

AN ACT  
RELATING TO HEALTH-RELATED ACTIVITIES AND REGULATION BY  
THE DEPARTMENT OF PUBLIC HEALTH, AND MAKING PENALTIES  
APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I  
PUBLIC HEALTH DISASTER SCHOOL CLOSINGS

Section 1. Section 135.144, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 13. Order, in conjunction with the department of education, temporary closure of any public school or nonpublic school, as defined in section 280.2, to prevent or control the transmission of a communicable disease as defined in section 139A.2.

DIVISION II  
SCHOOL DENTAL SCREENINGS

Sec. 2. Section 135.17, subsection 1, paragraphs a and b, Code Supplement 2009, are amended to read as follows:

a. Except as provided in paragraphs "c" and "d", the parent or guardian of a child enrolled in elementary school shall provide evidence to the school district or accredited nonpublic elementary school in which the child is enrolled of the child having, no earlier than three years of age but ~~prior to reaching six years of age~~ no later than four months after enrollment, at a minimum, a dental screening performed by a licensed physician

~~as defined in [chapter 148](#), a licensed nurse licensed under [chapter 152](#), a licensed physician assistant as defined in [section 148C.1](#), or a licensed dental hygienist or dentist as defined in [chapter 153](#). Except as provided in paragraphs "c" and "d", the parent or guardian of a child enrolled in high school shall provide evidence to the school district or accredited nonpublic high school in which the child is enrolled of the child having, at a minimum, a dental screening performed within the prior year no earlier than one year prior to enrollment and not later than four months after enrollment by a licensed dental hygienist or dentist as defined in [chapter 153](#). A school district or accredited nonpublic school shall provide access to a process to complete the screenings described in this paragraph as appropriate.~~

b. A person ~~performing~~ authorized to perform a dental screening required by [this section](#) shall record ~~the fact of having conducted~~ that the screening was completed, and such additional information required by the department, on uniform forms developed by the department in cooperation with the department of education. The form shall include a space for the person ~~performing the screening~~ to summarize any condition that may indicate a need for special services.

Sec. 3. Section 135.17, subsection 3, Code Supplement 2009, is amended to read as follows:

3. By ~~June 30~~ May 31 annually, each local board shall furnish the department with evidence that each student enrolled in any public or nonpublic school within the local board's jurisdiction has met the dental screening requirement in [this section](#).

#### DIVISION III

##### MISCELLANEOUS PROVISIONS

Sec. 4. Section 135.11, subsection 13, Code Supplement 2009, is amended by striking the subsection.

Sec. 5. Section 135.11, subsection 29, Code Supplement 2009, is amended to read as follows:

29. In consultation with the advisory committee for perinatal guidelines, develop and maintain the statewide perinatal program based on the recommendations of the American academy of pediatrics and the American college of obstetricians and gynecologists contained in the most recent edition of the guidelines for perinatal care, and shall adopt rules in accordance with [chapter 17A](#) to implement those recommendations. Hospitals within the state shall determine whether to

participate in the statewide perinatal program, and select the hospital's level of participation in the program. A hospital having determined to participate in the program shall comply with the guidelines appropriate to the level of participation selected by the hospital. Perinatal program surveys and reports are privileged and confidential and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the affected hospital, and are not admissible in evidence in a judicial or administrative proceeding other than a proceeding involving verification of the participating hospital under this subsection.

Sec. 6. Section 135.11, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 31. Administer the Iowa youth survey, in collaboration with other state agencies, as appropriate, every two years to students in grades six, eight, and eleven in Iowa's public and nonpublic schools. Survey data shall be evaluated and reported, with aggregate data available online at the Iowa youth survey internet site.

Sec. 7. Section 135.161, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Following the initial submission of recommendations pursuant to subsection 3, the council shall recommend, no later than December 15, 2011, strategies to collect and provide statistically accurate data concerning chronic disease in multicultural groups of racial and ethnic diversity in the state. Following implementation of the strategies and collection of data, the council shall also make

evidence-based recommendations to the director to address and reduce identified disparities.

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PATRICK J. MURPHY  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2144, Eighty-third General Assembly.

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MARK BRANDSGARD  
Chief Clerk of the House

Approved \_\_\_\_\_, 2010

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CHESTER J. CULVER  
Governor