

106 it shall be excluded without necessity for determining its cash sur-  
107 render value.

1 SEC. 5. Section two hundred forty-nine A point four (249A.4),  
2 subsection six (6), Code 1973, as amended by Acts of the Sixty-fifth  
3 General Assembly, 1973 Session, chapter one hundred eighty-six  
4 (186), section twenty-one (21), is amended to read as follows:

5 6. Shall co-operate with any agency of the state or federal gov-  
6 ernment in any manner as may be necessary to qualify for federal  
7 aid and assistance for medical assistance in conformity with the pro-  
8 visions of *chapter two hundred forty-nine (249) of the Code*, this  
9 chapter and Titles sixteen (XVI) and XIX of the federal Social  
10 Security Act, as amended.

1 SEC. 6. Section two hundred forty-nine A point six (249A.6),  
2 Code 1973, is repealed.

1 SEC. 7. This Act, being deemed of immediate importance, shall  
2 take effect and be in force from and after its publication in *The*  
3 *Hawk Eye*, a newspaper published in Burlington, Iowa, and in *The*  
4 *New Iowa Bystander*, a newspaper published in Des Moines, Iowa.

Approved May 11, 1974

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1973, there being no newspaper by the name of *The New Iowa Bystander*, published in Des Moines, Iowa, I hereby designate *The New Iowa Bystander*, published in West Des Moines, Iowa, to publish the foregoing Act, House File 1411.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 1411, was published in *The Hawk Eye*, Burlington, Iowa, May 20, 1974, and in *The New Iowa Bystander*, West Des Moines, Iowa, May 16, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 1166

### COUNTY CARE FACILITIES

H. F. 659

AN ACT redesignating county homes as county care facilities, and revising the laws governing operation of those facilities.

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

1 SECTION 1. Section two hundred fifty-three point one (253.1),  
2 Code 1973, is amended to read as follows:

3 253.1 ~~Establishment—submission to vote.~~ The board of super-  
4 visors of each county may order the establishment of a county ~~home~~  
5 *care facility* in such county whenever it is deemed advisable, and may  
6 make the requisite contracts and carry such order into effect, provided  
7 the cost of said county ~~home care facility~~, if in excess of fifteen thou-  
8 sand dollars, shall be first estimated by said board and approved by  
9 vote of the people.

1 SEC. 2. Section two hundred fifty-three point two (253.2), Code  
2 1973, is amended to read as follows:

3 **253.2 Management.** The board of supervisors, or any committee  
4 appointed by it for that purpose, may make all contracts and purchases  
5 requisite for the county farm and ~~home care facility~~ and may prescribe  
6 rules or regulations for the management and government of the same,  
7 and for the sobriety, morality, and industry of its occupants.

1 SEC. 3. Section two hundred fifty-three point three (253.3), Code  
2 1973, is amended to read as follows:

3 **253.3\* Annual published report.** The board of supervisors shall,  
4 during the month of January of each year, publish in the official papers  
5 of the county as part of its proceedings, a financial statement of the  
6 receipts of the county ~~home care facility~~, or county farm, itemizing the  
7 same and stating the source thereof, which report shall also set forth  
8 the total expenditures thereof and the value of the property on hand on  
9 January ~~1~~ first of the year for which the report is made and a com-  
10 parison with the inventory of the previous year.

1 SEC. 4. Section two hundred fifty-three point four (253.4), Code  
2 1973, is amended to read as follows:

3 **253.4 Steward Administrator.** The board may appoint a ~~steward~~  
4 ~~an administrator~~ of the county ~~home care facility~~, who shall be gov-  
5 erned in all respects by the rules and regulations of the board and its  
6 committees, and may be removed by the board at pleasure, and who  
7 shall receive such compensation, perform such duties, and give such  
8 security for his faithful performance as the board may direct.

1 SEC. 5. Section two hundred fifty-three point five (253.5), Code  
2 1973, is amended by striking the section and inserting in lieu thereof  
3 the following:

4 **253.5 Admission.** The administrator shall admit into the county  
5 care facility as residents only those persons ordered admitted in the  
6 manner prescribed by section two hundred fifty-three point six (253.6)  
7 of the Code, and shall maintain a record of the name and age of each  
8 person admitted and the date of his admission. The administrator may  
9 require of any resident of the county care facility, with approval of a  
10 physician, reasonable and moderate labor suited to the resident's age  
11 and bodily strength. Any income realized through the labor of resi-  
12 dents, together with the receipts from operation of the county farm  
13 if one is maintained, shall be appropriated for use by the county care  
14 facility in such manner as the board of supervisors may direct.

1 SEC. 6. Section two hundred fifty-three point six (253.6), Code  
2 1973, is amended by striking the section and inserting in lieu thereof  
3 the following:

4 **253.6 Order for admission.** No person shall be admitted into the  
5 county care facility as a resident except upon order of the board of  
6 supervisors, which shall be issued only after the person seeking  
7 admission has received a preadmission physical examination by a  
8 physician. However, if the need for admission of the person to the  
9 county care facility is immediate and no physician is readily available  
10 to perform the examination, the board may order the person's ad-  
11 mission pending an examination by a physician, any provisions of  
12 sections one hundred thirty-five C point three (135C.3) and one hun-

\*See also 65 GA, ch 1096, §35

13 dred thirty-five C point four (135C.4) of the Code to the contrary  
 14 notwithstanding. When an admission is so ordered, the physical  
 15 examination shall be completed within three days after the person's  
 16 admission to the county care facility.

