

1 SEC. 17. Amend section two hundred thirty-six point twelve
2 (236.12), Code 1946, by substituting a comma (,) for the period (.)
3 in line four (4), and adding the following: "or any institution which
4 holds a hospital license under any other general hospital licensure
5 law."

1 SEC. 18. If any provision of this act or the application thereof to
2 any person or circumstance shall be held invalid, such invalidity shall
3 not affect the provisions or application of this act which can be
4 given effect without the invalid provision or application, and to this
5 end the provisions of the act are declared to be severable.

1 SEC. 19. All laws or parts of laws in conflict herewith, are hereby
2 repealed; provided however that this Act shall not be construed as
3 affecting, modifying or repealing any provision of chapter four
4 hundred thirteen (.413), Code 1946, except as provided in section
5 seven (7) hereof, and provided further that said act shall be construed
6 as being in addition to and not in conflict with chapter two hundred
7 thirty-five (235) and chapter two hundred thirty-six (236), Code
8 1946.

Approved April 22, 1947.

CHAPTER 92

NURSING HOMES REGULATION

S. F. 381

AN ACT to require licensing, inspection and regulation of nursing homes as herein defined and providing for regulations, enforcement procedures and penalties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. As used in this act "Nursing Home" is any institution,
2 place, building or agency in which any accomodation* is primarily
3 maintained, furnished, or offered for the care over a period exceeding
4 twenty-four hours of two or more nonrelated aged or infirm persons
5 requiring or receiving chronic or convalescent care, and shall include
6 sanatoriums, rest homes, boarding homes, or other related institutions
7 within the meaning of this act. Nothing in this act shall apply to
8 hotels or other similar places that furnish only food and lodging,
9 or either, to their guests.

1 SEC. 2. After July 4, 1947, no person, persons, or governmental
2 unit shall establish, conduct or maintain a nursing home in this state
3 without a license.

1 SEC. 3. Licenses shall be obtained from the state department of
2 health. Applications shall be upon such forms and contain such
3 information as the state department of health shall require.

1 SEC. 4. There shall be an annual license fee of ten dollars which
2 shall be paid into the general fund of the state.

1 SEC. 5. The state department of health shall adopt, amend, promul-
2 gate and enforce such rules, regulations and standards with respect

*According to enrolled act.

3 to nursing homes to be licensed hereunder as may be designed to
 4 accomplish the purposes of this act. The state department of health
 5 may, in the name of the state, maintain an action for injunction or
 6 other process against any person, persons, or governmental unit to
 7 restrain or prevent the establishment, conduct, or operation of a
 8 nursing home without a license.

1 SEC. 6. Upon receipt of application and license fee, the state
 2 department of health shall issue a license if it finds the applicant
 3 complies with the provisions of this act and regulations promulgated
 4 hereunder. If at any time, the department has cause to believe such
 5 applicant or licensee has not complied with rules, regulations, or
 6 standards established, the department shall notify such applicant
 7 or licensee of such non-compliance. If, after thirty days, said appli-
 8 cant or licensee has not removed the cause of non-compliance, or
 9 furnished satisfactory evidence that such cause will be promptly
 10 removed, the state department of health shall deny or revoke the
 11 license of such applicant or licensee. Licenses may be renewed annually
 12 by payment of license fee and furnishing such reports as the depart-
 13 ment of health shall require.

1 SEC. 7. Any person or persons establishing, maintaining, or conduct-
 2 ing a nursing home without a license shall be guilty of a misdemeanor
 3 and shall be liable to a fine of not less than twenty-five dollars or
 4 more than one hundred dollars for the first offense and not more than
 5 fifty dollars for each subsequent offense, and each day of a continuing
 6 violation after conviction shall be considered a separate offense.

Approved April 17, 1947.

CHAPTER 93

LOCAL BOARDS OF HEALTH

H. F. 262

AN ACT to amend sections one hundred thirty-seven point one (137.1), one hundred
 thirty-seven point two (137.2), one hundred thirty-seven point three (137.3), one
 hundred thirty-seven point eight (137.8), one hundred thirty-nine point twenty
 (139.20), one hundred forty point thirty-four (140.34), and three hundred fifty-
 nine point seventeen (359.17) and chapter one hundred thirty-eight (138), code
 1946, relating to local boards of health and to the preservation of the civil service
 and pension rights of certain employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred thirty-seven point one (137.1),
 2 Code 1946, is amended by repealing subsection two (2) and enacting
 3 in lieu thereof the following:

4 "2. In counties, of the chairman of the board of supervisors, the
 5 county auditor, and the county superintendent of schools, having
 6 jurisdiction outside the territorial limits of cities and towns; provided,
 7 however, the township trustees in any township may organize as
 8 a local board of health for such township."