

February 11, 1969
Passed on File
See Social Services 3-14

Reprinted 3-13
SENATE FILE 226

By COMMITTEE ON SOCIAL SERVICES

Passed Senate, Date 3-12-69 Passed House, Date

Vote: Ayes 60 Nays 0 Vote: Ayes Nays

^{+1 (3-12)}
Approved

A BILL FOR

- 1 An Act relating to the control and diagnosis of venereal
- 2 disease.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*
- 4 Section 1. Chapter one hundred forty (140), Code 1966,
- 5 is hereby repealed and the following enacted in lieu thereof.
- 6 Sec. 2. This Act shall be known as the "Venereal Disease
- 7 Control Act".
- 8 Sec. 3. For the purposes of this Act venereal disease
- 9 shall mean syphilis, gonorrhea, chancroid, granuloma ingui-
- 10 nal, and lymphogranuloma venereum.
- 11 Sec. 4. Reports to the state department of health which
- 12 include the identity of persons infected with venereal dis-
- 13 ease shall be kept secret, and all such information, records,
- 14 and reports concerning the same shall be confidential and
- 15 shall not be accessible to the public.
- 16 Sec. 5. Immediately after the first examination or treat-
- 17 ment of any person infected with any venereal disease, the
- 18 physician performing the same shall transmit to the state
- 19 department of health a report stating the name, age, sex,
- 20 marital status, occupation of patient, name of the disease,
- 21 probable source of infection, and duration of the disease;
- 22 except, when a case occurs within the jurisdiction of a local
- 23 health department, such a report shall be made directly to the
- 24 local health department which shall immediately forward the
- 25 same information to the state department of health. Such

1 reports shall be made in accordance with rules adopted by the
2 state department of health. Such reports shall be confidential.
3 Any person in good faith making a report of a venereal disease
4 shall have immunity from any liability, civil or criminal, which
5 might otherwise be incurred or imposed.

6 Sec. 6. Any person who is in charge of a public, private,
7 or hospital clinical laboratory shall report to the state de-
8 partment of health, on forms prescribed by the department,
9 results obtained in the examination of all specimens which
10 yield evidence of or are reactive for syphilis, gonorrhea,
11 chancroid, granuloma inguinal, or lymphogranuloma venereum.
12 The report shall state the name of the person from whom the
13 specimen was obtained, the name and address of the physician
14 or other person submitting the specimen, the laboratory results,
15 the test employed, and the date of the laboratory examination.

16 Sec. 7. Any physician or other person who fails to make
17 or falsely makes any of the reports required by this Act con-
18 cerning persons infected with any venereal disease, or who
19 discloses the identity of such person, except as herein pro-
20 vided, shall be punished as provided in this Act. Failure to
21 report any venereal disease as specified in this Act shall be
22 cause for the refusal of a renewal of license as required in
23 section one hundred forty-seven point ten (147.10) of the Code.

24 Sec. 8. The local or the state department of health shall
25 use every available means to determine the source and spread
26 of any infectious case of venereal disease which is reported.

27 Sec. 9. The local board of health shall cause an examina-
28 tion to be made of every person reasonably suspected, on the
29 basis of epidemiological investigation, of having any venereal
30 disease in the infectious stages to ascertain if such person
31 is so infected, and if so infected, to cause such person to be
32 treated. No person shall be subjected to such examination who
33 is under the care and treatment of a physician for the suspected
34 condition. If a person suspected of having venereal disease
35 should refuse to submit to an examination voluntarily, appli-

1 cation may be made by the local board of health to the district
2 court for an order compelling such person to submit to examina-
3 tion.

4 Sec. 10. A minor of age sixteen or more, who seeks diagno-
5 sis or treatment for a venereal disease, shall have the legal
6 capacity to act and give consent to medical care and service
7 by public and private hospitals or public and private clinics
8 or physicians. Such medical diagnosis and treatment is to be
9 provided by a physician licensed to practice medicine and sur-
10 gery, osteopathy, or osteopathic medicine and surgery. Such
11 consent shall not be subject to later disaffirmance by reason
12 of such minority. The consent of no other person or persons,
13 including but not limited to spouse, parent, custodian, or
14 guardian, shall be necessary.

15 Sec. 11. No certificate of freedom from any venereal dis-
16 ease shall be issued to any person by any official health agency.

