

**IOWA DEPARTMENT OF PUBLIC HEALTH
REGULATORY PLAN
FISCAL YEAR 2021**

July 1, 2020

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 2021. 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 15 Swimming Pools and Spas	2020 Iowa Acts HF 2389 updated language in Iowa Code Chapter 17A. Specifically the term "variances" has been removed. This will update the IDPH rules for waivers in Chapter 15.	Iowa Code 17A and 2020 Iowa Acts HF 2389	September 2020 Board of Health Meeting	Mindy Uhl (515) 242-6131	
IAC 641 -- Chapter 31 Plumbing and Mechanical Systems Board - Waivers or Variances from Administrative Rules	2020 Iowa Acts HF 2389 updated language in Iowa Code Chapter 17A. Specifically the term "variances" has been removed. This will update the IDPH rules for waivers in Chapter 31.	Iowa Code 17A and 2020 Iowa Acts HF 2389	Fall 2020	Kane Young (515) 242-6335	
IAC 641--Chapter 70 Lead Based Paint Activities	2020 Iowa Acts HF 2389 updated language in Iowa Code Chapter 17A. Specifically the term "variances" has been removed. This will update the IDPH rules for waivers in Chapter 70.	Iowa Code 17A and 2020 Iowa Acts HF 2389	September 2020 Board of Health Meeting	Kane Young (515) 242-6335	
IAC 641--Chapter 131 Emergency Medical Services--Provider Education/Training/Certification	Total rewrite, review, reorganize EMS Service rules.	Iowa Code chapter 147A	Ongoing	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	Ongoing	Rebecca Curtiss (515-242-5206)	
IAC 641--Chapter 139 "Emergency Medical Services -- Training Programs--Students--Complaint Investigations" NEW chapter with portions of old 131	Upon review the contents of Chapter 131 was divided and Chapter 139 was created to address the standards and requirements for the authorization of EMS training programs.	Iowa Code Chapter 147A and 147D, and 2019 Iowa Acts, Senate File 304	Ongoing	Rebecca Curtiss (515-242-5206)	
IAC 641- Chapter 131, 132, 134, 135, 136 and 139	2020 HF 2389 requires that we replace "variance" with "waiver" in each EMS chapter.	Iowa Code 17A and 2020 Iowa Acts HF 2389	November 2020 BOH Meeting	Rebecca Curtiss (515-242-5206)	

Updated: July 2020

Administration and Professional Licensure Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 Chapter 95 Vital Records: General Administration and Chapter 97 Death Registration and Disposal of Dead Human Bodies	SF2135 updates Iowa Code section 144.34 - disinterment permit to allow for disinterment of cremated remains without specifying a purpose for disinterment. Disinterment of a dead body or fetus is allowed if the purpose is for autopsy or reburial. The legislation outlines when a court order is required to issue a disinterment permit.	Iowa Code Chapter 144 and 2020 Iowa Acts Senate File 2135	July 2020 BOH	Melissa Bird 515-281-6762	
IAC 645 Chapter 35 DISCIPLINE FOR MARITAL AND FAMILY THERAPISTS, MENTAL HEALTH COUNSELORS, BEHAVIOR ANALYSTS, AND ASSISTANT BEHAVIOR ANALYST	New rule regarding dual relationships	Iowa Code Chapters 147, 272C	December 2020	Steve Garrison 515-242-6385	June 2021
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	September 2020	Sharon Dozier (515) 281-6352	
IAC 645- Chapter 135 Practice of Massage Therapy	Adopt a new chapter with scope of practice guidance.	Iowa Code 17A, 147, 152C, 272C	September or December 2020	Tony Alden (515) 281-4401	
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	October 2020 or January 2021	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	October 2020 or January 2021	Sharon Dozier (515) 281-6352	
IAC 645- Chapter 182 Practice of Optometry	Adopt amendments to conform to statutory changes related to scope of practice in HF 310.	Iowa Code 17A, 147, 154, 272C	October 2020	Sharon Dozier (515) 281-6352	
IAC 645-Chapter 200 Licensure of Physical Therapists and Physical Therapists Assistants	Amend numerous approval processes 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 2021	Venus Vendoures Walsh (515) 242-6529	

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
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	August 2020	Sharon Dozier (515) 281-6352	
IAC 645- Chapter 361 Licensure of Sign Language Interpreters and Translitterators	Add teleconferencing and remote services in the definition of active interpreter or translitterator services; amends licensure requirements to add a certification; and amends the requirements for a temporary license.	Iowa Code 17A, 147, 154E, 272C	March 2021	Sharon Dozier (515) 281-6352	
IAC 645---Chapters 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18	Review, reorganize, rewrite of general chapters.	Iowa Code Chapters 147, 272C	Ongoing	Steve Garrison 515-242-6385	
IAC 645---Chapters 5, 21, 22, 31, 41, 60, 61, 81, 101, 121, 131, 141, 180, 200, 206, 220, 221, 240, 261, 280, 300, 326, 351, & 361	Allow for electronic renewal cards	Iowa Code Chapters 147, 272C	Ongoing	Steve Garrison 515-242-6385	
IAC 645 --- (creation of new chapter)	Rules required by HF2627 related to criminal background check and waiver of fees	Iowa Code Chapters 147, 272C	December 2020	Steve Garrison 515-242-6385	
IAC 645---Chapter 81 Licensure of Social Workers	Revision of LMSW supervision language	Iowa Code Chapters 147, 272C	January 2021	Steve Garrison 515-242-6385	
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	Majority of the rolling review was accomplished through ARC 5043C.	Iowa Code 17A, 147, 148C, 272C	NOI published in the IAB on June 3, 2020.	Susan Reynolds (515) 281-5234	September 2, 2020.

Behavioral Health Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641--Chapter 154 Medical Cannabidiol Program	These rule amendments are to conform with statutory changes to Iowa Code chapter 124E as outlined in HF2589.	Iowa Code 124E, 2020 Iowa Acts HF 2589.	July 2020 BOH Meeting	Owen Parker (515) 418-7574	
IAC 641--Chapter 155 Licensure Standards for Substance Use Disorder and Problem Gambling Treatment Programs	2020 Iowa Acts House File 2389 updated language in the rulemaking process in Iowa Code Chapter 17A. Specifically the term "variances" has been removed. This action will update the IDPH administrative rules for waivers in Chapter 15.	Iowa Code 17A and 2020 Iowa Acts HF 2389	September 2020 BOH Meeting	Eric Preuss (515) 281-8802	

Director's Office:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 Chapter 178 Variances and Waivers of Public Health Administrative Rules	2020 Iowa Acts House File 2389 updated language in the rulemaking process in Iowa Code Chapter 17A. Specifically the term "variances" has been removed. This action will update the IDPH administrative rules for waivers.	Iowa Code 17A and 2020 Iowa Acts HF 2389	September 2020 BOH Meeting	Susan Dixon (515) 725-2183	
IAC 641 Chapter 108 Medical Residency Training State Matching Grants Program	2020 Iowa Acts House File 2197 added a definition of "primary care" and the administrative rules will be amended to incorporate this change.	Iowa Code Section 135.176 and 2020 Iowa Acts HF 2197.	September 2020 BOH Meeting	Susan Dixon (515) 725-2183	

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 51 Dental Screening	To adopt rules based on 2018, SF475 that charged the department with reviewing each of the student health screening programs to determine where there was undue burden placed on school nurses and administrators when it came to the screening programs. Data was reviewed for the dental audits and it was found that since the implementation of the dental screening requirement, the department has made great strides in the number of school districts that submit audit information (up to 99% in 2018-2019). There was less concrete data available on the amount of time school nurses, administrators, or local I-Smile staff are spending on completing dental audits. A QI workgroup was established and provided a recommendation that the department evaluate the auditing requirements of the dental screening program for efficiencies and adopt changes to ease the audit process for schools.	2018 Senate File 475, Section 14	To be determined	Bob Russell (515)-281-4916 Stephanie Chickering (515) 240-9819	
IAC 641 -- Chapter 10 Iowa Get Screened: Colorectal Cancer Program	Amend rules to use CRC funds for diagnostic screening	Iowa Code 135	To be determined	Jill Meyers-Gaedelmann (515) 242-6067	

Medical Examiner's Office:

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

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"	General updates, Update cross references in 10.3(1)b to chapter 29 (29.6(4),(5)) [new chapter proposed for RDH scope of practice]	153.15, 153.33A	September 2019 started discussion	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 20 "Dental Assistants"	General review and update.	153.38, 153.39	TBD	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 22 "Dental Assistant Radiography Qualification"	Review and update requirements for obtaining and reinstating a qualification in dental radiography. **DA Educators proposed changing min RAD CE to 1 hour	153.38, 153.39, 147.10, 147.11, 272C.2	TBD	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene"; IAC 650-Chapter 12, "Dental and Dental Hygiene Examinations"	Review and update examination requirements for consideration of non-patient clinical examinations and review and update of requirements for graduates of foreign dental schools.	Iowa Code 147.3, 147.29, 147.34, 147.180 and 153	August 2020 or September 2020 start discussion	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 13 "Special Licenses"	Review and update resident and faculty application requirements: End of program & process for foreign-trained applicants	153.22, 153.37	January 2021	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 14 "Renewal and Reinstatement"	Consider a requirement for obtaining/requiring NPBD self-query results for reinstatement, reactivation. (We currently require this for new licenses.)	Iowa Code 147.10, 147.11, 153.39, and 272C.2	January 2021	Jill Stuecker (515) 281-6935	
IAC 650-Chapter 35 "Iowa Practitioner Review Committee"	Review and update program eligibility.	Iowa Code Chapter 153, 272C	TBD	Jill Stuecker (515) 281-6935	
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	TBD	Jill Stuecker (515) 281-6935	
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)	TBD	Jill Stuecker (515) 281-6935	

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	FY 2021	Kent Nebel (515) 281-7088	
IAC 653—Chapter 2 Public Records and Fair Information Practices	<ol style="list-style-type: none"> 1. Update public records practices to be consistent with HF2627. 	Iowa Code 147, 148, and 272C	FY 2021	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. 2. Amend application review process for international medical school graduates who seek a temporary license. 3. Define “grace period” for an expiring resident license. 	Iowa Code 147, 148 and 272C	FY 2021	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 rules on continuing education for Genetic Counselors. 3. Establish rules on continuing education for prescribing psychologists. 	Iowa Code 147, 148 and 272C	FY 2021	Kent Nebel (515) 281-7088	
IAC 653—Chapter 13 Standards of Practice	<ol style="list-style-type: none"> 1. Update medical cannabidiol rules to be consistent with HF 2589. 2. Update Abortion standards pursuant to 2017, 2018 legislation. 	Iowa Code 147, 148 and 272C	FY 2021	Kent Nebel (515) 281-7088	
IAC 653—Chapter 14 Iowa Physician Health Program	<ol style="list-style-type: none"> 1. Update rules for the Iowa Physician Health Program to reflect current practices. 	Iowa Code 147, 148 and 272C.	FY 2021	Kent Nebel (515) 281-7088	
IAC 653—Chapter 19 Licensure of Prescribing Psychologists	<ol style="list-style-type: none"> 1. Establish rules on continuing education for Prescribing Psychologists.. 	Iowa Code 147, 148E and 272C	FY 2021	Kent Nebel (515) 281-7088	
IAC 653—Chapter 20 Licensure of Genetic Counselors	<ol style="list-style-type: none"> 1. Establish rules on continuing education for Genetic Counselors. 	Iowa Code 147, 148E and 272C	FY 2021	Kent Nebel (515) 281-7088	

Updated: July 2020

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 653—Chapter 21 Physician Supervision of a Physician Assistant	1. Update rules to be consistent with HF 2357..	Iowa Code 147, 148, and 272C	FY 2021	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 2021	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 2 Nursing Education	Revise undergraduate and graduate preceptor requirements. Review and revise as necessary as a result of the state emergency disaster.	Iowa Code Chapters 147.76, 152.5	FY 2021	Kathy Weinberg (515)281-4822	
IAC 655 - Chapter 3 Licensure	Review and revise as necessary based on HF 2627 and licensing fees.	Iowa Code Chapters 17A,147,152,272C	FY2021	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 4 Discipline	Review and revise as necessary based on HF 2627 and criminal convictions.	Iowa Code Chapter 252J	FY2021	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 5 Continuing Education	Review and revise as necessary based on continuing education requirements as a result of the state emergency disaster.	Iowa Code Chapter 272C 2019 Iowa Acts chapter 91, H.F. 731	FY2021	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 2021	Kathy Weinberg (515) 281-4822	
IAC 655 - Chapter 19 Iowa Nurse Assistance Program	Review and revise as needed	Iowa Code Chapter 272C	Summer, 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 section 124.201	Dependent on federal DEA action	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Ongoing
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 (515) 408-7824 or Andrew Funk (515) 281-5944	Ongoing
IAC 657 - Chapter 12 Controlled substances	Temporary designation in Iowa Code 124B of certain precursor substances in response to action taken by federal DEA	Iowa Code section 124B.2, subsection 2	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 - Chapter 37 Iowa Prescription Monitoring Program	Amend rules to implement Code changes enacted by Senate File 2120 (veterinarian access to PM and reporting schedule V controlled substances and drugs of concern to PMP)	88th General Assembly, Senate File 2120	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 - Chapter 2 Pharmacists Licenses	Amend rules to remove requirement that a pharmacist's original license by examination be current and active for license transfer	Iowa Code sections 147.44 and 155A.7	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 - Chapter 17 Wholesale Distributor Licenses and Chapter 43 Third-Party Logistics Provider Licenses	Amend rules to allow NCDQS accreditation for initial licensure with requirement to attain VAWD accreditation prior to second renewal	Iowa Code sections 155A.17 and 155A.17A	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 - Chapter 4 Pharmacist Interns	Amend rules to provide clarification and consistency with other board rules as a 5 year review of the chapter	Iowa Code sections 147.76, 147.80 and 155A.6	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 - Chapter 21 Electronic Data and Automated Systems in Pharmacy Practice	Amend rule to require an electronically transmitted prescription include the telephone number where the prescriber can be contacted	Iowa Code section 147.76	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020

Updated: July 2020

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 657 Chapter 10 Controlled Substances	Amend rules to incorporate new federal EA Form 222 single sheet and clarify the expectation that perpetual inventory records accurately reflect the actual on-hand inventory of schedule II substances	Iowa Code section 124.301	Summer 2020	Sue Mears (515) 08-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 Chapter 8 Universal Practice Standards	1) Amend rule relating to collection of patient information needed for drug utilization review 2) Amend rule relating to service-animal-in-training utilization	1) Iowa Code section 147.76 2) 2019 Iowa Acts, Senate File 341	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 Chapter 1 Purpose and Organization	Amend rule to incorporate organizational structure change of the Executive Director	2019 Iowa Acts, House File 766	Summer 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by December 31, 2020
IAC 657 Chapter 6 General Pharmacy Practice and Chapter 23 Care Facility Pharmacy Practice	Amend rules to allow one pharmacy to transmit prescription information to another pharmacy for the purpose of providing a short-term supply of medication without constituting a transfer of the prescription	Iowa Code section 147.76	Fall 2020	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated spring 2021
IAC 657 Chapter 8 Universal Practice Standards and/or Chapter 20 Compounding Practices	Amend rules if/when the Board signs the federal Memorandum of Understanding with the Food and Drug Administration relating to interstate distribution of compounded drug products	Iowa Code section 147.76 and 155A.13	Unknown	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Unknown