

INPS/IANP 2014 Legislative Report

One Bill Passed For Nurse Practitioners

The 85th General Assembly came to a close on May 2nd at 8:50 a.m. The House adjourned the day before at 5:54 a.m. The Senate had to wait an extra day to close because the Senate Democrats wanted to pass a Senate Resolution authorizing the Oversight Committee to continue investigations into the Department of Administrative Services and Iowa Workforce Development. In addition the resolution granted the Oversight Committee the right to issue subpoenas.

After the legislature began the year by shortening the funnel deadlines by two weeks, there was hope that the legislature would adjourn in early April. It didn't happen. The problems in the executive branch became a distraction. Even though the shorter funnel killed many bills early on, those bills left took more time to consider because of the distractions.

The legislature passed 141 bills in 2014, down from the 154 passed last year.

SF 2120: Board of Nursing Bill

SF 2120 was the only purely nursing bill that passed the legislature in 2014. SF 2120 amends chapter 147.74 of the code. This subsection has 24 sections dealing with how all the medical professionals can use certain abbreviations for their professions. SF 2120 designates ARNP for nurse practitioners. We've been left out of this code section since the beginning. Governor Branstad signed the legislation on March 26th, and it becomes law on July 1.

Governor Vetoes Two Proposals Supported By Nurse Practitioners

Even though nurse practitioners didn't propose the two measures, NPs did lobby for them. The first was prior authorization for prescription drugs. The language was inserted into HF 2463, the HHS appropriations bill. Governor Branstad vetoed the language on May 30th and issued the following reasoning for his veto: "I am unable to approve the item designated as Section 98, subsection 7, in its entirety. This item requires each health insurance carrier and pharmacy benefits manager (PBM) to develop a single standard form that the insurance carrier or PBM must use when prior authorization for prescription drugs is required. This requirement creates inconsistencies between state and federal insurance regulations. I believe time requirements are best implemented through the administrative rules process under the Iowa Insurance Division. The division will initiate rulemaking creating consistency for consumers and insurers."

The second veto concerned the healthiest children's initiative. Here is the Governor message relative to that veto: "I am unable to approve the item designated as Division XIX, in its entirety. This duplicates the work of the Healthiest State Initiative by creating the Healthiest Children Initiative. My administration's goal is to make Iowa the Healthiest State by 2016. The Healthiest State Initiative is privately led and publicly endorsed and encourages all Iowans to improve their overall health and well-being. Making Iowa the healthiest state in the nation is not only critical to the economic viability of our state, but also critical to the quality of life for all Iowans. Iowans have made great strides in improving their health and continue to work toward my goal of becoming the healthiest state in the nation by 2016. The Healthiest State Initiative has and will continue to assist Iowans, including children, in learning about and applying proven methods to live longer, happier, and healthier lives. There is no need to duplicate programs or grow bureaucracy when a private sector led initiative is working."

IANP/INPS Bill Registrations

Nurse practitioners found 26 bills that we registered on in the 2014 session. Let's list them and report what happened in the order we registered.

SSB 3009 This was the Board of Nursing major reform bill. Many of the provisions of last year's Iowa Supreme Court victory would have been codified by this legislation. The Iowa Supreme Court ruling still prevails. But it would be nice also to have the material in the code of Iowa. A couple of subcommittees on the bill were held in the Senate. The Iowa Medical Society and Iowa Society of Anesthesiologists opposed the bill. The bill was never taken up in the Senate Human Resources Committee. A companion bill was never released in the House.

SSB 3043 is a bill from the Physician Assistants. It has to do with do not resuscitate orders. NPs registered in favor of the bill. There was a subcommittee meeting, but the bill was never brought up in committee. It was opposed by the Iowa Medical Society.

SSB 3057/SF2234/HSB574/HF2358 were bills providing for the licensing of polysomnographic technologists, making penalties applicable, and including effective date provisions. The bill was voted out of the State Government Committees in both the House and Senate. However, neither the House nor the Senate took the bill up on the floor. NPs were undecided on this bill, which has been around for several sessions. We have reviewed the bill and gained language changes which we suggested. The Iowa Society for Respiratory Care is opposed to this bill.

HF 2086 A bill for an act providing for midwife licensure and providing for a fee and a penalty, and including effective date provisions. NPs opposed this bill which never got out of subcommittee.

HF 2075 A bill for an act making a supplemental appropriation for the low-income home energy assistance program and including effective

date provisions. NPs were registered as undecided. The bill never got out of subcommittee.

HSB 131 was a bill to allow certain milk and products using milk to be transferred directly by operators of dairy farms, and making penalties applicable. NPs opposed the bill which wasn't considered.

HF 2160 was a bill relating to telemedicine relative to professional licensure, insurance coverage, and reimbursement under the medical assistance program. NPs were registered in favor of this bill which didn't advance.

SF 2090 was a bill to create a lyme disease task force. The bill, which NPs registered in favor of, passed the Senate without a negative vote. However, the bill was not taken up in the House.

SF 2144/SF 2285 were bills establishing an Iowa healthiest children initiative in the department of public health and including effective date provisions. This bill, supported by NPs, did not pass as a separate bill; but it was included as part of the HHS appropriations bill, HF 2463. A report is due to the legislature by December 15 of this year.

SF 2257 was a bill revising loan programs administered by the College Student Aid Commission. SF 2257 dropped the loan requirement that a student has to obtain a doctorate in nursing practice or a master's degree in the case of a PA. The loan repayment time was extended from four to five years. The schools eligible for the program were expanded from the University of Iowa and Des Moines University to any school that meets the requirements of the loan program. NPs registered in favor of SF 2257.

SF 2293 was a bill suggested by the PAs. It had to do with allowing PAs and NPs to contact a magistrate when a patient, with mental problems, needs immediate help, without going through the involuntary mental commitment process. Currently only physicians and psychiatric NPs can directly contact the magistrate. SF 2293 would have dropped the requirement that a PA would have to have a doctor's approval, and it would have broadened the privilege to all nurse practitioners, not just psychiatric NPs. IANP/INPS registered as undecided on SF 2293 which passed the Senate unanimously, but received no action in the House.

HF 2364 was a bill requesting that the Legislative Council authorize an interim study by the Iowa Department of Health to review those professional boards which use IDPH staff. This bill would not have affected the BON because the BON has its own staff. HF 2364 passed committee had no floor action. NPs registered undecided on the bill.

HF 2376 was the bill on prior authorization. NPs supported HF 2376 which passed the House 99-0, but went nowhere in the Senate. However, the bill was incorporated into HF 2463, the HHS appropriations bill.

HF 2392 were the bills relating to the administration of epinephrine in schools. NPs registered in favor of the bill which got out of committee, but was not considered by the full House. SF 2152 did not
HF 2197 was a relating to intermediate driver's licenses and special minor's licenses, and including effective date provisions. It was introduced by eight House members. The bill never received a subcommittee hearing. SF 2152/HF 2178 were bills providing for the practice of a licensed midwife and providing for a fee and a penalty. NPs registered against these bills which did not advance out of subcommittee.
SF 2294 A bill for an act relating to the possession, sale, transfer, purchase, and use of fireworks and providing penalties. SF 2294, opposed by NPs, was voted out of State Government Committee, but never had a vote on the floor of the Senate. Proponents went to the House Ways & Means Committee where HSB 672, the same bill as SF 2294, was introduced. Being a Ways & Means bill, HSB 672 was exempt from the funnel. HSB 672 had a very well attended subcommittee meeting. The bill was not considered by the full committee.
SF 2360 was a bill for an act creating the medical cannabidiol Act and providing penalties. SF 2360 created a great deal of publicity. However, until the wee hours of the last day of session, it didn't appear that SF 2360 was going to become law, even though it passed the Senate 38-12. The difference for the bill is that parents of children with intractable epilepsy did not cease their lobbying efforts. NPs registered undecided on the bill, while the Iowa Medical Society registered opposed. The IMS opposition came from their concern that the cannabidiol oil had not been sufficiently tested as a remedy.

2015 Legislative Session

The 86th General Assembly will convene on Monday, January 12th, 2015. Before the new General Assembly gets to work, an election will take place in November. Winners will be assured two year terms, if they elected to the House, and four year terms for Senators. There is also an election for Governor this year. The success of our legislative agenda is contingent upon both the results of the election, and our willingness to participate in this election cycle. Candidates are always eager to go to places of work to learn about different professions. It can also become a photo opportunity. What candidate doesn't want to be seen learning more about health care issues? It's your opportunity to explain the vital role nurse practitioners play as primary care givers.