

Physical Examinations in Child Care Settings Implementation

DECEMBER 2022

BACKGROUND AND DISCUSSION

HF 2589, SEC. 50 – STANDINGS APPROPRIATION

HF 2589 was signed into law on 6/21/22. Division XIII outlines a new requirement in Iowa Code §237A.12 that requires HHS to adopt new rules to allow for any licensed physician as defined in section §135.1 to perform the child care physical examination.

§135.1 defines “Physician” to mean a person licensed to practice medicine and surgery, osteopathic medicine and surgery, chiropractic, podiatry, or optometry under the laws of this state; but a person licensed as a physician and surgeon shall be designated as a “physician” or “surgeon,” a person licensed as an osteopathic physician and surgeon shall be designated as an “osteopathic physician” or “osteopathic surgeon,” a person licensed as a chiropractor shall be designated as a “chiropractor,” a person licensed as a podiatrist shall be designated as a “podiatric physician,” and a person licensed as an optometrist shall be designated as an “optometrist.” A definition or designation contained in this subsection of Iowa Code shall not be interpreted to expand the scope of practice of such licensees.

The Board of Chiropractic has interpreted their scope of practice to include well child exams. The other boards have not assessed the extent to which well child exams are within their scope of practice, but it is HHS’s informal opinion that language in the statute could be prohibitive.

HHS will amend applicable rules in Iowa Administrative Code 441.109, 441.110, and 441.120 to add chiropractors to those licensed physicians permitted to conduct physical exams. Modifications will be required to forms, communications, and manuals, as well as the Child Care Regulatory Information System (CRIS).

IMPLEMENTATION TIMELINE & ACTION PLAN

#	Milestone	Target Completion Date	Completion Date	Implementation Update Description
1	Draft administrative rule changes to 441.109, 441.110, and 441.120	8/15/22	7/18/22	Submitted to Bureau of Policy Coordination on 7/18/22. ARC 6476 first to Rules committee on 9/14/22.
2	Complete Project Online changes for CRIS system	9/1/22	9/20/22	Child Care Policy will request changes to internal data systems (CRIS) to implement rule changes for live date of 3/1/23

3	Complete form, manual, and comm changes	12/15/22		Publish date for 3/1/23
4	Full implementation date	3/1/23		

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