

REGENTS BOARD[681]

Notice of Intended Action

**Proposing rulemaking related to the state hygienic laboratory
and providing an opportunity for public comment**

The Board of Regents hereby proposes to rescind Chapter 5, “State Hygienic Laboratory,” Iowa Administrative Code, and to adopt a new Chapter 5 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 263.7 and 263.8.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 263.

Purpose and Summary

Iowa Code chapter 263 requires rules to be adopted for the State Hygienic Laboratory for examination and investigations and authorizes the laboratory to charge fees covering transportation of samples and the costs of examinations performed. Chapter 5 describes the specimens examined; who can submit specimens for examination or investigation; and when fees will be charged, waived or deferred. The Board proposes to rescind Chapter 5 and adopt a new chapter in lieu thereof. This new chapter will reflect current practices and eliminate outdated or unnecessary language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to rule 681—19.18(17A).

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on April 30, 2026. Comments should be directed to:

Aimee Claeys, General Counsel
Board of Regents
11260 Aurora Avenue
Urbandale, Iowa 50322
Phone: 515.281.6456
Email: aimee.claeys@iowaregents.edu

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

April 28, 2026 11 to 11:30 a.m.	11260 Aurora Avenue Urbandale, Iowa
April 30, 2026 4 to 4:30 p.m.	11260 Aurora Avenue Urbandale, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 681—Chapter 5 and adopt the following **new** chapter in lieu thereof:

CHAPTER 5 STATE HYGIENIC LABORATORY

GENERAL REGULATIONS

681—5.1(263) Scope of services.

5.1(1) *Scientific.* The laboratory provides analytical and reference services, surveillance information, disaster and terrorism response, population data, microbiological, biological, and chemical examinations and other investigations in the areas of disease, newborn and maternal screening, fieldwork and the assessment of environmental quality.

5.1(2) *Consultative.* The professional staff of the laboratory provide regulatory review, consultative assistance, and data interpretation and evaluation of environmental effects and scientific needs to persons, agencies, and organizations with interest or involvement in public and environmental health.

5.1(3) *Education and training.* As part of the laboratory's academic mission, staff of the laboratory provide education and training for professional colleagues, educators, students, citizens, policymakers and anyone interested in public and environmental health through appropriate educational methods.

5.1(4) *Applied research.* The laboratory conducts scientific research designed to solve practical problems and to translate basic research to improve public and environmental health.

681—5.2(263) Specimens examined.

5.2(1) *Classification.* This being the state public health and environmental laboratory, specimens submitted to it should have a direct or probable significance that is actionable for public health, medical management, or the quality and preservation of the environment.

5.2(2) *Who may submit specimens.*

a. Licensed physicians, osteopathic physicians, and other licensed practitioners may submit specimens for the diagnosis and control of communicable or other diseases in which such tests are required by the state department of public health.

b. Veterinarians may submit animal specimens involving diseases of animals that are communicable to humans.

- c. The department of health and human services may submit specimens as stated in Iowa Code section 263.8(2). Other programs, services, and studies may be negotiated on a contractual basis.
- d. The natural resources department may submit specimens necessary in the conduct of its fundamental responsibilities relative to municipal water supplies. Other programs, services, and studies may be negotiated on a contractual basis.
- e. Other state agencies, institutions, and municipalities may submit specimens, generally under a contractual arrangement if the submission is to be of a regular or routine nature.
- f. Local departments of health may submit specimens when performing official functions of state regulatory agencies. The examination of other specimens necessary in the support of locally directed programs are provided only with prior clearance and cost negotiations.
- g. Private individuals may submit specimens to address infectious disease or environmental concerns.
- h. Privately owned industries and businesses may submit specimens for environmental studies by prior arrangement with the laboratory on a fee-based contractual basis.
- i. Public schools may submit specimens at the discretion of the school nurse, consulting physician, principal, or upon recommendations of the local department of health.
- j. Any agency, organization, business or individual impacted by a natural disaster may submit specimens that require testing to ensure health and safety.
- k. First responders, hazmat teams, the Radiological Emergency Response Team, the 71st Civil Support Team, the FBI, the United States Postal Service and any other officially recognized law enforcement or terrorism response agency may submit samples for identification and confirmation of potential weapons of mass destruction (WMD) according to the Iowa Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Response Protocol.

681—5.3(263) Charges.

5.3(1) Specimens for which the fee may be waived or deferred by the laboratory:

- a. Specimens submitted relating to diseases communicable from human to human, from animals to human, provided such examinations are required by rules of the state department of public health.
- b. Specimens submitted under statutory authority by state agencies or designees of state agencies that are involved in investigations or episodes challenging the health of the public or the quality of the environment. Expenses caused by emergency testing may be eligible for subsequent reimbursement.
- c. Any specimen when there is probable cause that a direct threat to public health exists. Such tests may qualify for subsequent reimbursement.
- d. Specimens submitted related to the confirmation or identification of potential WMD according to the Iowa CBRNE Response Protocol.

5.3(2) Specimens for which fees are charged:

- a. Specimens submitted under no statutory authority that are part of special investigations or surveillance programs and where there is no direct threat to the public health or environmental quality.
- b. Specimens submitted for the submitter's private information.
- c. Specimens submitted by private concerns and municipalities that are product quality control measures and, therefore, a cost of doing business.
- d. Specimens not covered by statute, by rules of the department of health and human services, by rules of the department of natural resources or by this subrule may be examined and charged for at rates to be determined by the laboratory subject to any limitations imposed by law.

These rules are intended to implement Iowa Code chapter 263.