



Request for Therapy Use Exemption from Swimming Pool and Spa Rules

Return to: Iowa Department of Public Health
 Swimming Pool Program
 321 East 12th Street
 Des Moines, IA 50319
 Fax: (515) 281-4529
 Email: poolpermits@idph.iowa.gov

This form shall be completed by an authorized facility representative, agency, or owner.

| | | | |
|---|----------------------------------|----------------|---------|
| Owner Name: | | | |
| Owner Address: | | | |
| City: | State: | Zip: | |
| Facility Name: | | | |
| Facility Address: | | | |
| City: | State: IA | Zip: | County: |
| Authorized Representative (please print): | | | |
| Contact Phone: | | Contact Email: | |
| <input type="checkbox"/> Pool or <input type="checkbox"/> Spa | Surface Area (ft ²): | Volume (gls): | |
| Registration Number (if previously registered): | | | |
| <input type="checkbox"/> Pool or <input type="checkbox"/> Spa | Surface Area (ft ²): | Volume (gls): | |
| Registration Number (if previously registered): | | | |

Swimming pools or spas used exclusively for therapy under the direct supervision of qualified medical personnel are exempt from regulation pursuant to Iowa Code §135I.2 and Iowa Administrative Code 641--15.1(2).

I certify the following. Please check all boxes to acknowledge.

- The swimming pool or spa must be used exclusively for therapy.**
 "Therapy" means medical treatment of an impairment, injury, disease or disorder. Therapy does not include general exercise or wellness activities to maintain physical fitness and mobility.
- The swimming pool or spa must be under direct supervision.**
 "Direct supervision" means supervision provided by an individual physically present in the immediate vicinity, within sight of, and available to provide direction to and respond to the needs of the individual(s) under their care.
- The supervision must be provided by qualified medical personnel.**
 "Qualified Medical Personnel" means an individual licensed by the State of Iowa in a medical profession who is providing treatment within the scope of their professional license.

Under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and accurate.

It is understood that if at any time it is determined that the above conditions for exemption no longer apply or are being violated the swimming pool and/or spa will again be subject to regulation under Iowa Code §135I and Iowa Administrative Code 641, Chapter 15.

Signature of Authorized Representative: _____

Date: _____

Iowa Swimming Pool and Spa Rules

Therapy Use Exemption

(updated 3/4/2022)

Under the Iowa Code, Chapter 135I- Swimming Pools and Spa, the chapter does not apply to a swimming pool or spa used exclusively for therapy under the direct supervision of qualified medical personnel.

135I.2 Applicability.

This chapter applies to all swimming pools and spas owned or operated by local or state government, or commercial interests or private entities including but not limited to facilities operated by cities, counties, public or private school corporations, hotels, motels, camps, apartments, condominiums, and health or country clubs. This chapter does not apply to facilities intended for single family use or to a swimming pool or spa operated by a homeowners' association representing seventy-two or fewer dwelling units if the association's bylaws, which also apply to a rental agreement relative to any of the dwelling units, include an exemption from the requirements of this chapter, provide for inspection of the swimming pool or spa by an entity other than the department or local board of health, and assume any liability associated with operation of the swimming pool or spa. **This chapter does not apply to a swimming pool or spa used exclusively for therapy under the direct supervision of qualified medical personnel.** To avoid duplication and promote coordination of inspection activities, the department may enter into written agreements with a local board of health to provide for inspection and enforcement in accordance with this chapter.

To operate an unregistered swimming pool or spa under the therapy use exemption the following three conditions must be met at all times the swimming pool or spa is in use.

1. The swimming pool or spa must be used exclusively for therapy.

"Therapy" means medical treatment of an impairment, injury, disease or disorder. Therapy does not include general exercise or wellness activities to maintain physical fitness and mobility.

2. The swimming pool or spa must be under direct supervision.

"Direct supervision" means supervision provided by an individual physically present in the immediate vicinity, within sight of, and available to provide direction to and respond to the needs of the individual(s) under their care.

3. The supervision must be provided by qualified medical personnel.

"Qualified Medical Personnel" means an individual licensed by the State of Iowa in a medical profession who is providing treatment within the scope of their professional license.

For additional information, please contact John Kelly at 515-724-9961 or Mindy Uhle at 515-499-1395.