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MAR 22 1989

Place On Calendar

HOUSE FILE 722
BY COMMITTEE ON ENERGY AND
ENVIRONMENTAL PROTECTION

(SUCCESSOR TO HSB 209)

Passed House, Date 3-31-89 (p.1153) Passed Senate, Date 4-11-89 (p.1353)
Vote: Ayes 95 Nays 0 Vote: Ayes 48 Nays 0
Approved May 27, 1989

A BILL FOR

1 An Act relating to infectious waste management.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 722

H-3743

1 Amend House File 722 as follows:
2 1. Page 2, by striking lines 1 through 4 and in-
3 serting the following:
4 "2. The department, in cooperation with the Iowa
5 department of public health, shall submit an interim
6 report to the general assembly by January 15, 1990,
7 with a final report to be submitted by January 15,
8 1991, which includes all of the following:"

By BISIGNANO of Polk

H-3743 FILED MARCH 31 1989
ADOPTED 3-31-89 (p.1153)

1 Section 1. NEW SECTION. 455B.490 REGULATION OF
2 INFECTIOUS WASTE.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Infectious" means containing pathogens with sufficient
6 virulence and quantity so that exposure to an infectious agent
7 by a susceptible host could result in an infectious disease
8 when the infectious agent is improperly treated, stored,
9 transplanted, or disposed.

10 b. "Infectious waste" means waste, which is infectious,
11 including but not limited to contaminated sharps, cultures,
12 and stocks of infectious agents, blood and blood products,
13 pathological waste, and contaminated animal carcasses from
14 hospitals or research laboratories.

15 c. "Contaminated sharps" means all discarded sharp items
16 derived from patient care in medical, research, or industrial
17 facilities including glass vials containing materials defined
18 as infectious, hypodermic needles, scalpel blades, and pasteur
19 pipettes.

20 d. "Cultures and stocks of infectious agents" means
21 specimen cultures collected from medical and pathological
22 laboratories, cultures and stocks of infectious agents from
23 research and industrial laboratories, wastes from the
24 production of biological agents, discarded live and attenuated
25 vaccines, and culture dishes and devices used to transfer,
26 inoculate, or mix cultures.

27 e. "Human blood and blood products" means human serum,
28 plasma, other blood components, bulk blood, or containerized
29 blood in quantities greater than twenty milliliters.

30 f. "Pathological waste" means human tissues and body parts
31 that are removed during surgery or autopsy.

32 g. "Contaminated animal carcasses" means waste including
33 carcasses, body parts, and bedding of animals that were
34 exposed to infectious agents during research, production of
35 biologicals, or testing of pharmaceuticals.

3743-1 2. The department, in cooperation with the Iowa department
2 of public health, shall compile a report to be submitted to
3 the general assembly by January 1, 1990, which includes all of
4 the following:

5 a. Recommendations to the commission for amendment or
6 revision of rules which refer to "infectious waste" as
7 hazardous or toxic waste.

8 b. Standards for both on-site and off-site treatment of
9 infectious waste. The standards shall include monitoring
10 requirements for waste treatment facilities, and training and
11 certification requirements for operators of infectious waste
12 generators.

13 c. Recommendations for the development of infectious waste
14 management plans by all health care providers including but
15 not limited to physicians, dentists, public and visiting nurse
16 organizations, home health agencies, veterinarians, research
17 and free standing laboratories, nursing homes, and hospitals.

18 d. Recommendations regarding public education relating to
19 infectious waste.

20 In compiling the report, the department shall use the
21 definitions relating to infectious waste provided in this
22 section.

23 EXPLANATION

24 This bill provides for the development of recommendations
25 and for submitting of a report to the general assembly by
26 January 1, 1990, regarding infectious waste management. The
27 bill provides definitions to be used by the department of
28 natural resources in conjunction with the Iowa department of
29 public health in developing the recommendations.

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den Environ + Energy Utilities
Amend & DOPLESS per amend. 359) 4689 (p.1257)

HOUSE FILE 722
BY COMMITTEE ON ENERGY AND
ENVIRONMENTAL PROTECTION

(SUCCESSOR TO HSB 209)

(As Amended and Passed by the House March 31, 1989)

Re Passed House, Date 4-25-89 (p.1892) Passed Senate, Date 4-11-89 (p.1353)
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 0
Approved May 27 1989

Senate repassed 5-1-89 (p.1719)

A BILL FOR Ayes 49 Nays 0

1 An Act relating to infectious waste management.

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

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House Amendments _____

1 Section 1. NEW SECTION. 455B.490 REGULATION OF
2 INFECTIOUS WASTE.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Infectious" means containing pathogens with sufficient
6 virulence and quantity so that exposure to an infectious agent
7 by a susceptible host could result in an infectious disease
8 when the infectious agent is improperly treated, stored,
9 transplanted, or disposed.

10 b. "Infectious waste" means waste, which is infectious,
11 including but not limited to contaminated sharps, cultures,
12 and stocks of infectious agents, blood and blood products,
13 pathological waste, and contaminated animal carcasses from
14 hospitals or research laboratories.

15 c. "Contaminated sharps" means all discarded sharp items
16 derived from patient care in medical, research, or industrial
17 facilities including glass vials containing materials defined
18 as infectious, hypodermic needles, scalpel blades, and pasteur
19 pipettes.

20 d. "Cultures and stocks of infectious agents" means
21 specimen cultures collected from medical and pathological
22 laboratories, cultures and stocks of infectious agents from
23 research and industrial laboratories, wastes from the
24 production of biological agents, discarded live and attenuated
25 vaccines, and culture dishes and devices used to transfer,
26 inoculate, or mix cultures.

27 e. "Human blood and blood products" means human serum,
28 plasma, other blood components, bulk blood, or containerized
29 blood in quantities greater than twenty milliliters.

30 f. "Pathological waste" means human tissues and body parts
31 that are removed during surgery or autopsy.

32 g. "Contaminated animal carcasses" means waste including
33 carcasses, body parts, and bedding of animals that were
34 exposed to infectious agents during research, production of
35 biologicals, or testing of pharmaceuticals.

4000
3591-1

2. The department, in cooperation with the Iowa department of public health, shall submit an interim report to the general assembly by January 15, 1990, with a final report to be submitted by January 15, 1991, which includes all of the following:

a. Recommendations to the commission for amendment or revision of rules which refer to "infectious waste" as hazardous or toxic waste.

b. Standards for both on-site and off-site treatment of infectious waste. The standards shall include monitoring requirements for waste treatment facilities, and training and certification requirements for operators of infectious waste generators.

c. Recommendations for the development of infectious waste management plans by all health care providers including but not limited to physicians, dentists, public and visiting nurse organizations, home health agencies, veterinarians, research and free standing laboratories, nursing homes, and hospitals.

d. Recommendations regarding public education relating to infectious waste.

In compiling the report, the department shall use the definitions relating to infectious waste provided in this section.

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SENATE AMENDMENT TO HOUSE FILE 722

H-4000

1 Amend House File 722, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by striking lines 1 through 23, and
4 inserting the following:

5 "2. The department shall institute an infectious
6 waste management program in consultation with the Iowa
7 department of public health. The program shall
8 include all of the following elements:

9 a. Recommendations to the commission for revision
10 of the rules which refer to infectious waste as
11 hazardous or toxic waste.

12 b. Initiation, in cooperation with associations of
13 health care providers of an information and education
14 effort regarding the current requirements for special
15 waste authorizations prior to the disposal of
16 infectious wastes in a landfill. The effort shall
17 include an attempt to compile an inventory of the
18 number of generators and the volumes generated. The
19 inventory shall be completed and a report regarding
20 the results of the inventory submitted to the general
21 assembly by no later than January 15, 1991.

22 c. Upon completion of the compilation of the
23 inventory, the department shall recommend, for
24 adoption by the commission, standards for on-site and
25 off-site treatment of infectious waste. In developing
26 standards, the department shall consider factors
27 affecting the feasibility of alternative methods of
28 treatment and disposal, including but not limited to
29 the volume of infectious waste generated, the
30 availability of treatment facilities within geographic
31 areas, and the costs of transporting infectious wastes
32 to treatment facilities. The standards shall include
33 monitoring requirements for treatment facilities, and
34 training requirements for operators of facilities.
35 The standards may include requirements for management
36 plans dealing with the plans for management of
37 infectious wastes in compliance with adopted
38 standards. In cases in which an individual generator
39 of infectious waste is served by a person treating or
40 disposing of the infectious waste, the person treating
41 or disposing of the waste may prepare the plan for all
42 generators served.

43 d. The department shall undertake a public
44 information program, in conjunction with the Iowa
45 department of public health and health care providers,
46 to promote public understanding of the scope and
47 features of state and private efforts to manage
48 infectious wastes."

RECEIVED FROM THE SENATE

H-4000 FILED APRIL 13, 1989

House Concurred 4/25/89 (p. 1892)

HOUSE FILE 722

S-3591

1 Amend House File 722, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, by striking lines 1 through 23, and
4 inserting the following:
5 "2. The department shall institute an infectious
6 waste management program in consultation with the Iowa
7 department of public health. The program shall
8 include all of the following elements:
9 a. Recommendations to the commission for revision
10 of the rules which refer to infectious waste as
11 hazardous or toxic waste.
12 b. Initiation, in cooperation with associations of
13 health care providers of an information and education
14 effort regarding the current requirements for special
15 waste authorizations prior to the disposal of
16 infectious wastes in a landfill. The effort shall
17 include an attempt to compile an inventory of the
18 number of generators and the volumes generated. The
19 inventory shall be completed and a report regarding
20 the results of the inventory submitted to the general
21 assembly by no later than January 15, 1991.
22 c. Upon completion of the compilation of the
23 inventory, the department shall recommend, for
24 adoption by the commission, standards for on-site and
25 off-site treatment of infectious waste. The standards
26 shall include monitoring requirements for treatment
27 facilities, and training requirements for operators of
28 facilities. The standards may include requirements
29 for management plans dealing with the plans for
30 management of infectious wastes in compliance with
31 adopted standards. In cases in which an individual
32 generator of infectious waste is served by a person
33 treating or disposing of the infectious waste, the
34 person treating or disposing of the waste may prepare
35 the plan for all generators served.
36 d. The department shall implement a public
37 information program, in conjunction with the Iowa
38 department of public health and the health care
39 industry to promote public understanding of the scope
40 and features of the state's efforts to manage
41 infectious wastes."

By COMMITTEE ON ENVIRONMENT AND
ENERGY UTILITIES
PAT DELUHERY, Chairperson

S-3591 FILED APRIL 7, 1989

Adopted 4-11-89 (p. 1353)

HOUSE FILE 722

S-3641

1 Amend the amendment, S-3591, to House File 722, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 25, by inserting after the word
5 "waste." the following: "In developing standards, the
6 department shall consider factors affecting the feasi-
7 bility of alternative methods of treatment and
8 disposal, including but not limited to the volume of
9 infectious waste generated, the availability of
10 treatment facilities within geographic areas, and the
11 costs of transporting infectious wastes to treatment
12 facilities."

13 2. Page 1, by striking lines 36 through 41 and
14 inserting the following:

15 "d. The department shall undertake a public
16 information program, in conjunction with the Iowa
17 department of public health and health care providers,
18 to promote public understanding of the scope and
19 features of state and private efforts to manage
20 infectious wastes."

By MICHAEL E. GRONSTAL
PAUL D. PATE
PAT DELUHERY

S-3641 FILED APRIL 11, 1989

ADOPTED

4-11-89 (P 1353)

HOUSE FILE 722

H-4117

- 1 Amend the Senate amendment, H-4000, to House File
- 2 722, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 6, by striking the word
- 5 "consultation" and inserting the following:
- 6 "cooperation".

By BISIGNANO of Polk

H-4117 FILED APRIL 19, 1989

adopted 4-25-89 (p1892)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 722

S-3952

- 1 Amend the Senate amendment, H-4000, to House File
- 2 722, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 6, by striking the word
- 5 "consultation" and inserting the following:
- 6 "cooperation".

RECEIVED FROM THE HOUSE

S-3952 FILED APRIL 27, 1989

Senate Concurred 5-1-89 (p1779)

ENERGY AND ENVIRONMENTAL PROTECTION

now

HOUSE FILE 722

BY (PROPOSED ENERGY AND ENVIRONMENTAL PROTECTION BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to infectious waste management.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 455B.490 REGULATION OF
2 INFECTIOUS WASTE.

3 The department shall do all of the following:

- 4 1. Develop a regulatory program for the management of
5 infectious waste.
- 6 2. Define the term "infectious waste" and establish
7 categories of medical wastes to be regulated as infectious
8 waste, including but not limited to contaminated sharps,
9 cultures and stocks of infectious agents, human blood and
10 blood products, pathological wastes, and contaminated animal
11 carcasses.
- 12 3. Define the term "infectious waste generator", which
13 shall not include households which generate infectious waste,
14 and require each infectious waste generator to treat the
15 infectious waste produced by the respective generator.
- 16 4. Make recommendations to the commission for amendment or
17 revision of rules which refer to "infectious waste" as
18 hazardous or toxic waste.
- 19 5. Develop standards for both on-site and off-site treat-
20 ment of infectious waste. The standards developed shall
21 include the requirement of monitoring of a waste treatment
22 facility to determine successful treatment, and the require-
23 ment of the completion of a training course and certification
24 by the department upon completion of the training course for
25 operators of infectious waste incinerators.
- 26 6. Provide technical assistance in the development of
27 infectious waste management plans by all health care facili-
28 ties and hospitals. The plan developed may be intrafacility
29 or interfacility plans.
- 30 7. Develop and implement public education programs re-
31 lating to infectious waste.

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EXPLANATION

33 The bill provides for the development of an infectious
34 waste management program. The bill requires the department of
35 natural resources to define "infectious waste" and "infectious

1 waste generator", to make recommendations to the environmental
2 protection commission regarding references to infectious waste
3 as being hazardous or toxic waste, to develop standards for
4 both on-site and off-site treatment of infectious waste, to
5 provide technical assistance to hospitals and health care
6 facilities in the development of infectious waste management
7 plans, and to develop and implement public education programs
8 regarding infectious waste.

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HOUSE FILE 722

AN ACT
RELATING TO INFECTIOUS WASTE MANAGEMENT.

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

Section 1. NEW SECTION. 455B.490 REGULATION OF
INFECTIOUS WASTE.

1. As used in this section, unless the context otherwise requires:
 - a. "Infectious" means containing pathogens with sufficient virulence and quantity so that exposure to an infectious agent by a susceptible host could result in an infectious disease when the infectious agent is improperly treated, stored, transplanted, or disposed.
 - b. "Infectious waste" means waste, which is infectious, including but not limited to contaminated sharps, cultures, and stocks of infectious agents, blood and blood products, pathological waste, and contaminated animal carcasses from hospitals or research laboratories.
 - c. "Contaminated sharps" means all discarded sharp items derived from patient care in medical, research, or industrial facilities including glass vials containing materials defined as infectious, hypodermic needles, scalpel blades, and pasteur pipettes.
 - d. "Cultures and stocks of infectious agents" means specimen cultures collected from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biological agents, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, or mix cultures.
 - e. "Human blood and blood products" means human serum, plasma, other blood components, bulk blood, or containerized blood in quantities greater than twenty milliliters.

f. "Pathological waste" means human tissues and body parts that are removed during surgery or autopsy.

g. "Contaminated animal carcasses" means waste including carcasses, body parts, and bedding of animals that were exposed to infectious agents during research, production of biologicals, or testing of pharmaceuticals.

2. The department shall institute an infectious waste management program in cooperation with the Iowa department of public health. The program shall include all of the following elements:

a. Recommendations to the commission for revision of the rules which refer to infectious waste as hazardous or toxic waste.

b. Initiation, in cooperation with associations of health care providers of an information and education effort regarding the current requirements for special waste authorizations prior to the disposal of infectious wastes in a landfill. The effort shall include an attempt to compile an inventory of the number of generators and the volumes generated. The inventory shall be completed and a report regarding the results of the inventory submitted to the general assembly by no later than January 15, 1991.

c. Upon completion of the compilation of the inventory, the department shall recommend, for adoption by the commission, standards for on-site and off-site treatment of infectious waste. In developing standards, the department shall consider factors affecting the feasibility of alternative methods of treatment and disposal, including but not limited to the volume of infectious waste generated, the availability of treatment facilities within geographic areas, and the costs of transporting infectious wastes to treatment facilities. The standards shall include monitoring requirements for treatment facilities, and training requirements for operators of facilities. The standards may include requirements for management plans dealing with the plans for management of infectious wastes in compliance with adopted standards. In cases in which an individual generator

of infectious waste is served by a person treating or disposing of the infectious waste, the person treating or disposing of the waste may prepare the plan for all generators served.

d. The department shall undertake a public information program, in conjunction with the Iowa department of public health and health care providers, to promote public understanding of the scope and features of state and private efforts to manage infectious wastes.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 722, Seventy-third General Assembly.

Approved May 27, 1989

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor