

STATE OF IOWA

1951

Law of Iowa

**As It Pertains
to the**

**PRACTICE OF
NURSING**

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**Issued by the
IOWA BOARD OF NURSE EXAMINERS**

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LAW OF IOWA AS IT PERTAINS TO THE PRACTICE OF NURSING

Part 1 PRACTICE OF NURSING

152.1 Nursing Defined. For the purpose of this title any person shall be deemed to be engaged in the practice of nursing as a registered nurse who performs any professional services requiring the application of principles of biological, physical or social sciences and nursing skills in the observation of symptoms, reactions and the accurate recording of facts and carrying out of treatments and medication prescribed by licensed physicians in the care of the sick, in the prevention of disease or in the conservation of health. For the purpose of this title the practice of nursing as a licensed practical nurse shall mean the performance of such duties as are required in the physical care of a convalescent, a chronically ill or an aged or infirm patient, and in carrying out such medical orders as are prescribed by a licensed physician or nursing services under the direct supervision of a registered nurse, requiring the knowledge of simple nursing procedures but not requiring the professional knowledge and skills of a registered nurse.

152.2 Exceptions. The practice of nursing as defined in this Chapter shall not confer any authority to practice medicine as defined in Chapter 148 or to practice osteopathy or osteopathy and surgery as defined in Chapter 150 and it shall not include the following:

1. The care of the sick by domestic servants, housekeepers, nursemaids, companion or household aides, whether employed regularly or because of an emergency or illness, provided such person does not hold himself out or accept employment as a person licensed to practice nursing under this title.

2. The domestic administration of family remedies.

3. The furnishing of nursing assistance in case of an emergency.

4. The performance of nursing services by students enrolled in accredited schools of nursing incidental to their courses of study.

5. The performance of services by non-professional workers in offices, hospitals or nursing homes under the direct supervision of a physician or nurse licensed under this title provided such person does not hold himself out or accept employment as a person licensed to practice nursing under this title.

6. The practice of nursing by a licensed nurse of another state rendered to a person temporarily residing in this state.

7. The care of the sick rendered in connection with the practice of the religious tenets of any church or order by the adherents thereof which is not performed for hire, or if performed for hire by those who depend upon prayer or spiritual means for healing in the practice of religion of their church or denomination, so long as they do not otherwise engage in the practice of nursing as practical nurses.

8. The practice of nursing by any licensed nurse of another state employed in this state by the federal government or any bureau, agency or division thereof when performed in the discharge of his official duties.

152.3 Licenses. Licenses to practice nursing shall be issued in two classifications, (1) a license to practice nursing as a registered nurse; and (2) a license to practice nursing as a licensed practical nurse.

Notwithstanding the provisions of section 147.3, every applicant for a license to practice nursing as a registered nurse shall:

1. Have attained the age of twenty years;
2. Be of good moral character;
3. Be a citizen of the United States, or have legally declared his intention of becoming such a citizen;

4. Be a graduate of an accredited high school and have completed a course of study in, and hold a diploma issued by a school of nursing for registered nurses approved by the board of nurse examiners; and,

5. Pass an examination prescribed by the board of nurse examiners which shall include but not be limited to the subjects of medical nursing, surgical nursing, nursing of children, obstetric and gynecologic nursing, psychiatric nursing, and communicable disease nursing.

Notwithstanding the provisions of section 147.3, every applicant for a license to practice nursing as a licensed practical nurse shall:

1. Have attained the age of nineteen years;
2. Be of good moral character;
3. Be a citizen of the United States or have legally declared his intention of becoming a citizen;

4. Have completed a course of study through the tenth grade in public schools or its equivalent in parochial or secular schools, and have successfully completed a course of integrated study in and hold a diploma from a school of nursing for licensed practical nurses approved by the board of nurse examiners or have successfully completed at least one year of a course of

study in a school of nursing for registered nurses, and

5. Pass an examination on subjects relating to the duties and services of a licensed practical nurse as defined in section 152.1. Said examination, however, shall be based only on the subjects of sanitation, hygiene and the practical application of bedside practice which shall reflect a fair test of the applicant's ability to care for patients in bedside practice.

Upon making application therefor, any person meeting the requirements as to age, character and citizenship specified above, shall be entitled to take the examination for a license as a licensed practical nurse without the educational training required above, if he has reputably performed the duties and services of a licensed practical nurse as defined in section 152.1, for a period of at least two years in the five years immediately preceding the date of such application. Such application shall be made on or before July 4, 1951 and the statements of the applicant must be verified by affidavits of two physicians licensed under this title.

152.4 Approval of training schools. No school of nursing for registered nurses shall be approved by the board of nurse examiners as a school of recognized standing unless said school is affiliated with a hospital and requires for graduation or any degree the completion of at least a three years course of study in subjects prescribed by the board.

No school of nursing for licensed practical nurses shall be approved by the board of nurse examiners as a school of recognized standing unless said school is affiliated with a hospital and requires for graduation the completion of at least a one year course of study, integrated in theory and practice, as prescribed by the board.

Nothing in this section shall be construed to prohibit the establishment or maintenance of a school of nursing for practical nurses and a school of nursing for registered nurses within the same hospital.

152.5 Professional abbreviations restricted. No person shall practice nursing as a registered nurse as defined in this chapter or assume the title of registered nurse, or use the abbreviation "RN" after his name or in any manner hold himself out or profess to be a registered nurse in this state without first procuring a license under the provisions of this title.

No person shall assume the title of licensed practical nurse or use the abbreviation "LPN" after his name or in any manner hold himself out or profess to be a licensed practical nurse without first procuring a license under the provisions of this title.

Nothing in this chapter shall be construed to prohibit any person not registered or licensed

hereunder from performing nursing services with or without pay; provided such person does not hold himself out or profess to be a registered nurse or a licensed practical nurse.

NURSE EXAMINERS

147.105 Secretary. The board of nurse examiners is authorized to appoint a fulltime secretary who shall not be a member of the board, and the provisions of section 147.22 which provide for a secretary for each examining board shall not apply to this board.

147.106 Duties. All records which pertain to the licensing of nurses in this state shall be kept by the secretary who shall keep a record of all proceedings of the board of nurse examiners and perform such further duties as the board shall generally or specifically determine.

147.107 Applications — reciprocal agreements — fees. Every application for a license to practice nursing in this state shall be made direct to the secretary of the board of nurse examiners, and upon granting of any such license the secretary shall certify to the department of health that such license has been granted. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the board. Notwithstanding the provisions of section 147.44 to 147.54, inclusive, the conditions for the recognition of any such license issued in another state shall be determined by the board, and it may certify for a license to practice nursing in this state without examinations an applicant who has been duly licensed as a nurse under the laws of another state, territory or foreign country, if in the opinion of the board the applicant meets all the qualifications required for a registered or licensed practical nurse under section 152.4. All examination, license and renewal fees received from such persons licensed to practice nursing shall be paid to and collected by the secretary of the board, who shall remit to the treasurer of the state quarterly all fees collected, and at the same time render to the state comptroller an itemized and verified report showing the source from which said fees were obtained. All such fees collected and remitted shall be placed in a special fund by the treasurer of state and the state comptroller to be known as the "Nurses fund", to be used by the board to administer and enforce the laws relating to the practice of nursing, to elevate the standards of schools of nursing, and to promote the educational and professional standards of nurses and nursing in this state, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year, after all expense in carrying out the provisions of sections 147.105 to 147.110, inclusive, have been paid, or a sum sufficient for payment thereof set apart, shall be paid into the general fund of the state. Said fund shall be subject at all

times to the warrant of the state comptroller, drawn upon written requisition of the chairman of the board and attested by the secretary, for the payment of all salaries and other expenses necessary to carry out the provisions of said sections, but in no event shall the total expenses therefor exceed the total fees collected and deposited to the credit of said fund.

147.108 Assistants — payment. Subject to the approval of the commissioner of public health, the board may appoint such assistants and inspectors as may be necessary to properly administer and enforce the provisions of sections 147.105 - 147.110, inclusive. They shall perform such duties as the board shall assign to them. The amount of salary or compensation of the secretary and such appointees shall be fixed by the Executive Council.

147.109 Enforcement — applicable statutes. The provisions of this title in so far as they affect the practice of nursing shall be enforced by the board of nurse examiners, and the provisions of sections 147.87, 147.88, and 147.89 shall not apply to said profession. In discharging the duties and exercising the powers provided for in sections 147.105 to 147.110, inclusive, the board and its secretary shall be governed by all the provisions of law which govern the department of health when discharging a similar duty or exercising a similar power that pertains to the nursing profession.

147.110 Interpretation. No provision of law in conflict with any provision of sections 147.105 to 147.109, inclusive, shall have any effect thereon or upon the rights of any person licensed under this title.

GENERAL PROVISIONS AFFECTING THE PRACTICE OF NURSING

Part 2

DEFINITIONS

147.1 Definitions. For the purpose of this and following chapters of this title:

1. "Examining board" shall mean one of the boards appointed by the governor to give examinations to applicants for licenses.
2. "Licensed" when applied to a . . . nurse, . . . shall mean a person licensed under this title.
3. "Profession" shall mean . . . nursing . . .
4. "Department" shall mean the state department of health.

LICENSES

147.2 License required. No person shall engage in the practice of . . . nursing . . . as defined in the following chapters of this title, unless he shall have obtained from the state department of Health a license for that purpose. (Referred to in 147.107).*

147.3 Qualifications. No person shall be licensed to practice a profession under this title until he shall have furnished satisfactory evidence to the department that he has attained the age of twenty-one years . . . notwithstanding the provisions of section 147.3 every applicant for a license to practice nursing as a registered nurse shall have attained the age of twenty (20) years. Every applicant for a license to practice nursing as a licensed practical nurse shall have attained the age of nineteen (19) years.

147.4 Grounds for refusing. The department may refuse to grant a license to practice a profession to any person otherwise qualified upon any of the grounds for which a license may be revoked by the district court.

147.6 Certificate presumptive evidence. Every license issued under this title shall be presumptive evidence of the right of the holder to practice in this state the profession therein specified.

147.7 Display of license. Every person licensed under this title to practice a profession shall keep his license publicly displayed in the place in which he practices.

147.9 Change of residence. When any person licensed to practice a profession under this title changes his residence he shall notify the department and such changes shall be noted in the registry book.

147.10 Renewal. Every license to practice a profession shall expire on the thirtieth day of June following the date of issuance of such license, and shall be renewed annually upon application by the licensee, without examination. Application for such renewal shall be made in writing to the department accompanied by the legal fee at least thirty days prior to the expiration of such license. Every renewal shall be displayed in connection with the original license. Every year the department shall notify each licensee by mail of the expiration of his license.

*Opinion of the attorney general. "Department of Health is not required to sign and issue certificates to practice nursing, but merely has the duty of keeping and properly filing such records as are certified to the Department with reference to the granting by the Board of Nurse Examiners of licenses." Attorney General, May 6, 1935

147.11 Reinstatement. Any licensee who allows his license to lapse by failing to renew the same, as provided in section 147.10, may be reinstated without examination upon recommendation of the examining board for his profession and upon payment of the renewal fees then due.

EXAMINING BOARDS

147.12 Examining boards. For the purpose of giving examinations to applicants for which a license is required by this title, the governor shall appoint a board of examiners for each of the said professions.

147.13 Designation of boards. The examining boards provided in section 147.12 shall be designated as follows: . . . for nursing, nurse examiners; . . .

147.14 Composition of boards. Each examining board shall consist of three members, except the . . . and nurse boards each of which shall consist of five members.

147.15 Professional qualifications. Every . . . nurse . . . examiner shall be a person licensed to practice the profession for which the board, of which he is a member, conducts examinations for licenses to practice such profession.

147.16 Practice requirement for examiners. Each examiner shall be actively engaged in the practice of his profession and shall have been so engaged in this state for a period of five years just preceding his appointment, except nurse examiners who shall be so actively engaged for a period of five years, but only the last two of which need be in this state.

147.19 Term. The members of each examining board shall be appointed for a term of three years, except the . . . and the nurse examiners who shall be appointed for a term of five years. No nurse examiner shall be appointed to more than two consecutive terms. The term of each examiner shall commence on July 1 in the year of appointment and the terms of the members of each board shall be rotated in such a manner that one examiner shall retire each year.

147.20 Nomination of examiners. The regular state association or society or its managing board for each profession may submit each year to the governor a list of six persons of recognized ability in such profession, who have the qualifications prescribed for examiners for that particular profession. If such list is submitted, the governor in making an appointment to the board of examiners for such profession shall select one of the persons so named.

147.21 Vacancies. Any vacancy in the membership of an examining board caused by death, resignation, removal, or otherwise, shall be filled for the period of the unexpired term in the same manner as original appointments.

147.22 Officers. Each examining board shall organize annually and shall select a chairman and a secretary from its own membership. (Referred to 147.105.)

147.24 Compensation. Each member of an examining board shall in addition to necessary traveling and hotel expenses, receive ten dollars per day for each day actually engaged in the discharge of his duties, including compensation for the time spent in traveling to and from the place of conducting the examination and for a reasonable number of days for the preparation of examination questions and the reading of papers, in addition to the time actually spent in conducting examinations.

147.28 National Organization. Each examining board may maintain a membership in the national organization of the state examining boards of its profession . . .

EXAMINATIONS

147.29 Applications. Any person desiring to take the examination for a license to practice a profession shall make application to the state department of health at least fifteen days before the examination, on a form provided by the department. Such application shall be accompanied by the examination fee and such documents and affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the department and shall be signed and verified by the oath of the applicant. (Referred to 147.107.)

147.30 Time and place of examinations. The department shall give public notice of the time and place of all examinations to be held under this title. Such notice shall be given in such manner as the department may deem expedient and in ample time to allow candidates to comply with the provisions of this title.

147.34 Time of examination. Each examining board shall hold regular sessions for the purpose of giving examinations at such times as the department may fix, not to exceed four in any one year . . .

147.36 Rules. Each examining board shall establish rules for:

1. The conducting of examinations.
2. The grading of examinations and passing upon the technical qualifications of applicants, as shown by such examinations.

147.37 Identity of candidate concealed. All examinations in theory shall be in writing, and the identity of the person taking the same shall not be disclosed upon the examination papers in such a way as to enable the members of the examining board to know by whom written until the papers have been passed upon. In examin-

ations in practice the identity of the candidate shall also be concealed as far as possible.

147.40 Certification of applicants. Every examination shall be passed upon in accordance with the established rules of the examining board and shall be satisfactory to at least a majority of the members of said board . . .

147.41 Partial examinations. Any examining board may give a partial examination for a license to practice a profession to any applicant who has completed a portion of his professional course. For such purpose said board shall establish by rule:

1. The portion of such course which shall be completed prior to such examination.

2. The subjects to be covered by such examination and the subjects to be covered by the final examination to be taken by such applicant after the completion of his professional course and prior to the issuance of his license, but the subjects covered in the partial and final examinations shall be the same as those specified in this title for the regular examination.

147.42 Rules relative to partial examinations. In case any examining board shall provide for partial examinations under section 147.41, the department shall adopt rules establishing:

1. The portion of the license fee fixed in this chapter which shall be paid for a partial examination.

2. The credentials which shall be presented to the department by an applicant showing his qualifications to take such examination.

3. The method of certifying the list of the eligible applicants for such examination to the proper examining board.

4. The method of certifying back to the department the list of applicants who successfully pass such examination.

5. The method of keeping the records of such applicants for use at the time of completing the examination for a license.

6. The credentials shall be presented to the department by such an applicant upon the completion of his professional course.

7. The method of certifying such applicant to the proper examining board for the remainder of his examination.

8. Such other matters of procedure as are necessary to carry into effect section 147.41.

147.43 Preservation of records. All matters connected with each examination for a license shall be filed with the state department of health and preserved for five years as a part of the records of the department, during which time said records shall be open to public inspection. (Referred to in 147.106.)

RECIPROCAL LICENSES

147.44 Agreements. For the purpose of recognizing licenses which have been issued in other states to practice any profession for which a license is required by this title, the department shall enter into a reciprocal agreement with every state which is certified to it by the proper examining board under the provisions of section 147.45 and with which this state does not have an existing agreement at the time of such certification.

147.45 States entitled to reciprocal relations. The department shall at least once each year lay before the proper examining board the requirements of the several states for a license to practice the profession for which such examining board conducts examinations for licenses in this state. Said examining board shall immediately examine such requirements and after making such other inquiries as it deems necessary, shall certify to the department the states having substantially equivalent requirements to those existing in this state for that particular profession and with which said examining board desires this state to enter into reciprocal relations.

147.46 Reciprocal agreements. In negotiating any reciprocal agreement, the department shall be governed by the following regulations:

1. **Protection to licensees of this state.** When the laws of any state or the rules of the authorities of said state place any requirement or disability upon any person licensed in this state to practice any profession regulated by this title which affects the right of said person to be licensed or to practice his profession in said state, then the same requirement or disability shall be placed upon any person licensed in said state when applying for a license to practice in this state.

147.47 Special conditions. Any examining board shall have power to provide by rule that no reciprocal relation shall be entered into by the department with any state with reference to licenses to practice the profession for which such examining board conducts examinations, unless every person licensed in another state when applying for a license to practice in this state shall comply with one or both of the following conditions:

1. Furnish satisfactory proof to the department that he has been actively engaged in the practice of his profession for a certain period of years to be fixed by such examining board.

2. Pass a practical examination in the practice of his particular profession as prescribed by such examining board.

Opinion of the attorney general. Reciprocity.

“ . . . a reciprocal agreement might be entered into by the board of nurse examiners which would grant reciprocity only to those nurses who have attained the training and who have passed

in an examination equal to the requirements now enforced in the state of Iowa and they might deny reciprocity to all nurses who cannot meet this requirement."

147.48 Termination of agreements. When the requirements for a license in any state with which this state has a reciprocal agreement are changed by any law or rule of the authorities therein so that such requirements are no longer substantially as high as those existing in this state, then such agreement shall be deemed terminated and licenses issued in such state shall not be recognized as a basis of granting a license in this state until a new agreement has been negotiated. The fact of such change shall be determined by the proper examining board . . .

147.49 License of another state. The department shall, upon presentation of a license to practice a profession issued by the duly constituted authority of another state, with which this state has established reciprocal relations, and subject to the rules of the examining board for such profession, license said applicant to practice in this state, unless under the rules of said examining board a practical examination is required in such cases.

147.50 Practical examinations. If the rules of any examining board require an applicant for a license under a reciprocal agreement to pass a practical examination in the practice of his profession, then such applicant shall make application therefor to the department upon a form provided by it.

147.51 Applicability of other provisions. All the provisions of this chapter relative to applications, transmittal of names of eligible candidates, certification of successful applicants, and issuance of licenses thereto, in the case of regular examinations, shall apply as far as applicable to applicants for practical examinations.

147.52 Reciprocity. When the laws of any state or the rules of the authorities of said state place any requirement or disability upon any person holding a diploma or certificate from any college in this state in which one of the professions regulated by this title is taught, which affects the right of said person to be licensed in said state, the same requirement or disability shall be placed upon any person holding a diploma from a similar college situated therein, when applying for a license to practice in this state.

147.53 Power to adopt rule. The department and each examining board shall have the power to establish the necessary rules, not inconsistent with law, for carrying out the reciprocal relations with other states which are authorized by this chapter.

147.54 Change of residence. Any licensee who is desirous of changing his residence to that of another state or territory shall upon appli-

cation to the department, and payment of the legal fee, receive a certified statement that he is a duly licensed practitioner in this state.

REVOCATION OF LICENSES

147.55 Grounds. A license to practice a profession shall be revoked or suspended when the licensee is guilty of any of the following acts or offenses:

1. Fraud in procuring his license.
2. Incompetency in the practice of his profession.
3. Immoral, unprofessional, or dishonorable conduct.
4. Habitual intoxication or addiction to the use of drugs.
5. Conviction of an offense involving turpitude.
6. Fraud in representations as to skill or ability.
7. Use of untruthful or improbable statements in advertisements . . .
8. Distribution of intoxicating liquors or drugs for any other than lawful purposes.
9. Willful or repeated violations of this title, the title on "Public Health", or the rules of the state department of health.
10. Continued practice while knowingly having an infectious or contagious disease.

