

**NEW PARAGRAPH.** d. Release may be made of test results concerning a patient pursuant to procedures established under section 141.6, subsection 3, paragraph "d".

Sec. 3. Section 141.10, Code 1989, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** A physician or health care practitioner attending a person who tests positive for the human immunodeficiency virus infection has no duty to disclose to or to warn third parties of the dangers of exposure to human immunodeficiency virus infection through contact with that person and is immune from any liability, civil or criminal, for failure to disclose to or warn third parties of the condition of that person.

Sec. 4. Section 141.22, subsection 4, Code 1989, is amended to read as follows:

4. Prior to withdrawing blood for the purpose of performing an HIV-related test, the subject shall be given written notice of the provisions of this section and of section 141.6, subsection 3, paragraph "d".

Sec. 5. Section 141.22, Code 1989, is amended by adding the following new subsection:

**NEW SUBSECTION.** 7. When submitted the department shall review and approve pamphlets containing the information required to be provided to a subject or the subject's legal guardian pursuant to subsection 1. The department shall also prepare a model pamphlet containing this information. This subsection does not require submission of all pamphlets containing the required information to the department for approval.

Sec. 6. **NEW SECTION.** 141.23A EMERGENCY RESPONDER TESTING PROGRAM.

If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to HIV testing in accordance with the latest available medical technology to determine if infection with the human immunodeficiency virus has occurred. The costs of the test shall be paid for through the expenditure of funds appropriated to the department for AIDS-related activities.

Sec. 7. Section 141.24, subsection 1, Code 1989, is amended by striking the subsection.

Approved May 26, 1989

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## CHAPTER 224

### RADON ABATEMENT

*S.F. 522*

**AN ACT** relating to radon testing and abatement, and making a penalty applicable.

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

Section 1. Section 136B.1, Code 1989, is amended to read as follows:

**136B.1 RADON TESTING AND ABATEMENT PROGRAM.**

1. As used in this chapter, unless the context otherwise requires, "department" means the Iowa department of public health.

2. The department shall establish ~~a program~~ programs and adopt rules for the certification of persons who test for the presence of radon gas and radon progeny in buildings and for the credentialing of persons abating the level of radon in buildings.

3. Following the establishment of the certification ~~program~~ and credentialing programs by the department, a person who is not certified, as appropriate, shall not test for the presence of radon gas and radon progeny, and a person who is not credentialed, as required, shall not

perform abatement measures. This section does not apply to a person performing the testing or abatement on a building which the person owns, or to a person performing testing or abatement without compensation.

4. For the purposes of this section, radon abatement systems shall be classified as mechanical ventilation systems.

Sec. 2. Section 136B.2, subsection 2, Code 1989, is amended to read as follows:

2. A person certified or credentialed pursuant to section 136B.1 shall, within thirty days of the provision of any radon testing services or abatement measures or at the request of the department prior to testing or abatement, disclose to the department the address or location of the building, the name of the owner of the building where the services or measures were or will be provided, and the results of any tests or abatement measures performed.

Sec. 3. Section 136B.3, Code 1989, is amended to read as follows:

#### 136B.3 TESTING AND REPORTING OF RADON LEVEL.

The department shall from time to time perform inspections and testing of the premises of a property to determine the level at which it is contaminated with radon gas or radon progeny as a spot-check of the validity of measurements or the adequacy of abatement measures performed by persons certified or credentialed under section 136B.1. Following testing the department shall provide the owner of the property with a written report of its results including the concentration of radon gas or radon progeny contamination present, an interpretation of the results, and recommendation of appropriate action. A person certified or credentialed under section 136B.1 shall also be advised of the department's results, discrepancies revealed by the spot-check, actions required of the person, and actions the department intends to take with respect to the person's continued certification or credentialing.

Sec. 4. Section 136B.4, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The department shall establish a fee schedule to defray the costs of the certification ~~program~~ and credentialing programs established pursuant to section 136B.1 and the testing conducted and the written reports provided pursuant to section 136B.3.

Approved May 26, 1989

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## CHAPTER 225

### LAW ENFORCEMENT-RELATED PROGRAMS, INCLUDING SUBSTANCE ABUSE, YOUTH, INCOME TAX, AND COMMUNICATION INTERCEPTION PROGRAMS

*H.F. 780*

**AN ACT** relating to substance abuse treatment and narcotics law enforcement, making certain appropriations, providing penalties, and providing an effective date.

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

#### Section 1. NEW SECTION. 80E.1 DRUG ENFORCEMENT AND ABUSE PREVENTION COORDINATOR.

1. A drug enforcement and abuse prevention coordinator shall be appointed by the governor, subject to confirmation by the senate, and shall serve at the pleasure of the governor. The governor shall fill a vacancy in the office in the same manner as the original appointment was made. The coordinator shall be selected primarily for administrative ability. The coordinator shall not be selected on the basis of political affiliation and shall not engage in political activity while holding the office. The salary of the coordinator shall be fixed by the governor.

2. The coordinator shall: