

Redwine  
Boettger  
Shearer

55B 3/02

Human Resources

Succeeded By

SENATE/HOUSE FILE SE/HF 2302  
BY (PROPOSED IOWA DEPARTMENT OF  
PUBLIC HEALTH BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to programs and public health issues under the  
2 purview of the Iowa department of public health and the  
3 appropriation of certain fees to the department.

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

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1 Section 1. Section 22.7, Code Supplement 1999, is amended  
2 by adding the following new subsection:

3 NEW SUBSECTION. 39. Preliminary findings, reports of  
4 these preliminary findings, and investigative reports of the  
5 state medical examiner, resulting from the conducting of an  
6 autopsy. However, the date, time, specific location, and  
7 immediate facts and circumstances surrounding a crime or  
8 incident, related to a death that affects the public interest  
9 as defined in section 331.802, shall not be kept confidential  
10 under this subsection, except if disclosure would plainly and  
11 clearly jeopardize an investigation or pose a clear and  
12 present danger to the public safety or the safety of an  
13 individual.

14 Sec. 2. Section 125.14, Code 1999, is amended to read as  
15 follows:

16 125.14 LICENSES -- RENEWAL -- FEES.

17 The commission shall meet to consider all cases involving  
18 initial issuance, and renewal, denial, suspension, or  
19 revocation of a license. The department shall issue a license  
20 to an applicant who the commission determines meets the  
21 licensing requirements of this chapter. Licenses shall expire  
22 no later than two years from the date of issuance and shall be  
23 renewed upon timely application made in the same manner as for  
24 ~~original~~ initial issuance of a license unless notice of  
25 nonrenewal is given to the licensee at least thirty days prior  
26 to the expiration of the license. The department shall not  
27 charge a fee for licensing or renewal of programs contracting  
28 with the department for provision of treatment services. A  
29 fee may be charged to other licensees.

30 Sec. 3. Section 125.15, Code 1999, is amended to read as  
31 follows:

32 125.15 INSPECTION OF LICENSEES.

33 The department shall may inspect the facilities and review  
34 the procedures utilized by ~~each-licensed-program~~ any chemical  
35 substitutes or antagonists program, residential program, or

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1 nonresidential outpatient program that has as a primary  
2 purpose the treatment and rehabilitation of substance abusers  
3 or chronic substance abusers, for the purpose of ensuring  
4 compliance with this chapter and the rules adopted pursuant to  
5 this chapter. The examination and review may include case  
6 record audits and interviews with staff and patients,  
7 consistent with the confidentiality safeguards of state and  
8 federal law.

9 Sec. 4. NEW SECTION. 135.30A BREASTFEEDING IN PUBLIC  
10 PLACES.

11 Notwithstanding any other provision of law to the contrary,  
12 a mother may, with the maximum amount of discretion possible,  
13 breast-feed the mother's child in any public place where the  
14 mother's presence is otherwise authorized.

15 Sec. 5. Section 135.105C, Code 1999, is amended to read as  
16 follows:

17 135.105C RENOVATION, REMODELING, AND REPAINTING -- LEAD  
18 HAZARD NOTIFICATION PROCESS ESTABLISHED.

19 1. A person who performs renovation, remodeling, or  
20 repainting services of ~~targeted~~ target housing for  
21 compensation shall provide an approved lead hazard information  
22 pamphlet to the owner and occupant of the housing prior to  
23 commencing the services.

24 2. For the purpose of this section, "~~targeted~~ target  
25 housing" means housing constructed prior to 1978 with the  
26 exception of housing for the elderly or for persons with  
27 disabilities and housing that does not contain a bedroom,  
28 unless at least one child, under six years of age ~~or-less,~~  
29 resides or is expected to reside in the housing, ~~and-housing~~  
30 ~~which-does-not-contain-a-bedroom.~~ The department shall adopt  
31 rules to implement the renovation, remodeling, and repainting  
32 lead hazard notification process.

33 Sec. 6. Section 136C.10, Code 1999, is amended to read as  
34 follows:

35 136C.10 FEES.

1 The department shall establish and collect fees for the  
2 licensing and amendment of licenses for radioactive materials,  
3 the registration of radiation machines, the periodic  
4 inspection of radiation machines and radioactive materials,  
5 and the implementation of section 136C.3, subsection 2. Fees  
6 shall be established in amounts sufficient to defray the cost  
7 of administering this chapter and are appropriated to and  
8 shall be retained by the department. The license fee may  
9 include the cost of environmental surveillance activities to  
10 assess the radiological impact of activities conducted by  
11 licensees. ~~Fees collected shall be remitted to the treasurer~~  
12 ~~of state who shall deposit the funds in the general fund of~~  
13 ~~the state.~~ When a registrant or licensee fails to pay the  
14 applicable fee the department may suspend or revoke the  
15 registration or license or may issue an appropriate order.  
16 Fees for the license, amendment of a license, and inspection  
17 of radioactive material shall not exceed the fees prescribed  
18 by the United States nuclear regulatory commission.

19 Sec. 7. Section 141A.6, subsection 6, paragraph e, Code  
20 Supplement 1999, is amended to read as follows:

21 e. The race ~~or~~ and ethnicity of the patient.

22 Sec. 8. Section 141A.8, subsection 1, Code Supplement  
23 1999, is amended by striking the subsection and inserting in  
24 lieu thereof the following:

25 1. If a care provider in the course of providing care  
26 sustains a significant exposure on the premises of a health  
27 facility or while engaged in rendering aid or providing  
28 transportation to an individual in circumstances which lead to  
29 the individual's presence at a health facility, the individual  
30 to whom the care provider was exposed is deemed to consent to  
31 a test to be administered by the health facility upon the  
32 submission of a significant exposure report by the exposed  
33 care provider for the express purpose of determining the  
34 presence of HIV infection in that individual and notifying the  
35 health care provider of the HIV test results of the

1 individual. The sample and test results shall only be  
2 identified by a number and no reports otherwise required by  
3 this chapter shall be made which identify the individual  
4 tested. However, if the test results are positive, the health  
5 facility shall notify the individual tested and ensure the  
6 performance of counseling and reporting requirements of this  
7 chapter in the same manner as for an individual from whom  
8 actual consent was obtained.

9 Sec. 9. Section 141A.8, subsection 7, Code Supplement  
10 1999, is amended by striking the subsection.

11 Sec. 10. Section 141A.8, subsection 9, Code Supplement  
12 1999, is amended to read as follows:

13 9. Notifications made pursuant to this section shall not  
14 disclose the identity of the individual who is diagnosed or  
15 confirmed as having HIV infection unless the individual  
16 provides a specific written release ~~as provided in subsection~~  
17 ~~17-paragraph-"b"~~. If the care provider determines the  
18 identity of the individual, the identity of the individual  
19 shall be confidential information and shall not be disclosed  
20 by the care provider to any other person unless a specific  
21 written release is obtained from the individual.

22 Sec. 11. Section 144.43, Code 1999, is amended to read as  
23 follows:

24 144.43 VITAL RECORDS CLOSED TO INSPECTION -- EXCEPTIONS.

25 1. To protect the integrity of vital statistics records,  
26 to ensure their proper use, and to ensure the efficient and  
27 proper administration of the vital statistics system kept by  
28 the state registrar, access to vital statistics records kept  
29 by the state registrar shall be limited to the state registrar  
30 and the state registrar's employees, and then only for  
31 administrative purposes. It shall be unlawful for the state  
32 registrar to permit inspection of, or to disclose information  
33 contained in vital statistics records, or to copy or permit to  
34 be copied all or part of any such record except as authorized  
35 by regulation.

1 2. However Notwithstanding subsection 1, the following  
2 vital statistics records may be inspected and copied as of  
3 right under chapter 22 when they are in the custody of a  
4 county registrar or when they are in the custody of the state  
5 archivist and are at least seventy-five years old:

6 1- a. A record of birth if the record is at least ninety-  
7 five years old and the person making the request has a  
8 verifiable, direct, and tangible interest, as defined by rule  
9 of the department, in the record.

10 2- b. A record of marriage.

11 3- c. A record of divorce, dissolution of marriage, or  
12 annulment of marriage.

13 4- d. A record of death if that death was not a fetal  
14 death.

15 3. Notwithstanding subsection 1, the following vital  
16 statistics records may be inspected and copied as of right  
17 under chapter 22, when they are in the custody of the state  
18 archivist:

19 a. A record of birth if the record is at least ninety-five  
20 years old.

21 b. A record of marriage if the record is at least fifty  
22 years old.

23 c. A record of divorce, dissolution of marriage, or  
24 annulment of marriage if the record is at least fifty years  
25 old.

26 d. A record of death if that death was not a fetal death  
27 and the record is at least fifty years old.

28 4. Notwithstanding subsection 3, paragraph "a", existing  
29 records open for inspection and copying on or before January  
30 1, 2000, shall remain open for inspection and available for  
31 copying under chapter 22.

32 5. A public record shall not be withheld from the public  
33 because it is combined with data processing software. The  
34 state registrar shall not implement any electronic data  
35 processing system for the storage, manipulation, or retrieval

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1 of vital records that would impair a county registrar's  
2 ability to permit the examination of a public record and the  
3 copying of a public record, as established by rule. If it is  
4 necessary to separate a public record from data processing  
5 software in order to permit the examination of the public  
6 record, the county registrar shall periodically generate a  
7 written log available for public inspection which contains the  
8 public record.

9 Sec. 12. Section 148.5, Code 1999, is amended to read as  
10 follows:

11 148.5 RESIDENT PHYSICIAN LICENSE.

12 A physician, who is a graduate of a medical school and is  
13 serving as a resident physician who is not otherwise licensed  
14 to practice medicine and surgery in this state, shall be  
15 required to obtain from the medical examiners a license to  
16 practice as a resident physician. The license shall be  
17 designated "Resident Physician License" and shall authorize  
18 the licensee to serve as a resident physician only, under the  
19 supervision of a licensed practitioner of medicine and surgery  
20 or osteopathic medicine and surgery, in an institution  
21 approved for such training by the medical examiners. Such A  
22 license shall be valid for one-year-and-may-be-renewed-at-the  
23 discretion-of-the-medical-examiners a duration as determined  
24 by the board. The fee for each license shall be set by the  
25 medical examiners to cover the administrative costs of issuing  
26 the license, ~~and-if-extended-beyond-one-year,-a-renewal-fee-as~~  
27 ~~set-by-the-medical-examiners-shall-be-required.~~ The medical  
28 examiners shall determine in each instance those eligible for  
29 a license, whether or not examinations shall be given, and the  
30 type of examinations. ~~No-requirements~~ Requirements of the law  
31 pertaining to regular permanent licensure shall not be  
32 mandatory for a resident physician license except as  
33 specifically designated by the medical examiners. The  
34 granting of a resident physician license does not in any way  
35 indicate that the person so licensed is necessarily eligible

1 for regular permanent licensure, nor are the medical examiners  
2 in any way obligated to ~~so~~ license ~~such~~ the individual.

3 Sec. 13. Section 148A.6, subsection 3, paragraph c, Code  
4 1999, is amended by striking the paragraph.

5 Sec. 14. NEW SECTION. 148B.3A OCCUPATIONAL THERAPY --  
6 REFERRAL.

7 Occupational therapy may be provided by an occupational  
8 therapist without referral from a physician, podiatric  
9 physician, dentist, or chiropractor, except that a hospital  
10 may require that occupational therapy provided in the hospital  
11 be performed only following prior review by and authorization  
12 of the performance of the occupational therapy by a member of  
13 the hospital medical staff.

14 Sec. 15. Section 148B.5, subsection 1, paragraph a,  
15 subparagraph (1), Code 1999, is amended to read as follows:

16 (1) For an occupational therapist, the program must be one  
17 accredited by the ~~American-medical-association-in~~  
18 ~~collaboration-with~~ accreditation council for occupational  
19 therapy education of the American occupational therapy  
20 association.

21 Sec. 16. Section 150A.9, Code 1999, is amended to read as  
22 follows:

23 150A.9 RESIDENT LICENSE.

24 An osteopathic physician and surgeon who is a graduate of a  
25 college of osteopathic medicine and surgery and is serving as  
26 a resident physician and who is not licensed to practice  
27 osteopathic medicine and surgery in this state, shall be  
28 required to obtain from the medical examiners a license to  
29 practice as a resident osteopathic physician and surgeon. The  
30 license shall be designated "Resident Osteopathic Physician  
31 and Surgeon License", and shall authorize the licensee to  
32 serve as a resident physician only, under the supervision of a  
33 licensed practitioner of osteopathic medicine and surgery or  
34 licensed practitioner of medicine and surgery, in an  
35 institution approved for such training by the medical

1 examiners. A license shall be valid for ~~one-year-and-may-be~~  
 2 ~~renewed-at-the-discretion-of-the-medical-examiners~~ a duration  
 3 as determined by the board. The fee for each license shall be  
 4 set by the medical examiners and based on the administrative  
 5 cost of issuing the license, ~~and-if-extended-beyond-one-year,~~  
 6 ~~a-renewal-fee-shall-be-required~~. The medical examiners shall  
 7 determine in each instance those eligible for a license,  
 8 whether or not examinations shall be given, and the type of  
 9 examinations. ~~No-requirements~~ Requirements of the law  
 10 pertaining to regular permanent licensure shall not be  
 11 mandatory for a resident osteopathic physician and surgeon's  
 12 license except as specifically designated by the medical  
 13 examiners. The granting of a resident osteopathic physician  
 14 and surgeon's license does not in any way indicate that the  
 15 person so licensed is necessarily eligible for regular  
 16 permanent licensure, nor are the medical examiners in any way  
 17 obligated to so license ~~such~~ the individual.

18 Sec. 17. Section 154A.11, unnumbered paragraph 2, Code  
 19 1999, is amended to read as follows:

20 All examinations in theory shall be in writing and the  
 21 identity of the person taking the examination shall be  
 22 concealed until after the examination papers have been graded.  
 23 ~~For-examinations-in-practice, the-identity-of-the-person~~  
 24 ~~taking-the-examination-shall-also-be-concealed-as-far-as~~  
 25 ~~possible.~~

26 Sec. 18. Section 154A.12, subsections 2, 5, and 6, Code  
 27 1999, are amended by striking the subsections.

28 Sec. 19. Section 154C.3, subsection 1, paragraph c,  
 29 subparagraph (1), Code 1999, is amended to read as follows:

30 (1) Possesses a master's or doctoral degree in social work  
 31 from an accredited college or university approved by the  
 32 board.

33 Sec. 20. Section 156.4, subsections 4 and 5, Code 1999,  
 34 are amended to read as follows:

35 4. Written ~~and-oral~~ examinations for a funeral director's

1 license shall be held at least once a year at a time and place  
2 to be designated by the board. The examination shall include  
3 the subjects of funeral directing, burial or other disposition  
4 of dead human bodies, sanitary science, embalming, restorative  
5 art, anatomy, public health, transportation, business ethics,  
6 and such other subjects as the board may designate.

