

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Rulemaking related to parental notification of intent to terminate a pregnancy through abortion

The Department of Health and Human Services hereby rescinds Chapter 89, “Decision-Making Assistance Program and Parental Notification of Intent to Terminate a Pregnancy Through Abortion,” and adopts a new Chapter 89, “Parental Notification of Intent to Terminate a Pregnancy Through Abortion,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapter 135L.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 135L.

Purpose and Summary

This rulemaking is a result of Executive Order 10. These rules provide the procedures and documentation necessary for notification of a parent or grandparent of a pregnant minor prior to the termination of the pregnancy through abortion.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 11, 2024, as **ARC 8521C**. A public hearing was held on the following date(s):

- January 15, 2025
- January 17, 2025

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on April 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 Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 6.

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).

Effective Date

This rulemaking will become effective on July 1, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 641—Chapter 89 and adopt the following **new** chapter in lieu thereof:

CHAPTER 89
PARENTAL NOTIFICATION OF INTENT TO
TERMINATE A PREGNANCY THROUGH ABORTION

641—89.1(135L) Definitions.

“*Abortion*” means an abortion as defined in Iowa Code chapter 146C.

“*Court*” means juvenile court.

“*Grandparent*” means the same as defined in Iowa Code chapter 135L.

“*Licensed physician*” means a physician as licensed by the Iowa board of medicine.

“*Medical emergency*” means the same as defined in Iowa Code chapter 135L.

“*Minor*” means the same as defined in Iowa Code chapter 135L.

“*Parent*” means the same as defined in Iowa Code chapter 135L.

641—89.2(135L) Notification of parent prior to the performance of abortion on a pregnant minor.

89.2(1) Notification is made to the parent pursuant to Iowa Code section 135L.3, unless a judicial waiver is granted as provided in Iowa Code section 135L.3, or unless any of the conditions of rule 641—89.3(135L) have been met.

a. The notification form shall be in duplicate and may be provided by the department and include, at a minimum, the following:

- (1) The name of the minor.
- (2) Notification of the intent to terminate the pregnancy.
- (3) The name, address, and relationship of the person to be notified.

b. The licensed physician who performs the abortion will keep the original notification form as a part of the minor’s medical record relating to the termination of the pregnancy.

c. A copy of the completed notification form is provided to the pregnant minor.

89.2(2) Reserved.

641—89.3(135L) Notification procedures in the event of an exception.

89.3(1) The licensed physician who performs the abortion will keep all written documentation as a part of the minor’s medical record relating to the termination of the pregnancy.

89.3(2) Upon receipt of the written statement from the pregnant minor, the licensed physician who performs the abortion provides notification to a grandparent of the pregnant minor, specified by the pregnant minor, in the manner in which the notification of a parent was prescribed in rule 641—89.2(135L).

a. The notification form shall be in duplicate and may be provided by the department, and include, at a minimum, the following:

- (1) The name of the minor.
- (2) Notification of the intent to terminate the pregnancy.
- (3) The name, address, and relationship of the person to be notified.
- (4) A declaration that informs the grandparent of the pregnant minor that the grandparent of the pregnant minor may be subject to civil action if the grandparent accepts notification.

(5) A provision that the grandparent of the pregnant minor may refuse acceptance of notification and a provision that the grandparent immediately contact the licensed physician if refusing acceptance of the notification.

b. A copy of the completed notification form is to be provided to the pregnant minor.

These rules are intended to implement Iowa Code chapter 135L.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/30/25.