

Senate File 471

H-1265

1 Amend the Committee amendment, H-1251, to Senate File 471,
2 as amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 4 by inserting:

4 <<DIVISION I
5 PUBLIC HEALTH — WOMEN'S REPRODUCTIVE CAPACITY — TWENTY WEEKS
6 POSTFERTILIZATION — PROHIBITION OF ABORTION>

7 2. Page 7, line 3, after <this> by inserting <division of
8 this>

9 3. Page 7, line 6, after <this> by inserting <division of
10 this>

11 4. Page 7, line 8, after <this> by inserting <division of
12 this>

13 5. Page 7, after line 8 by inserting:

14 <DIVISION ____
15 PUBLIC HEALTH — MEN'S REPRODUCTIVE CAPACITY — RIGHT TO KNOW
16 — PRESERVATION OF POTENTIAL LIFE

17 Sec. ____ . NEW SECTION. 146C.1 **Short title.**

18 This chapter shall be known and may be cited as the "*Man's*
19 *Right to Know Act*".

20 Sec. ____ . NEW SECTION. 146C.2 **Purpose.**

21 The purposes of this chapter are to express the state's
22 interest in promoting men's health; ensure that Iowa men
23 experience safe and healthy elective vasectomy and colonoscopy
24 procedures, erectile dysfunction approaches, and men's health
25 experiences; ensure a physician's right to invoke personal,
26 moral, or religious beliefs in refusing to perform an elective
27 vasectomy or colonoscopy or to provide erectile dysfunction
28 services, including prescriptions for erectile dysfunction
29 drugs; and to promote masturbatory emissions inside health care
30 and medical facilities, as a means of promoting the healthiest
31 way to ensure men's health and preserve the sanctity of life.

32 Sec. ____ . NEW SECTION. 146C.3 **Informational materials —**
33 **viewing and verbal explanation — exam and magnetic resonance**
34 **imaging.**

35 1. a. The department of public health shall create and

1 distribute informational materials containing information
2 reflecting the requirements and purposes of this chapter, in
3 the form of a booklet to be entitled "A Man's Right to Know".

4 *b.* The booklet shall contain medical information related
5 to the benefits to and concerns of a man seeking an elective
6 vasectomy or colonoscopy or erectile dysfunction services,
7 including prescriptions for drugs that address erectile
8 dysfunction, which shall include, as applicable, an artistic
9 illustration of each procedure.

10 *c.* The booklet shall only contain scientific information
11 verified and supported by research that is recognized as
12 medically accurate, objective, and complete by the national
13 institutes of health and affiliated organizations.

14 *d.* The department shall adopt rules pursuant to chapter
15 17A including regarding procedures for the creation and
16 distribution of the booklet to physicians and patients.

17 2. An attending physician shall verbally review the booklet
18 with every male patient seeking an elective vasectomy or
19 colonoscopy or erectile dysfunction services, including a
20 prescription for drugs that address erectile dysfunction, at
21 the initial appointment with the male patient seeking such
22 procedure, service, or prescription. The male patient shall
23 sign a form, to be included by the physician in the male
24 patient's medical record, certifying that the male patient
25 received a copy of the materials and that the physician
26 verbally reviewed the booklet with the male patient prior to
27 the performance of any procedure or provision of service or
28 prescription to the male patient.

29 3. In addition to verbally reviewing the booklet with
30 the male patient and receiving certification from the male
31 patient of a verbal explanation of the booklet at the initial
32 appointment with a male patient seeking such procedure,
33 service, or prescription, the attending physician shall
34 administer a digital rectal exam and magnetic resonance
35 imaging of the rectum before performing an elective vasectomy

1 or colonoscopy procedure on the male patient or providing a
2 service or prescription to a male patient to address erectile
3 dysfunction.

4 Sec. ____ . NEW SECTION. **146C.4 Prohibited causes of action.**

5 A cause of action shall not arise, and damages shall not
6 be awarded, on behalf of any person based on the claim the
7 person's physician refused to perform an elective vasectomy or
8 colonoscopy procedure, to provide a service or prescription to
9 address a male patient's erectile dysfunction, or to provide
10 any other men's health procedure based on the physician's
11 personal, moral, or religious beliefs. This section shall not
12 be construed to supersede any duty of a physician or other
13 health care practitioner under any other applicable law.

14 Sec. ____ . NEW SECTION. **146C.5 Masturbatory emissions —
15 penalties — assistance and storage programs — registry.**

16 1. A male who releases masturbatory emissions outside of a
17 health or medical facility registered with the department of
18 public health, with the intent that the masturbatory emission
19 be used for a purpose other than procreation, is subject to a
20 civil penalty of one hundred dollars for each such emission,
21 and such act shall be considered an act against an unborn child
22 and failure to preserve the sanctity of life.

23 2. Any person witnessing the release of a masturbatory
24 emission by a male in violation of this section may maintain
25 a cause of action against the male as an act against an unborn
26 child and failure to preserve the sanctity of life. If the
27 plaintiff prevails in an action brought under this section, the
28 defendant shall pay a civil penalty of five thousand dollars
29 to be remitted to the department of public health to be used as
30 provided in subsection 3.

31 3. Civil penalties collected under this section shall be
32 used by the department of public health for family planning
33 services that replicate those included in the Medicaid family
34 planning network waiver as approved by the centers for Medicare
35 and Medicaid services of the United States department of

1 health and human services in effect on June 30, 2017, and
2 for expansion of the department's program to provide for the
3 adequate developmental surveillance and screening during a
4 child's first five years.

5 4. A hospital or private nonprofit organization may
6 establish a program to provide masturbatory emissions
7 assistance for males to comply with this section. The hospital
8 or nonprofit organization shall register the program with the
9 department of public health. Such program shall be required to
10 provide for storage of any masturbatory emissions to be used
11 only for the future purpose of procreation. The department of
12 public health shall adopt rules pursuant to chapter 17A for
13 administration of such programs.>

14 6. Page 7, line 10, after <to> by inserting <reproduction,
15 including men's and women's reproductive capacity,>

16 7. Page 7, line 11, by striking <and>

17 8. Page 7, line 12, after <civil> by inserting <and
18 criminal>

19 9. By renumbering as necessary.

HEDDENS of Story

HUNTER of Polk