17 Sec. 12. Each physician attending a pregnant woman in this
18 state shall take or cause to be taken a sample of blood of
19 each such woman within fourteen days of the first examination,
20 and shall submit such sample for standard serological tests
21 for syphilis to the state hygienic laboratory of the state
22 university at Iowa City or some other laboratory approved by
23 the state department of health. Every other person attend-
24 ing a pregnant woman in this state, but not permitted by law
25 to take blood tests, shall cause a sample of blood of each
26 such woman to be taken by a duly licensed physician, who shall
27 submit such sample for standard serological tests for syphilis
28 to the state hygienic laboratory of the state university at
29 Iowa City or such other laboratories cooperating with and ap-
30 proved by the state department of health. If the blood of the
31 pregnant woman reacts positively to such test, then the hus-
32 band and, if he is not the father, the person responsible for
33 the pregnancy and the other children by the same mother shall
34 be subjected to same blood tests as herein provided.

35 Sec. 13. Physicians and others attending pregnancy cases

1 and required to report births and stillbirths shall state on
2 the appropriate birth or stillbirth certificate whether a
3 blood test for syphilis was made during such pregnancy upon
4 a specimen of blood taken from the mother of the subject child
5 and if made, the date when such test was made, and if not made,
6 the reason why such test was not made. In no event shall the
7 birth certificate state the result of the test.

8 Sec. 14. Each physician attending the birth of a child,
9 shall cause to be instilled into the eyes of the newly born
10 infant a prophylactic solution approved by the state depart-
11 ment of health. This section shall not be construed to require
12 medical treatment of the child of any person who is a member
13 of a church or religious denomination and whose religious con-
14 victions, in accordance with the tenets or principles of his
15 church or religious denomination, are against medical prophy-
16 laxis or treatment for disease.

17 Sec. 15. No provision of this Act shall be construed to
18 require or compel any person, whose religious convictions are
19 as described in section fourteen (14) of this Act, to take or
20 follow a course of medical treatment prescribed by law or a
21 physician. However, such person while in an infectious stage
22 of disease shall be subject to isolation and such other mea-
23 sures appropriate for the prevention of the spread of the
24 disease to other persons.

25 Sec. 16. Any person violating any of the provisions of
26 this Act shall be punished by a fine of not more than one
27 hundred dollars, or by imprisonment in the county jail for
28 a period not to exceed thirty days, or by both such fine and
29 imprisonment.

EXPLANATION OF SENATE FILE 226

The purpose of this bill is to provide more adequate means to curb the increased number of cases of venereal disease in Iowa. The bill requires reporting of the names of persons with venereal disease, but provides that such information shall be confidential and inaccessible to the public. Another important provision allows minors of age sixteen or more to give consent to diagnosis and treatment for venereal disease.

Minors often hesitate to inform parents when they suspect venereal disease and go without treatment. This provision would facilitate diagnosis and treatment.

- 1 Amend Senate File 226 as follows:
- 2 Amend page 1, line 15, by inserting the following after
- 3 the period:
- 4 "However, such reports, information, and records shall be
- 5 secret and confidential only to the extent which is necessary to
- 6 prevent identification of persons named therein; and the other
- 7 parts of such reports, information, and records shall be public
- 8 records. The preceding sentence shall prevail over any inconsistent
- 9 provision of this Act."

Filed - *adopted 3-12*
March 11, 1969

By STANLEY, KOSEK and LISLE

- 1 Amend Senate File 226 by adding the words "for
- 2 venereal disease" after the word "service" on line 6
- 3 of page 3, section 10.

Filed - *adopted 3-12*
March 11, 1969

By NEU

- 1 Amend Senate File 226, page 3, section 10, line 8, by
- 2 striking the period and inserting the following:
- 3 "for said venereal disease".

Filed - *Withdrawn 3-12*
March 11, 1969

By O'MALLEY

- 1 Amend Senate File 226 by inserting in page
- 2 3, line 16, after the word "agency" the following:
- 3 "except as provided by chapter five hundred
- 4 ninety-six (596) of the Code."

Filed - *adopted 3-12*
March 11, 1969

By MESSERLY

- 1 Amend Senate File 226 as follows:
- 2 1. Amend section fourteen (14), line eleven (11), by striking
- 3 all after the period.

Filed - *Withdrawn 3-12*
March 11, 1969

By DENMAN

- 1 Amend Senate File 226, page 2, line 5, by inserting after
- 2 the word "imposed" the words "as a result of such report".

