

**CHAPTER 122**  
HOSPICE LICENSE RENEWAL  
*H.F. 379*

**AN ACT** relating to the hospice licensure renewal fee.

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

Section 1. Section 135.93, Code 1989, is amended to read as follows:  
135.93 SCOPE OF LICENSE — DURATION.

Licenses for hospice programs shall be issued only for the premises, person, hospital, or facility named in the application and are not transferable or assignable. A license, unless sooner suspended or revoked, shall expire two years after the date of issuance and shall be renewed biennially upon an application by the licensee. Application for renewal shall be made in writing to the department, ~~accompanied by the fee required to cover the cost of administering the program,~~ at least thirty days prior to the expiration of the license. The fee for a license renewal shall be determined by the department. Licensed hospice programs which have allowed their licenses to lapse through failure to make timely application for renewal shall pay an additional fee of twenty-five percent of the biennial license fee.

Approved May 4, 1989

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**CHAPTER 123**  
SEALED BIDS FOR SHERIFFS' SALES  
*H.F. 384*

**AN ACT** relating to sheriffs' sales by permitting written sealed bids to be received, and providing procedures for written sealed bids.

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

Section 1. Section 626.80, Code 1989, is amended to read as follows:  
626.80 TIME AND MANNER.

The sale must be at public auction, between nine o'clock in the forenoon and four o'clock in the afternoon, and the hour of the commencement of the sale must be fixed in the notice.

The sheriff shall receive and give a receipt for a sealed written bid submitted prior to the public auction. The sheriff may require all sealed written bids to be accompanied by payment of any fees required to be paid at the public auction by the purchaser, to be returned if the person submitting the sealed written bid is not the purchaser. The sheriff shall keep all written bids sealed until the commencement of the public auction, at which time the sheriff shall open and announce the written bids as though made in person.

Approved May 4, 1989

**CHAPTER 124****PROTECTED DISCLOSURES BY GOVERNMENT EMPLOYEES***H.F. 542*

**AN ACT** relating to reprisals and orders with respect to certain disclosures of information and other actions by employees of the state and its political subdivisions, providing penalties, providing civil remedies, and providing properly related matters.

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

Section 1. Section 19A.19, unnumbered paragraph 4, Code 1989, is amended to read as follows:

A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position in a merit system administered by, or subject to approval of, the director as a reprisal for a disclosure of any information by that employee to a member or employee of the general assembly, the legislative service bureau, the legislative fiscal bureau, the citizens' aide, the computer support bureau, or the respective caucus staffs of the general assembly, or for a disclosure of information which to any other public official or law enforcement agency if the employee reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. This subsection However, this paragraph does not apply if the disclosure of that the information is prohibited by statute.

Sec. 2. Section 79.28, Code 1989, is amended to read as follows:

**79.28 PROHIBITIONS RELATING TO CERTAIN ACTIONS BY STATE EMPLOYEES — PENALTY — CIVIL REMEDIES.**

1. A person who serves as the head of a state department or agency or otherwise serves in a supervisory capacity within the executive branch of state government shall not prohibit an employee of the state from disclosing any information to a member or employee of the general assembly, the legislative service bureau, the legislative fiscal bureau, the citizens' aide, the computer support bureau, or the respective caucus staffs of the general assembly, or from disclosing information which to any other public official or law enforcement agency if the employee reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

2. A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position in a state employment system administered by, or subject to approval of, a state agency as a reprisal for a disclosure of any information by that employee to a member or employee of the general assembly, the legislative service bureau, the legislative fiscal bureau, the citizens' aide, the computer support bureau, or the respective caucus staffs of the general assembly, or a disclosure of information which to any other public official or law enforcement agency if the employee reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

3. Subsections 1 and 2 do not apply if the disclosure of the information is prohibited by statute.

4. A person who violates subsection 1 or 2 commits a simple misdemeanor.

5. Subsection 2 may be enforced through a civil action.

a. A person who violates subsection 2 is liable to an aggrieved employee for affirmative relief including reinstatement, with or without back pay, or any other equitable relief the court deems appropriate, including attorney fees and costs.

b. When a person commits, is committing, or proposes to commit an act in violation of subsection 2, an injunction may be granted through an action in district court to prohibit the