1 SEC. 7. Section two hundred fifty-three point seven (253.7), Code  
 2 1973, is amended to read as follows:

3 **253.7 Discharge.** When any ~~inmate~~ *of resident receiving treat-*  
 4 *ment or care in the county home care facility* becomes able to support  
 5 *and care for himself or provide for his own care*, the board ~~must~~ *may*  
 6 *upon advice of a physician order his discharge from the county care*  
 7 *facility.*

1 SEC. 8. Section two hundred fifty-three point eight (253.8), Code  
 2 1973, is amended to read as follows:

3 **253.8 Visitation and inspection.** The board shall cause the county  
 4 ~~home care facility~~ to be visited at least once a month by one of its  
 5 body, who shall carefully examine the condition of the ~~inmates resi-~~  
 6 *dents* and the manner in which they are fed and clothed and otherwise  
 7 provided for and treated, ascertain what labor they are required to  
 8 perform, inspect the books and accounts of the ~~steward administrator,~~  
 9 and look into all matters pertaining to the county ~~home care facility~~  
 10 and its ~~inmates residents,~~ and report to the board.

1 SEC. 9. Section two hundred fifty-three point nine (253.9), Code  
 2 1973, is amended by striking the section and inserting in lieu thereof  
 3 the following:

4 **253.9 Temporary admission.** The district court may order tem-  
 5 porary admission of persons under its jurisdiction to the county care  
 6 facility until other arrangements are made for care of such persons.

1 SEC. 10. Section two hundred fifty-three point ten (253.10), Code  
 2 1973, is amended to read as follows:

3 **253.10 Letting out Leasing.** The board is ~~invested~~ *vested* with  
 4 authority to ~~let out the support of the poor, with contract for the care~~  
 5 *of the residents and the use and occupancy of the county home care*  
 6 *facility and farm, if any, for a period not exceeding three years.*

1 SEC. 11. Section two hundred fifty-three point eleven (253.11),  
 2 Code 1973, is amended by striking the section and inserting in lieu  
 3 thereof the following:

4 **253.11 Joint care by two or more counties.** In the interest of effi-  
 5 ciency and economy, counties may agree in the manner provided by  
 6 chapter twenty-eight E (28E) of the Code to jointly operate county  
 7 care facilities.

1 SEC. 12. Chapter two hundred fifty-three (253), Code 1973, is  
 2 amended by adding sections thirteen (13) through fifteen (15) of this  
 3 Act.

1 SEC. 13. NEW SECTION. **Medication.** Medication may be admin-  
 2 istered to residents of a county care facility by a properly trained  
 3 person qualified under the rules and regulations of the state depart-  
 4 ment of health, and may be a person other than the person preparing  
 5 the dosage to be administered if individual doses of medication have  
 6 been clearly labeled with the resident's name, time, and date to be  
 7 administered.

1 SEC. 14. NEW SECTION. **Monitoring of hallways and common**  
 2 **areas.** County care facilities may install electronic audio and visual  
 3 monitoring devices in lieu of other monitoring methods within require-  
 4 ments of the fire safety rules and regulations.

1 SEC. 15. NEW SECTION. **Effect of approval of plans.** When plans  
 2 for construction or modification of a county care facility have been  
 3 properly approved by the department of health or other appropriate  
 4 state agency, the facility constructed in accord with the plans so  
 5 approved shall not for a period of at least ten years from completion  
 6 of the construction or modification be considered deficient or ineligible  
 7 for licensing by reason of failure to meet any regulation or standard  
 8 established subsequent to approval of the construction and modifica-  
 9 tion plans, unless a clear and present danger exists that would ad-  
 10 versely affect the residents of the facility.

Approved March 15, 1974

## CHAPTER 1167

### GROUP ANNUITY CONTRACTS

#### H. F. 98

AN ACT to allow school boards, county school boards, area school boards, the state board of regents and the state board of public instruction to provide group contracts, and the board for the educational radio and television facility to provide group or individual contracts, for tax-sheltered annuities to employees.

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

1 SECTION 1. Section two hundred fifty-seven point ten (257.10),  
 2 subsection thirteen (13), Code 1973, is amended to read as follows:  
 3 13. At the request of an employee through contractual agreement the  
 4 board may arrange for the purchase of ~~an~~ group or individual annuity  
 5 ~~contract contracts~~ for any of ~~their~~ its respective employees from any  
 6 company the employee may choose that is authorized to do business in  
 7 this state and through an Iowa-licensed insurance agent that the  
 8 employee may select, for retirement or other purposes and may make  
 9 payroll deductions in accordance with such arrangements for the pur-  
 10 pose of paying the entire premium due and to become due under such  
 11 contract. The deductions shall be made in the manner which will  
 12 qualify the annuity premiums for the benefits afforded under section  
 13 403b of the Internal Revenue Code of 1954 and amendments thereto.  
 14 The employee's rights under such annuity contract shall be nonforfeit-  
 15 able except for the failure to pay premiums.

16 *Whenever an existing tax-sheltered annuity contract is to be re-*  
 17 *placed by a new contract the agent or representative of the company*  
 18 *shall submit a letter of intent to the company being replaced, to the*  
 19 *insurance commissioner of the state of Iowa, and to his own company*  
 20 *at least thirty days prior to any action by registered mail. This letter*  
 21 *of intent shall contain the policy number and description of the con-*  
 22 *tract being replaced and a description of the replacement contract.*