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FILED MAR 09 1989

SENATE FILE 410
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 193.1)

Passed Senate, Date 3-20-89 (p. 897) Passed House, Date _____
Vote: Ayes 50 Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the conducting of an epidemiological blinded
2 study to determine the prevalence of the human
3 immunodeficiency virus infection.

3246-

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

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SENATE FILE 410

S-3246

- 1 Amend Senate File 410 as follows:
- 2 1. Page 1, by inserting after line 17 the follow-
- 3 ing:
- 4 "Sec. 2. This Act, being deemed of immediate
- 5 importance, takes effect upon enactment."
- 6 2. Title page, line 3, by inserting after the
- 7 word "infection" the following: "and providing an
- 8 effective date".

By BEVERLY A. HANNON

S-3246 FILED MARCH 13, 1989

Adopted 3-20-89 (p. 897)

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1 Section 1. NEW SECTION. 141.23A HUMAN IMMUNODEFICIENCY
2 VIRUS EPIDEMIOLOGICAL BLINDED STUDY.

3 Notwithstanding section 141.8 regarding informed consent
4 and reporting requirements, and section 141.22 regarding
5 informed consent and preliminary and posttest counseling, the
6 Iowa department of public health or its agent may conduct
7 through the expenditure of federal grant moneys allocated for
8 this purpose an epidemiological blinded study of newborns to
9 determine the prevalence of the human immunodeficiency virus
10 infection. All personal identifiers shall be permanently
11 stripped from the specimens selected prior to testing for the
12 human immunodeficiency virus infection.

13 For the purposes of this section, "epidemiological blinded
14 study" means a study in which blood specimens which were
15 collected for other purposes are selected according to
16 established criteria, are permanently stripped of personal
17 identifiers, and are then tested.

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18 EXPLANATION

19 This bill allows for the conducting of an epidemiological
20 blinded study of newborns to determine the prevalence of the
21 human immunodeficiency virus infection, by the Iowa department
22 of public health or its agent.

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ADD HUMAN RESOURCES
DO PASS 4-5-89 (P. 1295)

SENATE FILE 410
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 193.1)

(AS AMENDED AND PASSED BY THE SENATE MARCH 20, 1989)

- New Language by the Senate

Passed Senate, Date 3/20/89 (P. 897) Passed House, Date 4-12-89 (P. 529)
Vote: Ayes 50 Nays 0 Vote: Ayes 88 Nays 8
Approved 42789 (P. 1740)

A BILL FOR

1 An Act relating to the conducting of an epidemiological blinded
2 study to determine the prevalence of the human
3 immunodeficiency virus infection and providing an effective
4 date.

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

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S.F. 410

1 Section 1. NEW SECTION. 141.23A HUMAN IMMUNODEFICIENCY
2 VIRUS EPIDEMIOLOGICAL BLINDED STUDY.

3 Notwithstanding section 141.8 regarding informed consent
4 and reporting requirements, and section 141.22 regarding
5 informed consent and preliminary and posttest counseling, the
6 Iowa department of public health or its agent may conduct
7 through the expenditure of federal grant moneys allocated for
8 this purpose an epidemiological blinded study of newborns to
9 determine the prevalence of the human immunodeficiency virus
10 infection. All personal identifiers shall be permanently
11 stripped from the specimens selected prior to testing for the
12 human immunodeficiency virus infection.

13 For the purposes of this section, "epidemiological blinded
14 study" means a study in which blood specimens which were
15 collected for other purposes are selected according to
16 established criteria, are permanently stripped of personal
17 identifiers, and are then tested.

18 Sec. 2. This Act, being deemed of immediate importance,
19 takes effect upon enactment.

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HANNON, CH.
MURPHY
GENTLEMAN

SSB 193
HUMAN RESOURCES

SENATE FILE 410
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL)

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

A BILL FOR

1 An Act authorizing the director of public health or the
2 director's agent to conduct epidemiological blinded studies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 135.11, Code 1989, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 24. Notwithstanding any other provisions
4 of law to the contrary, conduct, through the department or
5 through an agent of the director, a state or federally funded
6 epidemiological blinded study, in which the director is not
7 required to obtain informed consent, not required to solicit
8 information that personally identifies persons selected to
9 participate in the study, and not required to reveal the
10 identity of the participants, if the director determines that
11 both of the following conditions apply:

12 a. The study monitors the incidence or prevalence of a
13 serious disease to detect potential health problems and
14 predict risks, provides specific information to develop public
15 health strategies to prevent serious disease, enables the
16 targeting of intervention resources for communities, patients,
17 or groups at risk of the disease, and informs health
18 professionals about risks, early detection, or treatment of
19 the disease.

20 b. Personal identifying information is not necessary for
21 the study, or the collection of personal identifying
22 information may seriously jeopardize the validity, the
23 quality, the accuracy, or the completeness of the study.

24 EXPLANATION

25 This bill allows the director of public health or the
26 director's agent to conduct epidemiological blinded studies.

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Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

SENATE FILE 410

AN ACT

RELATING TO THE CONDUCTING OF AN EPIDEMIOLOGICAL BLINDED STUDY TO DETERMINE THE PREVALENCE OF THE HUMAN IMMUNODEFICIENCY VIRUS INFECTION AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. NEW SECTION. 141.23A HUMAN IMMUNODEFICIENCY VIRUS EPIDEMIOLOGICAL BLINDED STUDY.

Notwithstanding section 141.8 regarding informed consent and reporting requirements, and section 141.22 regarding informed consent and preliminary and posttest counseling, the Iowa department of public health or its agent may conduct through the expenditure of federal grant moneys allocated for this purpose an epidemiological blinded study of newborns to determine the prevalence of the human immunodeficiency virus infection. All personal identifiers shall be permanently stripped from the specimens selected prior to testing for the human immunodeficiency virus infection.

For the purposes of this section, "epidemiological blinded study" means a study in which blood specimens which were collected for other purposes are selected according to established criteria, are permanently stripped of personal identifiers, and are then tested.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 410, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved 4/27, 1989

TERRY E. BRANSTAD
Governor

SF 410