

**IOWA BOARD OF MEDICINE
400 SW 8th STREET, SUITE C
DES MOINES, IA 50309-4686**

**RULEMAKING STATUS REPORT FOR 2008
April 5, 2018**

Proposal	Board Approved Notice	Notice Published	ARC#	Rules Review Committee	Public Hearing	Comment Deadline 4:30 pm	Rules Adopted	Rules Published	Rules Review Committee	Effective Date	Other
Chapter 1, Administrative and Regulatory Authority Chapter 25, Contested Case Proceedings	5/15/08	6/18/08	6858B 7080B (A&F)	No	7/8/08	7/8/08	7/24/08	8/13/08	9/9/08	9/17/08	The amendments enact SF 2338 that became effective on July 1, 2008 by updating chapters 1 and 25. Item 1 defines an alternate board member. Item 2 defines the board's authority to appoint a pool of up to ten alternate board members to serve on a hearing panel when a sufficient number of board members are unavailable to hear a contested case. Item 3 identifies how alternate board members are approved. Item 4 gives the executive director, or designee, the authority to request an alternate board member to serve on a hearing panel. Item 5 establishes that a decision of a hearing panel containing alternate members is considered a final decision of the board, in accordance with Iowa Code section 148.2A.

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Chapter 1, Administrative and Regulatory Authority Chapter 2, Public Records and Fair Information Practices, Chapter 3, Waivers and Variances Chapter 9, Permanent Physician Licensure Chapter 10, Resident, Special and Temporary Physician Licensure Chapter 13, Standards of Practice and Principles of Medical Ethics Chapter 16, Student Loan Default or Noncompliance Chapter 23, Grounds for Discipline Chapter 26, Reinstatement After Disciplinary Action	07/10/08	08/13/08	7049B 7240B (A&F)	No	09/02/08	09/02/08	09/17/08	10/08/08	9/9/08	11/12/08	The amendments update the citations in the Board's rules as a result of 2008 Iowa Acts, Senate File 2338.

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Chapter 8, Fees	5/15/08	6/18/08	6862B 7077B (A&F)	No	7/8/08	7/8/08	7/24/08	8/13/08	9/9/08	9/17/08	The amendments update the Board's rules on verification of physician licensure and fees for public records. Item 1 eliminates a no longer used service of verification of licensure status by password-protected website. It also adds a provision that requires that physicians use an online service, Veridoc, to verify the status of their license to another medical board or other party. Item 2 eliminates a subscription charge for electronically shared press releases, statements of charges, final orders and consent agreements. The information is available for free on the Boards website or through a state listserve that is free to the public.
Chapter 8, Fees Chapter 9, Permanent Physician Licensure Chapter 10, Resident, Special and Temporary Physician Licensure	9/12/07	10/10/07	6297B 6489B (A&F)	11/13/07	10/30/07	10/30/07	11/21/07	12/19/07	No	01/01/08	The amendments raise the fee for license renewal and license reinstatement by \$50, and the fee for a resident physician license by \$50. The fee to process criminal history background check is raised by \$9. Renewal penalty fee will increase by \$50 per month.

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Chapter 9, Permanent Physician Licensure	01/28/08	02/27/08	6607B 6737B (A&F)	No	03/18/08	03/18/08	04/02/08	04/23/08	No	05/28/08	The Board consistently granted waivers of the seven-year requirement for applicants who failed to successfully complete the current licensure examination series—USMLE or COMLEX—within a seven-year period when the applicant is otherwise qualified. The Board amended the rules to allow applicants who pass the USMLE or COMLEX series within ten years to become licensed by filing a waiver. Item 2 also requires that anyone taking more than ten years to pass the COMLEX series must be board certified by the American Board of Medical Specialties or the American Osteopathic Association in order to be considered for licensure in Iowa. This is a similar requirement to that which is already required of those taking ten years to pass the USMLE series.
Chapter 9, Permanent Physician Licensure	07/10/08	08/13/08	7048B 7239B (A&F)	No	09/02/08	09/02/08	09/17/08	10/08/08	9/9/08	11/12/08	The amendments define an observer and what an observer may do in a clinical setting and what is expected of the physician supervisor of an observer in a clinical setting.

