or if a person will reside in a facility, and if the person has been convicted of a crime ~~under a law of any state~~ or has a record of founded child abuse, the department and the licensee or registrant for an employee of the licensee or registrant shall perform an evaluation to determine whether the crime or founded child abuse warrants prohibition of licensure, registration, employment, or residence in the facility. The department shall conduct criminal and child abuse record checks in this state and may conduct these checks in other states. The evaluation shall be performed in accordance with procedures adopted for this purpose by the department.

c. In an evaluation, the department and the licensee or registrant for an employee of the licensee or registrant shall consider the nature and seriousness of the crime or founded child abuse in relation to the position sought or held, the time elapsed since the commission of the crime or founded child abuse, the circumstances under which the crime or founded child abuse was committed, the degree of rehabilitation, the likelihood that the person will commit the crime or founded child abuse again, and the number of crimes or founded child abuses committed by the person involved. The department may permit a person who is evaluated to be licensed, registered, employed, or to reside, or to continue to be licensed, registered, employed, or to reside in a licensed facility, if the person complies with the department's conditions relating to the person's licensure, registration, employment, or residence, which may include completion of additional training. For an employee of a licensee or registrant, these conditional requirements shall be developed with the licensee or registrant. The department has final authority in determining whether prohibition of the person's licensure, registration, employment, or residence is warranted and in developing any conditional requirements under this paragraph.

Sec. 9.   Section 692.2, subsection 1, paragraph c, Code 1991, is amended to read as follows:
c. The department of human services for the purposes of section 218.13, section 232.71, subsection 16, section 232.142, section 237.8, subsection 2, section 237A.5, section 237A.20, and section 600.8, subsections 1 and 2.

Sec. 10.   APPLICABILITY. The provisions of this Act are applicable on or after July 1, 1991, to persons who are initially licensed, employed, or reside in such facility, program, or institution employment or who commit an act, on or after July 1, 1991, requiring record checks or performance of an evaluation pursuant to this Act.

Approved May 8, 1991

CHAPTER 139
OFFICIAL IOWA MAP
H.F. 385

AN ACT requiring the state department of transportation to publish an official Iowa map.

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

Section 1.   NEW SECTION. 307.14 OFFICIAL IOWA MAP.
The department shall publish a map of the state of Iowa. At the request of a citizen of a particular city or town, the department shall add the city or town to the existing map of Iowa and identify the main road leading into the city or town if the city or town meets two or more of the following criteria:
1. Has a zip coded post office in the city or town.
2. Has a population of twenty-five or more.
3. Has a building on the national register of historic places in the city or town.

4. Has an association with a public recreation area managed by the department of natural resources in the city or town.

5. Has a high school, grade school, private school, church, or cemetery in the city or town.

6. Has a retail business in the city or town.

7. Has an annual festival or celebration.

Sec. 2.   Section 1 of this Act applies to the map of the state of Iowa published by the state department of transportation in 1993, and thereafter.

Approved May 8, 1991

CHAPTER 140
DURABLE POWER OF ATTORNEY FOR HEALTH CARE
H.F. 501

AN ACT relating to establishing a durable power of attorney authorized to make health care decisions and providing an effective date.

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

Section 1.   NEW SECTION.   144B.1 DEFINITIONS.

For purposes of this chapter, unless the context otherwise requires:

1. "Attorney in fact" means an individual who is designated by a durable power of attorney for health care as an agent to make health care decisions on behalf of a principal and has consented to act in that capacity.

2. "Durable power of attorney for health care" means a document authorizing an attorney in fact to make health care decisions for the principal if the principal is unable, in the judgment of the attending physician, to make health care decisions.

3. "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or treat an individual's physical or mental condition. "Health care" does not include the provision of nutrition or hydration except when they are required to be provided parenterally or through intubation.

4. "Health care decision" means the consent, refusal of consent, or withdrawal of consent to health care.

5. "Health care provider" means a person who is licensed, certified, or otherwise authorized or permitted by the law of this state to administer health care in the ordinary course of business or in the practice of a profession.

6. "Principal" means a person age eighteen or older who has executed a durable power of attorney for health care.

Sec. 2.   NEW SECTION.   144B.2 DURABLE POWER OF ATTORNEY FOR HEALTH CARE.

A durable power of attorney for health care authorizes the attorney in fact to make health care decisions for the principal if the durable power of attorney for health care substantially complies with the requirements of this chapter. A document executed prior to the effective date of this Act purporting to create a durable power of attorney for health care shall be deemed valid if the document specifically authorizes the attorney in fact to make health care decisions and is signed by the principal.

Sec. 3.   NEW SECTION.   144B.3 REQUIREMENTS.

1. An attorney in fact shall make health care decisions only if the following requirements are satisfied: