

**IOWA DEPARTMENT OF PUBLIC HEALTH
REGULATORY PLAN
FISCAL YEAR 2022**

July 1, 2021

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 Kelly Garcia, Interim 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 2022. 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 139 Emergency Medical Services - Training Programs - Students - Complaints and Investigations	2021 Iowa Acts House File 615 allows a medical care ambulance service or non transport service that has received authorization from the department to conduct emergency medical care service training.	Iowa Code chapter 147A and 2021 Iowa Acts House File 615	September 2021	Rebecca Curtiss (515-242-5206)	
IAC 641 - Chapter 41 Safety Requirements for the Use of Radiation Machines and Certain Uses of Radioactive Materials	Removing the references relating to Iowa as an Accrediting Body for mammography facilities since the transition of all facilities to the American College of Radiology accreditation occurred in January 2020.	Iowa Code 136C	September 2021	Angela Leek (515-371-2255)	
IAC 641 - Chapter 43 Minimum Requirements for Radon Testing and Analysis and Chapter 44 Minimum Requirements for Radon Mitigation	The rules have not been updated for many years and are being revised to better align with industry practices that have changed since the initiation of these rules.	Iowa Code 136B	January 2022	Angela Leek (515-371-2255)	

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 - Ch 95 Vital Records -General Administration and Chapter 99 Vital Records Modifications	Implements HF855 Access to a copy of an Original Birth Certificate by an Adoptee or an Entitled person, providing for fees, and including effective dates.	Iowa Code 144.3 and 2021 Iowa Acts House File 855	September 2021	Melissa Bird 515-281-6762	
IAC 645 - Chapter 31, Licensure of Marital and Family Therapists, Mental Health Counselors, Behavior Analysts, and Assistant Behavior Analysts - Chapter 280, Licensure of Social Workers	Implement supervision changes and update licensure requirements as required by HF891	Iowa Code 154C.3 and 154D. 2 and Iowa Acts House File 891	July 2021	Steve Garrison 515-242-6385	
IAC 645 - Chapter 11, Contested Cases	Review and revision as part of five year rolling review	Five year rolling review	December 2021	Steve Garrison 515-242-6385	

Updated: July 2021

Behavioral Health Division:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 - Ch 155 Licensure Standards for Substance Use Disorder and Problem Gambling Treatment Programs	Administrative revisions to reflect changes in Inspection and Appeals 481--59 Tuberculosis (TB) Screening rules which include definition changes, changes to TB risk assessment, and clarifying language around transfer of workers between facilities.	Inspection and Appeals 481--59 Tuberculosis (TB) Screening rules were updated and updates to IAC 641-155 are needed to align.	To be determined	Lori Hancock-Muck (515) 204-9766	

Director's Office:

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 641 Chapter 109 Prescription Drug Donation Repository Program	One amendment to a definition will fix an unintended misclassification as a result of a federal law change. This action will update the IDPH administrative rule.	Iowa Code 135M	September 2021	Susan Dixon (515) 725-2183	
IAC 641 Chapter 108 Medical Residency Training State Matching Grants Program	2021 Iowa Acts House File 891 added payment for medical residency program liability as a fundable activity under this program and the administrative rules will be amended to incorporate this change.	Iowa Code Section 135.176 and 2021 Iowa Acts HF 891.	September 2021	Susan Dixon (515) 725-2183	
IAC 641 Chapter 80 Local Public Health Services	General updates; revisions to reflect proposed changes in the local public health services grant requirements.	Iowa Code Section 135. 11(13)	To be determined	Marisa Roseberry 515-322-1925	
IAC 641 Chapter 154 Medical Cannabidiol Program	Administrative updates per program evaluation	Iowa Code Chapter 124E	To be determined	Owen Parker 515-725-2904	

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 10 Iowa Get Screened: Colorectal Cancer Screening	Amendments update enhanced screening eligibility requirements in alignment with federal guidelines.	Iowa Code section 135.11	September 2021	Victoria Brenton 515-371-0741 Jill Myers Gadelmann 515-321-8700	
IAC 641- Chapter 8 Iowa Care for Yourself (IA CFY) Program	Amendments update definitions and add a category of eligibility to include cervical cancer screening services for persons age 21-39.	Iowa Code section 135.11(1) and 135.39 and 42 U.S.C. Section 300k	September 2021	Jolene Carver 515-314-6369 Jill Myers Gadelmann 515-321-8700	
IAC 641 - Chapter 9 Outpatient Diabetes Education Programs	Amendment to document the name change of the American Association of Diabetes Educators (AADE) to the Association of Diabetes Care and Education Specialists (ADCES).	Iowa Code section 135.11	To be determined	Laurene Hendricks 515-371-7790 Jill Myers Gadelmann 515-321-8700	
IAC 641 - Chapter 4 Center for Congenital and Inherited Disorders	Amendments to newborn screening fee and to release of data paragraphs	Iowa Code Section 136A	To be determined	Kim Piper 515-720-4925	

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.					

Updated: July 2021

Dental Board:

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

Board of Medicine: *

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 653-Chapter 11.4 "Continuing Education and Training Requirements"	Review of the use of virtual CME versus in-person CME in section 11.4.	147, 148, 272C	Begin review by September 2021	Kent Nebel (515) 281-7088	
IAC 653-Chapter 13.2 "Standards of Practice And Principles of Medical Ethics"	Review the current standards of practice for appropriate pain management in section 13.2.	147, 148, 272C	Begin review by September 2021	Kent Nebel (515) 281-7088	
IAC 653-Chapter 13.4 "Standards of Practice And Principles of Medical Ethics"	Review the rules for supervision of pharmacists engaged in collaborative drug therapy management to ensure that the rules are consistent with SF 296.	147, 148, 272C	Begin review in July 2021	Kent Nebel (515) 281-7088	
IAC 653-Chapter 13.8 "Standards of Practice And Principles of Medical Ethics"	Review the current standards of practice for medical directors at medical spas in section 13.8..	147, 148, 272C	Begin review by September 2021	Kent Nebel (515) 281-7088	
IAC 653-Chapter 13.11 "Standards of Practice And Principles of Medical Ethics"	Review the current standards of practice for telemedicine/telehealth in section 13.11.	147, 148, 272C	Begin review by September 2021	Kent Nebel (515) 281-7088	
IAC 653-Chapter 21 "Physician Supervision of a Physician Assistant"	Review the rules for physician supervision of a physician assistant to ensure that the rules are consistent with recent statutory changes.	147, 148, 272C	Begin review by September 2021	Kent Nebel (515) 281-7088	

Updated: July 2021

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 - Administration and Regulatory Authority	5 year Review and Update any needed language.	Iowa Code - 17A,147,152	October BON Mtg - 2021	Kathy Weinberg (515) 281-4822	
IAC-655-Chapter 3 -Licensure to Practice - Registered Nurse/Licensed Practical Nurse	5 year Review and Update any needed language.	Iowa Code - 17A,147,152,272C	October BON Mtg - 2021	Kathy Weinberg (515)281-4822	
IAC-655-Chapter 4 - Discipline	5 year Review and Update any needed language.	Iowa Code - 17A,147,152,272C	October BON Mtg - 2021	Kathy Weinberg (515) 281-4822	
IAC-655-Chapter 6-Nursing Practice for Registered Nurses?Licensed Practical Nurses	Amendment to add subrule 6.3(11)(f)(2) to allow for LPNs to work in opioid treatment medication units without another provider physically present in the proximate area.	Iowa Code - 152	Adopted - October BON Mtg - 2021	Kathy Weinberg (515) 281-4822	
IAC - 655-Chapter 20 - contested Cases	5 year Review and Update any needed language.	Iowa Code - 17A,147,152,272C	October BON Mtg - 2021	Kathy Weinberg (515) 281-4822	
Telehealth Rules	Drafting of Telehealth Rules for RNs and ARNPs practicing in Iowa.	Iowa Code - 152	Jan. BON Mtg - 2022	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"	Temporary designation in Iowa Code 124 - 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.17(2)	Current 5 year review due by June 2022	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Ongoing
IAC 657 - Chapter 12 "Precursor Substances"	Temporary designation in Iowa Code 124B of certain precursor substances in response to action taken by federal DEA	Iowa Code subsection 124B.2(2)	Dependent on federal DEA action	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Ongoing
IAC 657 - Chapter 2 "Pharmacist Licenses"	Establish parameters for issuance of a temporary license to a pharmacist license candidate by license transfer; allow a pharmacist license transfer candidate to transfer pharmacist license based on any license that is current and active that is not required to be the original license by examination; and require a pharmacist who is seeking license reinstatement to be subject to a criminal history background check	2020 Iowa Acts House File 2627; Iowa Code section 147.11; 147.44	Currently filed for adoption	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated August 18, 2021
IAC 657 - Chapter 31 "Criminal Convictions"	New Chapter to establish the use of criminal convictions in determining an individual's eligibility to apply for licensure/registration or in denying, revoking, or suspending a license/registration	2020 Iowa Acts House File 26271	Currently filed for adoption	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated August 18, 2021
IAC 657 - Chapter 33 "Military Service and Veteran Reciprocity"	Removal of the term "spouse"	2020 Iowa Acts, House File 2627	Currently filed for adoption	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated August 18, 2021

Updated: July 2021

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 657 - Chapter 6 "General Pharmacy Practice"	Provide conforming language relating to the terminology used in relation to deaf and hard-of-hearing persons	2020 Iowa Acts, Chapter 1102 (House File 2585)	Currently filed for NOIA	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated October 27, 2021
IAC 657 - Chapter 20 "Compounding Practices"	Require pharmacies which compound human preparations and dispense or distribute interstate to report associated data to the NABP information sharing network to conform with a Memorandum of Understanding with FDA	2021 Iowa Acts, House File 514	Rule drafting in process	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by end of 2021
IAC 657 - Chapter 3 "Pharmacy Technicians"	Allow for limited renewal of technician trainee registrations in exceptional circumstances; allow properly trained technicians to engage in vaccine administration	2021 Iowa Acts, House File 514	Rule drafting in process; vaccine administration authorization likely to be via emergency rulemaking	Sue Mears (515) 08-7824 or Andrew Funk (515) 281-5944	Vaccine administration anticipated early summer 2021; remainder anticipated by end of 2021 or early 2022
IAC 657 - Chapter 39 "Expanded Practice Standards"	Update reference from Iowa Acts to Iowa Code in rule relating to pilot or demonstration research projects; Update rules relating to collaborative practice agreements	2021 Iowa Acts, House File 514 and Senate File 296	Rule drafting in process	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by end of 2021 or early 2022
IAC 657 - Chapter 21 "Electronic Data and Automated Systems in Pharmacy Practice"	Update rules relating to mandated electronic transmission of prescriptions	Iowa Code section 155A.27	Rule drafting in process	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by end of 2021 or early 2022
IAC 657 - Chapter 6 "General Pharmacy Practice" and Chapter 10 "Controlled Substances"	Update requirements for security and accountability of prescription drugs, including controlled substances; update requirements for annual controlled substances inventory counts and perpetual inventory of controlled substances.	Iowa Code sections 124.301 and 147.76	Rule drafting in process	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by end of 2021 or early 2022

Chapter # & Title	Action, Reasons & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person and Phone	Effective Date
IAC 657 - Chapter 8 "Universal Practice Standards"	Allow the temporary designation of a pharmacist in charge when the permanent pharmacist in charge is on extended leave from the pharmacy via notice to the board on forms provided by the board	Iowa Code section 147.76	Rule drafting in process	Sue Mears (515) 408-7824 or Andrew Funk (515) 281-5944	Anticipated by end of 2021 or early 2022