147.56 Unprofessional conduct. For the purpose of section 147.55 "unprofessional conduct" shall consist of any of the following acts:

1. Solicitation of professional patronage by agents or purposes popularly known as "cappers" or "steerers", or profiting by the acts of those representing themselves to be agents of the licensee.
2. Receipt of fees in the assurance that a manifestly incurable disease can be permanently cured.
3. Acceptance of a fee for service as a witness, without the knowledge of the court, in addition to the fee allowed by the court.
4. Division of fees or agreeing to split or divide the fees received for professional services with any person for bringing or referring a patient or assisting in the care or treatment of a patient without the consent of said patient or his legal representative.
5. Advertisement of any medicine or means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed.
6. Procurement or aiding or abetting in the procurement of a criminal abortion.

7. Willful betrayal of a professional secret.

8. Willful neglect of a patient in a critical condition . . .

147.58 Jurisdiction of revocation. The district court of the county in which a licensee resides shall have jurisdiction of the proceeding to revoke or suspend his license.

147.59 Petition for revocation. The petition for revocation or suspension of a license may be filed by the attorney general in all cases. Said petition shall be filed in the office of the clerk of the district court having jurisdiction.

147.60 Duty of department. The state department of health shall direct the attorney general to file such petition against any licensee upon its own motion, or it may give such direction upon the sworn information of some person who resides in the county wherein the licensee practices.

147.61 Attorney general and county attorney. The attorney general shall comply with such direction of the department and prosecute such action on behalf of the state, but the county attorney, at the request of the attorney general, shall appear and prosecute such action when brought in his county.

147.62 Rules governing petition. The following rules shall govern the petition in such cases:

1. The state shall be named as plaintiff and the licensee as defendant.

2. The charges against the licensee shall be stated in full.

3. Amendments may be made as in ordinary actions.

4. All allegations shall be deemed denied but the licensee may plead thereto if he desires.

147.63 Trial. Upon the presentation of the petition, or a copy thereof, to the court or judge, he shall make an order fixing the time and place for the hearing which shall be not less than ten nor more than twenty days thereafter.

147.64 Notice. Notice of the filing of such petition and of the time and place of hearing shall be served upon the licensee at least ten days before said hearing in the manner required for the service of notice of the commencement of an ordinary action.

147.65 Nature of action. The proceeding shall be a summary in its nature, triable as an equitable action, and may be heard either in vacation or term time.

147.66 Judgment. Judgment of revocation or suspension of the license shall be entered of record and the licensee shall not engage in the practice of his profession after his license is revoked or during the time for which it is suspended. The clerk of the court shall, upon the

entry of such judgment, forthwith furnish the state department of health with a certified copy thereof.

147.67 Default. In case the licensee fails to appear, either in person or by counsel at the time and place designated in said notice, the court, after receiving satisfactory evidence of the truth of the charges, shall order the license revoked or suspended.

147.68 Costs. If the judgment is adverse to the licensee the costs shall be taxed to him as in ordinary civil actions, but if the state is the unsuccessful party the costs shall be paid out of any money in the state treasury not otherwise appropriated.

147.69 Unpaid costs. All costs accrued at the instance of the state, when the successful party, which the attorney general certifies cannot be collected from the defendant, shall be paid out of any money in the state treasury not otherwise appropriated.

147.70 Hearing on appeal. Both parties shall have the right of appeal, and in such event, the supreme court shall fix the time of hearing, and for filing abstracts and arguments. Said cause shall be advanced and take precedence over all other causes upon the court calendar, and shall be heard at the next term after the appeal is taken, provided the abstracts and arguments are filed in said court in time for said action to be heard.

147.71 Effect of appeal. The taking of an appeal by the defendant and the filing of a supersedeas bond shall not operate to stay the proceedings of the district court or judge, or restore the right of said defendant to practice his profession pending such appeal.

USE OF TITLES AND DEGREES

147.72 Professional titles and abbreviations. Any person licensed to practice a profession under this title may append to his name any recognized title or abbreviation, which he is entitled to use, to designate his particular profession, but no other person shall assume or use such title or abbreviation, and no licensee shall advertise himself in such a manner as to lead the public to believe that he is engaged in the practice of any other profession than the one in which he is licensed to practice.

147.73 Titles used by holder of degree. Nothing in section 147.72 shall be construed:

1. As authorizing any person licensed to practice a profession under this title to use or assume any degree or abbreviation of the same unless such degree has been conferred upon said person by an institution of learning accredited by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accrediting agency.

2. As prohibiting any holder of a degree conferred by an institution of learning accredited by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accrediting agency, from using the title which such degree authorizes him to use, but he shall not use such degree or abbreviation in any manner which might mislead the public as to his qualifications to treat human ailments.

FEEES

147.80 License—examination—renewal fees.

5. For a license to practice nursing . . . issued upon the basis of an examination given by an examining board, ten dollars.

6. For a license to practice nursing issued under a reciprocal agreement, ten dollars.

7. For a renewal of a license to practice any of the professions enumerated in the preceding paragraphs, one dollar . . .

9. For a certified statement that a licensee is licensed in this state, five dollars.

10. For an examination to determine whether an applicant has the educational attainments of a high school graduate, five dollars.

147.81 Second examination. Any applicant for a license who fails in his examination shall be entitled to a second examination without further fee at any time within a period of fourteen months after the first examination.

VIOLATIONS—CRIMES—PUNISHMENT

147.83 Injunction. Any person engaging in any business or in the practice of any profession for which a license is required by this title without such license may be restrained by permanent injunction.

147.84 Forgeries. Any person who shall file or attempt to file with the state department of health any false or forged diploma, or certificate or affidavit of identification or qualification, shall be guilty of forgery and punished accordingly.

147.85 Fraud. Any person who shall present to the department a diploma or certificate of which he is not the rightful owner, for the purpose of procuring a license, or who shall falsely personate anyone to whom a license has been issued by said department shall be punished as provided in section 147.86.

147.86 Penalties. Any person violating any provision of this or the following chapters of this title . . . shall be fined not less than one hundred dollars nor more than one thousand dollars or be imprisoned in the county jail for not more than six months or by both such fine and imprisonment.

ENFORCEMENT PROVISIONS

147.92 Enforcement. Attorney general and county attorney. Upon request of the state department of health the attorney general shall institute in the name of the state the proper proceedings against any person charged by the department with violating any provision of this or the following chapters of this title and the county attorney, at the request of the attorney general, shall appear and prosecute such action when brought in his county.

147.93 Prima facie evidence. The opening of an office or place of business for the practice of any profession for which a license is required by this title, the announcing to the public in any way the intention to practice any such profession, the use of any professional degree or designation, or of any sign, card, circular, devise, or advertisement, as a practitioner of any such profession, or as a person skilled in the same, shall be prima facie evidence of engaging in the practice of such profession.

WOUNDS BY CRIMINAL VIOLENCE

147.111 Report of treatment of wounds. Any person licensed under the provisions of this title, who shall administer any treatment to any person suffering an injury of violence, which appears to have been received in connection with the commission of a criminal offense, or to whom an application is made for treatment of any nature because of any such injury of violence, shall at once but not later than twelve hours thereafter, report said fact to the sheriff of the county in which said treatment was administered or an application therefor was made, stating therein the name of such person, his residence if ascertainable, and giving a brief description of the injury. Any provision of the law or rule of evidence relative to confidential communications is suspended in so far as the provisions hereof are concerned.

147.112 Report by sheriff. The sheriff of any county who has received any report required by this chapter and who has any reason to believe that the person injured was involved in the commission of any crime, either as perpetrator or victim, shall at once report said fact, giving all details relative thereto to the chief of the bureau of investigation. No sheriff shall divulge any information received under this section and section 147.111 to any person other than law enforcing officer, and then only in connection with the investigation of the alleged commission of a crime.

147.113 Violations. Any person failing to make the report required herein shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed one hundred dollars.

STATE LIBRARY OF IOWA



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