

*Blodgett, CH
Henderson
Barnett*

HSB 128

HUMAN RESOURCES

Succeeded By
SF/HF 77

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA DEPARTMENT
OF PUBLIC HEALTH BILL)

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

A BILL FOR

1 An Act relating to certain programs and public health issues
2 under the purview of the Iowa department of public health.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

133302

1 Section 125.39, subsection 1, Code 1999, is
2 amended by striking the subsection.

3 Sec. 2. Section 135.22, Code 1999, is amended to read as
4 follows:

5 135.22 CENTRAL REGISTRY FOR BRAIN OR SPINAL CORD INJURIES.

6 1. As used in this section—"brain":

7 a. "Brain injury" means clinically-evident-brain-damage-or
8 spinal-cord-injury-resulting-from-trauma-or-anoxia, which
9 temporarily-or-permanently-impairs-a-person's-physical-or
10 cognitive-functions the occurrence of injury to the head not
11 primarily related to a degenerative disease or aging process
12 that is documented in a medical record with one or more of the
13 following conditions attributed to the head injury:

14 (1) An observed or self-reported decreased level of
15 consciousness.

16 (2) Amnesia.

17 (3) A skull fracture.

18 (4) An objective neurological or neuropsychological
19 abnormality.

20 (5) A diagnosed intracranial lesion.

21 b. "Spinal cord injury" means the occurrence of an acute
22 traumatic lesion of neural elements in the spinal cord
23 including the spinal cord and cauda equina, resulting in
24 temporary or permanent sensory deficit, motor deficit, or
25 bladder or bowel dysfunction.

26 2. The director shall establish and maintain a central
27 registry of persons with brain or spinal cord injuries in
28 order to facilitate prevention strategies and the provision of
29 appropriate rehabilitative services to the persons by the
30 department and other state agencies. Hospitals shall report
31 patients who are admitted with a brain or spinal cord injury
32 and their diagnoses to the director no later than forty-five
33 days after the close of a quarter in which the patient was
34 discharged. The report shall contain the name, age, and
35 residence of the person, the date, type, and cause of the

1 brain or spinal cord injury, and additional information as the
 2 director requires, except that where available, hospitals
 3 shall report the ~~Glasgow~~ Glasgow coma scale. The director
 4 shall consult with health care providers concerning the
 5 availability of additional relevant information. The
 6 department shall maintain the confidentiality of all
 7 information which would identify any person named in a report.
 8 However, the identifying information may be released for bona
 9 fide research purposes if the confidentiality of the
 10 identifying information is maintained by the researchers, or
 11 the identifying information may be released by the person with
 12 the brain or spinal cord injury or by the person's guardian
 13 or, if the person is a minor, by the person's parent or
 14 guardian.

15 Sec. 3. Section 135.22A, Code 1999, is amended to read as
 16 follows:

17 135.22A ADVISORY COUNCIL ON HEAD BRAIN INJURIES.

18 1. For purposes of this section, unless the context
 19 otherwise requires:

- 20 ~~a. "Council" means the advisory council on head injuries.~~
- 21 **b a.** "Head Brain injury" means "~~brain-injury~~" an injury to
 22 the brain as defined in section ~~225E-23~~ 135.22.
- 23 **b.** "Council" means the advisory council on brain injuries.

24 2. The advisory council on head brain injuries is
 25 established. The following persons or their designees shall
 26 serve as ex officio, nonvoting members of the council:

- 27 a. The director of public health.
- 28 b. The director of human services and any division
 29 administrators of the department of human services so assigned
 30 by the director.
- 31 c. The director of the department of education.
- 32 d. The chief of the special education bureau of the
 33 department of education.
- 34 e. The administrator of the division of vocational
 35 rehabilitation services of the department of education.

1 f. The director of the department for the blind.

2 g. The commissioner of insurance.

3 3. The council shall be composed of a minimum of nine
4 members appointed by the governor in addition to the ex
5 officio members, and the governor may appoint additional
6 members. Insofar as practicable, the council shall include
7 persons with head brain injuries, family members of persons
8 with head brain injuries, representatives of industry, labor,
9 business, and agriculture, representatives of federal, state,
10 and local government, and representatives of religious,
11 charitable, fraternal, civic, educational, medical, legal,
12 veteran, welfare, and other professional groups and
13 organizations. Members shall be appointed representing every
14 geographic and employment area of the state and shall include
15 members of both sexes.

16 4. Members of the council appointed by the governor shall
17 be appointed for terms of two years. Vacancies on the council
18 shall be filled for the remainder of the term of the original
19 appointment. Members whose terms expire may be reappointed.

20 5. The voting members of the council shall appoint a
21 chairperson and a vice chairperson and other officers as the
22 council deems necessary. The officers shall serve until their
23 successors are appointed and qualified. Members of the
24 council shall receive actual expenses for their services.
25 Members may also be eligible to receive compensation as
26 provided in section 7E.6. The council shall adopt rules
27 pursuant to chapter 17A.

28 6. The council shall do all of the following:

29 a. Promote meetings and programs for the discussion of
30 methods to reduce the debilitating effects of head brain
31 injuries, and disseminate information in cooperation with any
32 other department, agency, or entity on the prevention,
33 evaluation, care, treatment, and rehabilitation of persons
34 affected by head brain injuries.

35 b. Study and review current prevention, evaluation, care,

1 treatment, and rehabilitation technologies and recommend
2 appropriate preparation, training, retraining, and
3 distribution of personnel and resources in the provision of
4 services to persons with head brain injuries through private
5 and public residential facilities, day programs, and other
6 specialized services.

7 c. Participate in developing and disseminating criteria
8 and standards which may be required for future funding or
9 licensing of facilities, day programs, and other specialized
10 services for persons with head brain injuries in this state.

11 d. Make recommendations to the governor for developing and
12 administering a state plan to provide services for persons
13 with head brain injuries.

14 e. Meet at least quarterly.

15 7. The council is assigned to the department for
16 administrative purposes. The director shall be responsible
17 for budgeting, program coordination, and related management
18 functions.

19 8. The council may receive gifts, grants, or donations
20 made for any of the purposes of its programs and disburse and
21 administer them in accordance with their terms and under the
22 direction of the director.

23 Sec. 4. Section 135.101, Code 1999, is amended to read as
24 follows:

25 | 135.101 CHILDHOOD LEAD POISONING PREVENTION PROGRAM.

26 There is established a childhood lead abatement poisoning
27 prevention program within the Iowa department of public
28 health. The department shall implement and review programs
29 necessary to eliminate potentially dangerous toxic lead levels
30 in children in Iowa in a year for which funds are appropriated
31 to the department for this purpose.

32 Sec. 5. Section 135.102, subsections 2 and 5, Code 1999,
33 are amended to read as follows:

34 | 2. Maintenance of laboratory facilities for the childhood
35 lead abatement poisoning prevention program.

1 5. Prioritization of proposed childhood lead abatement
2 poisoning prevention programs, based on the geographic areas
3 known with children identified with elevated blood lead level
4 resulting from surveys completed by the department.

5 Sec. 6. Section 135.103, Code 1999, is amended to read as
6 follows:

7 135.103 GRANT PROGRAM.

8 The department shall implement a childhood lead abatement
9 poisoning prevention grant program which provides matching
10 funds to local boards of health or cities for the program
11 after standards and requirements for the local program are
12 developed. The state shall provide funds to approved programs
13 on the basis of three dollars for each one dollar designated
14 by the local board of health or city for the program for the
15 first two years of a program, and funds on the basis of one
16 dollar for each one dollar designated by the local board of
17 health or city for the program for the third and subsequent
18 years of the program if such funding is determined necessary
19 by the department for such subsequent years.

20 Sec. 7. Section 135.104, unnumbered paragraph 1, Code
21 1999, is amended to read as follows:

22 The program by a local board of health or city receiving
23 matching funding for an approved childhood lead abatement
24 poisoning prevention grant program shall include:

25 Sec. 8. Section 135.104, subsection 7, Code 1999, is
26 amended to read as follows:

27 7. Abatement-surveillance Surveillance to ensure
28 correction of the identified hazardous settings.

29 Sec. 9. Section 135.105, subsection 1, Code 1999, is
30 amended to read as follows:

31 1. Coordinate the childhood lead abatement poisoning
32 prevention program with the department of natural resources,
33 the University of Iowa poison control program, the mobile and
34 regional child health speciality clinics, and any agency or
35 program known for a direct interest in lead levels in the

1 environment.