Filed and adopted
March 12, 1969

By DeKOSTER

March 13, 1969

SENATE FILE 226

By COMMITTEE ON SOCIAL SERVICES
(As Passed by the Senate)

Passed Senate, Date 3-12-69 Passed House, Date 3-28-69

Vote: Ayes 61 Nays 0 Vote: Ayes 112 Nays 2

Approved

*Passed as amended
by House 4-11
53-3*

A BILL FOR

Substituted for H. 7. 398, 3-28

- 1 An Act relating to the control and diagnosis of venereal
- 2 disease.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*
- 4 Section 1. Chapter one hundred forty (140), Code 1966,
- 5 is hereby repealed and the following enacted in lieu thereof.
- 6 Sec. 2. This Act shall be known as the "Venereal Disease
- 7 Control Act".
- 8 Sec. 3. For the purposes of this Act venereal disease
- 9 shall mean syphilis, gonorrhea, chancroid, granuloma ingui-
- 10 nal, and lymphogranuloma venereum.
- 11 Sec. 4. Reports to the state department of health which
- 12 include the identity of persons infected with venereal dis-
- 13 ease shall be kept secret, and all such information, records,
- 14 and reports concerning the same shall be confidential and
- 15 shall not be accessible to the public. However, such reports,
- 16 information, and records shall be secret and confidential
- 17 only to the extent which is necessary to prevent identification
- 18 of persons named therein; and the other parts of such
- 19 reports, information, and records shall be public records.
- 20 The preceding sentence shall prevail over any inconsistent
- 21 provision of this Act.
- 22 Sec. 5. Immediately after the first examination or treat-
- 23 ment of any person infected with any venereal disease, the
- 24 physician performing the same shall transmit to the state
- 25 department of health a report stating the name, age, sex,

1 marital status, occupation of patient, name of the disease,
2 probable source of infection, and duration of the disease;
3 except, when a case occurs within the jurisdiction of a local
4 health department, such a report shall be made directly to the
5 local health department which shall immediately forward the
6 same information to the state department of health. Such
7 reports shall be made in accordance with rules adopted by the
8 state department of health. Such reports shall be confidential.
9 Any person in good faith making a report of a venereal disease
10 shall have immunity from any liability, civil or criminal, which
11 might otherwise be incurred or imposed as a result of such report,

12 Sec. 6. Any person who is in charge of a public, private,
13 or hospital clinical laboratory shall report to the state de-
14 partment of health, on forms prescribed by the department,
15 results obtained in the examination of all specimens which
16 yield evidence of or are reactive for syphilis, gonorrhoea,
17 chancroid, granuloma inguinal, or lymphogranuloma venereum.
18 The report shall state the name of the person from whom the
19 specimen was obtained, the name and address of the physician
20 or other person submitting the specimen, the laboratory results,
21 the test employed, and the date of the laboratory examination.

22 Sec. 7. Any physician or other person who fails to make
23 or falsely makes any of the reports required by this Act con-
24 cerning persons infected with any venereal disease, or who
25 discloses the identity of such person, except as herein pro-
26 vided, shall be punished as provided in this Act. Failure to
27 report any venereal disease as specified in this Act shall be
28 cause for the refusal of a renewal of license as required in
29 section one hundred forty-seven point ten (147.10) of the Code.

30 Sec. 8. The local or the state department of health shall
31 use every available means to determine the source and spread
32 of any infectious case of venereal disease which is reported.

33 Sec. 9. The local board of health shall cause an examina-
34 tion to be made of every person reasonably suspected, on the
35 basis of epidemiological investigation, of having any venereal

1 disease in the infectious stages to ascertain if such person
2 is so infected, and if so infected, to cause such person to be
3 treated. No person shall be subjected to such examination who
4 is under the care and treatment of a physician for the suspected
5 condition. If a person suspected of having venereal disease
6 should refuse to submit to an examination voluntarily, appli-
7 cation may be made by the local board of health to the district
8 court for an order compelling such person to submit to examina-
9 tion.

10 Sec. 10. A minor of age sixteen or more, who seeks diagno-
11 sis or treatment for a venereal disease, shall have the legal
12 capacity to act and give consent to medical care and service for
13 disease by public and private hospitals or public and private clinics
14 or physicians. Such medical diagnosis and treatment is to be
15 provided by a physician licensed to practice medicine and sur-
16 gery, osteopathy, or osteopathic medicine and surgery. Such
17 consent shall not be subject to later disaffirmance by reason
18 of such minority. The consent of no other person or persons,
19 including but not limited to spouse, parent, custodian, or
20 guardian, shall be necessary.

21 Sec. 11. No certificate of freedom from any venereal dis-
22 ease shall be issued to any person by any official health agency
23 except as provided by chapter five hundred ninety-six (596) of the
Code.

24 Sec. 12. Each physician attending a pregnant woman in this
25 state shall take or cause to be taken a sample of blood of
26 each such woman within fourteen days of the first examination,
27 and shall submit such sample for standard serological tests
28 for syphilis to the state hygienic laboratory of the state
29 university at Iowa City or some other laboratory approved by
30 the state department of health. Every other person attend-
31 ing a pregnant woman in this state, but not permitted by law
32 to take blood tests, shall cause a sample of blood of each
33 such woman to be taken by a duly licensed physician, who shall
34 submit such sample for standard serological tests for syphilis
35 to the state hygienic laboratory of the state university at

1 Iowa City or such other laboratories cooperating with and ap-
2 proved by the state department of health. If the blood of the
3 pregnant woman reacts positively to such test, then the hus-
4 band and, if he is not the father, the person responsible for
5 the pregnancy and the other children by the same mother shall
6 be subjected to same blood tests as herein provided.

7 Sec. 13. Physicians and others attending pregnancy cases
8 and required to report births and stillbirths shall state on
9 the appropriate birth or stillbirth certificate whether a
10 blood test for syphilis was made during such pregnancy upon
11 a specimen of blood taken from the mother of the subject child
12 and if made, the date when such test was made, and if not made,
13 the reason why such test was not made. In no event shall the
14 birth certificate state the result of the test.

15 Sec. 14. Each physician attending the birth of a child,
16 shall cause to be instilled into the eyes of the newly born
17 infant a prophylactic solution approved by the state depart-
18 ment of health. This section shall not be construed to require
19 medical treatment of the child of any person who is a member
20 of a church or religious denomination and whose religious con-
21 victions, in accordance with the tenets or principles of his
22 church or religious denomination, are against medical prophy-
23 laxis or treatment for disease.

24 Sec. 15. No provision of this Act shall be construed to
25 require or compel any person, whose religious convictions are
26 as described in section fourteen (14) of this Act, to take or
27 follow a course of medical treatment prescribed by law or a
28 physician. However, such person while in an infectious stage
29 of disease shall be subject to isolation and such other mea-
30 sures appropriate for the prevention of the spread of the
31 disease to other persons.

32 Sec. 16. Any person violating any of the provisions of
33 this Act shall be punished by a fine of not more than one
34 hundred dollars, or by imprisonment in the county jail for
35 a period not to exceed thirty days, or by both such fine and

1 imprisonment.

EXPLANATION OF SENATE FILE 226

The purpose of this bill is to provide more adequate means to curb the increased number of cases of venereal disease in Iowa. The bill requires reporting of the names of persons with venereal disease, but provides that such information shall be confidential and inaccessible to the public. Another important provision allows minors of age sixteen or more to give consent to diagnosis and treatment for venereal disease. Minors often hesitate to inform parents when they suspect venereal disease and go without treatment. This provision would facilitate diagnosis and treatment.

- 1 Amend Senate File 226 as follows:
- 2 1. Amend page 3, line three (3), by striking the period
- 3 and adding thereto the following: "and treatment, and
- 4 shall be treated until certified to the local board of
- 5 health or, if none, to the state department of health,
- 6 that such person is no longer infectious. In every case
- 7 of treatment the attending physician shall so certify
- 8 that the person is no longer infectious."

Filed - *Withdrawn 3-28*

March 13, 1969

HANSEN of Black Hawk

- 1 Amend Senate File 226, as passed by the Senate,
- 2 as follows:
- 3 1. Amend section 10, page 3, by adding the
- 4 following thereto: "The physician shall notify the parents
- 5 of such minor child that the child does have a venereal
- 6 disease when the results of the diagnosis indicate that
- 7 the child might communicate the disease to other members
- 8 of his family."
- 9 2. Amend section 12, page 4, by striking all
- 10 of lines 3, 4, 5, and 6, and place in lieu thereof the
- 11 following: "pregnant woman reacts positively to such test,
- 12 then, if she is married, the husband and other children by
- 13 the same mother shall be subjected to the same blood tests
- 14 as herein provided. If the pregnant woman is single, then
- 15 the person responsible for the pregnancy and other children
- 16 by the same mother shall be subjected to the same blood
- 17 tests as herein provided."

*adopted
3-28*

Filed - *Adopted 3-28*

March 18, 1969

DOYLE of Woodbury

- 1 Amend Senate File 226, as passed by the Senate, as follows:
- 2 Amend page 3, line nine (9), by striking the period
- 3 and adding thereto the following: "and treatment, and
- 4 shall be treated until certified to the local board of
- 5 health or, if none, to the state department of health,
- 6 that such person is no longer infectious. In every case
- 7 of treatment the attending physician shall so certify
- 8 that the person is no longer infectious."

Filed
March 19, 1969

HANSEN of Black Hawk

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- 1 Amend Senate File 226 as follows:
 - 2 Page 3, line nine (9), by striking the period and
 - 3 adding thereto the following: "and if infected, to treatment.
 - 4 Such person shall be treated until certified to the local
 - 5 board of health or, if none to the state department of
 - 6 health as no longer infectious. In every case of treatment
 - 7 ordered by the district court the attending physician shall
 - 8 so certify that the person is no longer infectious."

Filed - *adopted 3-28*
March 24, 1969

HANSEN of Black Hawk

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- 1 Amend Senate File 226 as follows:
 - 2 1. Section 3 by striking from lines 2 and 3 of
 - 3 section 3, the word "inguinal", and inserting in lieu
 - 4 thereof the word "inguinale".
-
- 5 2. Section 6, by striking from line 6 of said
 - 6 section 6, the word "inguinal", and inserting in lieu
 - 7 thereof the word "inguinale".

adopted
3-28

Filed - *adopted 3-28*
March 27, 1969

SORG of Linn

CORRECTED HOUSE AMENDMENT
TO SENATE FILE 226

1 Amend Senate File 226 as follows:

2 1. Section 3, by striking from lines two (2) and
3 three (3) of said section the word "inguinal" and
4 inserting in lieu thereof the word "inguinale".

5 2. Section 6, by striking from line six (6) of
6 said section the word "inguinal" and inserting in
7 lieu thereof the word "inguinale".

8 3. Section 9, by striking the period at the end
9 of said section and adding thereto the following:
10 "and if infected, to treatment. Such person shall be
11 treated until certified to the local board of health or,
12 if none, to the state department of health as no longer
13 infectious. In every case of treatment ordered by the
14 district court the attending physician shall so certify
15 that the person is no longer infectious."

16 4 Section 10, page, amend by adding the
17 following thereto: "The physician shall notify the
18 parents of such minor child that the child does have
19 a venereal disease when the results of the diagnosis
20 indicate that the child might communicate the disease
21 to other members of his family."

22 5. Section 12, amend by striking the last four
23 lines of said section and inserting in lieu thereof
24 the following: "pregnant woman reacts positively to such
25 test, then, if she is married, the husband and other
26 children by the same mother shall be subjected to the
27 same blood tests as herein provided. If the pregnant
28 woman is single, then the person responsible for the
29 pregnancy and other children by the same mother shall be
30 subjected to the same blood tests as herein provided."

Filed

April 3, 1969

HOUSE AMENDMENT TO SENATE FILE 226

1 Amend Senate File 226 as follows:

2 1. Section 3, by striking from lines two (2) and
3 three (3) of said section the word "inqual" and
4 inserting in lieu thereof the word "inquinale".

5 2. Section 6, by striking from line six (6) of
6 said section the word 'inqual' and inserting in
7 lieu thereof the word "inquinale".

8 3. Section 9, by striking the period at the end
9 of said section and adding thereto the following:
10 "and if infected, to treatment. Such person shall be
11 treated until certified to the local board of health or,
12 if none, to the state department of health as no longer
13 infectious. In every case of treatment ordered by the
14 district court the attending physician shall so certify
15 that the person is no longer infectious."

16 4. Section 10, page 3, amend by adding the
17 following thereto: "The physician shall notify the
18 parents of such minor child that the child does have
19 a venereal disease when the results of the diagnosis
20 indicate that the child might communicate the disease
21 to other members of his family."

22 5. Section 12, amend by striking the last four
23 lines of said section and inserting in lieu thereof
24 the following: "pregnant woman reacts positively to such
25 test, then, if she is married, the husband and other
26 children by the same mother shall be subjected to the
27 same blood tests as herein provided. If the pregnant
28 woman is single, then the person responsible for the
29 pregnancy and other children by the same mother shall be
30 subjected to the same blood tests as herein provided."

April 4, 1969

1 Amend House File 226 by striking from page 1, line 3, the
2 words "motor vehicles" and inserting in lieu thereof the words
3 "vehicles subject to registration".

Filed
April 10, 1969

By OLLENBURG

*Senate
conferred
4-11*