

CHAPTER 184
CHILD CARE CENTERS AND DAY CARE HOMES
S.F. 424

AN ACT relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

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

Section 1. Section 237A.5, Code 1985, is amended to read as follows:
237A.5 PERSONNEL.

All personnel in licensed or registered facilities shall have good health as evidenced by a report following a pre-employment physical examination taken within six months prior to beginning employment, including communicable disease tests by a licensed physician as defined in section 135C.1, at the time of initial employment and every three years thereafter after initial employment. No A person convicted under a law of any state of a crime involving mistreatment of a child or violence against a person, or a person with a record of founded child sexual abuse or a record of multiple incidents of any other type of founded child abuse shall not own or operate or be employed as a staff member with direct responsibility for child care, of a licensed center or, a registered group home or a family day care home registered pursuant to section 237A.3, subsection 1, with direct responsibility for child care and no person living and shall not live in such a licensed center, a registered group home, or a registered family day care home shall have a conviction by any law of any state of a crime involving mistreatment of a child, or violence against a person, or shall have a record of substantiated child sexual abuse or a record of any other type of child abuse substantiated within three years prior to the check of the child abuse registry made by the department pursuant to this chapter.

Every owner or operator of a licensed center, a registered group home, or a registered family day care home shall apply to the department for a criminal records check and a child abuse registry check at any time the records of an owner, operator, or staff member of, or a person living in any such facility have not previously been checked. The department shall make application forms available and shall initiate the records checks upon filing of an application with the department. Upon completion of the records checks, the department shall notify the applicant of the results of the records checks and whether the applicant can provide day care in compliance with this section. The department shall also notify an owner or operator of a licensed center, a registered group home, or a registered family day care home if an owner, operator, or staff member of, or person living in any such facility has a record of a single incident of founded child abuse other than child sexual abuse. An applicant is entitled to the procedural remedies provided in chapter 17A for adverse administrative action. A copy of a favorable records check must be made available upon request. The department shall maintain a list of licensed centers, registered group homes, and registered family day care homes with favorable records checks, and the list shall be a public record.

Sec. 2. Section 237A.19, unnumbered paragraph 2, Code 1985, is amended to read as follows:

A person who establishes, conducts, manages, or operates a group day care home without registering under this chapter or who operates a family day care home contrary to section 237A.5, is guilty of a simple misdemeanor. Each day of continuing violation after conviction, or notice from the department by certified mail of the violation, is a separate offense. A single charge alleging continuing violation may be made in lieu of filing charges for each day of violation.

Sec. 3. This Act takes effect January 1, 1986.

Approved May 23, 1985

CHAPTER 185

SALE OR LEASE OF COUNTY HOSPITAL

S.F. 103

AN ACT authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

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

Section 1. Section 331.361, subsection 5, paragraph c, Code 1985, is amended to read as follows:

c. Proceed upon a petition to, or with approval of the voters, establish a county public hospital under chapter 347 or sell or lease a county hospital for use as a private hospital or as a merged area hospital under chapter 145A or sell or lease a county hospital in conjunction with the establishment of a merged area hospital, ~~as provided in that chapter~~ in accordance with procedures set out in chapter 347.

Sec. 2. Section 347.7, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to levies otherwise authorized by this section, the board of supervisors may levy a tax at the rate, not to exceed twenty-seven cents per thousand dollars of assessed value, necessary to raise the amount budgeted by the board of hospital trustees for support of ambulance service as authorized in section 347.14, subsection 13.

Sec. 3. Section 347.13, subsection 10, Code 1985, is amended to read as follows:

10. Fix at its regular February meeting in each year, the amount necessary for the improvement and maintenance of the hospital and for support of ambulance service during the ensuing fiscal year, and cause the president and the secretary to certify the amount to the county auditor before March 1 of each year, subject to any limitation in section 347.7.

Sec. 4. Section 347.14, Code 1985, is amended by adding the following new subsection: