Fields of Opportunities

STATE OF IOWA

THOMAS J. VILSACK
GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

DEPARTMENT OF PUBLIC HEALTH
MARY MINCER HANSEN RN, PhD
DIRECTOR

Athletic Training 515/281-4401
Barber 515/281-6959
Behavioral Science 515/281-4422
Chiropractic 515/281-4287
Cosmetology 515/281-4416
Dietetic 515/281-6959
Hearing Aid Dispensers 515/281-4416
Interperters for Hearing Impaired 515/281-4287
Massage Therapy 515/281-6959
Mortuary Science 515/281-4287
Nursing Home Administrators 515/281-4401
Optometry 515/281-4287
Physical & Occupational Therapy 515/281-4401
Physician Assistants 515/281-4401
Podiatry 515/281-4287
Psychology 515/281-4401
Respiratory Care 515/281-4287
Social Work 515/281-4422
Speech Pathology & Audiology 515/281-6959
Eileen Gloor
~~Lois Churchill~~
Bureau Chief 515/242-6385

October 12, 2006

Charlie Smithson
Executive Director & Legal Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319

Dear Mr. Smithson:

In accordance with Iowa Code section 68B.4 the Iowa Board of Respiratory Care Examiners granted consent for members of the Board to sell or lease goods and services as follows:

1. Members of the Board may sell or lease goods or services to any individual, association, or corporation regulated by any division within the Department of Health, other than the Board on which that official serves. This consent is granted because such sale or lease of goods or services does not affect the Board member's duties or functions on the Board.

2. Members of the Board may sell or lease goods or services to any individual association, or corporation regulated by the Board if those goods or services are routinely provided to the public as part of that person's regular professional practice. This consent is granted because the sale or lease of such goods or services does not affect the Board member's duties or functions on the Board. In the event a complaint is filed with the Board concerning the services or goods provided by the Board member to a member of the public, that Board member is otherwise prohibited by law from participating in any discussion or decision by the Board in that case. See, for example, the Code of Administrative Judicial Conduct, 11 Iowa Administrative Code 10.29(3)(b).

3. Individual application and approval are not required for the sales or leases authorized by this Consent unless there are unique facts surrounding a particular sale or lease which would cause the sale or lease to affect the seller's or lessor's duties or functions on the Board, would give the buyer or lessee an advantage in dealing with the Board, or would otherwise present a conflict of interest as defined in Iowa Code section 68B.2A or the common law.

4. Individual application and approval, when required, shall conform to the procedures and guidelines outlined in 351 Iowa Administrative Code 6.11, and shall only be granted by a majority of a quorum of the Board.

I have attached the document signed by the Board Chair.

If you should have any questions regarding the Board's action do not hesitate to contact John Baty Assistant Attorney General.

Sincerely,

Eileen Gloor

Eileen Gloor, Bureau Chief
Bureau of Professional Licensure

cc: John Baty, AAG

PROFESSIONAL LICENSURE 515/281-0254 / FAX # (515) 281-3121
LICENSURE WEBSITE: www.idph.state.ia.us/licensure email: lchurch@idph.state.ia.us
LUCAS STATE OFFICE BUILDING / DES MOINES, IOWA 50319-0075
DEAF RELAY (HEARING OR SPEECH IMPAIRED) 1-800-735-2942 (TEXT TO SPEECH) 2943 (SPEECH TO TEXT)

OCT 2 6 2006

CONSENT TO SALES AND LEASES OF GOODS AND SERVICES

The Iowa Board Respiratory Care Examiners is created by Iowa Code section 152B and regulates those licensed to practice Respiratory Care in the state of Iowa. The Board is comprised of 5 members appointed by the Governor, 1 public member, 1 Medical Doctor and 3 members licensed to practice a profession regulated by the Board. Pursuant to Iowa Code section 68B.4 (Supp. 2005), Board members shall not sell or lease, either directly or indirectly, any goods or services to individuals, associations, or corporations that are subject to the regulatory authority of the Department of Public Health except as authorized by Iowa Code section 68B.4 and the administrative rules adopted by the Iowa Ethics and Campaign Disclosure Board, 351 Iowa Administrative Code 6.11.

On the 23rd day of October, 2006, the Board granted consent for members of the Board to sell or lease goods and services as follows:

1. Members of the Board may sell or lease goods or services to any individual, association, or corporation regulated by any division within the Department of Public Health, other than the Board on which that official serves. This consent is granted because such sale or lease of goods or services does not affect the Board member's duties or functions on the Board.

2. Members of the Board may sell or lease goods or services to any individual association, or corporation regulated by the Board if those goods or services are routinely provided to the public as part of that person's regular professional practice. This consent is granted because the sale or lease of such goods or services does not affect the Board member's duties or functions on the Board. In the event a complaint is filed with the Board concerning the services or goods provided by the Board member to a member of the public, that Board member is otherwise prohibited by law from participating in any discussion or decision by the Board in that case. See, for example, the Code of Administrative Judicial Conduct, 11 Iowa Administrative Code 10.29(3)(b).

3. Individual application and approval are not required for the sales or leases authorized by this Consent unless there are unique facts surrounding a particular sale or lease which would cause the sale or lease to affect the seller's or lessor's duties or functions on the Board, would give the buyer or lessee an advantage in dealing with the Board, or would otherwise present a conflict of interest as defined in Iowa Code section 68B.2A or the common law.

4. Individual application and approval, when required, shall conform to the procedures and guidelines outlined in 351 Iowa Administrative Code 6.11, and shall only be granted by a majority of a quorum of the Board.

The Iowa Board of Respiratory Care Examiners

By: Kerry Kemp, Chairperson