2 Sec. 10. Section 136C.3, subsection 2, unnumbered
3 paragraph 2, Code 1999, is amended to read as follows:

4 The department shall establish a technical advisory
5 committee made up of ~~two-radiologic-technologists, two~~ four
6 technologists, one of whom shall be a limited radiography
7 instructor, one of whom shall represent nuclear medicine
8 technologists, one of whom shall represent radiation
9 therapists, and one of whom shall represent diagnostic
10 radiographers; four physicians, including one radiologist, one
11 chiropractor, one physician representing either radiation
12 therapy or nuclear medicine, and one private practitioner;
13 and a representative of the department. The advisory
14 committee shall assist the department in developing and
15 establishing criteria for ~~continuing-education-and~~
16 examinations the administration of this subsection.

17 Sec. 11. Section 137.19, Code 1999, is amended to read as
18 follows:

19 137.19 EMERGENCY REQUEST FOR FUNDS.

20 A local board may, in emergency situations, request
21 additional appropriations, which may, upon approval of the
22 director, be allotted from the funds reserved for that purpose
23 to the extent that funds are appropriated and available. On
24 termination of the emergency situation, the local board shall
25 report its expenditures of emergency funds, to the director
26 and return any unexpended funds.

27 Sec. 12. Section 144.1, Code 1999, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 1A. "Court of competent jurisdiction"
30 when used to refer to inspection of an original certificate of
31 birth based upon an adoption means the court where the
32 adoption was ordered.

33 Sec. 13. Section 144.1, subsection 13, Code 1999, is
34 amended to read as follows:

35 13. "Vital statistics" means records of births, deaths,

1 fetal deaths, adoptions, marriages, ~~divorces~~ dissolutions,
2 annulments, and data related thereto.

3 Sec. 14. Section 144.13, subsection 1, paragraph d, Code
4 1999, is amended to read as follows:

5 d. The state registrar may ~~transmit-to-the-appropriate~~
6 ~~local-boards-of-health~~ share information from birth
7 certificates for the sole purpose of identifying those
8 children in need of immunizations.

9 Sec. 15. Section 144.13A, Code 1999, is amended to read as
10 follows:

11 144.13A FEES -- USE OF FUNDS.

12 The ~~county-registrar-or~~ state registrar shall charge the
13 parent a ten dollar fee for the registration of a certificate
14 of birth and a separate fee established under section 144.46
15 for a certified copy of the certificate ~~except-as-otherwise~~
16 ~~provided-in-section-331-605,-subsection-6~~. The certified copy
17 shall be mailed to the parent by the state registrar. If the
18 person responsible for the filing of the certificate of birth
19 under section 144.13 is not the parent, the person is entitled
20 to collect the fee from the parent. The fee shall be remitted
21 to the appropriate state registrar. If the expenses of the
22 birth are reimbursed under the medical assistance program
23 established by chapter 249A, or paid for under the statewide
24 indigent patient care program established by chapter 255, or
25 paid for under the obstetrical and newborn indigent patient
26 care program established by chapter 255A, or if the parent is
27 indigent and unable to pay the expenses of the birth and no
28 other means of payment is available to the parent, the
29 registration fee and certified copy fee are waived. If the
30 person responsible for the filing of the certificate is not
31 the parent, the person is discharged from the duty to collect
32 and remit the fee under this section if the person has made a
33 good faith effort to collect the fee from the parent. The
34 fees collected by the ~~county-registrar-and~~ state registrar
35 shall be remitted to the treasurer of state for deposit in the

1 general fund of the state. It is the intent of the general
 2 assembly that the funds generated from the registration fees
 3 be appropriated and used for primary and secondary child abuse
 4 prevention programs. It is the intent of the general assembly
 5 that the funds generated from the fees as established under
 6 section 144.46 for the mailing of the certified copy of the
 7 birth certificate be appropriated and used to support the
 8 distribution of the automatic birth certificate and the
 9 implementation of the electronic birth certificate system.

10 Sec. 16. Section 144.24, Code 1999, is amended to read as
 11 follows:

12 144.24 SUBSTITUTING NEW FOR ORIGINAL BIRTH CERTIFICATES --
 13 INSPECTION.

14 If a new certificate of birth is established, the actual
 15 place and date of birth shall be shown on the certificate.
 16 The certificate shall be substituted for the original
 17 certificate of birth. Thereafter, the original certificate
 18 and the evidence of adoption, paternity, legitimation, or sex
 19 change shall not be subject to inspection except under order
 20 of a court of competent jurisdiction, including but not
 21 limited to an order issued pursuant to section ~~600.16~~ 600.16A,
 22 or as provided by administrative rule for statistical or
 23 administrative purposes only. However, the state registrar
 24 shall, upon the application of an adult adopted person, a
 25 biological parent, an adoptive parent, or the legal
 26 representative of ~~either~~ the adult adopted person, the
 27 biological parent, or the adoptive parent, inspect the
 28 original certificate and the evidence of adoption and reveal
 29 to the applicant the date of the adoption and the name and
 30 address of the court which issued the adoption decree.

31 Sec. 17. NEW SECTION. 144.43A MUTUAL CONSENT VOLUNTARY
 32 ADOPTION REGISTRY.

33 1. In addition to other procedures by which birth
 34 certificates may be inspected under this chapter, the state
 35 registrar shall establish a mutual consent voluntary adoption

1 registry through which adult adopted children, adult siblings,
2 and the biological parents of adult adoptees may register to
3 obtain identifying birth information.

4 2. If all of the following conditions are met, the state
5 registrar shall reveal the identity of the biological parent
6 to the adult adopted child or the identity of the adult
7 adopted child to the biological parent, shall notify the
8 parties involved that the requests have been matched, and
9 shall disclose the identifying information to those parties:

10 a. A biological parent has filed a request and provided
11 consent to the revelation of the biological parent's identity
12 to the adult adopted child, upon request of the adult adopted
13 child.

14 b. An adult adopted child has filed a request and provided
15 consent to the revelation of the identity of the adult adopted
16 child to a biological parent, upon request of the biological
17 parent.

18 c. The state registrar has been provided sufficient
19 information to make the requested match.

20 3. Notwithstanding the provisions of this section, if the
21 adult adopted person has a sibling who is a minor and who has
22 also been adopted, the state registrar shall not grant the
23 request of either the adult adopted person or the biological
24 parent to reveal the identities of the parties.

25 4. If all of the following conditions are met, the state
26 registrar shall reveal the identity of the adult adopted child
27 to an adult sibling and shall notify the parties involved that
28 the requests have been matched, and disclose the identifying
29 information to those parties:

30 a. An adult adopted child has filed a request and provided
31 consent to the revelation of the adult adopted child's
32 identity to an adult sibling.

33 b. The adult sibling has filed a request and provided
34 consent to the revelation of the identity of the adult sibling
35 to the adult adopted child.

1 c. The state registrar has been provided with sufficient
2 information to make the requested match.

3 5. A person who has filed a request or provided consent
4 under this section may withdraw the consent at any time prior
5 to the release of any information by filing a written
6 withdrawal of consent statement with the state registrar. The
7 adult adoptee, adult sibling, and biological parent shall
8 notify the state registrar of any change in the information
9 contained in a filed request or consent.

10 6. The state registrar shall establish a fee by rule based
11 on the average administrative costs for providing services
12 under this section.

13 Sec. 18. Section 147.103A, subsection 3, Code 1999, is
14 amended to read as follows:

15 3. The board may appoint investigators, who shall not be
16 members of the examining board, and whose compensation shall
17 be determined pursuant to chapter 19A. Investigators
18 appointed by the board have the powers and status of peace
19 officers when enforcing this chapter and chapters ~~147A~~ 148,
20 150, 150A, and 272C.

21 Sec. 19. Section 147A.1, subsection 1, Code 1999, is
22 amended by striking the subsection.

23 Sec. 20. Section 147A.4, subsection 2, Code 1999, is
24 amended to read as follows:

25 2. The department shall adopt rules required or authorized
26 by this subchapter pertaining to the examination and
27 certification of emergency medical care providers. These
28 rules shall include, but need not be limited to, requirements
29 concerning prerequisites, training, and experience for
30 emergency medical care providers and procedures for
31 determining when individuals have met these requirements. The
32 department shall adopt rules to recognize the previous EMS
33 training and experience of first responders and emergency
34 medical technicians to provide for an equitable transition to
35 the EMT-basic certification. The department may require

1 additional training and examinations as necessary and
2 appropriate to ensure that individuals seeking certification
3 have met the EMT-basic knowledge and skill requirements. The
4 ~~department shall consult with the board concerning these~~
5 ~~rules.~~

6 Sec. 21. Section 147A.7, subsection 2, Code 1999, is
7 amended by striking the subsection.

8 Sec. 22. Section 147A.8, unnumbered paragraph 2, Code
9 1999, is amended by striking the paragraph.

10 Sec. 23. Section 147A.9, subsection 4, Code 1999, is
11 amended by striking the subsection.

12 Sec. 24. NEW SECTION. 147A.13A ENFORCEMENT.

13 Investigators authorized by the department have the powers
14 and status of peace officers when enforcing this chapter.

15 Sec. 25. Section 151.1, subsection 3, Code 1999, is
16 amended to read as follows:

17 3. Persons utilizing differential diagnosis and procedures
18 related thereto, withdrawing or ordering withdrawal of the
19 patient's blood for diagnostic purposes, performing or
20 utilizing routine laboratory tests, performing physical
21 examinations, rendering nutritional advice, utilizing
22 chiropractic physiotherapy procedures, all of which are
23 subject to and authorized by section 151.8. However, ~~a person~~
24 ~~engaged in the practice of chiropractic shall not profit from~~
25 ~~the sale of nutritional products coinciding with the~~
26 ~~nutritional advice rendered.~~

27 Sec. 26. Section 157.11, unnumbered paragraph 2, Code
28 1999, is amended to read as follows:

29 The application shall be accompanied by the ~~annual~~ biennial
30 license fee determined pursuant to section 147.80. The
31 license is valid for ~~one-year~~ two years and may be renewed.

32 Sec. 27. Section 158.9, unnumbered paragraph 2, Code 1999,
33 is amended to read as follows:

34 The application shall be accompanied by the ~~annual~~ biennial
35 license fee determined pursuant to section 147.80. The

1 license is valid for ~~one-year~~ two years and may be renewed.

2 Sec. 28. Section 225C.23, Code 1999, is amended to read as
3 follows:

4 225C.23 BRAIN INJURY RECOGNIZED AS DISABILITY.

5 1. The department of human services, the Iowa department
6 of public health, the department of education and its
7 divisions of special education and vocational rehabilitation
8 services, the department of human rights and its division for
9 persons with disabilities, the department for the blind, and
10 all other state agencies which serve persons with brain
11 injuries, shall recognize brain injury as a distinct
12 disability and shall identify those persons with brain
13 injuries among the persons served by the state agency.

14 2. For the purposes of this section and section 135.22A,
15 "brain injury" means ~~clinically-evident-brain-damage-or-spinal~~
16 ~~cord-injury-resulting-directly-or-indirectly-from-trauma,~~
17 ~~infection,-anoxia,-or-vascular-lesions-not-primarily-related~~
18 ~~to-degenerative-or-aging-processes,-which-temporarily-or~~
19 ~~permanently-impairs-a-person's-physical-or-cognitive~~
20 ~~functions.~~ the occurrence of injury to the head not primarily
21 related to a degenerative disease or aging process that is
22 documented in a medical record with one or more of the
23 following conditions attributed to the head injury:

- 24 a. An observed or self-reported decreased level of
- 25 consciousness.
- 26 b. Amnesia.
- 27 c. A skull fracture.
- 28 d. An objective neurological or neuropsychological
- 29 abnormality.
- 30 e. A diagnosed intracranial lesion.

31 Sec. 29. Section 235A.15, subsection 2, paragraph d, Code
32 1999, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (6) Each board of examiners specified
34 under chapter 147 and the Iowa department of public health for
35 the purpose of licensure, certification or registration,

1 disciplinary investigation, or the renewal of licensure,
2 certification or registration, or disciplinary proceedings of
3 health care professionals.

4 Sec. 30. Section 235B.6, subsection 2, paragraph b, Code
5 1999, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (7) Each board of examiners specified
7 under chapter 147 and the Iowa department of public health for
8 the purpose of licensure, certification or registration,
9 disciplinary investigation, or the renewal of licensure,
10 certification or registration, or disciplinary proceedings of
11 health care professionals.

12 Sec. 31. Section 235C.2, subsections 2, 3, 4, 5, and 8,
13 Code 1999, are amended to read as follows:

14 2. The director ~~of-the-department~~ of human services or the
15 director's designee ~~as-a-nonvoting-ex-officio-member~~.

16 3. The ~~department-coordinator~~ director of the department
17 of human rights or the ~~coordinator's~~ director's designee ~~as-a~~
18 ~~nonvoting-ex-officio-member~~.

19 4. The director of the department of education or the
20 director's designee ~~as-a-nonvoting-ex-officio-member~~.

21 5. The director of the department of corrections or the
22 director's designee, ~~as-a-nonvoting-ex-officio-member~~.

23 8. A hospital administrator or the administrator's
24 designee selected by the board of the association of Iowa
25 hospitals and health systems.

26 Sec. 32. