

FILED MAR 3 - 1997

SENATE FILE 250
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 120)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to public health issues under the purview of the
2 Iowa department of public health, including vital statistics,
3 the board of nursing examiners, the board of dental examiners,
4 lead poisoning, the immunization registry, the child death
5 review team, plumbing provisions and fees, and providing a
6 contingent effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 250

1 Section 1. Section 22.7, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. Hospital records, medical records, and professional
4 counselor records of the condition, diagnosis, care, or
5 treatment of a patient or former patient or a counselee or
6 former counselee, including outpatient. However, confidential
7 communications between a crime victim and the victim's
8 counselor are not subject to disclosure except as provided in
9 section 236A.1. However, the Iowa department of public health
10 shall adopt rules which provide for the sharing of information
11 among agencies and providers concerning the maternal and child
12 health program including but not limited to the statewide
13 child immunization information system, while maintaining an
14 individual's confidentiality.

15 Sec. 2. Section 135.43, subsection 6, Code 1997, is
16 amended to read as follows:

17 6. a. The Iowa department of public health and the
18 department of human services shall adopt rules providing for
19 disclosure of information which is confidential under chapter
20 22 or any other provision of state law, to the review team for
21 purposes of performing its child death and child abuse review
22 responsibilities.

23 b. A person in possession or control of medical,
24 investigative or other information pertaining to a child death
25 and child abuse review shall allow the inspection and
26 reproduction of the information by the department upon the
27 request of the department, to be used only in the
28 administration and for the duties of the Iowa child death
29 review team. Information and records which are confidential
30 under section 22.7 and chapter 235A, and information or
31 records received from the confidential records, remain
32 confidential under this section. A person does not incur
33 legal liability by reason of releasing information to the
34 department as required under and in compliance with this
35 section.

1 Sec. 3. Section 135.43, Code 1997, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7. Review team members and their agents
4 are immune from any liability, civil or criminal, which might
5 otherwise be incurred or imposed as a result of any act,
6 omission, proceeding, decision, or determination undertaken or
7 performed, or recommendation made as a review team member or
8 agent provided that the review team members or agents acted in
9 good faith and without malice in carrying out their official
10 duties in their official capacity. The department shall adopt
11 rules pursuant to chapter 17A to administer this subsection.
12 A complainant bears the burden of proof in establishing malice
13 or lack of good faith in an action brought against review team
14 members involving the performance of their duties and powers
15 under this section.

16 Sec. 4. Section 135.105A, Code 1997, is amended to read as
17 follows:

18 135.105A LEAD INSPECTOR AND LEAD ABATER TRAINING AND
19 CERTIFICATION ESTABLISHED -- CIVIL PENALTY.

20 1. The department shall establish a program for the
21 training and certification of lead inspectors and lead abaters
22 ~~who provide inspections and abatement for monetary~~
23 ~~compensation.~~ The department shall maintain a listing,
24 available to the public and to city and county health
25 departments, of lead inspectors and lead abaters who have
26 successfully completed the training program and have been
27 certified by the department. A person may be certified as
28 both a lead inspector and a lead abater. However, a person
29 who is certified as both a lead inspector and a lead abater
30 shall not provide both inspection and abatement services at
31 the same site unless a written consent or waiver, following
32 full disclosure by the person, is obtained from the owner or
33 manager of the site.

34 2. The department shall also establish a program for the
35 training of painting, demolition, and remodeling contractors

1 and those who provide mitigation control services for-monetary
2 compensation. The training shall be completed on a voluntary
3 basis.

4 3. A person who owns or-manages real property which
5 includes a residential dwelling and who performs lead
6 inspection or lead abatement of the residential dwelling is
7 not required to obtain certification to perform mitigation
8 control-or-abatement these measures of-property-which-the
9 person-owns-or-manages, unless the residential dwelling is
10 occupied by a person other than the owner or a member of the
11 owner's immediate family while the measures are being
12 performed. However, the department shall encourage property
13 owners and managers who are not required to be certified to
14 complete the training course to ensure the use of appropriate
15 and safe mitigation and abatement procedures.

16 4. A person shall not perform lead abatement or lead
17 inspections for-compensation unless the person has completed a
18 training program approved by the department and has obtained
19 certification. A person who violates this section is subject
20 to a civil penalty not to exceed five thousand dollars for
21 each offense.

22 Sec. 5. NEW SECTION. 135.105C RENOVATION, REMODELING AND
23 REPAINTING -- LEAD HAZARD NOTIFICATION PROCESS ESTABLISHED.

24 1. A person who performs renovation, remodeling, or
25 repainting services of targeted housing for compensation shall
26 provide an approved lead hazard information pamphlet to the
27 owner and occupant of the housing prior to commencing the
28 services.

29 2. For the purpose of this section, "targeted housing"
30 means housing constructed prior to 1978 with the exception of
31 housing for the elderly or for persons with disabilities,
32 unless at least one child, six years of age or less, resides
33 or is expected to reside in the housing, and housing which
34 does not contain a bedroom. The department shall adopt rules
35 to implement the renovation, remodeling, and repainting lead

1 hazard notification process.

2 Sec. 6. Section 144.1, subsections 5, 9, and 10, Code
3 1997, are amended to read as follows:

4 5. "Fetal death" means death prior to the complete
5 expulsion or extraction from its mother of a product of human
6 conception, irrespective of the duration of pregnancy. Death
7 is indicated by the fact that after expulsion or extraction
8 the fetus does not breathe or show any other evidence of life
9 such as beating of the heart, pulsation of the umbilical cord,
10 or definite movement of voluntary muscles. In determining a
11 fetal death, heartbeats shall be distinguished from transient
12 cardiac contractions, and respirations shall be distinguished
13 from fleeting respiratory efforts or gasps.

14 9. "Live birth" means the complete expulsion or extraction
15 from its mother of a product of human conception, irrespective
16 of the duration of pregnancy, which, after such expulsion or
17 extraction, breathes or shows any other evidence of life such
18 as beating of the heart, pulsation of the umbilical cord, or
19 definite movement of voluntary muscles, whether or not the
20 umbilical cord has been cut or the placenta is attached. In
21 determining a live birth, heartbeats shall be distinguished
22 from transient cardiac contractions, and respirations shall be
23 distinguished from fleeting respiratory efforts or gasps.

24 10. "Registration" means the ~~acceptance-by-the-division~~
25 ~~and-the-incorporation-in-its-official-records-of-certificates,~~
26 ~~reports,-or-other-records,-provided-for-in-this-chapter,-of~~
27 ~~births,-deaths,-fetal-deaths,-adoptions,-marriages,-divorces,~~
28 ~~or-annuiments~~ process by which vital statistic records are
29 completed, filed, and incorporated by the division in the
30 division's official records.

31 Sec. 7. Section 144.5, subsection 4, Code 1997, is amended
32 to read as follows:

33 4. Prescribe, print, and distribute the forms required by
34 this chapter and prescribe any other means for transmission of
35 data, as necessary to accomplish complete, accurate reporting.

1 Sec. 8. Section 144.12, Code 1997, is amended to read as
2 follows:

3 144.12 FORMS UNIFORM.

4 In order to promote and maintain uniformity in the system
5 of vital statistics, the forms of certificates, reports, and
6 other returns shall include as a minimum the items recommended
7 by the federal agency responsible for national vital
8 statistics, subject to approval and modification by the
9 department. Forms shall be furnished by the department. The
10 forms or other recording methods used ~~by-county-registrars~~ to
11 ~~record-copies-of~~ register records ~~made~~ required under this
12 chapter shall be prescribed by the department.

13 Sec. 9. Section 144.13, subsection 1, paragraphs a, b, and
14 c, Code 1997, are amended to read as follows:

15 a. A certificate of birth for each live birth which occurs
16 in this state shall be filed ~~with-the-county~~ as directed by
17 the state registrar of-the-county-in-which-the-birth-occurs
18 within ~~ten~~ seven days after the birth and shall be registered
19 by the county registrar if it has been completed and filed in
20 accordance with this chapter. ~~However,-when-a-birth-occurs-in~~
21 ~~a-moving-conveyance,-a-birth-certificate-shall-be-filed-in-the~~
22 ~~county-in-which-the-child-was-first-removed-from-the~~
23 ~~conveyance-~~

24 b. When a birth occurs in an institution or en route to an
25 institution, the person in charge of the institution or the
26 person's designated representative, shall obtain the personal
27 data, prepare the certificate, ~~secure-the-signatures-required~~
28 ~~by-the-certificate,~~ and file the certificate ~~with-the-county~~
29 as directed by the state registrar. The physician in
30 attendance or the person in charge of the institution or the
31 person's designee shall certify to the facts of birth either
32 by signature or as otherwise authorized by rule and provide
33 the medical information required by the certificate within ~~six~~
34 seven days after the birth.

35 c. When a birth occurs outside an institution and not en

1 route to an institution, the certificate shall be prepared and
2 filed by one of the following in the indicated order of
3 priority:

4 (1) The physician in attendance at or immediately after
5 the birth.

6 (2) Any other person in attendance at or immediately after
7 the birth.

8 (3) The father or the mother.

9 (4) The person in charge of the premises where the birth
10 occurred. The state registrar shall establish by rule, the
11 evidence required to establish the facts of birth.

12 Sec. 10. Section 144.13, subsection 2, Code 1997, is
13 amended to read as follows:

14 2. If the mother was married ~~either~~ at the time of
15 conception or, birth, or at anytime during the period between
16 conception and birth, the name of the husband shall be entered
17 on the certificate as the father of the child unless paternity
18 has been determined otherwise by a court of competent
19 jurisdiction, in which case the name of the father as
20 determined by the court shall be entered by the department.

21 Sec. 11. Section 144.13, subsection 3, Code 1997, is
22 amended to read as follows:

23 3. If the mother was not married ~~either~~ at the time of
24 conception or, birth, or at any time during the period between
25 conception and birth, the name of the father shall not be
26 entered on the certificate of birth without the written
27 consent of the mother and the person to be named as the
28 father, unless a determination of paternity has been made
29 pursuant to section 252A.3, in which case the name of the
30 father as established shall be entered by the department. If
31 the father is not named on the certificate of birth, no other
32 information about the father shall be entered on the
33 certificate.

34 Sec. 12. Section 144.15, unnumbered paragraph 1, Code
35 1997, is amended to read as follows:

1 When the birth of a person born in this state has not been
2 registered, a certificate may be filed in accordance with
3 regulations. The certificate shall be registered subject to
4 evidentiary requirements prescribed to substantiate the
5 alleged facts of birth. Certificates of birth registered one
6 year or more after the date of occurrence shall be marked
7 "delayed" and shall show on their face the date of the delayed
8 registration. A summary statement of the evidence submitted
9 in support of the delayed registration shall be endorsed on
10 the certificate. A delayed certificate of birth shall not be
11 registered for a deceased person.

12 Sec. 13. Section 144.26, Code 1997, is amended to read as
13 follows:

14 144.26 DEATH CERTIFICATE.

15 A death certificate for each death which occurs in this
16 state shall be filed ~~with the county as directed by the state~~
17 ~~registrar of the county in which the death occurs,~~ within
18 three days after the death and prior to final disposition, and
19 shall be registered by the county registrar if it has been
20 completed and filed in accordance with this chapter. All
21 information including the certifying physician's name shall be
22 typewritten.

23 ~~If the place of death is unknown, a death certificate shall~~
24 ~~be filed in the county in which a dead body is found within~~
25 ~~three days after the body is found. The county in which a~~
26 dead body is found is the county of death. If death occurs in
27 a moving conveyance, ~~a death certificate shall be filed in the~~
28 county in which the dead body is first removed from the
29 conveyance is the county of death.

30 ~~If a person dies outside of the county of the person's~~
31 ~~residence, the state registrar shall send a copy of the death~~
32 ~~certificate to the county registrar of the county of the~~
33 ~~decedent's residence. The county registrar shall record the~~
34 ~~death certificate in the same records in which death~~
35 ~~certificates of persons who died within the county are~~

1 recorded-

2 Sec. 14. Section 144.27, Code 1997, is amended to read as
3 follows:

4 144.27 FUNERAL DIRECTOR'S DUTY.

5 The funeral director who first assumes custody of a dead
6 body shall file the death certificate, obtain the personal
7 data from the next of kin or the best qualified person or
8 source available and obtain the medical certification of cause
9 of death from the person responsible for ~~issuing-and-signing~~
10 completing the certification. When a person other than a
11 funeral director assumes custody of a dead body, the person
12 shall be responsible for carrying out the provisions of this
13 section.

14 Sec. 15. Section 144.28, Code 1997, is amended to read as
15 follows:

16 144.28 MEDICAL CERTIFICATE.

17 1. The medical certification shall be completed and signed
18 within twenty-four hours after death by the physician in
19 charge of the patient's care for the illness or condition
20 which resulted in death except when inquiry is required by the
21 county medical examiner. When inquiry is required by the
22 county medical examiner, the medical examiner shall
23 investigate the cause of death and shall complete and sign the
24 medical certification within twenty-four hours after taking
25 charge of the case.

26 2. The person completing the medical certification of
27 cause of death shall attest to its accuracy either by
28 signature or by an electronic process approved by rule.

29 Sec. 16. Section 144.29, Code 1997, is amended to read as
30 follows:

31 144.29 FETAL DEATHS.

32 A fetal death certificate for each fetal death which occurs
33 in this state after a gestation period of twenty completed
34 weeks or greater, or for a fetus with a weight of three
35 hundred fifty grams or more shall be filed with-the-county as

1 directed by the state registrar of the county in which the
2 delivery of the dead fetus occurs; within three days after
3 delivery and prior to final disposition of the fetus. The
4 certificate shall be registered if it has been completed and
5 filed in accordance with this chapter.

6 ~~If the place of delivery of a dead fetus is unknown, a~~
7 ~~fetal death certificate shall be filed in the~~ The county in
8 which a dead fetus is found; is the county of death. The
9 certificate shall be filed within three days after the fetus
10 is found. If a fetal death occurs in a moving conveyance, a
11 ~~fetal death certificate shall be filed in~~ the county in which
12 the fetus is first removed from the conveyance is the county
13 of death.

14 Sec. 17. Section 144.30, Code 1997, is amended to read as
15 follows:

16 144.30 FUNERAL DIRECTOR'S DUTY -- FETAL DEATH CERTIFICATE.

17 The funeral director who first assumes custody of a fetus
18 shall file the fetal death certificate. In the absence of
19 such a person, the physician or other person in attendance at
20 or after the delivery shall file the certificate of fetal
21 death. The person filing the certificate shall obtain the
22 personal data from the next of kin or the best qualified
23 person or source available and shall obtain the medical
24 certification of cause of death from the person responsible
25 ~~for issuing and signing~~ completing the certification. When a
26 person other than a funeral director assumes custody of a
27 fetus, the person shall be responsible for carrying out the
28 provisions of this section.

29 Sec. 18. Section 144.31, Code 1997, is amended to read as
30 follows:

31 144.31 MEDICAL CERTIFICATE -- FETAL DEATH.

32 The medical certification shall be completed ~~and signed~~
33 within twenty-four hours after delivery by the physician in
34 attendance at or after delivery except when inquiry is
35 required by the county medical examiner.

1 When a fetal death occurs without medical attendance upon
2 the mother at or after delivery or when inquiry is required by
3 the county medical examiner, the medical examiner shall
4 investigate the cause of fetal death and shall complete and
5 sign the medical certification within twenty-four hours after
6 taking charge of the case. The person completing the medical
7 certification of cause of fetal death shall attest to its
8 accuracy either by signature or as authorized by rule.

9 Sec. 19. Section 144.43, Code 1997, is amended by adding
10 the following new unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. A public record shall not be
12 withheld from the public because it is combined with data
13 processing software. The state registrar shall not implement
14 any electronic data processing system for the storage,
15 manipulation, or retrieval of vital records that would impair
16 a county registrar's ability to permit the examination of a
17 public record and the copying of a public record, as
18 established by rule. If it is necessary to separate a public
19 record from data processing software in order to permit the
20 examination of the public record, the county registrar shall
21 periodically generate a written log available for public
22 inspection which contains the public record.

23 Sec. 20. NEW SECTION. 152.12 EXAMINATION INFORMATION.

24 Notwithstanding subsection 147.21, subsection 3, individual
25 pass or fail examination results made available from the
26 authorized national testing agency may be disclosed to the
27 appropriate licensing authority in another state, the District
28 of Columbia, or a territory or county, and the board-approved
29 education program, for purposes of verifying accuracy of
30 national data and determining program approval.

31 Sec. 21. Section 153.36, Code 1997, is amended to read as
32 follows:

33 153.36 STATUTES NOT APPLICABLE TO DENTISTRY.

34 1. Sections 147.44 to 147.71, except 147.57 and sections
35 147.87 to 147.92, shall not apply to the practice of

1 dentistry.

2 2. In addition to the provisions of section 272C.2,
3 subsection 4, a person licensed by the board of dental
4 examiners shall also be deemed to have complied with
5 continuing education requirements of this state if, during
6 periods that the person practiced the profession in another
7 state or district, the person met all of the continuing
8 education and other requirements of that state or district for
9 the practice of the occupation or profession.

10 3. Notwithstanding the panel composition provisions in
11 section 272C.6, subsection 1, the board of dental examiners'
12 disciplinary hearing panels shall be comprised of three board
13 members, at least two of which are licensed in the profession.

14 Sec. 22. CONTINGENT EFFECTIVE DATE. Section 5 of this Act
15 relating to the renovation, remodeling, and repainting lead
16 hazard notification process takes effect only upon receipt by
17 the Iowa department of public health of authorization from the
18 United States environmental protection agency for state
19 implementation of the lead inspection and abatement
20 certification program.

21 Sec. 23. Section 135.15, Code 1997, is repealed.

22 EXPLANATION

23 This bill makes numerous changes to programs within and
24 administered by the Iowa department of public health.

25 Code section 22.7 is amended to enable the exchange of
26 child immunization information among public health agencies
27 and health care providers.

28 Code section 135.43 is amended to specifically set out the
29 authority of the child death review team to obtain
30 confidential records and to maintain confidentiality during
31 death reviews. The Iowa department of public health is
32 directed to adopt rules extending immunity to members of the
33 death review team in the execution of their duties in their
34 official capacity.

35 Code section 135.105A relating to the lead inspector and

1 abater certification program is amended as necessary to be
2 deemed an authorized state program by the federal
3 environmental protection agency (EPA).

4 New Code section 135.105C is created to establish a lead
5 hazard notification process for professional renovation,
6 remodeling, and repainting projects in targeted housing. The
7 establishment of such a notification process is an additional
8 federal EPA requirement for authorization of a state program.
9 A contingent effective date is provided for this section,
10 based on federal approval of the state program.

11 Code section 144.1 is amended to redefine "fetal death" and
12 "live birth" to distinguish between an actual fetal death or
13 live birth and various anomalies, and to redefine
14 "registration" for the purposes of the vital statistics
15 chapter.

16 Code sections 144.5, 144.12, 144.13, 144.15, 144.26,
17 144.27, 144.28, 144.29, 144.30, 144.31, and 144.43 are amended
18 to provide for the modernization of vital records procedures
19 and to facilitate the transition of county registrar duties
20 from the clerks of the district court to the county recorders.
21 The bill provides for changes in the birth and death
22 registration processes and disallows issuance of delayed birth
23 certificates for a deceased person. The bill also provides
24 that a public record is not to be withheld from public access
25 due to being combined with data processing software.

26 Code section 152.12 is created to authorize the board of
27 nursing examiners to disclose pass or fail examination results
28 to other state licensing authorities and to board-approved
29 education programs in order to facilitate requests for
30 licensure and to verify accuracy and determine approval.

31 Code section 153.36 is amended to provide for exceptions to
32 provisions in chapter 272C, regarding continuing education and
33 regulation, for the board of dental examiners. The exceptions
34 include allowing citizen board member participation in
35 disciplinary hearing panels and providing licensees practicing

1 out-of-state the ability to meet state continuing education
2 requirements by meeting the requirements of the state in which
3 they practice.

4 Code section 135.15 is repealed, thereby abolishing the
5 plumbing code fund which requires that cities which license
6 plumbers pay the treasurer of state \$1 for each license
7 issued, and 25 cents for each renewal issued to be used to pay
8 the state printing costs for rules governing the installation
9 of plumbing and plumbers' license and application forms.

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Redwine, Chair
Hammond
J. Black

SSB 120
Human Resources
Succeeded By
SF/HF 250

SENATE FILE
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON BOETTGER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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21 purposes of performing its child death and child abuse review
22 responsibilities.

23 b. A person in possession or control of medical,
24 investigative or other information pertaining to a child death
25 and child abuse review shall allow the inspection and
26 reproduction of the information by the department upon the
27 request of the department, to be used only in the
28 administration and for the duties of the Iowa child death
29 review team. Information and records which are confidential
30 under section 22.7 and chapter 235A, and information or
31 records received from the confidential records, remain
32 confidential under this section. A person does not incur
33 legal liability by reason of releasing information to the
34 department as required under and in compliance with this
35 section.

1 Sec. 3. Section 135.43, Code 1997, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7. Review team members and their agents
4 are immune from any liability, civil or criminal, which might
5 otherwise be incurred or imposed as a result of any act,
6 omission, proceeding, decision, or determination undertaken or
7 performed, or recommendation made as a review team member or
8 agent provided that the review team members or agents acted in
9 good faith and without malice in carrying out their official
10 duties in their official capacity. The department shall adopt
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25 departments, of lead inspectors and lead abaters who have
26 successfully completed the training program and have been
27 certified by the department. A person may be certified as
28 both a lead inspector and a lead abater. However, a person
29 who is certified as both a lead inspector and a lead abater
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31 the same site unless a written consent or waiver, following
32 full disclosure by the person, is obtained from the owner or
33 manager of the site.

34 2. The department shall also establish a program for the
35 training of painting, demolition, and remodeling contractors

1 and those who provide mitigation control services for-monetary
2 compensation. The training shall be completed on a voluntary
3 basis.

4 3. A person who owns or-manages real property which
5 includes a residential dwelling and who performs lead
6 inspection or lead abatement of the residential dwelling is
7 not required to obtain certification to perform mitigation
8 control-or-abatement these measures of-property-which-the
9 person-owns-or-manages, unless the residential dwelling is
10 occupied by a person other than the owner or a member of the
11 owner's immediate family while the measures are being
12 performed. However, the department shall encourage property
13 owners and managers who are not required to be certified to
14 complete the training course to ensure the use of appropriate
15 and safe mitigation and abatement procedures.

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22 Sec. 5. NEW SECTION. 135.105C RENOVATION, REMODELING AND
23 REPAINTING -- LEAD HAZARD NOTIFICATION PROCESS ESTABLISHED.

24 1. A person who performs renovation, remodeling, or
25 repainting services of targeted housing for compensation shall
26 provide an approved lead hazard information pamphlet to the
27 owner and occupant of the housing prior to commencing the
28 services.

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30 means housing constructed prior to 1978 with the exception of
31 housing for the elderly or for persons with disabilities,
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33 or is expected to reside in the housing, and housing which
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13 from fleeting respiratory efforts or gasps.

14 9. "Live birth" means the complete expulsion or extraction
15 from its mother of a product of human conception, irrespective
16 of the duration of pregnancy, which, after such expulsion or
17 extraction, breathes or shows any other evidence of life such
18 as beating of the heart, pulsation of the umbilical cord, or
19 definite movement of voluntary muscles, whether or not the
20 umbilical cord has been cut or the placenta is attached. In
21 determining a live birth, heartbeats shall be distinguished
22 from transient cardiac contractions, and respirations shall be
23 distinguished from fleeting respiratory efforts or gasps.

24 10. "Registration" means the ~~acceptance-by-the-division~~
25 ~~and-the-incorporation-in-its-official-records-of-certificates,~~
26 ~~reports,-or-other-records,-provided-for-in-this-chapter,-of~~
27 ~~births,-deaths,-fetal-deaths,-adoptions,-marriages,-divorces,~~
28 ~~or-annulments~~ process by which vital statistic records are
29 completed, filed, and incorporated by the division in the
30 division's official records.

31 Sec. 7. Section 144.5, subsection 4, Code 1997, is amended
32 to read as follows:

33 4. Prescribe, print, and distribute the forms required by
34 this chapter and prescribe any other means for transmission of
35 data, as necessary to accomplish complete, accurate reporting.

1 Sec. 8. Section 144.12, Code 1997, is amended to read as
2 follows:

3 144.12 FORMS UNIFORM.

4 In order to promote and maintain uniformity in the system
5 of vital statistics, the forms of certificates, reports, and
6 other returns shall include as a minimum the items recommended
7 by the federal agency responsible for national vital
8 statistics, subject to approval and modification by the
9 department. Forms shall be furnished by the department. The
10 forms or other recording methods used by ~~county registrars~~ to
11 ~~record-copies-of~~ register records made required under this
12 chapter shall be prescribed by the department.

13 Sec. 9. Section 144.13, subsection 1, paragraphs a, b, and
14 c, Code 1997, are amended to read as follows:

15 a. A certificate of birth for each live birth which occurs
16 in this state shall be filed ~~with-the-county~~ as directed by
17 the state registrar of-the-county-in-which-the-birth-occurs
18 within ~~ten~~ seven days after the birth and shall be registered
19 by the county registrar if it has been completed and filed in
20 accordance with this chapter. ~~However, when a birth occurs in~~
21 ~~a-moving-conveyance, a birth certificate shall be filed in the~~
22 ~~county in which the child was first removed from the~~
23 ~~conveyance.~~

24 b. When a birth occurs in an institution or en route to an
25 institution, the person in charge of the institution or the
26 person's designated representative, shall obtain the personal
27 data, prepare the certificate, ~~secure-the-signatures-required~~
28 ~~by-the-certificate,~~ and file the certificate ~~with-the-county~~
29 as directed by the state registrar. The physician in
30 attendance or the person in charge of the institution or the
31 person's designee shall certify to the facts of birth either
32 by signature or as otherwise authorized by rule and provide
33 the medical information required by the certificate within ~~six~~
34 seven days after the birth.

35 c. When a birth occurs outside an institution and not en

1 route to an institution, the certificate shall be prepared and
2 filed by one of the following in the indicated order of
3 priority:

4 (1) The physician in attendance at or immediately after
5 the birth.

6 (2) Any other person in attendance at or immediately after
7 the birth.

8 (3) The father or the mother.

9 (4) The person in charge of the premises where the birth
10 occurred. The state registrar shall establish by rule, the
11 evidence required to establish the facts of birth.

12 Sec. 10. Section 144.13, subsection 2, Code 1997, is
13 amended to read as follows:

14 2. If the mother was married ~~either~~ at the time of
15 conception or, birth, or at anytime during the period between
16 conception and birth, the name of the husband shall be entered
17 on the certificate as the father of the child unless paternity
18 has been determined otherwise by a court of competent
19 jurisdiction, in which case the name of the father as
20 determined by the court shall be entered by the department.

21 Sec. 11. Section 144.13, subsection 3, Code 1997, is
22 amended to read as follows:

23 3. If the mother was not married ~~either~~ at the time of
24 conception or, birth, or at any time during the period between
25 conception and birth, the name of the father shall not be
26 entered on the certificate of birth without the written
27 consent of the mother and the person to be named as the
28 father, unless a determination of paternity has been made
29 pursuant to section 252A.3, in which case the name of the
30 father as established shall be entered by the department. If
31 the father is not named on the certificate of birth, no other
32 information shall be entered on the certificate.

33 Sec. 12. Section 144.15, unnumbered paragraph 1, Code
34 1997, is amended to read as follows:

35 When the birth of a person born in this state has not been

1 registered, a certificate may be filed in accordance with
2 regulations. The certificate shall be registered subject to
3 evidentiary requirements prescribed to substantiate the
4 alleged facts of birth. Certificates of birth registered one
5 year or more after the date of occurrence shall be marked
6 "delayed" and shall show on their face the date of the delayed
7 registration. A summary statement of the evidence submitted
8 in support of the delayed registration shall be endorsed on
9 the certificate. A delayed certificate of birth shall not be
10 registered for a deceased person.

11 Sec. 13. Section 144.26, Code 1997, is amended to read as
12 follows:

13 144.26 DEATH CERTIFICATE.

14 A death certificate for each death which occurs in this
15 state shall be filed ~~with-the-county~~ as directed by the state
16 ~~registrar of-the-county-in-which-the-death-occurs,~~ within
17 three days after the death and prior to final disposition, and
18 shall be registered by the county registrar if it has been
19 completed and filed in accordance with this chapter. All
20 information including the certifying physician's name shall be
21 typewritten.

22 ~~If-the-place-of-death-is-unknown,-a-death-certificate-shall~~
23 ~~be-filed-in-the-county-in-which-a-dead-body-is-found-within~~
24 ~~three-days-after-the-body-is-found.~~ The county in which a
25 dead body is found is the county of death. If death occurs in
26 a moving conveyance, ~~a-death-certificate-shall-be-filed-in~~ the
27 county in which the dead body is first removed from the
28 conveyance is the county of death.

29 ~~If-a-person-dies-outside-of-the-county-of-the-person's~~
30 ~~residence,-the-state-registrar-shall-send-a-copy-of-the-death~~
31 ~~certificate-to-the-county-registrar-of-the-county-of-the~~
32 ~~decedent's-residence---~~ The county registrar shall record the
33 death-certificate-in-the-same-records-in-which-death
34 certificates-of-persons-who-died-within-the-county-are
35 recorded.

1 Sec. 14. Section 144.27, Code 1997, is amended to read as
2 follows:

3 144.27 FUNERAL DIRECTOR'S DUTY.

4 The funeral director who first assumes custody of a dead
5 body shall file the death certificate, obtain the personal
6 data from the next of kin or the best qualified person or
7 source available and obtain the medical certification of cause
8 of death from the person responsible for ~~issuing-and-signing~~
9 completing the certification. When a person other than a
10 funeral director assumes custody of a dead body, the person
11 shall be responsible for carrying out the provisions of this
12 section.

13 Sec. 15. Section 144.28, Code 1997, is amended to read as
14 follows:

15 144.28 MEDICAL CERTIFICATE.

16 1. The medical certification shall be completed and signed
17 within twenty-four hours after death by the physician in
18 charge of the patient's care for the illness or condition
19 which resulted in death except when inquiry is required by the
20 county medical examiner. When inquiry is required by the
21 county medical examiner, the medical examiner shall
22 investigate the cause of death and shall complete and sign the
23 medical certification within twenty-four hours after taking
24 charge of the case.

25 2. The person completing the medical certification of
26 cause of death shall attest to its accuracy either by
27 signature or by an electronic process approved by rule.

28 Sec. 16. Section 144.29, Code 1997, is amended to read as
29 follows:

30 144.29 FETAL DEATHS.

31 A fetal death certificate for each fetal death which occurs
32 in this state after a gestation period of twenty completed
33 weeks or greater, or for a fetus with a weight of three
34 hundred fifty grams or more shall be filed ~~with-the-county~~ as
35 directed by the state registrar of-the-county-in-which-the

1 ~~delivery-of-the-dead-fetus-occurs,~~ within three days after
2 delivery and prior to final disposition of the fetus. The
3 certificate shall be registered if it has been completed and
4 filed in accordance with this chapter.

5 ~~If-the-place-of-delivery-of-a-dead-fetus-is-unknown,-a~~
6 ~~fetal-death-certificate-shall-be-filed-in-the~~ The county in
7 which a dead fetus is found, is the county of death. The
8 certificate shall be filed within three days after the fetus
9 is found. If a fetal death occurs in a moving conveyance, a
10 ~~fetal-death-certificate-shall-be-filed-in~~ the county in which
11 the fetus is first removed from the conveyance is the county
12 of death.

13 Sec. 17. Section 144.30, Code 1997, is amended to read as
14 follows:

15 144.30 FUNERAL DIRECTOR'S DUTY -- FETAL DEATH CERTIFICATE.

16 The funeral director who first assumes custody of a fetus
17 shall file the fetal death certificate. In the absence of
18 such a person, the physician or other person in attendance at
19 or after the delivery shall file the certificate of fetal
20 death. The person filing the certificate shall obtain the
21 personal data from the next of kin or the best qualified
22 person or source available and shall obtain the medical
23 certification of cause of death from the person responsible
24 ~~for issuing-and-signing~~ completing the certification. When a
25 person other than a funeral director assumes custody of a
26 fetus, the person shall be responsible for carrying out the
27 provisions of this section.

28 Sec. 18. Section 144.31, Code 1997, is amended to read as
29 follows:

30 144.31 MEDICAL CERTIFICATE -- FETAL DEATH.

31 The medical certification shall be completed ~~and-signed~~
32 within twenty-four hours after delivery by the physician in
33 attendance at or after delivery except when inquiry is
34 required by the county medical examiner.

35 When a fetal death occurs without medical attendance upon

1 the mother at or after delivery or when inquiry is required by
 2 the county medical examiner, the medical examiner shall
 3 investigate the cause of fetal death and shall complete and
 4 sign the medical certification within twenty-four hours after
 5 taking charge of the case. The person completing the medical
 6 certification of cause of fetal death shall attest to its
 7 accuracy either by signature or as authorized by rule.

8 Sec. 19. Section 144.43, Code 1997, is amended by adding
 9 the following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. A public record shall not be
 11 withheld from the public because it is combined with data
 12 processing software. The state registrar shall not implement
 13 any electronic data processing system for the storage,
 14 manipulation, or retrieval of vital records that would impair
 15 a county registrar's ability to permit the examination of a
 16 public record and the copying of a public record, as
 17 established by rule. If it is necessary to separate a public
 18 record from data processing software in order to permit the
 19 examination of the public record, the county registrar shall
 20 periodically generate a written log available for public
 21 inspection which contains the public record.

22 Sec. 20. NEW SECTION. 152.12 EXAMINATION INFORMATION.

23 Notwithstanding subsection 147.21, subsection 3, individual
 24 pass or fail examination results made available from the
 25 authorized national testing agency may be disclosed to the
 26 appropriate licensing authority in another state, the District
 27 of Columbia, or a territory or county, and the board-approved
 28 education program, for purposes of verifying accuracy of
 29 national data and determining program approval.

30 Sec. 21. Section 153.36, Code 1997, is amended to read as
 31 follows:

32 153.36 STATUTES NOT APPLICABLE TO DENTISTRY.

33 1. Sections 147.44 to 147.71, except 147.57 and sections
 34 147.87 to 147.92, shall not apply to the practice of
 35 dentistry.

1 deemed an authorized state program by the federal
2 environmental protection agency (EPA).

3 New Code section 135.105C is created to establish a lead
4 hazard notification process for professional renovation,
5 remodeling, and repainting projects in targeted housing. The
6 establishment of such a notification process is an additional
7 federal EPA requirement for authorization of a state program.
8 A contingent effective date is provided for this section,
9 based on federal approval of the state program.

10 Code section 144.1 is amended to redefine "fetal death" and
11 "live birth" to distinguish between an actual fetal death or
12 live birth and various anomalies, and to redefine
13 "registration" for the purposes of the vital statistics
14 chapter.

15 Code sections 144.5, 144.12, 144.13, 144.15, 144.26,
16 144.27, 144.28, 144.29, 144.30, 144.31, and 144.43 are amended
17 to provide for the modernization of vital records procedures
18 and to facilitate the transition of county registrar duties
19 from the clerks of the district court to the county recorders.
20 The bill provides for changes in the birth and death
21 registration processes and disallows issuance of delayed birth
22 certificates for a deceased person. The bill also provides
23 that a public record is not to be withheld from public access
24 due to being combined with data processing software.

25 Code section 152.12 is created to authorize the board of
26 nursing examiners to disclose pass or fail examination results
27 to other state licensing authorities and to board-approved
28 education programs in order to facilitate requests for
29 licensure and to verify accuracy and determine approval.

30 Code section 153.36 is amended to provide for exceptions to
31 provisions in chapter 272C, regarding continuing education and
32 regulation, for the board of dental examiners. The exceptions
33 include allowing citizen board member participation in
34 disciplinary hearing panels and providing licensees practicing
35 out-of-state the ability to meet state continuing education

1 requirements by meeting the requirements of the state in which
2 they practice.

3 Code section 135.15 is repealed, thereby abolishing the
4 plumbing code fund which requires that cities which license
5 plumbers pay the treasurer of state \$1 for each license
6 issued, and 25 cents for each renewal issued to be used to pay
7 the state printing costs for rules governing the installation
8 of plumbing and plumbers' license and application forms.

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