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Chapter 10, Resident, Special and Temporary Physician Licensure	5/15/08	6/18/08	6859B 7073B (A&F)	No	7/8/08	7/8/08	7/24/08	8/13/08	9/9/08	9/17/08	The amendment removes a requirement in order to allow a physician who has previously held a permanent physician license in a United States jurisdiction to practice under a resident physician license when the physician is enrolled as an intern, resident or fellow in an Iowa resident program. A similar amendment was adopted earlier this year but the Board overlooked updating a second paragraph with the requirement.
Chapter 10, Resident, Special and Temporary Physician Licensure	1/17/08	2/13/08	6590B 6736B (A&F)	No	3/4/08	3/4/08	4/2/08	4/23/08	No	5/28/08	The amendment removes a requirement and allows a physician who has previously held a permanent physician license in a United States jurisdiction to practice under a resident physician license when enrolled as an intern, resident or fellow in an Iowa resident training program.

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Chapter 11, Continuing Education and Mandatory Training for Identifying and Reporting Abuse Chapter 23, Grounds for Discipline	5/15/08	6/18/08	6860B 7078B (A&F)	No	7/8/08	7/8/08	7/24/08	8/13/08	9/9/08	9/17/08	The amendments address a licensee's failure to comply with an audit of continuing education or mandatory training for identifying and reporting abuse. The amendment also establishes that failure to comply with the audit is grounds for discipline.
Chapter 12, Nonpayment of State Debt Chapter 23, Grounds for Discipline	07/10/08	08/13/08	7050B 7238B (A&F)	No	09/02/08	09/02/08	09/17/08	10/08/08	9/9/08	11/12/08	Chapter 12 establishes that the Board may deny issuance or renewal of a medical or osteopathic medical license or acupuncture license or suspend or revoke a license upon the receipt of a certificate of noncompliance from the centralized collection unit of the department of revenue according to the procedures set forth in 272D.1 to 272D.9. The proposed rules spell out the procedures on service denial, effective date of denial, preparation and service of denial notice, responsibility of licensees and applicants to notify the Board, reinstatement following action against a license for state debt, effective filing in district court and final notification. Changes in Chapter 23 address grounds for discipline related to state debt.

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Chapter 13, Standards of Practice – prescribing or administering controlled substances for the treatment of patients with chronic, non-malignant pain	1/17/08	2/13/08	6604B 6738B (A&F)	No	3/11/08	3/11/08	4/2/08	4/23/08	No	5/28/08	The amendments update the Board's pain rules to meet current national standards and to establish standards of practice for the proper assessment and treatment of acute pain; recognize the under-treatment of pain is a serious health problem and is a departure from the acceptable standard of practice; encourage a multidisciplinary approach to pain management; recognize goals of proper pain management may change when treating patients with different types of pain, provide references to current pain management resources that licensees may consult for further guidance for providing proper pain treatment.
Chapter 24, Complaints and Investigations	9/12/07	10/10/07	6298B 6488B (A&F)	11/13/07	10/30/07	10/30/07	11/21/07	12/19/07	No	01/23/08	The amendment updates the Board's Website address, the complaint and investigative processes, the complaint review committee, the Board's screening committee and the full Board handling of complaints and investigations, including cases closed without investigations.

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Chapter 24, Complaints and Investigations	4/4/08	4/23/08	6739B 7305B (A&F)	No	5/13/08	5/13/08	6/12/08; filed 10/15/08	11/5/08	No	12/10/08	The proposed amendments clarify the components of a physical, mental or clinical competency evaluation that the board may order on any licensee of the board.
Chapter 25, Contested Case Proceedings	5/15/08	6/18/08	6861B 7079B (A&F)	No	7/8/08	7/8/08	7/24/08	8/13/08	9/9/08	9/17/08	Iowa Code section 148.7(4) addresses the licensee's right to appear personally and by attorney. The proposed amendment in Item 1 defines "appear personally" to mean that a licensee may participate in a hearing via teleconference or videoconference or be physically present. Item 2 allows the Respondent to appear personally and by attorney.

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