated conditions.
- “Prescription drug” means a prescription drug that has been prescribed as medically necessary by a covered person’s health care professional.

This measure takes effect July 1, 2023.

Bill Links [2/1/2022 Version](#)



Iowa - SF 2255

Sponsor: Senator Jeff Edler (R)

Actions: 02/09/2022 Hearing held; passed committee; renumbered as SF 2255
02/08/2022 Hearing held; amended; passed subcommittee
02/07/2022 Introduced; Referred to Senate Human Resources Committee

Summary: Summary for 2/7/2022 Version

This measure amends code to eliminate certificate of need requirements for all institutional health facilities in the state, and changes this requirement strictly for nursing homes.

This measure repeals Section 135B.5A of the Iowa Code, which creates provisions relative to the conversion of a hospital.

This measure eliminates several bed capacity provisions.

This measure does not state an effective date.

Bill Links [2/9/2022 Version](#)
[2/7/2022 Version](#)