

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 547 (HSB 120)	House Committee:	PASSED February 19 (22-0)
Committee:	State Government	House Floor:	PASSED March 12 (96-0)
Floor Manager:	Representative Bergan	Senate Floor:	PASSED April 14 (45-0)
Date:	April 25, 2025	Governor:	SIGNED April 25
Staff:	Jason Covey (1-3626)		

Respiratory Care Licensure Compact

- Proposed interstate compact to support the mobility of licensed respiratory therapists.
- The compact would allow qualified licensed respiratory therapists to apply and be approved for the compact privilege to practice in remote participating states.
- The compact would go into effect when the 7th state enacts the compact model language. Currently no state has enacted it.

Section by Section Analysis

Section 1 – Respiratory care licensure compact (Iowa Code 147J.1)

1. Adds the title and purpose of the respiratory therapists compact.
2. Creates subsection of definitions for the compact.
3. State participation in the compact – In order to be a member of the compact a state must enact the model compact, participate in the commission's data system, have a mechanism in place for receiving and investigating complaints, implement criminal background checks, comply with commission rules, require licensure for applicants in the home state and recognize compact privileges to qualified licensees.
4. Compact privilege – Qualified licenses shall hold an active home state license as a respiratory therapist and remote state fees for the compact privilege in a remote state. Licensees practicing in a remote state are required to meet the requirements and practice within the scope of practice of the remote state.

Remote states are authorized to impose adverse action against a licensee, including revoking the licensee's compact privilege in the remote state. If a licensee's compact privilege is removed in a remote state the individual shall be ineligible for the compact privilege in any remote state until the suspension in the remote state has ended.

5. Active Military members or their spouses – An active military member or their spouse shall designate a home state where they have a license in good standing and they may retain home state designation while serving active duty.

6. Adverse actions – A participating state has the exclusive authority to impose adverse action against a licensee in that state. A participating state may take adverse action against a licensee based on investigative information from a remote state.
7. Establishment and operation of the commission – Each participating state shall have one commissioner selected by the participating state’s licensing authority. The commission shall establish a code of conduct, adopt rules and bylaws, initiate and conclude legal proceedings or actions, maintain and certify records and information for participating states, purchase and maintain insurance and bonds, set rules and fees for the granting of compact privilege for a licensee.
8. Data systems – the commission shall provide for the development, maintenance, operation, and utilization of a database and reporting system for licensure, adverse action, and investigative information. Participating states shall submit uniform data sets to the system on all applicable individuals. Participating states may designate information that may not be shared with the public without the permission of the state.
9. Rulemaking – The commission shall enact reasonable rules to implement and administer the compact. The rules of the commission shall have the force of law in each participating state, except where the rules are in conflict with the laws of the state. If a majority of legislatures in the compact reject a commission rule within 4 years of adoption it shall no longer be in effect.
10. Oversight, dispute resolution, and enforcement – The executive and judicial branches of each participating state shall enforce the compact. If the commission determines that a participating state is in default in the performance of its obligations the commission shall issue written notice. If the state fails to cure the default the state may be terminated from the compact by a majority vote of commission members.

The commission shall attempt to resolve disputes between states.

11. Effective Date – The compact goes into effect on the date the 7th participating state enacts the compact into law.
12. Construction and severability – The provisions of the compact shall be severable if any section of the compact is ruled unconstitutional the remainder of the compact shall not be affected.
13. Consistent effect and conflict with other state laws – Nothing in the compact shall prevent or inhibit the enforcement of any other law of a participating state and any laws of a participating state in conflict with the compact supersedes the conflicting rules of the compact.