

**CHAPTER 1097****PUBLIC HEALTH DEPARTMENT — MISCELLANEOUS PROVISIONS***H.F. 2325*

**AN ACT** relating to the duties of the Iowa department of public health regarding referrals to mental health institutions for persons requiring substance abuse treatment, the time frames and fees relating to birth certificates, the persons authorized to certify the facts of a birth and provide medical information regarding the birth and the time frame for such certification, certification of freedom from infectious or contagious diseases for cosmetologists and barbers, and voluntary certification of ophthalmic dispensers.

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

Section 1. Section 125.43A, Code 1991, is amended to read as follows:

**125.43A PRESCREENING — EXCEPTIONS.**

Except in cases of medical emergency or court ordered admissions, a person shall be admitted to a state mental health institute for substance abuse treatment only after a preliminary intake and assessment by a department-licensed treatment facility or a hospital providing care or treatment for substance abusers licensed under chapter 135B and accredited by the joint commission on the accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, the American osteopathic association, or another recognized organization approved by the commission, or its by a designee of a department-licensed treatment facility or a hospital other than a state mental health institute, ~~has confirmed~~ which confirms that the admission is appropriate to the person's substance abuse service needs. A county board of supervisors may seek an admission of a patient to a state mental health institute who has not been confirmed for appropriate admission and the county shall be responsible for one hundred percent of the cost of treatment and services of the patient.

Sec. 2. Section 144.13, subsections 1 and 2, Code 1991, are amended to read as follows:

1. A certificate of birth for each live birth which occurs in this state shall be filed with the county registrar of the county in which the birth occurs within ~~five~~ ten days after the birth and shall be registered by the registrar if it has been completed and filed in accordance with this chapter. However, when a birth occurs in a moving conveyance, a birth certificate shall be filed in the county in which the child was first removed from the conveyance.

2. When a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate, and file the certificate with the county registrar. The physician in attendance or the person in charge of the institution or the person's designee shall certify to the facts of birth and provide the medical information required by the certificate within ~~three~~ six days after the birth.

Sec. 3. Section 144.13A, Code Supplement 1991, is amended to read as follows:

**144.13A REGISTRATION FEE.**

The county registrar or state registrar shall charge the parent a ten dollar fee for the registration of a certificate of birth and a separate fee established under section 144.46 for a certified copy of the certificate. The certified copy shall be mailed to the parent by the state registrar. If the person responsible for the filing of the certificate of birth under section 144.13 is not the parent, the person is entitled to collect the fee from the parent. The fee shall be remitted to the appropriate registrar. If the expenses of the birth are reimbursed under the medical assistance program established by chapter 249A, or paid for under the statewide indigent patient care program established by chapter 255, or paid for under the obstetrical and newborn indigent patient care program established by chapter 255A, or if the parent is indigent and unable to pay the expenses of the birth and no other means of payment is available to the parent, the registration fee and certified copy fee are waived. If the person responsible for the filing of the certificate is not the parent, the person is discharged from the duty to

collect and remit the fee under this section if the person has made a good faith effort to collect the fee from the parent. The fees collected by the county registrar and state registrar shall be remitted to the treasurer of state for deposit in the general fund of the state. It is the intent of the general assembly that the funds generated from the registration fees be appropriated and used for primary and secondary child abuse prevention programs. It is the intent of the general assembly that the funds generated from the fees as established under section 144.46 for the mailing of the certified copy of the birth certificate be appropriated and used to support the distribution of the automatic birth certificate and the implementation of the electronic birth certificate system.

Sec. 4. Section 147.76, Code 1991, is amended to read as follows:  
147.76 RULES ADOPTED.

The examining boards for the various professions shall adopt all necessary and proper rules to implement and interpret this chapter and chapters 147A through 158, except ~~chapters~~ chapter 148D and 153A.

Sec. 5. Section 157.3, subsection 1, paragraph a, Code 1991, is amended by striking the paragraph.

Sec. 6. Section 158.3, subsection 1, paragraph a, Code 1991, is amended by striking the paragraph.

Sec. 7. Chapter 153A, Code 1991, is repealed.

Approved April 15, 1992

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## CHAPTER 1098

### LABOR SERVICES DIVISION — MISCELLANEOUS PROVISIONS

*H.F. 2390*

**AN ACT** relating to the recovery of interest, court costs, and attorney fees by the labor commissioner, occupational safety and health penalties, elevator inspections, boiler inspection, amusement park permit and inspection fees, and providing a retroactive applicability date and an effective date.

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

Section 1. Section 88.14, subsections 1, 3, 4, and 9, Code Supplement 1991, are amended to read as follows:

1. **WILLFUL VIOLATIONS.** Any employer who willfully or repeatedly violates the requirements of section 88.4, any standard, rule, or order adopted or issued pursuant to section 88.5, or ~~regulations prescribed~~ rules adopted pursuant to this chapter, may be assessed a civil penalty of ~~not less than five thousand dollars and not more than seventy thousand dollars for each violation, but not less than five thousand dollars for each willful violation.~~

3. **NONSERIOUS VIOLATIONS.** Any employer who has received a citation for a violation of the requirements of section 88.4, of any standard, rule or order ~~promulgated~~ adopted or issued pursuant to section 88.5 or of rules prescribed pursuant to this chapter and ~~such~~ the violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of up to ~~one seven~~ seven thousand dollars for each ~~such~~ violation.

4. **FAILURE TO CORRECT.** Any employer who fails to correct a violation for which a citation has been issued under section 88.7, subsection 1, within the period permitted for its correction (~~which period shall not begin to run until the date of the final order of the appeal board~~