

~~community rehabilitation programs as practicable in securing employment for those individuals with severe disabilities.~~

Sec. 7. Section 259.4, subsection 15, Code 1995, is amended to read as follows:

15. Provide financial and other necessary assistance to public or private agencies in the development, or expansion, operation, or maintenance of community rehabilitation programs, or programs in other public agencies, needed for the rehabilitation of individuals with disabilities.

Sec. 8. Section 259.5, Code 1995, is amended by striking the section and inserting in lieu thereof the following:

259.5 REPORT TO GOVERNOR.

The division shall report biennially to the governor the condition of vocational rehabilitation within the state, designating the educational institutions, establishments, plants, factories, and other agencies in which training is being given, and include a detailed statement of expenditures of the state and federal funds in the rehabilitation of individuals with disabilities.

Sec. 9. Section 259.7, Code 1995, is amended to read as follows:

259.7 FUND.

All the moneys received as gifts or donations shall be deposited in the state treasury and shall constitute a permanent fund to be called the special fund for the vocational rehabilitation of individuals with disabilities, to be used by the ~~board~~ director of the department of education in carrying out the provisions of this chapter or for related purposes.

Sec. 10. Section 259.9, Code 1995, is amended to read as follows:

259.9 AGREEMENT CONTINUED.

The agreement between the ~~board for vocational education~~ director of the department of education and the ~~secretary of the United States department of health and human services~~ commissioner of the United States social security administration relating to making determinations of disability under Title II and Title XVI of the federal Social Security Act as amended, 42 U.S.C. ch. 7, completed prior to July 1, 1986 remains in effect.

Sec. 11. CENTER NAMED. The northwest section of the Jessie M. Parker vocational rehabilitation building at the capitol complex in Des Moines shall be named the Juliet Saxton Center.

Approved April 17, 1996

CHAPTER 1128

MISCELLANEOUS PUBLIC HEALTH ADMINISTRATION PROVISIONS S.F. 2171

AN ACT relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

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

Section 1. Section 135.11, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 25. Establish ad hoc and advisory committees to the director in areas where technical expertise is not otherwise readily available. Members may be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. A majority of the members of such a committee constitutes a quorum.

Sec. 2. Section 135.107, subsection 3, paragraph b, subparagraph (2), subparagraph subdivision (a), Code Supplement 1995, is amended to read as follows:

(a) Determination of eligibility requirements and qualifications of an applicant to receive loan repayment under the program, including but not limited to years of obligated service ~~which shall be for a minimum of ten years unless federal requirements for the program require differently~~, clinical practice requirements, and residency requirements. One year of obligated service shall be provided by the applicant in exchange for each year of loan repayment, unless federal requirements otherwise require. Loan repayment under the program shall not be approved for a health provider whose license or certification is restricted by a medical regulatory authority of any jurisdiction of the United States, other nations, or territories.

Sec. 3. Section 135.107, subsection 3, paragraph c, subparagraph (2), subparagraph subdivision (a), Code Supplement 1995, is amended to read as follows:

(a) Determination of eligibility requirements and qualifications of an applicant to receive scholarships under the program, including but not limited to years of obligated service ~~which shall be for a minimum of ten years unless federal requirements for the program require differently~~, clinical practice requirements, and residency requirements. One year of obligated service shall be provided by the applicant in exchange for each year of loan repayment, unless federal requirements otherwise require.

Sec. 4. Section 144C.4, subsection 6, Code Supplement 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. g. Facilitate, in cooperation with the health data commission established in section 145.2, the transfer of historic health data from the commission to the data repository.

Sec. 5. Section 147.8, Code 1995, is amended to read as follows:

147.8 RECORD OF LICENSES.

The name, location, number of years of practice of the person to whom a license is issued to practice a profession, the number of the certificate, and the date of registration thereof shall be ~~entered in a book kept in the office of the department to be known as the registry book, and the same shall be~~ kept and made available in a manner which is open to public inspection.

Sec. 6. Section 152B.13, unnumbered paragraph 2, Code 1995, is amended to read as follows:

The members of the advisory committee shall include two licensed physicians with recognized training and experience in respiratory care, two respiratory care practitioners, and one public member. Not more than a simple majority of the advisory committee shall be of one gender. A majority of the members of the committee constitutes a quorum. Members shall be appointed by the governor, subject to confirmation by the senate, and shall serve three-year terms beginning and ending in accordance with section 69.19. Members shall be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. Each member of the committee may also be eligible to receive compensation as provided in section 7E.6.

Sec. 7. Section 152C.2, Code 1995, is amended to read as follows:

152C.2 MASSAGE THERAPY ADVISORY BOARD CREATED - DUTIES.

The director of the department shall appoint members of the board, including four massage therapists and three persons who are not massage therapists and who shall represent the general public. A majority of the members of the board constitutes a quorum. Members shall be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. The board shall advise the department regarding licensure and continuing education requirements, standards of practice and professional ethics, disciplinary actions, and other issues of concern to the board.

Sec. 8. Section 152D.7, unnumbered paragraph 2, Code 1995, is amended to read as follows:

The members of the advisory board shall include three licensed athletic trainers, three physicians licensed to practice medicine in all its branches, and one public member. Not more than a simple majority of the advisory board shall be of one gender. A majority of the members of the board constitutes a quorum. Members shall be appointed by the governor, subject to confirmation by the senate, and shall serve three-year terms beginning and ending in accordance with section 69.19. Members shall be compensated for their actual and necessary expenses incurred in the performance of their duties. Expense moneys paid to the members shall be paid from funds appropriated to the department. Each member of the board may also be eligible to receive compensation as provided in section 7E.6.

Approved April 17, 1996

CHAPTER 1129

MENTAL AND PHYSICAL CONDITIONS - TERMINOLOGY CHANGES AND RELATED MATTERS

S.F. 2438

AN ACT relating to the terminology used to describe persons with certain mental and physical conditions, and providing for related matters concerning persons with mental illness.

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

Section 1. Section 4.1, subsections 15 and 39, Code Supplement 1995, are amended to read as follows:

15. **MENTALLY ILL PERSONS WITH MENTAL ILLNESS.** The words "~~mentally ill person~~" "~~persons with mental illness~~" include ~~mental retardates, psychotic persons with psychosis, severely depressed persons who are severely depressed, and persons of unsound mind with any type of mental disease or mental disorder, except that mental illness does not refer to mental retardation as defined in section 222.2, or to insanity, diminished responsibility, or mental incompetency as defined and used in the Iowa criminal code or in the rules of criminal procedure, Iowa court rules, 3d ed.~~ A person who is hospitalized or detained for treatment of mental illness shall not be deemed or presumed to be incompetent in the absence of a finding of incompetence made pursuant to section 229.27.

39. **WRITTEN - IN WRITING - SIGNATURE.** The words "written" and "in writing" may include any mode of representing words or letters in general use. A signature, when required by law, must be made by the writing or markings of the person whose signature is required. If a person is unable due to a physical ~~handicap~~ disability to make a written signature or mark, that person may substitute either of the following in lieu of a signature required by law: