

CHAPTER 1138

SICKLE CELL ANEMIA TESTS

H. F. 489

AN ACT relating to the testing for sickle cell anemia and providing a penalty.

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

1 SECTION 1. NEW SECTION. **Definitions.** As used in this Act, un-
2 less the context otherwise requires:

3 1. "Commissioner" means the commissioner of public health.

4 2. "Sickle cell anemia" means the disease commonly referred to by
5 that name.

6 3. "Sickle cell trait" means the presence in an individual of the
7 recessive gene which creates the possibility that the children of the
8 individual, if the other parent also has sickle cell trait, may be afflicted
9 with sickle cell anemia.

1 SEC. 2. NEW SECTION. **Blood test available.** The commissioner
2 shall provide for a program that gives every child who is determined
3 to be susceptible to sickle cell anemia or sickle cell trait an opportunity
4 to be tested for the disease. The commissioner shall determine by rule
5 those children who are susceptible to sickle cell anemia or sickle cell
6 trait for the purposes of this Act. All state, district, county and city
7 health agencies shall cooperate and participate in the implementation
8 of this section, and the commissioner shall promulgate rules providing
9 for education, testing and counseling with regard to sickle cell anemia
10 and sickle cell trait. No individual shall be discriminated against in
11 any way because of either taking or refusing to take a test under this
12 section.

1 SEC. 3. NEW SECTION. **School programs.** The board of directors
2 of a school corporation in this state shall make available on a volun-
3 tary basis sickle cell trait and sickle cell anemia education and coun-
4 seling for all elementary and secondary students. This program shall
5 also be made available, as far as practicable, to the general public.
6 The cost of providing this service shall not be the responsibility of
7 the school corporation except insofar as the services are provided by
8 school corporation employees in the course of their usual duties.

1 SEC. 4. NEW SECTION. **Premarital test.** Each applicant for a
2 marriage license who has been determined to be susceptible to sickle
3 cell trait shall have an opportunity to have their blood test, taken
4 under section five hundred ninety-six point one (596.1) of the Code,
5 analyzed for the purpose of ascertaining the existence of the trait.
6 The commissioner shall promulgate rules to provide a method of im-
7 plementing this section. No applicant shall in any way be denied a
8 marriage license or discriminated against in any way because of either
9 the results of the test done under this section or the refusal to take
10 the test.

1 SEC. 5. NEW SECTION. **Confidential information.** All informa-
2 tion obtained through the administration of this Act, including all test
3 results, medical records and other information regarding screening,
4 counseling or treatment of any person treated, shall be held in strict

5 confidentiality, except for (a) such information as the patient or his
6 guardian consents to be released, or in the case of a minor, the parent
7 or guardian, or (b) such statistical data compiled without reference
8 to the identity of any patient.

1 SEC. 6. NEW SECTION. **Penalty.** A person who violates the con-
2 fidentiality provision of this Act shall be guilty of a misdemeanor and
3 shall, upon conviction, be punished by a fine of not more than one
4 hundred (100) dollars.

Approved April 8, 1974

CHAPTER 1139

VITAL STATISTICS

S. F. 1237

AN ACT relating to vital statistics.

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

1 SECTION 1. Section one hundred forty-four point forty-three
2 (144.43), Code 1973, is amended by adding the following new unnum-
3 bered paragraph:

4 NEW UNNUMBERED PARAGRAPH. The provisions of this section
5 shall not apply to the following vital statistics if they are sixty-five
6 years old or older:

- 7 1. A record of birth if that birth did not occur out of wedlock.
- 8 2. A record of marriage.
- 9 3. A record of divorce, dissolution of marriage, or annulment of
10 marriage.
- 11 4. A record of death if that death was not a fetal death.

12 However, a vital statistic, as described in this paragraph, shall be
13 inspected and copied, as of right under chapter sixty-eight A (68A)
14 of the Code, only when they are in the custody of a county or of a local
15 registrar.

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Adams
3 County Free Press, a newspaper published in Corning, Iowa, and in The
4 Clayton County Register, a newspaper published in Elkader, Iowa.

Approved May 8, 1974

I hereby certify that the foregoing Act, Senate File 1237, was published in the Adams County Free Press, Corning, Iowa, May 16, 1974, and in The Clayton County Register, Elkader, Iowa, May 15, 1974.

MELVIN D. SYNHORST, *Secretary of State.*