CHAPTER 67
BLOOD LEAD TESTING

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

641—67.1(135) Purpose. The purpose of the blood lead testing requirement is to improve the health of Iowa's children. Blood lead testing will facilitate early detection and referral for treatment of lead poisoning; reduce the incidence, impact, and cost of lead poisoning; inform parents and guardians of their children's exposure to lead; promote the importance of reducing exposure to lead as an integral component of preparation for school and learning; and contribute to statewide surveillance of childhood lead poisoning.

641—67.2(135) Definitions. For purposes of this chapter, the following definitions apply:

"Applicant" means any person seeking first-time enrollment in kindergarten in a public or accredited nonpublic elementary school in Iowa.

"Blood lead database" means the database maintained by the department that includes the results of all blood lead testing reported to the department as required by 641—Chapter 1.

"Blood lead testing" means taking a capillary or venous sample of blood and sending it to a laboratory to determine the level of lead in the blood.

"Capillary" means a blood sample taken from the finger or heel for lead analysis.

"Department" means the Iowa department of public health.

"Elementary school" means an Iowa school district or accredited nonpublic school offering kindergarten.

"Health care provider" means a physician licensed under Iowa Code chapter 148, 150, or 150A, a physician assistant licensed under Iowa Code chapter 148C, or an advanced registered nurse practitioner licensed under Iowa Code chapter 152.

"Laboratory" means a laboratory certified to perform either waived or non-waived blood lead analysis according to the federal Clinical Laboratory Improvement Act of 1988 (CLIA).

"Transfer student" means an applicant from any elementary school outside Iowa who is seeking enrollment in kindergarten in an elementary school in Iowa.

"Venous" means a blood sample taken from a vein in the arm for lead analysis.

"Very low risk" means that a child has not (1) lived in, visited, or spent time in any building built before 1960, including but not limited to the child's home, a daycare center, a preschool, a baby-sitter's home or a relative's home; (2) eaten nonfood items; (3) lived with or frequently come in contact with an adult who works with lead on the job or as part of a hobby, including but not limited to painting, welding, foundry work, renovating old homes, working at a shooting range, manufacturing or recycling batteries, working with ceramics or stained glass, working with sheet metal or scrap metal, or plumbing; (4) lived near a battery manufacturing plant, battery recycling plant, lead smelter, or other source of lead emissions; (5) been born in or spent more than three months in Mexico, Central America, eastern Europe, or southeast Asia; (6) ingested food, candy, or remedies containing lead; (7) played with toys, jewelry, or other items that the U.S. Consumer Product Safety Commission has recalled due to lead contamination; or (8) been exposed to any other products or substances determined by the department, the U.S. Environmental Protection Agency, the U.S. Department of Housing and Urban Development, the Centers for Disease Control and Prevention, or the U.S. Food and Drug Administration to contain lead.

641—67.3(135) Persons included. The blood lead testing requirement specified in this chapter applies to all applicants and transfer students as defined in this chapter.

641—67.4(135) Persons excluded. Exclusions to these rules are permitted on an individual basis for religious reasons and for children determined by the department to be at very low risk for elevated blood lead levels. The parent or guardian of an applicant or transfer student approved for a religious exemption or an exemption for very low risk shall submit to the board of directors of each school district and the

authorities in charge of each nonpublic school a valid Iowa department of public health certificate of blood lead testing exemption. To be valid, the certificate shall be the certificate of blood lead testing exemption provided or approved by the department.

67.4(1) Religious exemption. A religious exemption may be granted to an applicant or transfer student if the blood lead testing conflicts with a genuine and sincere religious belief.

a. The certificate of blood lead testing exemption for religious reasons shall attest that the blood lead testing conflicts with a genuine and sincere religious belief and that the belief is in fact religious and not based merely on philosophical, scientific, moral, personal, or medical opposition to blood lead testing.

b. The certificate of blood lead testing exemption for religious reasons shall be signed and dated by the applicant's or transfer student's parent or guardian.

c. The certificate is valid only when notarized.

67.4(2) Exemption for very low risk. The department may grant to an applicant or transfer student an exemption for very low risk if the parent or guardian provides evidence satisfactory to the department that the applicant or transfer student meets the definition of very low risk.

a. The certificate of blood lead testing exemption for very low risk shall be signed and dated by the applicant's or transfer student's parent or guardian and by the chief of the bureau of lead poisoning prevention.

b. The certificate of blood lead testing exemption for very low risk is valid only when notarized.

67.4(3) A faxed copy, photocopy, or electronic copy of the valid certificate of blood lead testing exemption is acceptable.

641—67.5(135) Blood lead testing requirement.

67.5(1) Each applicant and transfer student shall meet the requirements of subrule 67.6(1).

67.5(2) The board of directors of each school district and the authorities in charge of each nonpublic school shall, in collaboration with the department, ensure that applicants and transfer students comply with the blood lead testing requirement according to subrule 67.6(1).

641—67.6(135) Time line for valid blood lead testing.

67.6(1) To be valid, a blood lead test shall be performed on an applicant or transfer student before the applicant or transfer student reaches six years of age, or in cases in which the applicant or transfer student has already reached six years of age, as soon as the department notifies the parent or guardian that a blood lead test has not yet been performed.

67.6(2) Desirable age for blood lead testing. A parent or guardian of a child under two years of age is strongly encouraged to have the child tested for elevated blood lead levels by the time that the child reaches two years of age.

641—67.7(135) Proof of blood lead testing.

67.7(1) The board of directors of each school district and the authorities in charge of each nonpublic school shall furnish the department, in the format specified by the department, within 60 days after the start of the school calendar, an electronic list of the children enrolled in kindergarten, including the names of children who have filed certificates of blood lead testing exemption.

67.7(2) The department shall match these electronic lists of children with the department's blood lead database and shall notify the school districts and nonpublic schools of the children who have and who have not met the blood lead testing requirement set forth in this chapter.

67.7(3) If the parent or guardian cannot provide evidence that the child received a blood lead test in accordance with subrule 67.5(1), the board of directors of the school district or the authorities in charge of the nonpublic school shall, in collaboration with the department, provide the parent or guardian with community blood lead testing program information, including contact information for the department. The department shall provide this information to and shall work with the school districts, nonpublic schools, and the local childhood lead poisoning prevention programs to ensure that children who have not met the blood lead testing requirement are tested as required by subrule 67.5(1).

641—67.8(135) Referral requirements. Parents or guardians of children who require a blood lead test shall be referred to a health care provider of choice. The parents or guardians of children without a health care provider or who have difficulty accessing blood lead testing shall be referred to a local childhood lead poisoning prevention program, local child health center, or local public health agency for assistance with completion of blood lead testing. This assistance may include locating health care providers, scheduling appointments, identifying payment sources, and providing blood lead testing.

641—67.9(135) Blood lead testing documentation. A health care provider performing a blood lead test required by this chapter shall ensure that the results of the blood lead test are reported to the department as required by 641—Chapter 1.

641—67.10(135) Records. The board of directors of each school district and the authorities in charge of each nonpublic school shall, in collaboration with the department, ensure that each applicant and transfer student complies with the blood lead testing requirement according to subrule 67.6(1) or has a valid certificate of blood lead testing exemption on file.

67.10(1) The board of directors of each school district and the authorities in charge of each nonpublic school shall ensure that the certificate of blood lead testing exemption is properly completed according to rule 641—67.4(135).

67.10(2) Within the constraints of the privacy rights of the parents or guardians and students, the local board of health, the department of education, and the department or its designee shall have the right to have access to the department's determination that a child has received a blood lead test and to the certificates of blood lead testing exemption of children enrolled in kindergarten.

641—67.11(135) Provider training. For the purpose of quality assurance and consistency, the department shall make training and training materials available for health care providers who will be performing blood lead testing and for school officials, school health personnel, local childhood lead poisoning prevention programs, local child health centers, and local public health agencies.

These rules are intended to implement Iowa Code Supplement section 135.105D and 2008 Iowa Acts, Senate File 2111.

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