7 5. After the applicant ~~shall have~~ has completed  
8 satisfactorily the course of instruction in mortuary science  
9 in an accredited school approved by the board, the applicant  
10 must pass the examination prescribed by the board as provided  
11 in section 147.34. The applicant may then receive an  
12 internship certificate and shall then complete a minimum one-  
13 year internship as determined by the board. ~~After completion~~  
14 ~~of the internship, the applicant shall demonstrate proficiency~~  
15 ~~as directed by the board.~~

16 Sec. 21. NEW SECTION. 156.8A STUDENT PRACTICUM.

17 The board, by rule, shall provide for practicums in  
18 mortuary science for students available through any school  
19 accredited by the American board of funeral service education  
20 and shall regulate the registration, training, and fees for  
21 such practicums.

22 Sec. 22. Section 595.13, Code 1999, is amended to read as  
23 follows:

24 595.13 CERTIFICATE -- RETURN.

25 After the marriage has been solemnized, the officiating  
26 minister or magistrate shall:

27 ~~1.--Give each of the parties a certificate of the same.~~

28 ~~2.--Make return of the certificate of marriage within~~  
29 fifteen days to the county registrar, ~~who issued~~ issuing the  
30 marriage license upon the blank provided for that purpose.

31 Sec. 23. Section 691.6, Code Supplement 1999, is amended  
32 by adding the following new subsections:

33 NEW SUBSECTION. 4. To collect autopsy fees as established  
34 by rule and the fees are appropriated to the state medical  
35 examiner. Notwithstanding section 8.33, any fees collected by

1 the state medical examiner that remain unexpended at the end  
2 of the fiscal year shall not revert to the general fund of the  
3 state.

4 NEW SUBSECTION. 5. To conduct an inquiry, investigation,  
5 or hearing and administer oaths and receive testimony under  
6 oath relative to the matter of inquiry, investigation, or  
7 hearing, and to subpoena witnesses and require the production  
8 of records, papers, and documents pertinent to the death  
9 investigation.

10 NEW SUBSECTION. 6. To adopt rules pursuant to chapter 17A  
11 relating to the duties, responsibilities, and operations of  
12 the office of the state medical examiner and shall specify the  
13 duties, responsibilities, and operations of the county medical  
14 examiner in relationship to the office of the state medical  
15 examiner.

16 Sec. 24. Section 801.4, subsection 11, Code 1999, is  
17 amended by adding the following new paragraph after paragraph  
18 i:

19 NEW PARAGRAPH. ii. The state medical examiner, a deputy  
20 medical examiner, and employees of the office of the state  
21 medical examiner as designated by state medical examiner.

22 Sec. 25. STUDY -- NEEDLESTICK PROTECTION. The Iowa  
23 department of public health, in cooperation with the labor  
24 commissioner, shall conduct a study of state and federal laws  
25 and regulations relating to protection of persons who may be  
26 at risk of needlestick injuries in the course of employment.  
27 The study shall include the review of the current national  
28 institute for occupational safety and health of the centers  
29 for disease control and prevention recommendations to reduce  
30 workplace needlestick injuries. The department shall submit a  
31 report to the governor and the general assembly by December  
32 15, 2000, which shall include any recommendations for changes  
33 in state law or rules, which are not in conflict with federal  
34 law or regulations, to improve protective measures relating to  
35 needlestick injuries.

EXPLANATION

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This bill makes changes relating to programs under the purview of the Iowa department of public health and related health professional licensing and regulatory boards.

The amendment to Code section 22.7 provides the state medical examiner with similar protection, as was provided to the state medical examiner under the department of public safety for preliminary findings, reports of the findings, and investigations related to autopsies.

The amendment to Code section 125.14 requires the commission on substance abuse to specifically review requests for initial licensure and renewal of licensure of a chemical substance abuse facility, in addition to the existing requirement for review of issuance, denial, suspension, or revocation of licensure.

The amendment to Code section 125.15 strikes the requirement to inspect licensed facilities but broadens the authority of the department to inspect any substance abuse treatment program to ensure compliance with applicable laws and rules.

New Code section 135.30A authorizes a mother to breast-feed the mother's child in a public place, where the mother's presence is otherwise authorized, if breastfeeding is provided with the maximum amount of discretion possible.

The amendment to Code section 135.105C corrects the reference to "targeted housing" to read "target housing" for the purposes of lead-poisoned children, and provides that the provisions apply to a child under six years of age.

The amendment to Code section 136C.10 provides that fees associated with the licensure of radioactive materials, machines, and their inspection are appropriated to the department.

The amendment to Code section 141A.6 provides that information reported to the department relating to HIV is to include both race and ethnicity.

1 The amendments to Code section 141A.8, which relates to  
2 notifying a care provider who has had a significant exposure  
3 to an individual of the individual's HIV status, delete the  
4 requirements to be met in obtaining consent from an individual  
5 to be tested following the submission of a significant  
6 exposure report by a care provider. The changes would result  
7 in the individual being deemed to have provided consent to an  
8 HIV test following submission of a significant exposure report  
9 by the care provider. The bill also provides that the results  
10 of the test may be shared with the care provider.

11 The amendment to Code section 144.43 makes changes relating  
12 to vital records inspections. Currently, records of birth,  
13 marriage, divorce, dissolution of marriage, annulment of  
14 marriage, or death if not a fetal death, in the custody of the  
15 county registrar or the state archivist, must be at least 75  
16 years old to be inspected and copied as of right under Code  
17 chapter 22. The bill establishes that birth records in the  
18 custody of the county registrar must be at least 95 years old  
19 (as opposed to the existing requirement of at least 75 years  
20 old) and the person making the request must have a verifiable,  
21 direct, and tangible interest in the record. A record of  
22 marriage, divorce, dissolution of marriage, annulment of  
23 marriage, or death if not a fetal death, in the custody of the  
24 county registrar, under the bill, would now be available for  
25 inspection and copying as of right under Code chapter 22  
26 without any time period restrictions. Additionally, under the  
27 bill, records of birth in the custody of the state archivist  
28 must be at least 95 years old (as opposed to the existing  
29 requirement of at least 75 years old), and records of  
30 marriage, divorce, dissolution of marriage, annulment of  
31 marriage, or death if not a fetal death, must be at least 50  
32 years old (as opposed to the existing requirement of at least  
33 75 years old) to be inspected and copied as of right under  
34 Code chapter 22. The bill also provides that all such records  
35 existing on or before January 1, 2000, that were open for

1 inspection and copying at that time, are to remain open for  
2 inspection and copying.

3 The amendment to Code section 148.5 changes the period of  
4 licensure for resident physicians from one year to a period as  
5 determined by the board of medical examiners.

6 The amendment to Code section 148A.6 eliminates the right  
7 of a physical therapist assistant to petition the physical  
8 therapy examiners board for a waiver of the education  
9 requirements otherwise required.

10 New Code section 148B.3A provides that occupational  
11 therapists may provide occupational therapy without referral  
12 from a physician, podiatric physician, dentist, or  
13 chiropractor, except that a hospital may require review and  
14 authorization by a member of the hospital medical staff prior  
15 to performance of the occupational therapy.

16 The amendment to Code section 148B.5 corrects language  
17 relating to the organization specified to accredit  
18 occupational therapy education programs.

19 The amendment to Code section 150A.9 changes the period of  
20 licensure for osteopathic physicians and surgeons from one  
21 year to a period as determined by the board of medical  
22 examiners.

23 The amendments to Code sections 154A.11 and 154A.12  
24 eliminate the use of practical examinations for licensure of  
25 audiologists.

26 The amendment to Code section 154C.3 requires an applicant  
27 for licensure as an independent social worker to possess a  
28 master's or doctoral degree specifically in social work.

29 The amendments to Code section 156.4 eliminate oral  
30 examinations and an internship proficiency requirement for  
31 licensure as a funeral director.

32 New Code section 156.8A provides for the establishment of  
33 practicums in mortuary science through rule of the board of  
34 mortuary science examiners and directs the board, by rule, to  
35 regulate the registration, training, and fees for such

1 practicums.

2 The amendment to Code section 595.13 eliminates the  
3 required issuance of a copy of a marriage certificate by the  
4 officiating minister or magistrate to the parties to the  
5 marriage.

6 The amendment to Code section 691.6 expands the duties of  
7 the state medical examiner. The bill authorizes the state  
8 medical examiner to retain fees associated with autopsies and  
9 stipulates that any funds collected by the state medical  
10 examiner, which remain unexpended at the end of the state  
11 fiscal year, are not to revert to the general fund of the  
12 state. The bill authorizes the state medical examiner to  
13 conduct death investigations, inquiries, and hearings, and  
14 provides the office with administrative subpoena power. The  
15 bill directs the state medical examiner to adopt  
16 administrative rules governing the state medical examiners  
17 office and the relationship between the state office and  
18 county medical examiners.

19 The amendment to Code section 801.4 provides that the state  
20 medical examiner, a deputy of the state medical examiner, and  
21 any employee of the office of the state medical examiner  
22 designated by the state medical examiner, are included in the  
23 definition of a peace officer.

24 The bill directs the Iowa department of public health in  
25 cooperation with the labor commissioner to conduct a study of  
26 state and federal laws and regulations relating to protection  
27 of persons who may be at risk of needlestick injuries in the  
28 course of employment, with a report to be submitted to the  
29 governor and the general assembly by December 15, 2000.

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REPRINTED

H. 3/17/00 approved  
H. 3/22/00 Amend/Do Pass W/48479  
FILED FEB 23 2000

SENATE FILE 2302  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 3102)

Passed Senate, Date <sup>(P. 525)</sup> 3/6/00 Passed House, Date <sup>(P. 1278)</sup> 4-5-00  
Vote: Ayes 48 Nays 1 Vote: Ayes 90 Nays 5  
Approved 4-25-00

<sup>(P. 1088)</sup> Re-passed 4-10-00  
Vote 50-0

A BILL FOR

1 An Act relating to programs and public health issues under the  
2 purview of the Iowa department of public health and the  
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4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 2302

SENATE FILE 2302

S-5041

1 Amend Senate File 2302 as follows:

2 1. Page 2, by striking lines 12 through 14, and  
3 inserting the following: "a person shall not prevent  
4 a woman from breast-feeding the woman's own child in  
5 any public place where the woman's presence is  
6 otherwise authorized."

By JOHN REDWINE  
JOHNIE HAMMOND

S-5041 FILED MARCH 1, 2000

Adopted 3/6/00  
(P. 525)

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15 follows:

16 125.14 LICENSES -- RENEWAL -- FEES.

17 The commission shall meet to consider all cases involving  
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19 revocation of a license. The department shall issue a license  
20 to an applicant who the commission determines meets the  
21 licensing requirements of this chapter. Licenses shall expire  
22 no later than two years from the date of issuance and shall be  
23 renewed upon timely application made in the same manner as for  
24 ~~original~~ initial issuance of a license unless notice of  
25 nonrenewal is given to the licensee at least thirty days prior  
26 to the expiration of the license. The department shall not  
27 charge a fee for licensing or renewal of programs contracting  
28 with the department for provision of treatment services. A  
29 fee may be charged to other licensees.

30 Sec. 3. Section 125.15, Code 1999, is amended to read as  
31 follows:

32 125.15 INSPECTION OF LICENSEES.

33 The department ~~shall~~ may inspect the facilities and review  
34 the procedures utilized by ~~each-licensed-program~~ any chemical  
35 substitutes or antagonists program, residential program, or

1 nonresidential outpatient program that has as a primary  
2 purpose the treatment and rehabilitation of substance abusers  
3 or chronic substance abusers, for the purpose of ensuring  
4 compliance with this chapter and the rules adopted pursuant to  
5 this chapter. The examination and review may include case  
6 record audits and interviews with staff and patients,  
7 consistent with the confidentiality safeguards of state and  
8 federal law.

9 Sec. 4. NEW SECTION. 135.30A BREASTFEEDING IN PUBLIC  
10 PLACES.

11 Notwithstanding any other provision of law to the contrary,  
12 a mother may, with the maximum amount of discretion possible,  
13 breast-feed the mother's child in any public place where the  
14 mother's presence is otherwise authorized.

15 Sec. 5. Section 135.105C, Code 1999, is amended to read as  
16 follows:

17 135.105C RENOVATION, REMODELING, AND REPAINTING -- LEAD  
18 HAZARD NOTIFICATION PROCESS ESTABLISHED.

19 1. A person who performs renovation, remodeling, or  
20 repainting services of targeted target housing for  
21 compensation shall provide an approved lead hazard information  
22 pamphlet to the owner and occupant of the housing prior to  
23 commencing the services.

24 2. For the purpose of this section, "targeted target  
25 housing" means housing constructed prior to 1978 with the  
26 exception of housing for the elderly or for persons with  
27 disabilities and housing that does not contain a bedroom,  
28 unless at least one child, under six years of age ~~or-less,~~  
29 resides or is expected to reside in the housing, ~~and-housing~~  
30 ~~which-does-not-contain-a-bedroom.~~ The department shall adopt  
31 rules to implement the renovation, remodeling, and repainting  
32 lead hazard notification process.

33 Sec. 6. Section 135.107, subsection 3, unnumbered  
34 paragraph 1, Code 1999, is amended to read as follows:

35 The center for rural health and primary care shall

1 establish a primary care provider recruitment and retention  
2 endeavor, to be known as PRIMECARRE. The endeavor shall  
3 include a community grant program, a primary care provider  
4 loan repayment program, and a primary care provider community  
5 scholarship program, ~~and the establishment of area health~~  
6 ~~education centers.~~ The endeavor shall be developed and  
7 implemented in a manner to promote and accommodate local  
8 creativity in efforts to recruit and retain health care  
9 professionals to provide services in the locality. The focus  
10 of the endeavor shall be to promote and assist local efforts  
11 in developing health care provider recruitment and retention  
12 programs. Eligibility under any of the programs established  
13 under the primary care provider recruitment and retention  
14 endeavor shall be based upon a community health services  
15 assessment completed under subsection 2, paragraph "a". A  
16 community or region, as applicable, shall submit a letter of  
17 intent to conduct a community health services assessment and  
18 to apply for assistance under this subsection. The letter  
19 shall be in a form and contain information as determined by  
20 the center. A letter of intent shall be submitted to the  
21 center by January 1 preceding the fiscal year for which an  
22 application for assistance is to be made. Assistance under  
23 this subsection shall not be granted until such time as the  
24 community or region making application has completed the  
25 community health services assessment and adopted a long-term  
26 community health services assessment and developmental plan.  
27 In addition to any other requirements, a developmental plan  
28 shall include a clear commitment to informing high school  
29 students of the health care opportunities which may be  
30 available to such students.

31 Sec. 7. Section 135.107, subsection 3, paragraph d, Code  
32 1999, is amended by striking the paragraph.

33 Sec. 8. Section 135.107, subsection 4, Code 1999, is  
34 amended by striking the subsection.

35 Sec. 9. Section 141A.6, subsection 6, paragraph e, Code

1 Supplement 1999, is amended to read as follows:

2 e. The race ~~or~~ and ethnicity of the patient.

3 Sec. 10. Section 141A.8, subsection 1, Code Supplement  
4 1999, is amended by striking the subsection and inserting in  
5 lieu thereof the following:

6 1. If a care provider in the course of providing care  
7 sustains a significant exposure on the premises of a health  
8 facility or while engaged in rendering aid or providing  
9 transportation to an individual in circumstances which lead to  
10 the individual's presence at a health facility, the individual  
11 to whom the care provider was exposed is deemed to consent to  
12 a test to be administered by the health facility upon the  
13 submission of a significant exposure report by the exposed  
14 care provider for the express purpose of determining the  
15 presence of HIV infection in that individual and notifying the  
16 health care provider of the HIV test results of the  
17 individual. The sample and test results shall only be  
18 identified by a number and no reports otherwise required by  
19 this chapter shall be made which identify the individual  
20 tested. However, if the test results are positive, the health  
21 facility shall notify the individual tested and ensure the  
22 performance of counseling and reporting requirements of this  
23 chapter in the same manner as for an individual from whom  
24 actual consent was obtained.

25 Sec. 11. Section 141A.8, subsection 7, Code Supplement  
26 1999, is amended by striking the subsection.

27 Sec. 12. Section 141A.8, subsection 9, Code Supplement  
28 1999, is amended to read as follows:

29 9. Notifications made pursuant to this section shall not  
30 disclose the identity of the individual who is diagnosed or  
31 confirmed as having HIV infection unless the individual  
32 provides a specific written release ~~as provided in subsection~~  
33 ~~17 paragraph "b"~~. If the care provider determines the  
34 identity of the individual, the identity of the individual  
35 shall be confidential information and shall not be disclosed

1 by the care provider to any other person unless a specific  
2 written release is obtained from the individual.

3 Sec. 13. Section 147.5, Code 1999, is amended to read as  
4 follows:

5 147.5 FORM.

6 Every license to practice a profession shall be in the form  
7 of a certificate under the seal of the department, signed by  
8 the director of public health. Such license shall be issued  
9 in the name of the examining board which conducts examinations  
10 for that particular profession. ~~The number of the book and~~  
11 ~~page containing the entry of said license in the office of the~~  
12 ~~department shall be noted on the face of the license.~~

13 Sec. 14. Section 147.40, Code 1999, is amended to read as  
14 follows:

15 147.40 CERTIFICATION OF APPLICANTS.

16 Every examination shall be passed upon in accordance with  
17 the established rules of the examining board and shall be  
18 satisfactory to at least a majority of the professional  
19 members of the board. In the case of the board of dental  
20 examiners, only licensed dentist members of the board shall  
21 determine whether an applicant has passed the examination to  
22 practice as a licensed dentist. After each examination, the  
23 examining board shall certify the names of the successful  
24 applicants to the department in the manner prescribed by it.  
25 The department shall then issue the proper license and make  
26 ~~the required entry in the registry book.~~

27 Sec. 15. Section 148.5, Code 1999, is amended to read as  
28 follows:

29 148.5 RESIDENT PHYSICIAN LICENSE.

30 A physician, who is a graduate of a medical school and is  
31 serving as a resident physician who is not otherwise licensed  
32 to practice medicine and surgery in this state, shall be  
33 required to obtain from the medical examiners a license to  
34 practice as a resident physician. The license shall be  
35 designated "Resident Physician License" and shall authorize

1 the licensee to serve as a resident physician only, under the  
 2 supervision of a licensed practitioner of medicine and surgery  
 3 or osteopathic medicine and surgery, in an institution  
 4 approved for such training by the medical examiners. Such A  
 5 license shall be valid for ~~one-year-and-may-be-renewed-at-the~~  
 6 ~~discretion-of-the-medical-examiners~~ a duration as determined  
 7 by the board. The fee for each license shall be set by the  
 8 medical examiners to cover the administrative costs of issuing  
 9 the license, ~~and-if-extended-beyond-one-year,-a-renewal-fee-as~~  
 10 ~~set-by-the-medical-examiners-shall-be-required~~. The medical  
 11 examiners shall determine in each instance those eligible for  
 12 a license, whether or not examinations shall be given, and the  
 13 type of examinations. ~~No-requirements~~ Requirements of the law  
 14 pertaining to regular permanent licensure shall not be  
 15 mandatory for a resident physician license except as  
 16 specifically designated by the medical examiners. The  
 17 granting of a resident physician license does not in any way  
 18 indicate that the person ~~so~~ licensed is necessarily eligible  
 19 for regular permanent licensure, nor are the medical examiners  
 20 in any way obligated to ~~so~~ license ~~such~~ the individual.

21 Sec. 16. Section 148A.6, subsection 3, paragraph c, Code  
 22 1999, is amended by striking the paragraph.

23 Sec. 17. NEW SECTION. 148B.3A OCCUPATIONAL THERAPY --  
 24 REFERRAL.

25 Occupational therapy may be provided by an occupational  
 26 therapist without referral from a physician, podiatric  
 27 physician, dentist, or chiropractor, except that a hospital  
 28 may require that occupational therapy provided in the hospital  
 29 be performed only following prior review by and authorization  
 30 of the performance of the occupational therapy by a member of  
 31 the hospital medical staff.

32 Sec. 18. Section 148B.5, subsection 1, paragraph a,  
 33 subparagraph (1), Code 1999, is amended to read as follows:

34 (1) For an occupational therapist, the program must be one  
 35 accredited by the ~~American-medical-association-in~~

1 ~~collaboration-with~~ accreditation council for occupational  
2 therapy education of the American occupational therapy  
3 association.

4 Sec. 19. Section 150A.9, Code 1999, is amended to read as  
5 follows:

6 150A.9 RESIDENT LICENSE.

7 An osteopathic physician and surgeon who is a graduate of a  
8 college of osteopathic medicine and surgery and is serving as  
9 a resident physician and who is not licensed to practice  
10 osteopathic medicine and surgery in this state, shall be  
11 required to obtain from the medical examiners a license to  
12 practice as a resident osteopathic physician and surgeon. The  
13 license shall be designated "Resident Osteopathic Physician  
14 and Surgeon License", and shall authorize the licensee to  
15 serve as a resident physician only, under the supervision of a  
16 licensed practitioner of osteopathic medicine and surgery or  
17 licensed practitioner of medicine and surgery, in an  
18 institution approved for such training by the medical  
19 examiners. A license shall be valid for ~~one-year-and-may-be~~  
20 ~~renewed-at-the-discretion-of-the-medical-examiners~~ a duration  
21 as determined by the board. The fee for each license shall be  
22 set by the medical examiners and based on the administrative  
23 cost of issuing the license, ~~and-if-extended-beyond-one-year,~~  
24 ~~a-renewal-fee-shall-be-required~~. The medical examiners shall  
25 determine in each instance those eligible for a license,  
26 whether or not examinations shall be given, and the type of  
27 examinations. ~~No-requirements~~ Requirements of the law  
28 pertaining to regular permanent licensure shall not be  
29 mandatory for a resident osteopathic physician and surgeon's  
30 license except as specifically designated by the medical  
31 examiners. The granting of a resident osteopathic physician  
32 and surgeon's license does not in any way indicate that the  
33 person so licensed is necessarily eligible for regular  
34 permanent licensure, nor are the medical examiners in any way  
35 obligated to so license ~~such~~ the individual.

1 Sec. 20. Section 152.7, unnumbered paragraph 2, Code 1999,  
2 is amended by striking the unnumbered paragraph.

3 Sec. 21. Section 154A.11, unnumbered paragraph 2, Code  
4 1999, is amended to read as follows:

5 All examinations in theory shall be in writing and the  
6 identity of the person taking the examination shall be  
7 concealed until after the examination papers have been graded.

8 ~~For examinations in practice, the identity of the person~~  
9 ~~taking the examination shall also be concealed as far as~~  
10 possible.

11 Sec. 22. Section 154A.12, subsections 2, 5, and 6, Code  
12 1999, are amended by striking the subsections.

13 Sec. 23. Section 154C.3, subsection 1, paragraph c,  
14 subparagraph (1), Code 1999, is amended to read as follows:

15 (1) Possesses a master's or doctoral degree in social work  
16 from an accredited college or university approved by the  
17 board.

18 Sec. 24. Section 156.4, subsections 4 and 5, Code 1999,  
19 are amended to read as follows:

20 4. Written ~~and oral~~ examinations for a funeral director's  
21 license shall be held at least once a year at a time and place  
22 to be designated by the board. The examination shall include  
23 the subjects of funeral directing, burial or other disposition  
24 of dead human bodies, sanitary science, embalming, restorative  
25 art, anatomy, public health, transportation, business ethics,  
26 and such other subjects as the board may designate.

27 5. After the applicant ~~shall have~~ has completed  
28 satisfactorily the course of instruction in mortuary science  
29 in an accredited school approved by the board, the applicant  
30 must pass the examination prescribed by the board as provided  
31 in section 147.34. The applicant may then receive an  
32 internship certificate and shall then complete a minimum one-  
33 year internship as determined by the board. ~~After completion~~  
34 ~~of the internship, the applicant shall demonstrate proficiency~~  
35 ~~as directed by the board.~~

1     Sec. 25. NEW SECTION. 156.8A STUDENT PRACTICUM.

2     The board, by rule, shall provide for practicums in  
3 mortuary science for students available through any school  
4 accredited by the American board of funeral service education  
5 and shall regulate the registration, training, and fees for  
6 such practicums.

7     Sec. 26. Section 595.13, Code 1999, is amended to read as  
8 follows:

9     595.13 CERTIFICATE -- RETURN.

10    After the marriage has been solemnized, the officiating  
11 minister or magistrate shall:

12    ~~1--Give each of the parties a certificate of the same~~

13    2--Make return of the certificate of marriage within  
14 fifteen days to the county registrar, ~~who issued~~ issuing the  
15 marriage license upon the blank provided for that purpose.

16    Sec. 27. Section 691.6, Code Supplement 1999, is amended  
17 by adding the following new subsections:

18    NEW SUBSECTION. 4. To collect autopsy fees as established  
19 by rule and the fees are appropriated to the state medical  
20 examiner. Notwithstanding section 8.33, any fees collected by  
21 the state medical examiner that remain unexpended at the end  
22 of the fiscal year shall not revert to the general fund of the  
23 state.

24    NEW SUBSECTION. 5. To conduct an inquiry, investigation,  
25 or hearing and administer oaths and receive testimony under  
26 oath relative to the matter of inquiry, investigation, or  
27 hearing, and to subpoena witnesses and require the production  
28 of records, papers, and documents pertinent to the death  
29 investigation.

30    NEW SUBSECTION. 6. To adopt rules pursuant to chapter 17A  
31 relating to the duties, responsibilities, and operations of  
32 the office of the state medical examiner and shall specify the  
33 duties, responsibilities, and operations of the county medical  
34 examiner in relationship to the office of the state medical  
35 examiner.

1 Sec. 28. Section 801.4, subsection 11, Code 1999, is  
2 amended by adding the following new paragraph after paragraph  
3 i:

4 NEW PARAGRAPH. ii. The state medical examiner, a deputy  
5 medical examiner, and employees of the office of the state  
6 medical examiner as designated by state medical examiner.

7 Sec. 29. Section 135.19, Code 1999, is repealed.

8 Sec. 30. STUDY -- NEEDLESTICK PROTECTION. The Iowa  
9 department of public health, in cooperation with the labor  
10 commissioner, shall conduct a study of state and federal laws  
11 and regulations relating to protection of persons who may be  
12 at risk of needlestick injuries in the course of employment.  
13 The study shall include the review of the current national  
14 institute for occupational safety and health of the centers  
15 for disease control and prevention recommendations to reduce  
16 workplace needlestick injuries. The department shall submit a  
17 report to the governor and the general assembly by December  
18 15, 2000, which shall include any recommendations for changes  
19 in state law or rules, which are not in conflict with federal  
20 law or regulations, to improve protective measures relating to  
21 needlestick injuries.

22 EXPLANATION

23 This bill makes changes relating to programs under the  
24 purview of the Iowa department of public health including  
25 those related to health professional licensing and regulatory  
26 boards.

27 The amendment to Code section 22.7 provides the state  
28 medical examiner with similar protection, as was provided to  
29 the state medical examiner under the department of public  
30 safety for preliminary findings, reports of the findings, and  
31 investigations related to autopsies.

32 The amendment to Code section 125.14 requires the  
33 commission on substance abuse to specifically review requests  
34 for initial licensure and renewal of licensure of a chemical  
35 substance abuse facility, in addition to the existing

1 requirement for review of issuance, denial, suspension, or  
2 revocation of licensure.

3 The amendment to Code section 125.15 strikes the  
4 requirement to inspect licensed facilities but broadens the  
5 authority of the department to inspect any substance abuse  
6 treatment program to ensure compliance with applicable laws  
7 and rules.

8 New Code section 135.30A authorizes a mother to breast-feed  
9 the mother's child in a public place, where the mother's  
10 presence is otherwise authorized, if breastfeeding is provided  
11 with the maximum amount of discretion possible.

12 The amendment to Code section 135.105C corrects the  
13 reference to "targeted housing" to read "target housing" for  
14 the purposes of lead-poisoned children, and provides that the  
15 provisions apply to a child under six years of age.

16 The amendment to Code section 135.107, subsection 3,  
17 unnumbered paragraph 1, is a conforming amendment related to  
18 the amendment to Code section 137.107, subsection 3, paragraph  
19 "d" which strikes the paragraph, thereby eliminating the  
20 requirement of IDPH to develop and establish area health  
21 education centers in cooperation with several other entities.  
22 The amendment to Code section 135.107, subsection 4, strikes  
23 the subsection, thereby eliminating the requirement of the  
24 director of public health to establish a primary care  
25 collaborative work group.

26 The amendment to Code section 136C.10 provides that fees  
27 associated with the licensure of radioactive materials,  
28 machines, and their inspection are appropriated to the  
29 department.

30 The amendment to Code section 141A.6 provides that  
31 information reported to the department relating to HIV is to  
32 include both race and ethnicity.

33 The amendments to Code section 141A.8, which relates to  
34 notifying a care provider who has had a significant exposure  
35 to an individual of the individual's HIV status, delete the

1 requirements to be met in obtaining consent from an individual  
2 to be tested following the submission of a significant  
3 exposure report by a care provider. The changes would result  
4 in the individual being deemed to have provided consent to an  
5 HIV test following submission of a significant exposure report  
6 by the care provider. The bill also provides that the results  
7 of the test may be shared with the care provider.

8 The amendments to Code section 147.5 and to Code section  
9 147.40 eliminate the requirement that health care professional  
10 licensing boards maintain a handwritten registry book and  
11 identify on every license issued, the entry into the registry  
12 book of such license.

13 The amendment to Code section 148.5 changes the period of  
14 licensure for resident physicians from one year to a period as  
15 determined by the board of medical examiners.

16 The amendment to Code section 148A.6 eliminates the right  
17 of a physical therapist assistant to petition the physical  
18 therapy examiners board for a waiver of the education  
19 requirements otherwise required.

20 New Code section 148B.3A provides that occupational  
21 therapists may provide occupational therapy without referral  
22 from a physician, podiatric physician, dentist, or  
23 chiropractor, except that a hospital may require review and  
24 authorization by a member of the hospital medical staff prior  
25 to performance of the occupational therapy.

26 The amendment to Code section 148B.5 corrects language  
27 relating to the organization specified to accredit  
28 occupational therapy education programs.

29 The amendment to Code section 150A.9 changes the period of  
30 licensure for osteopathic physicians and surgeons from one  
31 year to a period as determined by the board of medical  
32 examiners.

33 The amendment to Code section 152.7 eliminates language  
34 which provided a means for students who were enrolled in a  
35 course of study for registered nurses on June 30, 1995, and

1 thereby impacted by changes in the law made in 1995, to apply  
2 that education to a license as a practical nurse.

3 The amendments to Code sections 154A.11 and 154A.12  
4 eliminate the use of practical examinations for licensure of  
5 audiologists.

6 The amendment to Code section 154C.3 requires an applicant  
7 for licensure as an independent social worker to possess a  
8 master's or doctoral degree specifically in social work.

9 The amendments to Code section 156.4 eliminate oral  
10 examinations and an internship proficiency requirement for  
11 licensure as a funeral director.

12 New Code section 156.8A provides for the establishment of  
13 practicums in mortuary science through rule of the board of  
14 mortuary science examiners and directs the board, by rule, to  
15 regulate the registration, training, and fees for such  
16 practicums.

17 The amendment to Code section 595.13 eliminates the  
18 required issuance of a copy of a marriage certificate by the  
19 officiating minister or magistrate to the parties to the  
20 marriage.

21 The amendment to Code section 691.6 expands the duties of  
22 the state medical examiner. The bill authorizes the state  
23 medical examiner to retain fees associated with autopsies and  
24 stipulates that any funds collected by the state medical  
25 examiner, which remain unexpended at the end of the state  
26 fiscal year, are not to revert to the general fund of the  
27 state. The bill authorizes the state medical examiner to  
28 conduct death investigations, inquiries, and hearings, and  
29 provides the office with administrative subpoena power. The  
30 bill directs the state medical examiner to adopt  
31 administrative rules governing the state medical examiners  
32 office and the relationship between the state office and  
33 county medical examiners.

34 The amendment to Code section 801.4 provides that the state  
35 medical examiner, a deputy of the state medical examiner, and

1 any employee of the office of the state medical examiner  
2 designated by the state medical examiner, are included in the  
3 definition of a peace officer.

4 The bill repeals Code section 135.19, thereby eliminating  
5 the requirement that the department of agriculture and land  
6 stewardship and the board of pharmacy examiners collect and  
7 deliver samples of venereal disease prophylactics to the IDPH.

8 The bill directs the Iowa department of public health in  
9 cooperation with the labor commissioner to conduct a study of  
10 state and federal laws and regulations relating to protection  
11 of persons who may be at risk of needlestick injuries in the  
12 course of employment, with a report to be submitted to the  
13 governor and the general assembly by December 15, 2000.

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SENATE FILE 2302

S-5062

1 Amend Senate File 2302 as follows:  
 2 1. Page 5, by inserting after line 2, the  
 3 following:  
 4 "Sec. \_\_\_\_\_. Section 144.36, subsection 4, Code  
 5 Supplement 1999, is amended to read as follows:  
 6 4. The county registrar shall record and forward  
 7 to the state registrar on or before the tenth day of  
 8 each calendar month the original certificates of  
 9 marriages filed with the county registrar during the  
 10 preceding calendar month and the fees collected by the  
 11 county registrar on behalf of the state for  
 12 applications for a license to marry in accordance with  
 13 section 331.605, subsection 6, and for certified  
 14 copies of the original certificates of marriage to be  
 15 issued by the state registrar pursuant to section  
 16 595.16A."  
 17 2. Page 9, by inserting after line 6, the  
 18 following:  
 19 "Sec. \_\_\_\_\_. Section 331.605, Code Supplement 1999,  
 20 is amended by adding the following new subsection:  
 21 NEW SUBSECTION. 6A. A state fee of four dollars  
 22 for a copy of the original certificate of marriage  
 23 issued to the parties to a marriage by the state  
 24 registrar pursuant to section 595.16A.  
 25 Sec. \_\_\_\_\_. NEW SECTION. 595.4A CERTIFIED COPY OF  
 26 ORIGINAL CERTIFICATE OF MARRIAGE.  
 27 In addition to any other fees paid by the parties  
 28 at the time of application for a license to marry, the  
 29 parties shall also pay a state fee of four dollars,  
 30 pursuant to section 331.605, for a certified copy of  
 31 the original certificate of marriage to be issued to  
 32 the parties by the state registrar pursuant to section  
 33 595.16A."  
 34 3. Page 9, by inserting after line 15, the  
 35 following:  
 36 "Sec. \_\_\_\_\_. NEW SECTION. 595.16A. ISSUANCE OF  
 37 CERTIFIED COPY OF CERTIFICATE OF MARRIAGE.  
 38 Following receipt of the original certificate of  
 39 marriage from the county registrar pursuant to section  
 40 144.36, the state registrar shall issue a certified  
 41 copy of the original certificate of marriage to the  
 42 parties to the marriage, if the fee prescribed  
 43 pursuant to section 331.605 for such a certified copy  
 44 is paid to the county registrar at the time of  
 45 application for a license to marry pursuant to section  
 46 595.4A."  
 47 4. By renumbering as necessary.

By MAGGIE TINSMAN

S-5062 FILED MARCH 6, 2000  
ADOPTED

(p. 525)

SENATE FILE **2302**

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 3102)

(AS AMENDED AND PASSED BY THE SENATE MARCH 6, 2000)

\_\_\_\_\_ - New Language by the Senate

Passed Senate, Date 4-10-00 (P.1088) Passed House, Date 4-5-00 (P.1277)  
Vote: Ayes 50 Nays 0 Vote: Ayes 90 Nays 5

Approved 4-25-00

*Re Passed 4/12/00  
Vote 92-05*

A BILL FOR

1 An Act relating to programs and public health issues under the  
2 purview of the Iowa department of public health and the  
3 appropriation of certain fees to the department.

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

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S.F. 2302

1 Section 1. Section 22.7, Code Supplement 1999, is amended  
2 by adding the following new subsection:

3 NEW SUBSECTION. 39. Preliminary findings, reports of  
4 these preliminary findings, and investigative reports of the  
5 state medical examiner, resulting from the conducting of an  
6 autopsy. However, the date, time, specific location, and  
7 immediate facts and circumstances surrounding a crime or  
8 incident, related to a death that affects the public interest  
9 as defined in section 331.802, shall not be kept confidential  
10 under this subsection, except if disclosure would plainly and  
11 clearly jeopardize an investigation or pose a clear and  
12 present danger to the public safety or the safety of an  
13 individual.

14 Sec. 2. Section 125.14, Code 1999, is amended to read as  
15 follows:

16 125.14 LICENSES -- RENEWAL -- FEES.

17 The commission shall meet to consider all cases involving  
18 initial issuance, and renewal, denial, suspension, or  
19 revocation of a license. The department shall issue a license  
20 to an applicant who the commission determines meets the  
21 licensing requirements of this chapter. Licenses shall expire  
22 no later than two years from the date of issuance and shall be  
23 renewed upon timely application made in the same manner as for  
24 original initial issuance of a license unless notice of  
25 nonrenewal is given to the licensee at least thirty days prior  
26 to the expiration of the license. The department shall not  
27 charge a fee for licensing or renewal of programs contracting  
28 with the department for provision of treatment services. A  
29 fee may be charged to other licensees.

30 Sec. 3. Section 125.15, Code 1999, is amended to read as  
31 follows:

32 125.15 INSPECTION OF LICENSEES.

33 The department ~~shall~~ may inspect the facilities and review  
34 the procedures utilized by ~~each-licensed-program~~ any chemical  
35 substitutes or antagonists program, residential program, or

1 nonresidential outpatient program that has as a primary  
2 purpose the treatment and rehabilitation of substance abusers  
3 or chronic substance abusers, for the purpose of ensuring  
4 compliance with this chapter and the rules adopted pursuant to  
5 this chapter. The examination and review may include case  
6 record audits and interviews with staff and patients,  
7 consistent with the confidentiality safeguards of state and  
8 federal law.

9 Sec. 4. NEW SECTION. 135.30A BREASTFEEDING IN PUBLIC  
10 PLACES.

11 Notwithstanding any other provision of law to the contrary,  
12 a person shall not prevent a woman from breast-feeding the  
13 woman's own child in any public place where the woman's  
14 presence is otherwise authorized.

15 Sec. 5. Section 135.105C, Code 1999, is amended to read as  
16 follows:

17 135.105C RENOVATION, REMODELING, AND REPAINTING -- LEAD  
18 HAZARD NOTIFICATION PROCESS ESTABLISHED.

19 1. A person who performs renovation, remodeling, or  
20 repainting services of targeted target housing for  
21 compensation shall provide an approved lead hazard information  
22 pamphlet to the owner and occupant of the housing prior to  
23 commencing the services.

24 2. For the purpose of this section, "targeted target  
25 housing" means housing constructed prior to 1978 with the  
26 exception of housing for the elderly or for persons with  
27 disabilities and housing that does not contain a bedroom,  
28 unless at least one child, under six years of age ~~or-less,~~  
29 resides or is expected to reside in the housing, ~~and-housing~~  
30 ~~which-does-not-contain-a-bedroom.~~ The department shall adopt  
31 rules to implement the renovation, remodeling, and repainting  
32 lead hazard notification process.

33 Sec. 6. Section 135.107, subsection 3, unnumbered  
34 paragraph 1, Code 1999, is amended to read as follows:

35 The center for rural health and primary care shall

1 establish a primary care provider recruitment and retention  
2 endeavor, to be known as PRIMECARRE. The endeavor shall  
3 include a community grant program, a primary care provider  
4 loan repayment program, and a primary care provider community  
5 scholarship program, ~~and the establishment of area health~~  
6 ~~education centers~~. The endeavor shall be developed and  
7 implemented in a manner to promote and accommodate local  
8 creativity in efforts to recruit and retain health care  
9 professionals to provide services in the locality. The focus  
10 of the endeavor shall be to promote and assist local efforts  
11 in developing health care provider recruitment and retention  
12 programs. Eligibility under any of the programs established  
13 under the primary care provider recruitment and retention  
14 endeavor shall be based upon a community health services  
15 assessment completed under subsection 2, paragraph "a". A  
16 community or region, as applicable, shall submit a letter of  
17 intent to conduct a community health services assessment and  
18 to apply for assistance under this subsection. The letter  
19 shall be in a form and contain information as determined by  
20 the center. A letter of intent shall be submitted to the  
21 center by January 1 preceding the fiscal year for which an  
22 application for assistance is to be made. Assistance under  
23 this subsection shall not be granted until such time as the  
24 community or region making application has completed the  
25 community health services assessment and adopted a long-term  
26 community health services assessment and developmental plan.  
27 In addition to any other requirements, a developmental plan  
28 shall include a clear commitment to informing high school  
29 students of the health care opportunities which may be  
30 available to such students.

31 Sec. 7. Section 135.107, subsection 3, paragraph d, Code  
32 1999, is amended by striking the paragraph.

33 Sec. 8. Section 135.107, subsection 4, Code 1999, is  
34 amended by striking the subsection.

35 Sec. 9. Section 141A.6, subsection 6, paragraph e, Code

1 Supplement 1999, is amended to read as follows:

2 e. The race ~~or~~ and ethnicity of the patient.

3 Sec. 10. Section 141A.8, subsection 1, Code Supplement  
4 1999, is amended by striking the subsection and inserting in  
5 lieu thereof the following:

6 1. If a care provider in the course of providing care  
7 sustains a significant exposure on the premises of a health  
8 facility or while engaged in rendering aid or providing  
9 transportation to an individual in circumstances which lead to  
10 the individual's presence at a health facility, the individual  
11 to whom the care provider was exposed is deemed to consent to  
12 a test to be administered by the health facility upon the  
13 submission of a significant exposure report by the exposed  
14 care provider for the express purpose of determining the  
15 presence of HIV infection in that individual and notifying the  
16 health care provider of the HIV test results of the  
17 individual. The sample and test results shall only be  
18 identified by a number and no reports otherwise required by  
19 this chapter shall be made which identify the individual  
20 tested. However, if the test results are positive, the health  
21 facility shall notify the individual tested and ensure the  
22 performance of counseling and reporting requirements of this  
23 chapter in the same manner as for an individual from whom  
24 actual consent was obtained.

25 Sec. 11. Section 141A.8, subsection 7, Code Supplement  
26 1999, is amended by striking the subsection.

27 Sec. 12. Section 141A.8, subsection 9, Code Supplement  
28 1999, is amended to read as follows:

29 9. Notifications made pursuant to this section shall not  
30 disclose the identity of the individual who is diagnosed or  
31 confirmed as having HIV infection unless the individual  
32 provides a specific written release ~~as provided in subsection~~  
33 ~~17-paragraph-"b"~~. If the care provider determines the  
34 identity of the individual, the identity of the individual  
35 shall be confidential information and shall not be disclosed

1 by the care provider to any other person unless a specific  
2 written release is obtained from the individual.

3 Sec. 13. Section 144.36, subsection 4, Code Supplement  
4 1999, is amended to read as follows:

5 4. The county registrar shall record and forward to the  
6 state registrar on or before the tenth day of each calendar  
7 month the original certificates of marriages filed with the  
8 county registrar during the preceding calendar month and the  
9 fees collected by the county registrar on behalf of the state  
10 for applications for a license to marry in accordance with  
11 section 331.605, subsection 6, and for certified copies of the  
12 original certificates of marriage to be issued by the state  
13 registrar pursuant to section 595.16A.

14 Sec. 14. Section 147.5, Code 1999, is amended to read as  
15 follows:

16 147.5 FORM.

17 Every license to practice a profession shall be in the form  
18 of a certificate under the seal of the department, signed by  
19 the director of public health. Such license shall be issued  
20 in the name of the examining board which conducts examinations  
21 for that particular profession. ~~The number of the book and~~  
22 ~~page containing the entry of said license in the office of the~~  
23 ~~department shall be noted on the face of the license.~~

24 Sec. 15. Section 147.40, Code 1999, is amended to read as  
25 follows:

26 147.40 CERTIFICATION OF APPLICANTS.

27 Every examination shall be passed upon in accordance with  
28 the established rules of the examining board and shall be  
29 satisfactory to at least a majority of the professional  
30 members of the board. In the case of the board of dental  
31 examiners, only licensed dentist members of the board shall  
32 determine whether an applicant has passed the examination to  
33 practice as a licensed dentist. After each examination, the  
34 examining board shall certify the names of the successful  
35 applicants to the department in the manner prescribed by it.

1 The department shall then issue the proper license and make  
2 ~~the required entry in the registry book.~~

3 Sec. 16. Section 148.5, Code 1999, is amended to read as  
4 follows:

5 148.5 RESIDENT PHYSICIAN LICENSE.

6 A physician, who is a graduate of a medical school and is  
7 serving as a resident physician who is not otherwise licensed  
8 to practice medicine and surgery in this state, shall be  
9 required to obtain from the medical examiners a license to  
10 practice as a resident physician. The license shall be  
11 designated "Resident Physician License" and shall authorize  
12 the licensee to serve as a resident physician only, under the  
13 supervision of a licensed practitioner of medicine and surgery  
14 or osteopathic medicine and surgery, in an institution  
15 approved for such training by the medical examiners. Such A  
16 ~~license shall be valid for one year and may be renewed at the~~  
17 ~~discretion of the medical examiners~~ a duration as determined  
18 by the board. The fee for each license shall be set by the  
19 medical examiners to cover the administrative costs of issuing  
20 the license, ~~and if extended beyond one year, a renewal fee as~~  
21 ~~set by the medical examiners shall be required.~~ The medical  
22 examiners shall determine in each instance those eligible for  
23 a license, whether or not examinations shall be given, and the  
24 type of examinations. ~~No requirements~~ Requirements of the law  
25 pertaining to regular permanent licensure shall not be  
26 mandatory for a resident physician license except as  
27 specifically designated by the medical examiners. The  
28 granting of a resident physician license does not in any way  
29 indicate that the person ~~so~~ licensed is necessarily eligible  
30 for regular permanent licensure, nor are the medical examiners  
31 in any way obligated to ~~so~~ license such the individual.

32 Sec. 17. Section 148A.6, subsection 3, paragraph c, Code  
33 1999, is amended by striking the paragraph.

34 Sec. 18. NEW SECTION. 148B.3A OCCUPATIONAL THERAPY --  
35 REFERRAL.

1 Occupational therapy may be provided by an occupational  
2 therapist without referral from a physician, podiatric  
3 physician, dentist, or chiropractor, except that a hospital  
4 may require that occupational therapy provided in the hospital  
5 be performed only following prior review by and authorization  
6 of the performance of the occupational therapy by a member of  
7 the hospital medical staff.

8 Sec. 19. Section 148B.5, subsection 1, paragraph a,  
9 subparagraph (1), Code 1999, is amended to read as follows:

10 (1) For an occupational therapist, the program must be one  
11 accredited by the ~~American-medical-association-in~~  
12 ~~collaboration-with~~ accreditation council for occupational  
13 therapy education of the American occupational therapy  
14 association.

15 Sec. 20. Section 150A.9, Code 1999, is amended to read as  
16 follows:

17 150A.9 RESIDENT LICENSE.

18 An osteopathic physician and surgeon who is a graduate of a  
19 college of osteopathic medicine and surgery and is serving as  
20 a resident physician and who is not licensed to practice  
21 osteopathic medicine and surgery in this state, shall be  
22 required to obtain from the medical examiners a license to  
23 practice as a resident osteopathic physician and surgeon. The  
24 license shall be designated "Resident Osteopathic Physician  
25 and Surgeon License", and shall authorize the licensee to  
26 serve as a resident physician only, under the supervision of a  
27 licensed practitioner of osteopathic medicine and surgery or  
28 licensed practitioner of medicine and surgery, in an  
29 institution approved for such training by the medical  
30 examiners. A license shall be valid for ~~one-year-and-may-be~~  
31 ~~renewed-at-the-discretion-of-the-medical-examiners~~ a duration  
32 as determined by the board. The fee for each license shall be  
33 set by the medical examiners and based on the administrative  
34 cost of issuing the license, ~~and-if-extended-beyond-one-year,~~  
35 ~~a-renewal-fee-shall-be-required~~. The medical examiners shall

1 determine in each instance those eligible for a license,  
2 whether or not examinations shall be given, and the type of  
3 examinations. ~~No-requirements~~ Requirements of the law  
4 pertaining to regular permanent licensure shall not be  
5 mandatory for a resident osteopathic physician and surgeon's  
6 license except as specifically designated by the medical  
7 examiners. The granting of a resident osteopathic physician  
8 and surgeon's license does not in any way indicate that the  
9 person ~~so~~ licensed is necessarily eligible for regular  
10 permanent licensure, nor are the medical examiners in any way  
11 obligated to ~~so~~ license ~~such~~ the individual.

12 Sec. 21. Section 152.7, unnumbered paragraph 2, Code 1999,  
13 is amended by striking the unnumbered paragraph.

14 Sec. 22. Section 154A.11, unnumbered paragraph 2, Code  
15 1999, is amended to read as follows:

16 All examinations in theory shall be in writing and the  
17 identity of the person taking the examination shall be  
18 concealed until after the examination papers have been graded.  
19 ~~For-examinations-in-practice, the identity of the person~~  
20 ~~taking the examination shall also be concealed as far as~~  
21 ~~possible.~~

22 Sec. 23. Section 154A.12, subsections 2, 5, and 6, Code  
23 1999, are amended by striking the subsections.

24 Sec. 24. Section 154C.3, subsection 1, paragraph c,  
25 subparagraph (1), Code 1999, is amended to read as follows:

26 (1) Possesses a master's or doctoral degree in social work  
27 from an accredited college or university approved by the  
28 board.

29 Sec. 25. Section 156.4, subsections 4 and 5, Code 1999,  
30 are amended to read as follows:

31 4. Written ~~and-oral~~ examinations for a funeral director's  
32 license shall be held at least once a year at a time and place  
33 to be designated by the board. The examination shall include  
34 the subjects of funeral directing, burial or other disposition  
35 of dead human bodies, sanitary science, embalming, restorative

1 art, anatomy, public health, transportation, business ethics,  
2 and such other subjects as the board may designate.

3 5. After the applicant ~~shall have~~ has completed  
4 satisfactorily the course of instruction in mortuary science  
5 in an accredited school approved by the board, the applicant  
6 must pass the examination prescribed by the board as provided  
7 in section 147.34. The applicant may then receive an  
8 internship certificate and shall then complete a minimum one-  
9 year internship as determined by the board. ~~After completion~~  
10 ~~of the internship, the applicant shall demonstrate proficiency~~  
11 ~~as directed by the board.~~

12 Sec. 26. NEW SECTION. 156.8A STUDENT PRACTICUM.

13 The board, by rule, shall provide for practicums in  
14 mortuary science for students available through any school  
15 accredited by the American board of funeral service education  
16 and shall regulate the registration, training, and fees for  
17 such practicums.

18 Sec. 27. Section 331.605, Code Supplement 1999, is amended  
19 by adding the following new subsection:

20 NEW SUBSECTION. 6A. A state fee of four dollars for a  
21 copy of the original certificate of marriage issued to the  
22 parties to a marriage by the state registrar pursuant to  
23 section 595.16A.

24 Sec. 28. NEW SECTION. 595.4A CERTIFIED COPY OF ORIGINAL  
25 CERTIFICATE OF MARRIAGE.

26 In addition to any other fees paid by the parties at the  
27 time of application for a license to marry, the parties shall  
28 also pay a state fee of four dollars, pursuant to section  
29 331.605, for a certified copy of the original certificate of  
30 marriage to be issued to the parties by the state registrar  
31 pursuant to section 595.16A.

32 Sec. 29. Section 595.13, Code 1999, is amended to read as  
33 follows:

34 595.13 CERTIFICATE -- RETURN.

35 After the marriage has been solemnized, the officiating

1 minister or magistrate shall:

2 ~~1---Give each of the parties a certificate of the same.~~

3 2---Make return of the certificate of marriage within  
4 fifteen days to the county registrar, ~~who issued~~ issuing the  
5 marriage license upon the blank provided for that purpose.

6 Sec. 30. NEW SECTION. 595.16A. ISSUANCE OF CERTIFIED  
7 COPY OF CERTIFICATE OF MARRIAGE.

8 Following receipt of the original certificate of marriage  
9 from the county registrar pursuant to section 144.36, the  
10 state registrar shall issue a certified copy of the original  
11 certificate of marriage to the parties to the marriage, if the  
12 fee prescribed pursuant to section 331.605 for such a  
13 certified copy is paid to the county registrar at the time of  
14 application for a license to marry pursuant to section 595.4A.

15 Sec. 31. Section 691.6, Code Supplement 1999, is amended  
16 by adding the following new subsections:

17 NEW SUBSECTION. 4. To collect autopsy fees as established  
18 by rule and the fees are appropriated to the state medical  
19 examiner. Notwithstanding section 8.33, any fees collected by  
20 the state medical examiner that remain unexpended at the end  
21 of the fiscal year shall not revert to the general fund of the  
22 state.

23 NEW SUBSECTION. 5. To conduct an inquiry, investigation,  
24 or hearing and administer oaths and receive testimony under  
25 oath relative to the matter of inquiry, investigation, or  
26 hearing, and to subpoena witnesses and require the production  
27 of records, papers, and documents pertinent to the death  
28 investigation.

29 NEW SUBSECTION. 6. To adopt rules pursuant to chapter 17A  
30 relating to the duties, responsibilities, and operations of  
31 the office of the state medical examiner and shall specify the  
32 duties, responsibilities, and operations of the county medical  
33 examiner in relationship to the office of the state medical  
34 examiner.

35 Sec. 32. Section 801.4, subsection 11, Code 1999, is

1 amended by adding the following new paragraph after paragraph  
2 i:

3 NEW PARAGRAPH. ii. The state medical examiner, a deputy  
4 medical examiner, and employees of the office of the state  
5 medical examiner as designated by state medical examiner.

6 Sec. 33. Section 135.19, Code 1999, is repealed.

7 Sec. 34. STUDY -- NEEDLESTICK PROTECTION. The Iowa  
8 department of public health, in cooperation with the labor  
9 commissioner, shall conduct a study of state and federal laws  
10 and regulations relating to protection of persons who may be  
11 at risk of needlestick injuries in the course of employment.  
12 The study shall include the review of the current national  
13 institute for occupational safety and health of the centers  
14 for disease control and prevention recommendations to reduce  
15 workplace needlestick injuries. The department shall submit a  
16 report to the governor and the general assembly by December  
17 15, 2000, which shall include any recommendations for changes  
18 in state law or rules, which are not in conflict with federal  
19 law or regulations, to improve protective measures relating to  
20 needlestick injuries.

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SENATE FILE 2302

H-8235

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking line 12 and inserting the
- 4 following: "a woman may, with discretion, breast-feed
- 5 the".

By BLODGETT of Cerro Gordo

H-8235 FILED MARCH 7, 2000

*w/o*

*4/4/00 (P. 1214)*

SENATE FILE 2302

H-8236

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking line 12, and inserting the
- 4 following: "a woman may breast-feed the".

By BLODGETT of Cerro Gordo

H-8236 FILED MARCH 7, 2000

*Adopted*

*4-4-00 (P. 1215)*

SENATE FILE 2302

H-8237

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, line 31, by striking the word "shall"
- 4 and inserting the following: "to".
- 5 2. Page 11, line 5, by inserting after the word
- 6 "by" the following: "the".

By BLODGETT of Cerro Gordo

H-8237 FILED MARCH 7, 2000

*A- adopted 4/5/00 (P. 1274)*  
*B. o/o*

SENATE FILE 2302

H-8583

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking lines 23 through 28.
- 4 2. By striking page 10, line 35, through page 11,
- 5 line 5.
- 6 3. By renumbering as necessary.

By DAVIS of Wapello

JAGER of Black Hawk

D. TAYLOR of Linn

WEIDMAN of Cass

BODDICKER of Cedar

MERTZ of Kossuth

SUNDERBRUCH of Scott

BELL of Jasper

HUSER of Polk

MAY of Worth

TYRRELL of Iowa

BRUNKHORST of Bremer

BAUDLER of Adair

LARKIN of Lee

H-8583 FILED MARCH 28, 2000

*Adopted*  
*4-5-00 (P. 1273)*

SENATE FILE 2302

H-8479

1 Amend Senate File 2302, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 5, by striking lines 3 through 13.  
 4 2. Page 9, by striking lines 18 through 31 and  
 5 inserting the following:  
 6 "Sec. \_\_\_\_ Section 331.605, subsection 6, Code  
 7 Supplement 1999, is amended to read as follows:  
 8 6. For filing an application for the license to  
 9 marry, thirty dollars which includes payment for one  
 10 certified copy of the original certificate of  
 11 marriage, to be issued following filing of the  
 12 original certificate of marriage. For issuing an  
 13 application for an order of the district court  
 14 authorizing the validation of a license to marry  
 15 before the expiration of three days from the date of  
 16 issuance of the license, five dollars. The district  
 17 court shall authorize the early validation of a  
 18 marriage license without the payment of any fees  
 19 imposed in this subsection upon showing that the  
 20 applicant is unable to pay the fees."  
 21 3. Page 10, by striking line 4 and inserting the  
 22 following: "fifteen days to the county registrar, who  
 23 issued the".  
 24 4. Page 10, by striking lines 8 through 14, and  
 25 inserting the following:  
 26 "Following receipt of the original certificate of  
 27 marriage pursuant to section 144.36, the county  
 28 registrar shall issue a certified copy of the original  
 29 certificate of marriage to the parties to the  
 30 marriage."  
 31 5. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS  
MILLAGE of Scott, Chairperson

H-8479 FILED MARCH 22, 2000

*Adopted*  
*4-4-00*  
*(P. 1214)*  
*Motion to R/C by Nelson. Forbes*  
*Adopted as amended*  
*4-5-00*  
*(P. 1277)*

## SENATE FILE 2302

H-8518

1 Amend Senate File 2302, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 13 the  
4 following:  
5 "Sec. \_\_\_\_\_. Section 124.204, subsection 4, Code  
6 1999, is amended by adding the following new  
7 paragraphs:  
8 NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some  
9 trade or other names: etryptamine; Monase; a-ethyl-  
10 1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-  
11 ET; and AET.  
12 NEW PARAGRAPH. ae. 4-Bromo-2,5-  
13 dimethoxyphenethylamine. Some trade or other names:  
14 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
15 desmethyl DOB; 2C-B, Nexus.  
16 Sec. \_\_\_\_\_. Section 124.204, subsection 6, Code  
17 1999, is amended by adding the following new  
18 paragraphs:  
19 NEW PARAGRAPH. f. Aminorex. Some other names:  
20 aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-  
21 dihydro-5-phenyl-2-oxazolamine.  
22 NEW PARAGRAPH. g. Methcathinone. Some other  
23 names: 2-(methylamino)-propiofenone; alpha-  
24 (methylamino)propiofenone; 2-(methylamino)-1-  
25 phenylpropan-1-one; alpha-N-methylaminopropiofenone;  
26 monomethylpropion; ephedrone; N-methylcathinone;  
27 methylcathinone; AL-464; AL-422; AL-463; and UR1432.  
28 Sec. \_\_\_\_\_. Section 124.204, subsection 9,  
29 paragraphs c, d, and e, Code 1999, are amended by  
30 striking the paragraphs.  
31 Sec. \_\_\_\_\_. Section 124.206, subsection 2, paragraph  
32 a, unnumbered paragraph 1, Code 1999, is amended to  
33 read as follows:  
34 Opium and opiate, and any salt, compound,  
35 derivative, or preparation of opium or opiate,  
36 excluding apomorphine, dextrophan thebaine-derived  
37 butorphanol, dextrorphan, nalbuphine, nalmefene,  
38 naloxone, and naltrexone, and their respective salts,  
39 but including the following:  
40 Sec. \_\_\_\_\_. Section 124.206, subsection 3, Code  
41 1999, is amended by adding the following new  
42 paragraph:  
43 NEW PARAGRAPH. aa. Remifentanil.  
44 Sec. \_\_\_\_\_. Section 124.206, subsection 7, paragraph  
45 b, Code 1999, is amended by striking the paragraph.  
46 Sec. \_\_\_\_\_. Section 124.208, subsection 3, Code  
47 1999, is amended by adding the following new  
48 paragraph:  
49 NEW PARAGRAPH. l. Ketamine, its salts, isomers,  
50 and salts of isomers. Some other names for ketamine:

