

CHAPTER 65**COUNTY PUBLIC HOSPITAL TRUSTEE ELIGIBILITY —
HEALTH CARE PRACTITIONERS***H.F. 663*

AN ACT repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital.

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

Section 1. Section 347.9, Code 2001, is amended to read as follows:

347.9 TRUSTEES — APPOINTMENT — TERMS OF OFFICE.

When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint seven trustees chosen from among the resident citizens of the county with reference to their fitness for office, and not more than four of the trustees shall be residents of the city at which the hospital is located. The trustees shall hold office until the following general election, at which time their successors shall be elected, two for a term of two years, two for four years, and three for six years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of six years each. A person or spouse of a person with medical or special staff privileges in the county public hospital or who receives direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from the county public hospital or direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from a person contracting for services with the hospital shall not be eligible to serve as a trustee for that county public hospital. However, this section does not prohibit a licensed health care practitioner from serving as a hospital trustee if the practitioner's sole use of the county hospital is to provide health care service to an individual with mental retardation as defined in section 222.2.

Sec. 2. Section 347.15, Code 2001, is repealed.

Approved April 23, 2001

CHAPTER 66**STATE AND LOCAL COMPETITION WITH PRIVATE INDUSTRY — NOTICE***H.F. 686*

AN ACT relating to provision of notice prior to the provision of products or services by state agencies or political subdivisions.

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

Section 1. **NEW SECTION.** 17A.34 **COMPETITION WITH PRIVATE ENTERPRISE — NOTATION IN RULES.**

When a rule is proposed, the administrative rules coordinator shall make an initial determination of whether the rule may cause a service or product to be offered for sale to the public by a state agency that competes with private enterprise. If such a service or product may be

offered as a result of the proposed rule, that fact shall be included in the notice of intended action of the rule.

Sec. 2. NEW SECTION. 23A.2A COMPETITION WITH PRIVATE INDUSTRY — NOTATION IN ACTS.

When a bill or joint resolution is requested, the legislative service bureau shall make an initial determination of whether the bill or joint resolution may cause a service or product to be offered for sale to the public by a state agency or political subdivision that competes with private enterprise. If such a service or product may be offered as a result of the bill or resolution, that fact shall be included in the explanation of the bill or joint resolution.

Approved April 23, 2001

CHAPTER 67

CUSTODY OF NEWBORN INFANTS — RELEASE AT INSTITUTIONAL HEALTH CARE FACILITIES — PARENTAL RIGHTS

S.F. 355

AN ACT providing for the release of custody and termination of parental rights for certain newborn infants whose parent or person authorized to act on the parent's behalf relinquishes physical custody at certain health facilities and providing certain immunity from prosecution and civil liability for such parent or person, establishing confidentiality protections and a penalty, and providing an effective date.

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

Section 1. NEW SECTION. 232B.1 NEWBORN SAFE HAVEN ACT — DEFINITIONS.

1. This chapter may be cited as the "Newborn Safe Haven Act".
2. For the purposes of this chapter, unless the context otherwise requires:
 - a. "Institutional health facility" means a hospital as defined in section 135B.1, including a facility providing medical or health services that is open twenty-four hours per day, seven days per week and is a hospital emergency room, or a health care facility as defined in section 135C.1.
 - b. "Newborn infant" means a child who is, or who appears to be, fourteen days of age or younger.

Sec. 2. NEW SECTION. 232B.2 NEWBORN INFANT CUSTODY RELEASE PROCEDURES.

1. A parent of a newborn infant may voluntarily release custody of the newborn infant by relinquishing physical custody of the newborn infant, without expressing an intent to again assume physical custody, at an institutional health facility or by authorizing another person to relinquish physical custody on the parent's behalf. If physical custody of the newborn infant is not relinquished directly to an individual on duty at the institutional health facility, the parent may take other actions to be reasonably sure that an individual on duty is aware that the newborn infant has been left at the institutional health facility. The actions may include but are not limited to making telephone contact with the institutional health facility or a 911 service. For the purposes of this chapter and for any judicial proceedings associated with the newborn infant, a rebuttable presumption arises that the person who relinquishes physical custody at an institutional health facility in accordance with