

2. The district court is hereby vested with jurisdiction to enforce this chapter, to prevent and restrain violations herein. The district court in the county where the violation occurs may enjoin a person from violating this chapter or a regulation promulgated by the secretary pursuant to this chapter. The department may apply to the district court for the injunction. In order to obtain injunctive relief the department shall not be required to post a bond or prove the absence of an adequate remedy at law, unless the court for good cause otherwise orders. The court may order any form of prohibitory or mandatory relief that is appropriate under principles of equity, including but not limited to issuing a temporary or permanent restraining order.

Approved April 7, 1988

CHAPTER 1037

HOSPICE SERVICES UNDER MEDICARE

S.F. 2159

AN ACT relating to the provision of hospice care within health care facilities by medicare certified hospice programs.

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

Section 1. NEW SECTION. 135C.32 HOSPICE SERVICES COVERED BY MEDICARE.

The requirement that the care of a resident of a health care facility must be provided under the immediate direction of either the facility or the resident's personal physician does not apply if all of the following conditions are met:

1. The resident is terminally ill.
2. The resident has elected to receive hospice services under the federal Medicare program from a Medicare certified hospice program.
3. The health care facility and the Medicare certified hospice program have entered into a written agreement under which the hospice program takes full responsibility for the professional management of the resident's hospice care and the facility agrees to provide room and board to the resident.

Approved April 7, 1988

CHAPTER 1038

SCHOOL BOARD MEMBERS AND OFFICERS QUALIFICATION

S.F. 2236

AN ACT relating to the qualification for office by elected school board members and school officers.

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

Section 1. Section 275.25, subsection 3, Code 1987, is amended to read as follows:

3. The directors who are elected and qualify to serve shall serve until their successors are elected and qualify. At the special election, the newly elected director receiving the most votes shall be elected to serve until the director's successor qualifies after the fourth regular school

election date occurring after the effective date of the reorganization; the two newly elected directors receiving the next largest number of votes shall be elected to serve until the directors' successors qualify after the third regular school election date occurring after the effective date of the reorganization; and the two newly elected directors receiving the next largest number of votes shall be elected to serve until the directors' successors qualify after the second regular school election date occurring after the effective date of the reorganization. However, in districts that include all or a part of a city of fifteen thousand or more population and in districts in which the proposition to establish a new corporation provides for the election of seven directors, the three newly elected directors receiving the most votes shall be elected to serve until the directors' successors qualify after the fourth regular school election date occurring after the effective date of the reorganization.

Sec. 2. Section 277.27, Code Supplement 1987, is amended to read as follows:
277.27 QUALIFICATION.

A school officer or member of the board shall, at the time of election or appointment, be an eligible elector of the corporation or subdistrict. Notwithstanding any contrary provision of the Code, a member of the board of directors of a school district shall not receive compensation directly from the school board.

Sec. 3. Section 277.28, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Each director elected at a regular district or director district election, ~~as the case may be,~~ shall qualify by taking the oath of office on or before the time set for the organization meeting of the board ~~the third Monday in September,~~ and the election and qualification entered of record by the secretary. The oath may be administered by any qualified member of the board or the secretary of the board and may be taken in substantially the following form:

Approved April 7, 1988

CHAPTER 1039

DRAINAGE ASSESSMENTS

S.F. 2129

AN ACT relating to the issuance of warrants for drainage improvements.

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

Section 1. Section 455.63, Code 1987, is amended to read as follows:

455.63 PAYMENT OF ASSESSMENTS.

All assessments for benefits, as corrected and approved by the board, shall be levied at one time against the property benefited, and when levied and certified by the board, are payable at the office of the county treasurer. A person may, ~~within thirty days after the levy of assessments,~~ pay the person's assessment in full without interest within thirty days after the levy of assessments, and before any ~~warrants against assessments,~~ improvement certificates or drainage bonds are issued for the assessment, and may pay a certificate at any time after issue, with accrued interest.

Approved April 11, 1988