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Page 2

- 1 (+-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.  
2 Sec. \_\_\_\_\_. Section 124.208, subsection 6,  
3 paragraphs b, e, and i, Code 1999, are amended to read  
4 as follows:
- 5 b. Chlorotestosterone (4-chlorotestosterone).  
6 e. Dihydrotestosterone (4-dihydrotestosterone).  
7 i. Formebolone (Formebolone (formebolone)).  
8 Sec. \_\_\_\_\_. Section 124.208, Code 1999, is amended  
9 by adding the following new subsection:
- 10 NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES.  
11 Dronabinol (synthetic) in sesame oil and encapsulated  
12 in a soft gelatin capsule in a United States Food and  
13 Drug Administration approved product. Some other  
14 names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-  
15 tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d]  
16 pyran-1-ol, or (-)-delta-9-(trans)-  
17 tetrahydrocannabinol.
- 18 Sec. \_\_\_\_\_. Section 124.210, subsection 2, paragraph  
19 b, Code 1999, is amended to read as follows:
- 20 b. Dextropropoxyphene (~~alpha-(+)-4-~~  
21 ~~dimethylamindiphenyl-3-methyl-2-~~  
22 ~~propionoxybutane~~) (alpha-(+)-4-dimethylamino-1,2-  
23 diphenyl-3-methyl-2-propionoxybutane).
- 24 Sec. \_\_\_\_\_. Section 124.210, subsection 3, Code  
25 1999, is amended by adding the following new  
26 paragraph:
- 27 NEW PARAGRAPH. aw. Zaleplon.
- 28 Sec. \_\_\_\_\_. Section 124.210, subsection 5, Code  
29 1999, is amended by adding the following new  
30 paragraphs:
- 31 NEW PARAGRAPH. k. Modafinil.  
32 NEW PARAGRAPH. l. Sibutramine.
- 33 Sec. \_\_\_\_\_. Section 124.210, subsection 6, Code  
34 1999, is amended by adding the following new  
35 paragraph:
- 36 NEW PARAGRAPH. b. Butorphanol (including its  
37 optical isomers).
- 38 Sec. \_\_\_\_\_. Section 124B.2, subsection 1, paragraphs  
39 a, c, g, and i, Code 1999, are amended to read as  
40 follows:
- 41 a. Anthranilic acid, its esters, and its salts.  
42 c. ~~Ephedrine, its salts, optical isomers, and~~  
43 ~~salts of optical isomers~~ Ethylamine and its salts.  
44 g. N-acetylanthranilic acid, its esters, and its  
45 salts.  
46 i. Phenylacetic acid, its esters, and its salts.
- 47 Sec. \_\_\_\_\_. Section 124B.2, subsection 1, Code 1999,  
48 is amended by adding the following new paragraphs:
- 49 NEW PARAGRAPH. m. Methylamine and its salts.  
50 NEW PARAGRAPH. n. Propionic anhydride.

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- 1 NEW PARAGRAPH. o. Insosafrole.
- 2 NEW PARAGRAPH. p. Safrole.
- 3 NEW PARAGRAPH. q. Piperonal.
- 4 NEW PARAGRAPH. r. N-methylephedrine, its salts,
- 5 optical isomers, and salts of optical isomers.
- 6 NEW PARAGRAPH. s. N-methylpseudoephedrine, its
- 7 salts, optical isomers, and salts of optical isomers.
- 8 NEW PARAGRAPH. t. Hydriodic acid.
- 9 NEW PARAGRAPH. u. Benzaldehyde.
- 10 NEW PARAGRAPH. v. Nitroethane."
- 11 2. By renumbering as necessary.

By NELSON-FORBES of Marshall  
 DAVIS of Wapello  
 OSTERHAUS of Jackson

H-8518 FILED MARCH 22, 2000

*w/d*

*4/4/00 (P. 1215)*

SENATE FILE 2302

H-8721

- 1 Amend the amendment, H-8583, to Senate File 2302,
- 2 as amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking line 3, and inserting the
- 5 following:
- 6 "\_\_\_\_. Page 10, line 28, by inserting after the
- 7 word "investigation." the following: "However, the
- 8 medical examiner shall not conduct any activity
- 9 pursuant to this subsection, relating to a homicide or
- 10 other criminally suspicious death, without
- 11 coordinating such activity with the county medical
- 12 examiner, and without obtaining approval of the
- 13 investigating law enforcement agency, the county
- 14 attorney, or any other prosecutorial or law
- 15 enforcement agency of the jurisdiction to conduct such
- 16 activity."
- 17 2. By renumbering as necessary.

By NELSON-FORBES of Marshall

H-8721 FILED APRIL 4, 2000

*Adopted*  
*4-5-00*  
*(P. 1273)*

SENATE FILE 2302

H-8719

1 Amend Senate File 2302, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 14 the  
4 following:

5 "Sec. \_\_\_\_ . Section 135.105B, Code 1999, is amended  
6 to read as follows:

7 135.105B ~~VOLUNTARY-GUIDELINES----~~HEALTH-AND  
8 ENVIRONMENTAL-MEASURES MODEL LEAD HAZARD REMEDIATION  
9 REQUIREMENTS -- CONFIRMED CASES OF LEAD POISONING.

10 1. ~~The department may develop voluntary guidelines~~  
11 ~~which may be used to develop and administer local~~  
12 ~~programs shall establish by rule model lead hazard~~  
13 ~~remediation requirements for residential properties to~~  
14 address the health and environmental needs of children  
15 who are confirmed as lead poisoned. The purpose of  
16 the requirements shall be to prevent ongoing and  
17 future exposure to lead-based paint hazards. Local  
18 boards of health may adopt and enforce the  
19 requirements or may adopt the requirements and request  
20 that the requirements be enforced by the state.  
21 However, local boards of health shall not be required  
22 to adopt and enforce the requirements. The state may  
23 not enforce the requirements unless the requirements  
24 have been adopted by the local board of health and the  
25 local board of health has requested that the state  
26 enforce the requirements.

27 2. The voluntary-guidelines model lead hazard  
28 remediation requirements may be based upon existing  
29 local ordinances that address the-medical-case  
30 management-of-children's-health-needs-and the  
31 mitigation of the environmental factors which  
32 contributed to the lead poisoning.

33 ~~3. --Following development of the voluntary~~  
34 ~~guidelines, cities or counties may elect to utilize~~  
35 ~~the guidelines in developing and administering local~~  
36 ~~programs through city or county health departments on~~  
37 ~~a city, county, or multicounty basis or may request~~  
38 ~~that the state develop and administer the local~~  
39 ~~program. --However, cities and counties are not~~  
40 ~~required to develop and administer local programs~~  
41 ~~based upon the guidelines."~~

42 2. By renumbering as necessary.

By FORD of Polk

H-8719 FILED APRIL 4, 2000

*Not Done  
4/4/00  
(p. 12/16)  
Motion to Rescind Rules lost*

## SENATE FILE 2302

H-8723

1 Amend Senate File 2302, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 13 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 124.204, subsection 4, Code  
6 1999, is amended by adding the following new  
7 paragraphs:

8 NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some  
9 trade or other names: etryptamine; Monase; a-ethyl-  
10 1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-  
11 ET; and AET.

12 NEW PARAGRAPH. ae. 4-Bromo-2,5-  
13 dimethoxyphenethylamine. Some trade or other names:  
14 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
15 desmethyl DOB; 2C-B, Nexus.

16 Sec. \_\_\_\_\_. Section 124.204, subsection 6, Code  
17 1999, is amended by adding the following new  
18 paragraphs:

19 NEW PARAGRAPH. f. Aminorex. Some other names:  
20 aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-  
21 dihydro-5-phenyl-2-oxazolamine.

22 NEW PARAGRAPH. g. Methcathinone. Some other  
23 names: 2-(methylamino)-propiophenone; alpha-  
24 (methylamino)propiophenone; 2-(methylamino)-1-  
25 phenylpropan-1-one; alpha-N-methylaminopropiophenone;  
26 monomethylpropion; ephedrone; N-methylcathinone;  
27 methylcathinone; AL-464; AL-422; AL-463; and UR1432.

28 Sec. \_\_\_\_\_. Section 124.204, subsection 9,  
29 paragraphs c, d, and e, Code 1999, are amended by  
30 striking the paragraphs.

31 Sec. \_\_\_\_\_. Section 124.206, subsection 2, paragraph  
32 a, unnumbered paragraph 1, Code 1999, is amended to  
33 read as follows:

34 Opium and opiate, and any salt, compound,  
35 derivative, or preparation of opium or opiate,  
36 excluding apomorphine, dextrophan thebaine-derived  
37 butorphanol, dextrophan, nalbuphine, nalmefene,  
38 naloxone, and naltrexone, and their respective salts,  
39 but including the following:

40 Sec. \_\_\_\_\_. Section 124.206, subsection 3, Code  
41 1999, is amended by adding the following new  
42 paragraph:

43 NEW PARAGRAPH. aa. Remifentanil.

44 Sec. \_\_\_\_\_. Section 124.206, subsection 7, paragraph  
45 b, Code 1999, is amended by striking the paragraph.

46 Sec. \_\_\_\_\_. Section 124.208, subsection 3, Code  
47 1999, is amended by adding the following new  
48 paragraph:

49 NEW PARAGRAPH. 1. Ketamine, its salts, isomers,  
50 and salts of isomers. Some other names for ketamine:

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1 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.  
2 Sec. \_\_\_\_\_. Section 124.208, subsection 6,  
3 paragraphs b, e, and i, Code 1999, are amended to read  
4 as follows:

5 b. Chlorotestosterone (4-chlorotestosterone).  
6 e. Dihydrotestosterone (4-dihydrotestosterone).  
7 i. ~~Formebolone~~ Formebolone (formebolone).

8 Sec. \_\_\_\_\_. Section 124.208, Code 1999, is amended  
9 by adding the following new subsection:

10 NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES.  
11 Dronabinol (synthetic) in sesame oil and encapsulated  
12 in a soft gelatin capsule in a United States Food and  
13 Drug Administration approved product. Some other  
14 names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-  
15 tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d]  
16 pyran-1-ol, or (-)-delta-9-(trans)-  
17 tetrahydrocannabinol.

18 Sec. \_\_\_\_\_. Section 124.210, subsection 2, paragraph  
19 b, Code 1999, is amended to read as follows:

20 b. Dextropropoxyphene (~~alpha-(+)-4-~~  
21 ~~dimethylamindiphenyl-3-methyl-2-~~  
22 ~~propionoxybutane~~) (alpha-(+)-4-dimethylamino-1,2-  
23 diphenyl-3-methyl-2-propionoxybutane).

24 Sec. \_\_\_\_\_. Section 124.210, subsection 3, Code  
25 1999, is amended by adding the following new  
26 paragraph:

27 NEW PARAGRAPH. aw. Zaleplon.

28 Sec. \_\_\_\_\_. Section 124.210, subsection 5, Code  
29 1999, is amended by adding the following new  
30 paragraphs:

31 NEW PARAGRAPH. k. Modafinil.

32 NEW PARAGRAPH. l. Sibutramine.

33 Sec. \_\_\_\_\_. Section 124.210, subsection 6, Code  
34 1999, is amended by adding the following new  
35 paragraph:

36 NEW PARAGRAPH. b. Butorphanol (including its  
37 optical isomers).

38 Sec. \_\_\_\_\_. Section 124B.2, subsection 1, paragraphs  
39 a, c, g, and i, Code 1999, are amended to read as  
40 follows:

41 a. Anthranilic acid, its esters, and its salts.

42 c. ~~Ephedrine, its salts, optical isomers, and~~  
43 ~~salts of optical isomers~~ Ethylamine and its salts.

44 g. N-acetylanthranilic acid, its esters, and its  
45 salts.

46 i. Phenylacetic acid, its esters, and its salts.

47 Sec. \_\_\_\_\_. Section 124B.2, subsection 1, Code 1999,  
48 is amended by adding the following new paragraphs:

49 NEW PARAGRAPH. m. Methylamine and its salts.

50 NEW PARAGRAPH. n. Propionic anhydride.

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Page 3

- 1 NEW PARAGRAPH. o. Insosafrole.
- 2 NEW PARAGRAPH. p. Safrole.
- 3 NEW PARAGRAPH. q. Piperonal.
- 4 NEW PARAGRAPH. r. N-methylephedrine, its salts,  
5 optical isomers, and salts of optical isomers.
- 6 NEW PARAGRAPH. s. N-methylpseudoephedrine, its  
7 salts, optical isomers, and salts of optical isomers.
- 8 NEW PARAGRAPH. t. Hydriodic acid.
- 9 NEW PARAGRAPH. u. Benzaldehyde.
- 10 NEW PARAGRAPH. v. Nitroethane."
- 11 2. By renumbering as necessary.

By OSTERHAUS of Jackson

H-8723 FILED APRIL 4, 2000

*Adopted*  
*4-5-00*  
*(P. 1276)*

SENATE FILE 2302

H-8741

1 Amend the amendment, H-8479, to Senate File 2302,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, by striking lines 9 through 12, and  
 5 inserting the following: "marry, thirty thirty-five  
 6 dollars, which includes payment for one certified copy  
 7 of the original certificate of marriage, to be issued  
 8 following filing of the original certificate of  
 9 marriage, four dollars of which shall be retained by  
 10 the county pursuant to subsection 5. For issuing an".

By NELSON-FORBES of Marshall  
 VAN ENGELENHOVEN of Mahaska  
 MURPHY of Dubuque

H-8741 FILED APRIL 5, 2000

*W/D  
 4-5-00  
 (P. 1276)*

SENATE FILE 2302

H-8742

1 Amend the amendment, H-8479, to Senate File 2302,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, by striking lines 9 through 12, and  
 5 inserting the following: "marry, thirty thirty-five  
 6 dollars, which includes payment for one certified copy  
 7 of the original certificate of marriage, to be issued  
 8 following filing of the original certificate of  
 9 marriage, four dollars of which shall be retained by  
 10 the county pursuant to subsection 5. For issuing an".

11 2. Page 1, by inserting after line 30, the  
 12 following:  
 13 "    . Page 11, by inserting after line 20, the  
 14 following:  
 15 "Sec.    . EFFECTIVE DATE. The sections of this  
 16 Act amending section 331.605, subsection 6, and  
 17 enacting section 595.16A, take effect January 1,  
 18 2001.""  
 19 3. Title page, line 3, by inserting after the  
 20 word "department" the following: "and providing an  
 21 effective date"."

By NELSON-FORBES of Marshall  
 VAN ENGELENHOVEN of Mahaska  
 MURPHY of Dubuque

H-8742 FILED APRIL 5, 2000

*Adopted  
 4-5-00  
 (P. 1277)*

HOUSE AMENDMENT TO  
SENATE FILE 2302

S-5353

1 Amend Senate File 2302, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 13 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 124.204, subsection 4, Code  
6 1999, is amended by adding the following new  
7 paragraphs:

8 NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some  
9 trade or other names: etryptamine; Monase; a-ethyl-  
10 1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-  
11 ET; and AET.

12 NEW PARAGRAPH. ae. 4-Bromo-2,5-  
13 dimethoxyphenethylamine. Some trade or other names:  
14 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
15 desmethyl DOB; 2C-B, Nexus.

16 Sec. \_\_\_\_\_. Section 124.204, subsection 6, Code  
17 1999, is amended by adding the following new  
18 paragraphs:

19 NEW PARAGRAPH. f. Aminorex. Some other names:  
20 aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-  
21 dihydro-5-phenyl-2-oxazolamine.

22 NEW PARAGRAPH. g. Methcathinone. Some other  
23 names: 2-(methylamino)-propiofenone; alpha-  
24 (methylamino)propiofenone; 2-(methylamino)-1-  
25 phenylpropan-1-one; alpha-N-methylaminopropiofenone;  
26 monomethylpropion; ephedrone; N-methylcathinone;  
27 methylcathinone; AL-464; AL-422; AL-463; and UR1432.

28 Sec. \_\_\_\_\_. Section 124.204, subsection 9,  
29 paragraphs c, d, and e, Code 1999, are amended by  
30 striking the paragraphs.

31 Sec. \_\_\_\_\_. Section 124.206, subsection 2, paragraph  
32 a, unnumbered paragraph 1, Code 1999, is amended to  
33 read as follows:

34 Opium and opiate, and any salt, compound,  
35 derivative, or preparation of opium or opiate,  
36 excluding apomorphine, dextrophan thebaine-derived  
37 butorphanol, dextrophan, nalbuphine, nalmefene,  
38 naloxone, and naltrexone, and their respective salts,  
39 but including the following:

40 Sec. \_\_\_\_\_. Section 124.206, subsection 3, Code  
41 1999, is amended by adding the following new  
42 paragraph:

43 NEW PARAGRAPH. aa. Remifentanil.

44 Sec. \_\_\_\_\_. Section 124.206, subsection 7, paragraph  
45 b, Code 1999, is amended by striking the paragraph.

46 Sec. \_\_\_\_\_. Section 124.208, subsection 3, Code  
47 1999, is amended by adding the following new  
48 paragraph:

49 NEW PARAGRAPH. 1. Ketamine, its salts, isomers,  
50 and salts of isomers. Some other names for ketamine:

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- 1 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.  
2 Sec. \_\_\_\_ . Section 124.208, subsection 6,  
3 paragraphs b, e, and i, Code 1999, are amended to read  
4 as follows:  
5 b. Chlorotestosterone (4-chlorotestosterone).  
6 e. Dihydrotestosterone (4-dihydrotestosterone).  
7 i. ~~Formebolone~~ Formebolone (formebolone).  
8 Sec. \_\_\_\_ . Section 124.208, Code 1999, is amended  
9 by adding the following new subsection:  
10 NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES.  
11 Dronabinol (synthetic) in sesame oil and encapsulated  
12 in a soft gelatin capsule in a United States Food and  
13 Drug Administration approved product. Some other  
14 names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-  
15 tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d]  
16 pyran-1-ol, or (-)-delta-9-(trans)-  
17 tetrahydrocannabinol.  
18 Sec. \_\_\_\_ . Section 124.210, subsection 2, paragraph  
19 b, Code 1999, is amended to read as follows:  
20 b. Dextropropoxyphene (~~alpha-(+)-4-~~  
21 ~~dimethylamindiphenyl-3-methyl-2-~~  
22 ~~propionoxybutane~~) (alpha-(+)-4-dimethylamino-1,2-  
23 diphenyl-3-methyl-2-propionoxybutane).  
24 Sec. \_\_\_\_ . Section 124.210, subsection 3, Code  
25 1999, is amended by adding the following new  
26 paragraph:  
27 NEW PARAGRAPH. aw. Zaleplon.  
28 Sec. \_\_\_\_ . Section 124.210, subsection 5, Code  
29 1999, is amended by adding the following new  
30 paragraphs:  
31 NEW PARAGRAPH. k. Modafinil.  
32 NEW PARAGRAPH. l. Sibutramine.  
33 Sec. \_\_\_\_ . Section 124.210, subsection 6, Code  
34 1999, is amended by adding the following new  
35 paragraph:  
36 NEW PARAGRAPH. b. Butorphanol (including its  
37 optical isomers).  
38 Sec. \_\_\_\_ . Section 124B.2, subsection 1, paragraphs  
39 a, c, g, and i, Code 1999, are amended to read as  
40 follows:  
41 a. Anthranilic acid, its esters, and its salts.  
42 c. ~~Ephedrine, its salts, optical isomers, and~~  
43 ~~salts of optical isomers~~ Ethylamine and its salts.  
44 g. N-acetylanthranilic acid, its esters, and its  
45 salts.  
46 i. Phenylacetic acid, its esters, and its salts.  
47 Sec. \_\_\_\_ . Section 124B.2, subsection 1, Code 1999,  
48 is amended by adding the following new paragraphs:  
49 NEW PARAGRAPH. m. Methylamine and its salts.  
50 NEW PARAGRAPH. n. Propionic anhydride.

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1 NEW PARAGRAPH. o. Insosafrole.  
2 NEW PARAGRAPH. p. Safrole.  
3 NEW PARAGRAPH. q. Piperonal.  
4 NEW PARAGRAPH. r. N-methylephedrine, its salts,  
5 optical isomers, and salts of optical isomers.  
6 NEW PARAGRAPH. s. N-methylpseudoephedrine, its  
7 salts, optical isomers, and salts of optical isomers.  
8 NEW PARAGRAPH. t. Hydriodic acid.  
9 NEW PARAGRAPH. u. Benzaldehyde.  
10 NEW PARAGRAPH. v. Nitroethane."  
11 2. Page 2, by striking line 12, and inserting the  
12 following: "a woman may breast-feed the".  
13 3. Page 5, by striking lines 3 through 13.  
14 4. Page 9, by striking lines 18 through 31 and  
15 inserting the following:  
16 "Sec. \_\_\_\_ . Section 331.605, subsection 6, Code  
17 Supplement 1999, is amended to read as follows:  
18 6. For filing an application for the license to  
19 marry, thirty thirty-five dollars, which includes  
20 payment for one certified copy of the original  
21 certificate of marriage, to be issued following filing  
22 of the original certificate of marriage, four dollars  
23 of which shall be retained by the county pursuant to  
24 subsection 5. For issuing an application for an order  
25 of the district court authorizing the validation of a  
26 license to marry before the expiration of three days  
27 from the date of issuance of the license, five  
28 dollars. The district court shall authorize the early  
29 validation of a marriage license without the payment  
30 of any fees imposed in this subsection upon showing  
31 that the applicant is unable to pay the fees."  
32 5. Page 10, by striking line 4 and inserting the  
33 following: "fifteen days to the county registrar, who  
34 issued the".  
35 6. Page 10, by striking lines 8 through 14, and  
36 inserting the following:  
37 "Following receipt of the original certificate of  
38 marriage pursuant to section 144.36, the county  
39 registrar shall issue a certified copy of the original  
40 certificate of marriage to the parties to the  
41 marriage."  
42 7. Page 10, line 28, by inserting after the word  
43 "investigation." the following: "However, the medical  
44 examiner shall not conduct any activity pursuant to  
45 this subsection, relating to a homicide or other  
46 criminally suspicious death, without coordinating such  
47 activity with the county medical examiner, and without  
48 obtaining approval of the investigating law  
49 enforcement agency, the county attorney, or any other  
50 prosecutorial or law enforcement agency of the

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- 1 jurisdiction to conduct such activity."  
2 8. Page 10, line 31, by striking the word "shall"  
3 and inserting the following: "to".  
4 9. By striking page 10, line 35, through page 11,  
5 line 5.  
6 10. Page 11, by inserting after line 20, the  
7 following:  
8 "Sec. \_\_\_\_\_. EFFECTIVE DATE. The sections of this  
9 Act amending section 331.605, subsection 6, and  
10 enacting section 595.16A, take effect January 1,  
11 2001."  
12 11. Title page, line 3, by inserting after the  
13 word "department" the following: "and providing an  
14 effective date".  
15 12. By renumbering, relettering, or redesignating  
16 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5353 FILED APRIL 5, 2000

*Senate Concurred 4-10-00*  
*(P. 1088)*

## SENATE FILE 2302

S-5377

- 1 Amend the amendment, S-5353 to Senate File 2302, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 2, by inserting after line 37, the  
5 following:  
6 "Sec. \_\_\_\_\_. Section 124.212, subsection 5,  
7 unnumbered paragraph 1, Code 1999, is amended to read  
8 as follows:  
9 Ephedrine. Unless specifically excepted in  
10 paragraph "b" or "c", or listed in another schedule,  
11 any material, compound, mixture, or preparation which  
12 contains any quantity of the following substance,  
13 including its salts, optical isomers, and salts of  
14 such optical isomers:  
15 Sec. \_\_\_\_\_. Section 124.212, subsection 5, Code  
16 1999, is amended by adding the following new  
17 paragraph:  
18 NEW PARAGRAPH. c. A dietary supplement is also  
19 excepted from this schedule, if the dietary supplement  
20 is not otherwise prohibited by any other law and is a  
21 naturally occurring ephedrine alkaloid or associated  
22 salts, isomers, salts of isomers, or a combination of  
23 these substances that are contained in a matrix of  
24 organic material and do not exceed fifteen percent of  
25 the total weight of the natural product."  
26 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-5377 FILED APRIL 10, 2000

ADOPTED  
*(p. 1088)*

## SENATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 2302

H-8805

1 Amend the amendment, S-5353 to Senate File 2302, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by inserting after line 37, the  
5 following:

6 "Sec. \_\_\_\_\_. Section 124.212, subsection 5,  
7 unnumbered paragraph 1, Code 1999, is amended to read  
8 as follows:

9 Ephedrine. Unless specifically excepted in  
10 paragraph "b" or "c", or listed in another schedule,  
11 any material, compound, mixture, or preparation which  
12 contains any quantity of the following substance,  
13 including its salts, optical isomers, and salts of  
14 such optical isomers:

15 Sec. \_\_\_\_\_. Section 124.212, subsection 5, Code  
16 1999, is amended by adding the following new  
17 paragraph:

18 NEW PARAGRAPH. c. A dietary supplement is also  
19 excepted from this schedule, if the dietary supplement  
20 is not otherwise prohibited by any other law and is a  
21 naturally occurring ephedrine alkaloid or associated  
22 salts, isomers, salts of isomers, or a combination of  
23 these substances that are contained in a matrix of  
24 organic material and do not exceed fifteen percent of  
25 the total weight of the natural product."

26 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8805 FILED APRIL 11, 2000

*House Concurred*

4/12/00

(P. 1434)

SENATE FILE 2302

AN ACT

RELATING TO PROGRAMS AND PUBLIC HEALTH ISSUES UNDER THE PURVIEW OF THE IOWA DEPARTMENT OF PUBLIC HEALTH AND THE APPROPRIATION OF CERTAIN FEES TO THE DEPARTMENT AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 22.7, Code Supplement 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 39. Preliminary findings, reports of these preliminary findings, and investigative reports of the state medical examiner, resulting from the conducting of an autopsy. However, the date, time, specific location, and immediate facts and circumstances surrounding a crime or incident, related to a death that affects the public interest as defined in section 331.802, shall not be kept confidential under this subsection, except if disclosure would plainly and clearly jeopardize an investigation or pose a clear and present danger to the public safety or the safety of an individual.

Sec. 2. Section 124.204, subsection 4, Code 1999, is amended by adding the following new paragraphs:

NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some trade or other names: etryptamine; Monase;  $\alpha$ -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-ET; and AET.

NEW PARAGRAPH. ae. 4-Bromo-2,5-dimethoxyphenethylamine. Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.

Sec. 3. Section 124.204, subsection 6, Code 1999, is amended by adding the following new paragraphs:

NEW PARAGRAPH. f. Aminorex. Some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine.

NEW PARAGRAPH. g. Methcathinone. Some other names: 2-(methylamino)-propiofenone; alpha-(methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiofenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR1432.

Sec. 4. Section 124.204, subsection 9, paragraphs c, d, and e, Code 1999, are amended by striking the paragraphs.

Sec. 5. Section 124.206, subsection 2, paragraph a, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan thebaine-derived butorphanol, dextrophan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

Sec. 6. Section 124.206, subsection 3, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. aa. Remifentanyl.

Sec. 7. Section 124.206, subsection 7, paragraph b, Code 1999, is amended by striking the paragraph.

Sec. 8. Section 124.208, subsection 3, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. l. Ketamine, its salts, isomers, and salts of isomers. Some other names for ketamine: (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.

Sec. 9. Section 124.208, subsection 6, paragraphs b, e, and i, Code 1999, are amended to read as follows:

b. Chlorotestosterone (4-chlorotestosterone).

e. Dihydrotestosterone (4-dihydrotestosterone).

i. Formebolone Formebolone (formebolone).

Sec. 10. Section 124.208, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration

approved product. Some other names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1-ol, or (-)-delta-9-(trans)-tetrahydrocannabinol.

Sec. 11. Section 124.210, subsection 2, paragraph b, Code 1999, is amended to read as follows:

b. Dextropropoxyphene (alpha-+)-4-dimethylamindiphenyl-3-methyl-2-propionoxybutane (alpha-+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

Sec. 12. Section 124.210, subsection 3, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. aw. Zaleplon.

Sec. 13. Section 124.210, subsection 5, Code 1999, is amended by adding the following new paragraphs:

NEW PARAGRAPH. k. Modafinil.

NEW PARAGRAPH. l. Sibutramine.

Sec. 14. Section 124.210, subsection 6, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. b. Butorphanol (including its optical isomers).

Sec. 15. Section 124.212, subsection 5, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Ephedrine. Unless specifically excepted in paragraph "b" or "c", or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substance, including its salts, optical isomers, and salts of such optical isomers:

Sec. 16. Section 124.212, subsection 5, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. A dietary supplement is also excepted from this schedule, if the dietary supplement is not otherwise prohibited by any other law and is a naturally occurring ephedrine alkaloid or associated salts, isomers, salts of isomers, or a combination of these substances that are contained in a matrix of organic material and do not exceed fifteen percent of the total weight of the natural product.

Sec. 17. Section 124B.2, subsection 1, paragraphs a, c, g, and i, Code 1999, are amended to read as follows:

a. Anthranilic acid, its esters, and its salts.

c. ~~Ephedrine, its salts, optical isomers, and salts of optical isomers~~ Ethylamine and its salts.

g. N-acetylanthranilic acid, its esters, and its salts.

i. Phenylacetic acid, its esters, and its salts.

Sec. 18. Section 124B.2, subsection 1, Code 1999, is amended by adding the following new paragraphs:

NEW PARAGRAPH. m. Methylamine and its salts.

