

REPRINTED

FILED MAR 4 1996

SENATE FILE 2410

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 2292)

Passed Senate, Date <sup>(p.712)</sup> 3-11-96      Passed House, Date <sup>(p.1287)</sup> 4/2/96  
 Vote: Ayes 49 Nays 0      Vote: Ayes 99 Nays 0  
 Approved April 15, 1996

A BILL FOR

1 An Act relating to juvenile justice chapter provisions involving  
 2 medically relevant tests for the presence of illegal drugs in  
 3 a child or parent, parent visitations with a child who has  
 4 been removed from the child's home, voiding related  
 5 administrative rules, and providing an effective date.

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

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S.F. 2410

REPRINTED

1 Section 1. Section 232.2, subsection 6, paragraph o, Code  
2 Supplement 1995, is amended to read as follows:

3 ~~o. Who-is-described-by-any-other-paragraph-of-this~~  
4 ~~subsection-and-in~~ In whose body there is an illegal drug  
5 present as a direct and foreseeable consequence of the acts or  
6 omissions of the child's parent, guardian, or custodian which  
7 ~~a-reasonable-and-prudent-person-knew-or-should-have-known-is~~  
8 ~~likely-to-lead-to-the-drug's-presence-in-the-child's-body.~~

9 The presence of the drug shall be determined in accordance  
10 with a medically relevant test as defined in section 232.73.

11 Sec. 2. Section 232.68, subsection 2, paragraph f, Code  
12 Supplement 1995, is amended to read as follows:

13 f. An illegal drug is present in a child's body as a  
14 direct and foreseeable consequence of the acts or omissions of  
15 the person responsible for the care of the child which-a  
16 ~~reasonable-and-prudent-person-knew-or-should-have-known-is~~  
17 ~~likely-to-lead-to-the-drug's-presence-in-the-child's-body.~~

18 Sec. 3. Section 232.73, unnumbered paragraph 2, Code  
19 Supplement 1995, is amended to read as follows:

20 As used in this section and section 232.77, "medically  
21 relevant test" means a test that produces reliable results of  
22 exposure to cocaine, heroin, amphetamine, methamphetamine, or  
23 other illegal drugs, or combinations or derivatives thereof,  
24 including a drug urine screen test. ~~The-Iowa-department-of~~  
25 ~~public-health,-in-consultation-with-the-department-of-human~~  
26 ~~services-and-the-council-on-chemically-exposed-infants-and~~  
27 ~~children-created-in-chapter-235E,-shall-adopt-rules-specifying~~  
28 ~~minimum-standards-for-reliable-results-of-medically-relevant~~  
29 ~~tests.--The-rules-shall-include-but-are-not-limited-to~~  
30 ~~standards-which-minimize-the-incidence-of-false-positive-test~~  
31 ~~results.--The-Iowa-department-of-public-health-shall-maintain~~  
32 ~~a-list-of-laboratories-which-are-approved-to-perform-medically~~  
33 ~~relevant-tests-in-accordance-with-the-standards-adopted-in~~  
34 ~~administrative-rules.~~

35 Sec. 4. Section 232.77, subsection 2, Code 1995, is

1 amended to read as follows:

2 2. If a health practitioner discovers in a child physical  
3 or behavioral symptoms of the effects of exposure to cocaine,  
4 heroin, amphetamine, methamphetamine, or other illegal drugs,  
5 or combinations or derivatives thereof, which were not  
6 prescribed by a health practitioner, or if the health  
7 practitioner has determined through examination of the natural  
8 mother of the child that the child was exposed in utero, the  
9 health practitioner may perform or cause to be performed a  
10 medically relevant test, as defined in section 232.73, on the  
11 child. The practitioner shall report any positive results of  
12 such a test on the child to the department. The department  
13 shall begin an investigation pursuant to section 232.71 upon  
14 receipt of such a report. ~~A positive test result shall not be  
15 used for the criminal prosecution of a parent for acts and  
16 omissions resulting in intrauterine exposure of the child to  
17 an illegal drug.~~

18 Sec. 5. Section 232.106, subsection 2, Code Supplement  
19 1995, is amended to read as follows:

20 2. If a parent, guardian, or custodian is required to have  
21 a chemical test of blood or urine for the purpose of  
22 determining the presence of an illegal drug, the test shall be  
23 a medically relevant test as defined in section 232.73. The  
24 parent, guardian, or custodian may select the laboratory which  
25 processes the test ~~from among the laboratories approved  
26 pursuant to section 232.73.--A positive test result shall not  
27 be used for the criminal prosecution of a parent, guardian, or  
28 custodian for the presence of an illegal drug.~~

29 Sec. 6. NEW SECTION. 232.107 PARENT VISITATION. If a  
30 child is removed from the child's home in accordance with an  
31 order entered under this division, unless the court finds that  
32 substantial evidence exists to believe that reasonable  
33 visitation or supervised visitation would cause an imminent  
34 risk to the child's life or health, the order shall allow the  
35 child's parent reasonable visitation or supervised visitation

1 with the child.

2 Sec. 7. ADMINISTRATIVE RULES VOID. Administrative rules  
3 adopted by the Iowa department of public health pursuant to  
4 section 232.73, unnumbered paragraph 2, Code Supplement 1995,  
5 are void on the effective date of this Act.

6 Sec. 8. EFFECTIVE DATE. This Act, being deemed of  
7 immediate importance, takes effect upon enactment.

8 EXPLANATION

9 This bill relates to medically relevant tests for the  
10 presence of illegal drugs in a child or parent, voiding  
11 related administrative rules, and providing an effective date.

12 Section 232.2, subsection 6, relating to the definition of  
13 child in need of assistance under the juvenile justice code,  
14 is amended by modifying the provision relating to the presence  
15 of an illegal drug in a child's body. The amendment removes a  
16 requirement that the presence of the drug by itself does not  
17 cause a child to meet the definition but must be in addition  
18 to other conditions in the definition. In addition, the bill  
19 removes the standard that a reasonable and prudent person knew  
20 or should have known their acts or omissions would lead to the  
21 presence of the drug, but adds that the presence of the drug  
22 must have been foreseeable.

23 Section 232.68, relating to definitions of child abuse used  
24 for reporting and investigative purposes, is amended to  
25 conform to the section 232.2 amendment.

26 Section 232.73, relating to medically relevant tests for  
27 the presence of a drug, is amended to remove a requirement for  
28 the Iowa department of public health to adopt rules specifying  
29 minimum standards for reliable results for the tests and to  
30 maintain a list of laboratories approved to perform the tests.

31 Section 232.77, relating to medically relevant tests, is  
32 amended to strike a prohibition against using the results of  
33 tests for the criminal prosecution of a parent for acts or  
34 omissions resulting in intrauterine exposure of a child to an  
35 illegal drug.

1 Section 232.106, relating to terms and conditions placed by  
2 a court on a parent under the juvenile justice code, is  
3 amended to conform with the amendments to sections 232.73 and  
4 232.77. The amendment strikes a reference to the laboratories  
5 approved by the Iowa department of public health if a parent  
6 is required to have a medically relevant test.

7 New section 232.107 provides that if a child is ordered to  
8 be removed from the child's home under the child in need of  
9 assistance division of the juvenile justice chapter, the court  
10 is to allow the child's parent reasonable or supervised  
11 visitation unless the court finds substantial evidence to  
12 believe the visitation would cause an imminent risk to the  
13 child's health or life.

14 The bill provides that the rules adopted by the Iowa  
15 department of public health regarding medically relevant tests  
16 are void as of the effective date of the bill. The bill takes  
17 effect upon enactment.

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## SENATE FILE 2410

5246

- 1 Amend Senate File 2410 as follows:  
2 1. Page 3, by inserting after line 5 the  
3 following:  
4 "Sec. \_\_\_\_ . PARENTAL SUBSTANCE ABUSE STUDY. The  
5 director of public health shall utilize the commission  
6 on substance abuse to study the effects of fetal  
7 alcohol syndrome on children and the issues associated  
8 with removal of a child from the child's home based  
9 upon substance abuse by the child's parent. The  
10 process used to perform the study shall include  
11 statewide hearings and consultation with the maternal  
12 and child health division of the Iowa department of  
13 public health, the council on chemically exposed  
14 infants and children, the departments of human  
15 services and education, and juvenile court judges and  
16 other juvenile court officials. The director shall  
17 present the findings of the study to any legislative  
18 interim committee which reviews substance abuse issues  
19 and shall submit a written report to the general  
20 assembly on or before January 2, 1997."  
21 2. By renumbering as necessary.

By ELAINE SZYMONIAK

S-5246 FILED MARCH 7, 1996

*Adopted 3-11-96 (p.711)*

## SENATE FILE 2410

S-5191

- 1 Amend Senate File 2410 as follows:  
2 1. Page 2, by striking lines 23 through 25 and  
3 inserting the following: "a medically relevant test  
4 as defined in section 232.73. ~~The-parent,-guardian,-~~  
5 ~~or-custodian-may-select-the-laboratory-which-processes~~  
6 ~~the-test-from-among-the-laboratories-approved~~".  
7 2. Page 2, line 28, by striking the word "drug."  
8 and inserting the following: "drug."  
9 3. Page 2, line 31, by inserting after the word  
10 "division" the following: "based upon evidence  
11 indicating the presence of an illegal drug in the  
12 child's body".

*Adopted 3/11/96 (p.711)* By ELAINE SZYMONIAK

S-5191 FILED MARCH 5, 1996

H-3/12/96 Human Res.  
H-3/25/96 Amend/No Pass  
w/H-5526

SENATE FILE 2410  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 2292)

(AS AMENDED AND PASSED BY THE SENATE MARCH 11, 1996)

                     - New Language by the Senate

Re- Passed Senate, Date 4/3/96 (p.1228) Passed House, Date 4/2/96 (p.1287)  
Vote: Ayes 50 Nays 0 Vote: Ayes 99 Nays 0  
Approved April 15, 1996

A BILL FOR

1 An Act relating to juvenile justice chapter provisions involving  
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12 such a test on the child to the department. The department  
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25 processes the test from among the laboratories approved  
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31 order entered under this division based upon evidence  
32 indicating the presence of an illegal drug in the child's  
33 body, unless the court finds that substantial evidence exists  
34 to believe that reasonable visitation or supervised visitation  
35 would cause an imminent risk to the child's life or health,

1 the order shall allow the child's parent reasonable visitation  
2 or supervised visitation with the child.

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5 section 232.73, unnumbered paragraph 2, Code Supplement 1995,  
6 are void on the effective date of this Act.

7 Sec. 8. PARENTAL SUBSTANCE ABUSE STUDY. The director of  
8 public health shall utilize the commission on substance abuse  
9 to study the effects of fetal alcohol syndrome on children and  
10 the issues associated with removal of a child from the child's  
11 home based upon substance abuse by the child's parent. The  
12 process used to perform the study shall include statewide  
13 hearings and consultation with the maternal and child health  
14 division of the Iowa department of public health, the council  
15 on chemically exposed infants and children, the departments of  
16 human services and education, and juvenile court judges and  
17 other juvenile court officials. The director shall present  
18 the findings of the study to any legislative interim committee  
19 which reviews substance abuse issues and shall submit a  
20 written report to the general assembly on or before January 2,  
21 1997.

22 Sec. 9. EFFECTIVE DATE. This Act, being deemed of  
23 immediate importance, takes effect upon enactment.

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SENATE FILE 2410  
FISCAL NOTE

The estimate for SF 2410, as amended and passed by the Senate, is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2410, as amended and passed by the Senate, relates to medically relevant tests for the presence of illegal drugs in a child or parent, voids related administrative rules, amends the Code of Iowa to remove the Department of Public Health's authority to set administrative rules for defining minimum test standards, removes language prohibiting the use of reported positive test results for criminal prosecution of a parent, allows reasonable parent visitation if a child is removed from the home under specified terms, directs the Department of Public Health to study parental substance abuse including the effects of removing a child from the home, and is effective upon enactment.

ASSUMPTIONS

1. Charge, conviction, and sentencing patterns will remain stable over the projection period.
2. Prisoner length of stay, revocation rates, and other policies will remain the same, except for those changed by this Bill.
3. There will be a six-month lag effect from the effective date of this Bill for prosecution of the offense and sentencing.
4. Approximately 504 founded cases of child abuse involve the presence of illegal drugs annually, and 16.0% of the cases involving cocaine-exposed infants result in birth defects. Prosecution would include Class C felony child endangerment (serious injury) and aggravated misdemeanor child endangerment.
5. This is a "worse case" scenario. The number of additional convictions would be lower due to physician and prosecutorial discretion. Potential also exists for more serious dispositions, such as first and second degree murder as a result of child endangerment, which would increase the prisoner length of stay.
6. Provisions to strike rules for minimum test standards would result in uneven application of prosecutions. Areas that adhere to guidelines with higher thresholds for positive test results will generate fewer prosecutions than areas utilizing tests which detect drug presence at lower levels.
7. The Department of Public Health would contract for positions to study the effects of fetal alcohol syndrome and removal of a child from a substance abusive home. The study would include costs for additional council meetings, statewide hearings, and contracted FTE positions for data gathering and analysis. One-time study costs would be incurred in FY 1997.

-2-

CORRECTIONAL IMPACT

Corrections populations are projected to have the following increases as a result of SF 2410:

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Prisons	29 inmates	74 inmates	133 inmates
CBC Facilities	2 inmates	5 inmates	5 inmates
Probation/Parole	134 inmates	267 inmates	267 inmates
Jails	38 inmates	75 inmates	75 inmates

FISCAL IMPACT

The estimated maximum General Fund cost of SF 2410 is provided below:

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Total General Fund	\$321,245	\$583,059	\$840,771

The costs are distributed as follows:

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Prison	\$126,672	\$323,232	\$580,944
CBC Facility	42,507	106,270	106,270
Probation/Parole	77,066	153,557	153,557
Study (Dept. of Public Safety)	75,000	0	0

The estimated maximum cost to counties of SF 2410 for increased jail sentences is provided below:

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Local Jail Costs	\$57,000	\$112,500	\$112,500

SOURCES

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
 Department of Corrections  
 Department of Human Services  
 Department of Public Health

(LSB 4334sv, MMB)

FILED MARCH 13, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 2410

H-5745

- 1 Amend the amendment, H-5526, to Senate File 2410,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, by striking lines 3 and 4 and  
5 inserting the following:  
6 "\_\_\_\_. Page 2, by striking lines 14 through 17 and  
7 inserting the following: "receipt of such a report.  
8 A positive test result obtained prior to the birth of  
9 a child shall not be used for the criminal prosecution  
10 of a parent for acts and omissions resulting in  
11 intrauterine exposure of the child to an illegal  
12 drug."  
13 \_\_\_\_\_. Page 3, line 18, by inserting after the word  
14 "to" the following: "the legislative council and  
15 to"."

By SALTON of Palo Alto  
MURPHY of Dubuque  
FALLON of Polk

JOCHUM of Dubuque  
VEENSTRA of Sioux  
LORD of Dallas

H-5745 FILED APRIL 1, 1996

*Adopted 4-2-96 (p. 1286)*

SENATE FILE 2410

H-5526

- 1 Amend Senate File 2410, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking page 1, line 35, through page 2,  
4 line 17.  
5 2. By renumbering as necessary.

By COMMITTEE ON HUMAN RESOURCES  
DAGGETT of Union, Chairperson

H-5526 FILED MARCH 25, 1996

*Adopted 4-2-96 (p. 1286)*

HOUSE AMENDMENT TO  
SENATE FILE 2410

S-5625

- 1 Amend Senate File 2410, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, by striking lines 14 through 17 and  
4 inserting the following: "receipt of such a report.  
5 A positive test result obtained prior to the birth of  
6 a child shall not be used for the criminal prosecution  
7 of a parent for acts and omissions resulting in  
8 intrauterine exposure of the child to an illegal  
9 drug."  
10 2. Page 3, line 18, by inserting after the word  
11 "to" the following: "the legislative council and to".  
12 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5625 FILED APRIL 2, 1996

*Senate concurred  
4/3/96 (p. 1227)*

Szymoniak  
Dvorsky  
Kramer

SSB-2292

Human Resources  
Succeeded By

SENATE FILE SF/HF 2410

BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON SZYMONIAK)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to medically relevant tests for the presence of  
2 illegal drugs in a child or parent, voiding related  
3 administrative rules, and providing an effective date.

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

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4 ~~subsection and in~~ In whose body there is an illegal drug  
5 present as a direct and foreseeable consequence of the acts or  
6 omissions of the child's parent, guardian, or custodian which  
7 ~~a reasonable and prudent person knew or should have known is~~  
8 ~~likely to lead to the drug's presence in the child's body.~~

9 The presence of the drug shall be determined in accordance  
10 with a medically relevant test as defined in section 232.73.

11 Sec. 2. Section 232.68, subsection 2, paragraph f, Code  
12 Supplement 1995, is amended to read as follows:

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23 other illegal drugs, or combinations or derivatives thereof,  
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25 ~~public health, in consultation with the department of human~~  
26 ~~services and the council on chemically exposed infants and~~  
27 ~~children created in chapter 235C, shall adopt rules specifying~~  
28 ~~minimum standards for reliable results of medically relevant~~  
29 ~~tests. The rules shall include but are not limited to~~  
30 ~~standards which minimize the incidence of false positive test~~  
31 ~~results. The Iowa department of public health shall maintain~~  
32 ~~a list of laboratories which are approved to perform medically~~  
33 ~~relevant tests in accordance with the standards adopted in~~  
34 ~~administrative rules.~~

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32 are void on the effective date of this Act.

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EXPLANATION



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9 cause a child to meet the definition but must be in addition  
10 to other conditions in the definition. In addition, the bill  
11 removes the standard that a reasonable and prudent person knew  
12 or should have known their acts or omissions would lead to the  
13 presence of the drug, but adds that the presence of the drug  
14 must have been foreseeable.

15 Section 232.68, relating to definitions of child abuse used  
16 for reporting and investigative purposes, is amended to  
17 conform to the section 232.2 amendment.

18 Section 232.73, relating to medically relevant tests for  
19 the presence of a drug, is amended to remove a requirement for  
20 the Iowa department of public health to adopt rules specifying  
21 minimum standards for reliable results for the tests and to  
22 maintain a list of laboratories approved to perform the tests.

23 Section 232.77, relating to medically relevant tests, is  
24 amended to strike a prohibition against using the results of  
25 tests for the criminal prosecution of a parent for acts or  
26 omissions resulting in intrauterine exposure of a child to an  
27 illegal drug.

28 Section 232.106, relating to terms and conditions placed by  
29 a court on a parent under the juvenile justice code, is  
30 amended to conform with the amendments to sections 232.73 and  
31 232.77. The amendment strikes a reference to the laboratories  
32 approved by the Iowa department of public health if a parent  
33 is required to have a medically relevant test.

34 The bill provides that the rules adopted by the Iowa  
35 department of public health regarding medically relevant tests

1 and laboratories for the tests are void as of the effective  
2 date of the bill. The bill takes effect upon enactment.

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SENATE FILE 2410

AN ACT

RELATING TO JUVENILE JUSTICE CHAPTER PROVISIONS INVOLVING MEDICALLY RELEVANT TESTS FOR THE PRESENCE OF ILLEGAL DRUGS IN A CHILD OR PARENT, PARENT VISITATIONS WITH A CHILD WHO HAS BEEN REMOVED FROM THE CHILD'S HOME, VOIDING RELATED ADMINISTRATIVE RULES, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 232.2, subsection 6, paragraph o, Code Supplement 1995, is amended to read as follows:

~~o. Who is described by any other paragraph of this subsection and in~~ In whose body there is an illegal drug present as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian ~~which a reasonable and prudent person knew or should have known is likely to lead to the drug's presence in the child's body.~~ The presence of the drug shall be determined in accordance with a medically relevant test as defined in section 232.73.

Sec. 2. Section 232.68, subsection 2, paragraph f, Code Supplement 1995, is amended to read as follows:

~~f. An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts or omissions of the person responsible for the care of the child which a reasonable and prudent person knew or should have known is likely to lead to the drug's presence in the child's body.~~

Sec. 3. Section 232.73, unnumbered paragraph 2, Code Supplement 1995, is amended to read as follows:

As used in this section and section 232.77, "medically relevant test" means a test that produces reliable results of

~~exposure to cocaine, heroin, amphetamine, methamphetamine, or other illegal drugs, or combinations or derivatives thereof, including a drug urine screen test. The Iowa department of public health, in consultation with the department of human services and the council on chemically exposed infants and children created in chapter 235E, shall adopt rules specifying minimum standards for reliable results of medically relevant tests. The rules shall include but are not limited to standards which minimize the incidence of false positive test results. The Iowa department of public health shall maintain a list of laboratories which are approved to perform medically relevant tests in accordance with the standards adopted in administrative rules.~~

Sec. 4. Section 232.77, subsection 2, Code 1995, is amended to read as follows:

2. If a health practitioner discovers in a child physical or behavioral symptoms of the effects of exposure to cocaine, heroin, amphetamine, methamphetamine, or other illegal drugs, or combinations or derivatives thereof, which were not prescribed by a health practitioner, or if the health practitioner has determined through examination of the natural mother of the child that the child was exposed in utero, the health practitioner may perform or cause to be performed a medically relevant test, as defined in section 232.73, on the child. The practitioner shall report any positive results of such a test on the child to the department. The department shall begin an investigation pursuant to section 232.71 upon receipt of such a report. A positive test result obtained prior to the birth of a child shall not be used for the criminal prosecution of a parent for acts and omissions resulting in intrauterine exposure of the child to an illegal drug.

Sec. 5. Section 232.106, subsection 2, Code Supplement 1995, is amended to read as follows:

2. If a parent, guardian, or custodian is required to have a chemical test of blood or urine for the purpose of determining the presence of an illegal drug, the test shall be a medically relevant test as defined in section 232.73. ~~The parent, guardian, or custodian may select the laboratory which processes the test from among the laboratories approved pursuant to section 232.73. A positive test result shall not be used for the criminal prosecution of a parent, guardian, or custodian for the presence of an illegal drug.~~

Sec. 6. NEW SECTION. 232.107 PARENT VISITATION.

If a child is removed from the child's home in accordance with an order entered under this division based upon evidence indicating the presence of an illegal drug in the child's body, unless the court finds that substantial evidence exists to believe that reasonable visitation or supervised visitation would cause an imminent risk to the child's life or health, the order shall allow the child's parent reasonable visitation or supervised visitation with the child.

Sec. 7. ADMINISTRATIVE RULES VOID. Administrative rules adopted by the Iowa department of public health pursuant to section 232.73, unnumbered paragraph 2, Code Supplement 1995, are void on the effective date of this Act.

Sec. 8. PARENTAL SUBSTANCE ABUSE STUDY. The director of public health shall utilize the commission on substance abuse to study the effects of fetal alcohol syndrome on children and the issues associated with removal of a child from the child's home based upon substance abuse by the child's parent. The process used to perform the study shall include statewide hearings and consultation with the maternal and child health division of the Iowa department of public health, the council on chemically exposed infants and children, the departments of human services and education, and juvenile court judges and other juvenile court officials. The director shall present the findings of the study to the legislative council and to any legislative interim committee which reviews substance

abuse issues and shall submit a written report to the general assembly on or before January 2, 1997.

Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2410, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved *April 15*, 1996

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TERRY E. BRANSTAD  
Governor