

3 issuance thereof unless revoked in accordance with the provisions of
 4 this act. The state board of control may revoke any such license
 5 under the conditions and by the procedure specified for the revocation
 6 of licenses of child-placing agencies.

1 **SEC. 4. Records and inspection.** The board of control shall have
 2 the same rights and duties relative to records, reports and inspections
 3 of children's boarding homes as are provided for in connection with
 4 maternity hospitals.

1 **SEC. 5. Proof of relationship.** In a prosecution under the provi-
 2 sions of this law or any penal law relating thereto a defendant who
 3 relies for defense upon the relationship of any child to himself shall
 4 have the burden of proof.

1 **SEC. 6. Penalty.** Every person who violates any of the provisions
 2 of this act or who intentionally shall make any false statements or
 3 reports to the state board of control with reference to the matters
 4 contained herein, shall be guilty of a misdemeanor.

Approved March 28, A. D. 1925.

CHAPTER 79

MATERNITY HOSPITALS

H. F. 132

AN ACT to repeal chapter one hundred thirteen (113), of the code, 1924, relating to
 maternity hospitals and to provide a substitute therefor.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Definitions.** The word "person" where used in this
 2 act shall include individuals, partnerships, voluntary associations,
 3 and corporations. Any person who receives for care and treatment
 4 during pregnancy or during delivery or within ten days after delivery
 5 more than one woman within a period of six months, except women
 6 related to him by blood or marriage, shall be deemed to maintain a
 7 maternity hospital; provided, however, that this definition shall not
 8 be construed to include nurses who care for women during confine-
 9 ment in the homes of the patients, nor any institution under the
 10 management of the state board of education or state board of control,
 11 nor any general hospital.

1 **SEC. 2. Certain locations prohibited.** No maternity hospital shall
 2 be operated within two hundred feet of any church building, school,
 3 educational institution, or public park, or in a building situated within
 4 fifty feet of building owned by another.

1 **SEC. 3. Licenses for maternity hospitals.** No maternity hospital
 2 shall receive a woman for care therein or solicit or receive money for
 3 its maintenance unless it has an unrevoked license issued by the
 4 board of control in accordance with this act within the preceding

5 twelve months to conduct such hospital. The state board of control
6 is hereby empowered to grant a license for one year for the conduct
7 of any maternity hospital that is for the public good, that is legally
8 located, that is conducted by a reputable and responsible person, and
10 whose staff and equipment are adequate for the work which it under-
11 takes. No such license shall be issued unless the premises shall have
12 been inspected and such license approved by the state department of
13 health. Any maternity hospital operated in violation of the terms of
14 this act shall be deemed a nuisance and may be abated by injunction
15 proceedings.

1 **SEC. 4. Applications for license.** Every application for a license
2 to operate a maternity hospital shall be made in writing to the state
3 board of control, accompanied by the legal inspection fee, and said
4 application shall contain the names and address of the person to
5 whom the license is to be issued, and a description of the location
6 of the place to be used. When the hospital desires to remove to a new
7 location no new license fee shall be required; only the inspection fee
8 of five dollars (\$5.00) shall be charged.

1 **SEC. 5. Fees—expiration of license—renewals.** The initial inspec-
2 tion fee for a proposed maternity hospital shall be five dollars, and
3 the license fee for operating such hospital shall be twenty-five dollars.
4 Each license shall expire one year from the date of issue unless sooner
5 revoked. The board of control may renew any license upon payment
6 of a renewal fee of five dollars if the licensee continues to be eligible.
7 No fee provided for in this section shall be required of any charitable
8 institution operating a maternity hospital.

1 **SEC. 6. Regulations by board of control.** It shall be the duty of
2 the board of control to satisfy itself as to compliance with the condi-
3 tions required for the issuance of such license and to prescribe such
4 general regulations and rules as to licenses and for the conduct of
5 all such hospitals as shall be necessary to effect the purposes of this
6 act and of all other laws of the state relating to children so far as the
7 same are applicable and to safeguard the well-being of all infants born
8 therein and the health, morality and best interests of the women and
9 children who are inmates therein.

1 **SEC. 7. Content of license.** The license shall state the name of the
2 licensee and designate the premises in which the business may
3 be carried on, and the number of women that may properly be treated
4 or cared for therein at any one time. Such license shall be kept
5 posted in a conspicuous place on the licensed premises. No greater
6 number of women shall be kept at any one time on the premises for
7 which the license is issued than is authorized by the license and no
8 woman shall be kept in a building not designated in the license. A
9 record of the licenses so issued shall be kept by the state board of
10 control, which shall forthwith give notice to the state department
11 of health and to the local board of health of the city, village or town
12 in which the licensee resides of the granting of such license and the
13 conditions thereof.

1 **SEC. 8. Revocation of licenses of maternity hospitals.** Licenses
2 granted under this act shall be valid for one year from the date of
3 issuance thereof unless revoked in accordance with the provisions

4 of this act. The state board of control may revoke any such license
5 under the conditions and by the procedure specified for the revocation
6 of licenses of child-placing agencies.

1 **SEC. 9. Child placements by maternity hospitals.** No person, as
2 an inducement to a woman to go to any maternity hospital during
3 confinement, shall in any way offer to dispose of any child or advertise
4 that he will give children for adoption or hold himself out as being
5 able to dispose of children in any manner.

1 **SEC. 10. Births and deaths in maternity hospitals.** Every birth
2 occurring in a maternity hospital shall be attended by a legally qual-
3 ified physician. The licensee owning or conducting such hospital shall
4 (in addition to the report required to be filed with the registrar of
5 vital statistics) within twenty-four hours after a birth occurs therein,
6 make a written report thereof, to the state board of control, giving
7 the information required in the official birth report and such additional
8 information as shall be within the knowledge of the licensee and as
9 may be required by the board. The licensee owning or conducting
10 any such hospital shall immediately after the death in a maternity
11 hospital of a woman or an infant born therein or brought thereto,
12 cause notice thereof to be given to the state board of control with
13 such details as the board may require.

1 **SEC. 11. Reports open to inspection of certain persons.** All reports
2 received by the state department under section ten shall be kept of
3 record and shall be accessible to the members of the board of control
4 and authorized employees thereof, the attorney-general, and any
5 county attorney, but said reports shall not be accessible to any other
6 person except on the order of a court of record.

1 **SEC. 12. Records and inspection.** The board of control shall have
2 the same right and duties with respect to maternity hospitals relative
3 to prescribing record forms, requiring reports and making inspections
4 as are provided in connection with the licensing of child-placing agen-
5 cies. Reports and information acquired through the operation of this
6 act shall be confidential under the same conditions provided by law
7 in connection with child-placing agencies. Officers and authorized
8 agents of the state board of control may inspect the premises and
9 conditions of such agencies at any time and examine every part
10 thereof, and interview the inmates, and may inquire into all matters
11 concerning such hospitals and the women and children in the care
12 thereof. Said officers or authorized agents of the state board of con-
13 trol shall visit and inspect the premises of licensed maternity hos-
14 pitals at least once every six months and preserve written reports of
15 the conditions found therein. Officers and authorized agents of the
16 state department of health and local board of health in the city, village
17 or town where a licensed maternity hospital is located may make
18 sanitary inspections at any time. The licensee shall give all reason-
19 able information to such inspectors and afford them every reasonable
20 facility for the performance of the duties mentioned.

1 **SEC. 13. Proof of relationship.** In a prosecution under the provi-
2 sions of this law or any penal law relating thereto a defendant who
3 relies for defense upon the relationship of any woman or infant to
4 himself shall have the burden of proof.

1 **SEC. 14. Penalty.** Every person who violates any of the provisions
 2 of this act or who shall intentionally make any false statements or
 3 reports to the state board of control with reference to the matters
 4 contained herein, shall be guilty of a misdemeanor and upon convic-
 5 tion shall be fined not to exceed three hundred dollars or imprisoned
 6 for a term not to exceed one year.

1 **SEC. 15. Repeal.** That chapter one hundred thirteen (113), code
 2 of 1924, be and the same is hereby repealed.

Approved March 17, A. D. 1925.

CHAPTER 80

CHILD-PLACING AGENCIES

H. F. 131

AN ACT to define, license, and regulate child-placing agencies, to regulate the surrender or commitment of minors to such agencies, and to repeal sections thirty-six hundred sixty-two (3662), thirty-six hundred sixty-three (3663), thirty-six hundred sixty-four (3664), thirty-six hundred sixty-five (3665), thirty-six hundred sixty-nine (3669), thirty-six hundred seventy (3670), thirty-six hundred seventy-two (3672), thirty-six hundred seventy-three (3673), thirty-six hundred seventy-four (3674), thirty-six hundred seventy-five (3675), and thirty-six hundred eighty-four (3684) of the code, 1924, relating thereto.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Child-placing agency defined.** The words "person" or
 2 "agency" where used in this act shall include individuals, institutions,
 3 partnerships, voluntary associations, and corporations, other than
 4 institutions under the management of the board of control or its offi-
 5 cers or agents. Any agency, public, semipublic, or private, which
 6 represents itself as placing children permanently or temporarily in
 7 private family homes or as receiving children for such placement, or
 8 which actually engages, for gain or otherwise, in such placement, shall
 9 be deemed to operate a child-placing agency.

1 **SEC. 2. License required.** The board of control of state institu-
 2 tions is hereby empowered to grant a license for one year for the con-
 3 duct of any child-placing agency that is for the public good, and is
 4 conducted by a reputable and responsible person; and it shall be the
 5 duty of the board to provide such general regulations and rules for
 6 the conduct of all such agencies as shall be necessary to effect the
 7 purposes of this act and of all other laws of the state relating to
 8 children so far as the same are applicable, and to safeguard the well-
 9 being of children placed or cared for by such agencies. No persons
 10 shall conduct a child-placing agency or solicit or receive funds for its
 11 support without an unrevoked license issued by the board of control
 12 within the twelve months preceding to conduct such agency. No such
 13 license shall be issued unless the person applying shall have shown
 14 that he and his agents are properly equipped by training and experi-
 15 ence to find and select suitable temporary or permanent homes for