NEW PARAGRAPH. n. Propionic anhydride.

NEW PARAGRAPH. o. Insosafrole.

NEW PARAGRAPH. p. Safrole.

NEW PARAGRAPH. q. Piperonal.

NEW PARAGRAPH. r. N-methylephedrine, its salts, optical isomers, and salts of optical isomers.

NEW PARAGRAPH. s. N-methylpseudoephedrine, its salts, optical isomers, and salts of optical isomers.

NEW PARAGRAPH. t. Hydriodic acid.

NEW PARAGRAPH. u. Benzaldehyde.

NEW PARAGRAPH. v. Nitroethane.

Sec. 19. Section 125.14, Code 1999, is amended to read as follows:

125.14 LICENSES -- RENEWAL -- FEES.

The commission shall meet to consider all cases involving initial issuance, and renewal, denial, suspension, or revocation of a license. The department shall issue a license to an applicant who the commission determines meets the licensing requirements of this chapter. Licenses shall expire no later than two years from the date of issuance and shall be renewed upon timely application made in the same manner as for ~~original~~ initial issuance of a license unless notice of nonrenewal is given to the licensee at least thirty days prior to the expiration of the license. The department shall not charge a fee for licensing or renewal of programs contracting with the department for provision of treatment services. A fee may be charged to other licensees.

Sec. 20. Section 125.15, Code 1999, is amended to read as follows:

125.15 INSPECTION OF LICENSEES.

The department ~~shall~~ may inspect the facilities and review the procedures utilized by ~~each-licensed-program~~ any chemical substitutes or antagonists program, residential program, or nonresidential outpatient program that has as a primary purpose the treatment and rehabilitation of substance abusers or chronic substance abusers, for the purpose of ensuring compliance with this chapter and the rules adopted pursuant to this chapter. The examination and review may include case record audits and interviews with staff and patients, consistent with the confidentiality safeguards of state and federal law.

Sec. 21. NEW SECTION. 135.30A BREASTFEEDING IN PUBLIC PLACES.

Notwithstanding any other provision of law to the contrary, a woman may breast-feed the woman's own child in any public place where the woman's presence is otherwise authorized.

Sec. 22. Section 135.105C, Code 1999, is amended to read as follows:

135.105C RENOVATION, REMODELING, AND REPAINTING -- LEAD HAZARD NOTIFICATION PROCESS ESTABLISHED.

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

2. For the purpose of this section, "~~targeted~~ target housing" means housing constructed prior to 1978 with the exception of housing for the elderly or for persons with disabilities and housing that does not contain a bedroom, unless at least one child, under six years of age ~~or less,~~ resides or is expected to reside in the housing ~~and housing which does not contain a bedroom.~~ The department shall adopt rules to implement the renovation, remodeling, and repainting lead hazard notification process.

Sec. 23. Section 135.107, subsection 3, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The center for rural health and primary care shall establish a primary care provider recruitment and retention endeavor, to be known as PRIMECARRE. The endeavor shall include a community grant program, a primary care provider loan repayment program, and a primary care provider community scholarship program, ~~and the establishment of area health education centers.~~ The endeavor shall be developed and implemented in a manner to promote and accommodate local creativity in efforts to recruit and retain health care professionals to provide services in the locality. The focus of the endeavor shall be to promote and assist local efforts in developing health care provider recruitment and retention programs. Eligibility under any of the programs established under the primary care provider recruitment and retention endeavor shall be based upon a community health services assessment completed under subsection 2, paragraph "a". A community or region, as applicable, shall submit a letter of intent to conduct a community health services assessment and to apply for assistance under this subsection. The letter shall be in a form and contain information as determined by the center. A letter of intent shall be submitted to the center by January 1 preceding the fiscal year for which an application for assistance is to be made. Assistance under this subsection shall not be granted until such time as the community or region making application has completed the community health services assessment and adopted a long-term community health services assessment and developmental plan. In addition to any other requirements, a developmental plan shall include a clear commitment to informing high school students of the health care opportunities which may be available to such students.

Sec. 24. Section 135.107, subsection 3, paragraph d, Code 1999, is amended by striking the paragraph.

Sec. 25. Section 135.107, subsection 4, Code 1999, is amended by striking the subsection.

Sec. 26. Section 141A.6, subsection 6, paragraph e, Code Supplement 1999, is amended to read as follows:

e. The race or and ethnicity of the patient.

Sec. 27. Section 141A.8, subsection 1, Code Supplement 1999, is amended by striking the subsection and inserting in lieu thereof the following:

1. If a care provider in the course of providing care sustains a significant exposure on the premises of a health facility or while engaged in rendering aid or providing transportation to an individual in circumstances which lead to the individual's presence at a health facility, the individual to whom the care provider was exposed is deemed to consent to a test to be administered by the health facility upon the submission of a significant exposure report by the exposed care provider for the express purpose of determining the presence of HIV infection in that individual and notifying the health care provider of the HIV test results of the individual. The sample and test results shall only be identified by a number and no reports otherwise required by this chapter shall be made which identify the individual tested. However, if the test results are positive, the health facility shall notify the individual tested and ensure the performance of counseling and reporting requirements of this chapter in the same manner as for an individual from whom actual consent was obtained.

Sec. 28. Section 141A.8, subsection 7, Code Supplement 1999, is amended by striking the subsection.

Sec. 29. Section 141A.8, subsection 9, Code Supplement 1999, is amended to read as follows:

9. Notifications made pursuant to this section shall not disclose the identity of the individual who is diagnosed or confirmed as having HIV infection unless the individual provides a specific written release ~~as provided in subsection 17-paragraph "b"~~. If the care provider determines the

identity of the individual, the identity of the individual shall be confidential information and shall not be disclosed by the care provider to any other person unless a specific written release is obtained from the individual.

Sec. 30. Section 147.5, Code 1999, is amended to read as follows:

147.5 FORM.

Every license to practice a profession shall be in the form of a certificate under the seal of the department, signed by the director of public health. Such license shall be issued in the name of the examining board which conducts examinations for that particular profession. ~~The number of the book and page containing the entry of said license in the office of the department shall be noted on the face of the license.~~

Sec. 31. Section 147.40, Code 1999, is amended to read as follows:

147.40 CERTIFICATION OF APPLICANTS.

Every examination shall be passed upon in accordance with the established rules of the examining board and shall be satisfactory to at least a majority of the professional members of the board. In the case of the board of dental examiners, only licensed dentist members of the board shall determine whether an applicant has passed the examination to practice as a licensed dentist. After each examination, the examining board shall certify the names of the successful applicants to the department in the manner prescribed by it. The department shall then issue the proper license ~~and make the required entry in the registry book.~~

Sec. 32. Section 148.5, Code 1999, is amended to read as follows:

148.5 RESIDENT PHYSICIAN LICENSE.

A physician, who is a graduate of a medical school and is serving as a resident physician who is not otherwise licensed to practice medicine and surgery in this state, shall be required to obtain from the medical examiners a license to practice as a resident physician. The license shall be

designated "Resident Physician License" and shall authorize the licensee to serve as a resident physician only, under the supervision of a licensed practitioner of medicine and surgery or osteopathic medicine and surgery, in an institution approved for such training by the medical examiners. ~~Such A~~ license shall be valid for ~~one-year-and-may-be-renewed-at-the discretion-of-the-medical-examiners~~ a duration as determined by the board. The fee for each license shall be set by the medical examiners to cover the administrative costs of issuing the license, ~~and-if-extended-beyond-one-year-a-renewal-fee-as set-by-the-medical-examiners-shall-be-required~~. The medical examiners shall determine in each instance those eligible for a license, whether or not examinations shall be given, and the type of examinations. ~~No-requirements~~ Requirements of the law pertaining to regular permanent licensure shall not be mandatory for a resident physician license except as specifically designated by the medical examiners. The granting of a resident physician license does not in any way indicate that the person so licensed is necessarily eligible for regular permanent licensure, nor are the medical examiners in any way obligated to ~~so~~ license ~~such~~ the individual.

Sec. 33. Section 148A.6, subsection 3, paragraph c, Code 1999, is amended by striking the paragraph.

Sec. 34. NEW SECTION. 148B.3A OCCUPATIONAL THERAPY -- REFERRAL.

Occupational therapy may be provided by an occupational therapist without referral from a physician, podiatric physician, dentist, or chiropractor, except that a hospital may require that occupational therapy provided in the hospital be performed only following prior review by and authorization of the performance of the occupational therapy by a member of the hospital medical staff.

Sec. 35. Section 148B.5, subsection 1, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) For an occupational therapist, the program must be one accredited by the ~~American-medical-association-in~~

~~collaboration-with accreditation council for occupational therapy education of the American occupational therapy association.~~

Sec. 36. Section 150A.9, Code 1999, is amended to read as follows:

150A.9 RESIDENT LICENSE.

An osteopathic physician and surgeon who is a graduate of a college of osteopathic medicine and surgery and is serving as a resident physician and who is not licensed to practice osteopathic medicine and surgery in this state, shall be required to obtain from the medical examiners a license to practice as a resident osteopathic physician and surgeon. The license shall be designated "Resident Osteopathic Physician and Surgeon License", and shall authorize the licensee to serve as a resident physician only, under the supervision of a licensed practitioner of osteopathic medicine and surgery or licensed practitioner of medicine and surgery, in an institution approved for such training by the medical examiners. A license shall be valid for ~~one-year-and-may-be renewed-at-the-discretion-of-the-medical-examiners~~ a duration as determined by the board. The fee for each license shall be set by the medical examiners and based on the administrative cost of issuing the license, ~~and-if-extended-beyond-one-year-a-renewal-fee-shall-be-required~~. The medical examiners shall determine in each instance those eligible for a license, whether or not examinations shall be given, and the type of examinations. ~~No-requirements~~ Requirements of the law pertaining to regular permanent licensure shall not be mandatory for a resident osteopathic physician and surgeon's license except as specifically designated by the medical examiners. The granting of a resident osteopathic physician and surgeon's license does not in any way indicate that the person so licensed is necessarily eligible for regular permanent licensure, nor are the medical examiners in any way obligated to ~~so~~ license ~~such~~ the individual.

Sec. 37. Section 152.7, unnumbered paragraph 2, Code 1999, is amended by striking the unnumbered paragraph.

Sec. 38. Section 154A.11, unnumbered paragraph 2, Code 1999, is amended to read as follows:

All examinations in theory shall be in writing and the identity of the person taking the examination shall be concealed until after the examination papers have been graded. ~~For examinations in practice, the identity of the person taking the examination shall also be concealed as far as possible.~~

Sec. 39. Section 154A.12, subsections 2, 5, and 6, Code 1999, are amended by striking the subsections.

Sec. 40. Section 154C.3, subsection 1, paragraph c, subparagraph (1), Code 1999, is amended to read as follows:

(1) Possesses a master's or doctoral degree in social work from an accredited college or university approved by the board.

Sec. 41. Section 156.4, subsections 4 and 5, Code 1999, are amended to read as follows:

4. Written ~~and oral~~ examinations for a funeral director's license shall be held at least once a year at a time and place to be designated by the board. The examination shall include the subjects of funeral directing, burial or other disposition of dead human bodies, sanitary science, embalming, restorative art, anatomy, public health, transportation, business ethics, and such other subjects as the board may designate.

5. After the applicant ~~shall have~~ has completed satisfactorily the course of instruction in mortuary science in an accredited school approved by the board, the applicant must pass the examination prescribed by the board as provided in section 147.34. The applicant may then receive an internship certificate and shall then complete a minimum one-year internship as determined by the board. ~~After completion of the internship, the applicant shall demonstrate proficiency as directed by the board.~~

Sec. 42. NEW SECTION. 156.8A STUDENT PRACTICUM.

The board, by rule, shall provide for practicums in mortuary science for students available through any school accredited by the American board of funeral service education and shall regulate the registration, training, and fees for such practicums.

Sec. 43. Section 331.605, subsection 6, Code Supplement 1999, is amended to read as follows:

6. For filing an application for the license to marry, thirty thirty-five dollars, which includes payment for one certified copy of the original certificate of marriage, to be issued following filing of the original certificate of marriage, four dollars of which shall be retained by the county pursuant to subsection 5. For issuing an application for an order of the district court authorizing the validation of a license to marry before the expiration of three days from the date of issuance of the license, five dollars. The district court shall authorize the early validation of a marriage license without the payment of any fees imposed in this subsection upon showing that the applicant is unable to pay the fees.

Sec. 44. Section 595.13, Code 1999, is amended to read as follows:

595.13 CERTIFICATE -- RETURN.

After the marriage has been solemnized, the officiating minister or magistrate shall:

~~1--Give each of the parties a certificate of the same.~~

2--Make return of the certificate of marriage within fifteen days to the county registrar, who issued the marriage license upon the blank provided for that purpose.

Sec. 45. NEW SECTION. 595.16A. ISSUANCE OF CERTIFIED COPY OF CERTIFICATE OF MARRIAGE.

Following receipt of the original certificate of marriage pursuant to section 144.36, the county registrar shall issue a certified copy of the original certificate of marriage to the parties to the marriage.

Sec. 46. Section 691.6, Code Supplement 1999, is amended by adding the following new subsections:

NEW SUBSECTION. 4. To collect autopsy fees as established by rule and the fees are appropriated to the state medical examiner. Notwithstanding section 8.33, any fees collected by the state medical examiner that remain unexpended at the end of the fiscal year shall not revert to the general fund of the state.

NEW SUBSECTION. 5. To conduct an inquiry, investigation, or hearing and administer oaths and receive testimony under oath relative to the matter of inquiry, investigation, or hearing, and to subpoena witnesses and require the production of records, papers, and documents pertinent to the death investigation. However, the medical examiner shall not conduct any activity pursuant to this subsection, relating to a homicide or other criminally suspicious death, without coordinating such activity with the county medical examiner, and without obtaining approval of the investigating law enforcement agency, the county attorney, or any other prosecutorial or law enforcement agency of the jurisdiction to conduct such activity.

NEW SUBSECTION. 6. To adopt rules pursuant to chapter 17A relating to the duties, responsibilities, and operations of the office of the state medical examiner and to specify the duties, responsibilities, and operations of the county medical examiner in relationship to the office of the state medical examiner.

Sec. 47. Section 135.19, Code 1999, is repealed.

Sec. 48. STUDY -- NEEDLESTICK PROTECTION. The Iowa department of public health, in cooperation with the labor commissioner, shall conduct a study of state and federal laws and regulations relating to protection of persons who may be at risk of needlestick injuries in the course of employment. The study shall include the review of the current national institute for occupational safety and health of the centers for disease control and prevention recommendations to reduce

workplace needlestick injuries. The department shall submit a report to the governor and the general assembly by December 15, 2000, which shall include any recommendations for changes in state law or rules, which are not in conflict with federal law or regulations, to improve protective measures relating to needlestick injuries.

Sec. 49. EFFECTIVE DATE. The sections of this Act amending section 331.605, subsection 6, and enacting section 595.16A, take effect January 1, 2001.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2302, Seventy-eighth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved 4/25, 2000

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THOMAS J. VILSACK  
Governor