

CHAPTER 135A

PUBLIC HEALTH MODERNIZATION ACT

Legislative findings and intent; purpose;
2009 Acts, ch 182, §114, 126

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135A.1 Short title.

This chapter shall be known and may be cited as the “*Iowa Public Health Modernization Act*”.

2009 Acts, ch 182, §115, 126

135A.2 Definitions.

As used in **this chapter**, unless the context otherwise requires, the following definitions apply:

1. “*Academic institution*” means an institution of higher education in the state which grants degrees in public health or another health-related field and is accredited by a nationally recognized accrediting agency as determined by the United States secretary of education. For purposes of this definition, “*accredited*” means a certification of the quality of an institution of higher education.

2. “*Department*” means the department of health and human services.

3. “*Designated local public health agency*” means an entity that is either governed by or contractually responsible to a local board of health and designated by the local board.

4. “*Governmental public health system*” means local boards of health, the council on health and human services, designated local public health agencies, the state hygienic laboratory, and the department.

5. “*Local board of health*” means the same as defined in [section 137.102](#).

6. “*Organizational capacity*” means the governmental public health infrastructure that must be in place in order to deliver public health services.

7. “*Public health system*” means all public, private, and voluntary entities that contribute to the delivery of public health services within a jurisdiction.

2009 Acts, ch 182, §116, 126; 2016 Acts, ch 1026, §1; 2017 Acts, ch 148, §25; 2019 Acts, ch 85, §72; 2023 Acts, ch 19, §160

Subsections 2 and 4 amended

135A.3 Governmental public health system — lead agency.

1. The department is designated as the lead agency in this state to administer **this chapter**.

2. Such administration shall include evaluation of and quality improvement measures for the governmental public health system.

2009 Acts, ch 182, §117, 126; 2016 Acts, ch 1026, §2

135A.4 Governmental public health advisory council — legislative intent. Repealed by 2019 Acts, ch 85, §74.

135A.5 through 135A.7 Repealed by 2016 Acts, ch 1026, §6.

135A.8 Governmental public health system fund.

1. The department is responsible for the funding of the administrative costs for

implementation of [this chapter](#). A governmental public health system fund is created as a separate fund in the state treasury under the control of the department. The fund shall consist of moneys obtained from any source, including the federal government, unless otherwise prohibited by law or the entity providing the funding. Moneys deposited in the fund are appropriated to the department for the public health purposes specified in [this chapter](#). Moneys in the fund shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in [this section](#). Notwithstanding [section 8.33](#), moneys in the governmental public health system fund at the end of the fiscal year shall not revert to any other fund but shall remain in the fund for subsequent fiscal years.

2. The fund is established to assist local boards of health and the department with the provision of governmental public health system organizational capacity and public health service delivery and to achieve and maintain voluntary accreditation. At least seventy percent of the funds shall be made available to local boards of health and up to thirty percent of the funds may be utilized by the department.

3. Moneys in the fund may be allocated by the department to a local board of health for organizational capacity and service delivery. Such allocation may be made on a matching, dollar-for-dollar basis for the acquisition of equipment, or by providing grants to achieve and maintain voluntary accreditation.

4. A local board of health seeking matching funds or grants under [this section](#) shall apply to the department. The council on health and human services shall adopt rules concerning the application and award process for the allocation of moneys in the fund and shall establish the criteria for the allocation of moneys in the fund if the moneys are insufficient to meet the needs of local boards of health.

[2009 Acts, ch 182, §122, 126; 2016 Acts, ch 1026, §4; 2023 Acts, ch 19, §161](#)

Subsection 4 amended

135A.9 Rules.

The council on health and human services shall adopt rules pursuant to [chapter 17A](#) to implement [this chapter](#) which shall include but are not limited to the following:

1. The application and award process for governmental public health system fund moneys.

2. Rules otherwise necessary to implement the chapter.

[2009 Acts, ch 182, §123, 126; 2010 Acts, ch 1061, §29; 2016 Acts, ch 1026, §5; 2019 Acts, ch 85, §73; 2023 Acts, ch 19, §162](#)

Unnumbered paragraph 1 amended

135A.10 Prohibited acts — fraudulently claiming accreditation — civil penalty. Repealed by 2016 Acts, ch 1026, §6.

135A.11 Implementation.

The department shall implement [this chapter](#) only to the extent that funding is available.

[2009 Acts, ch 182, §125, 126](#)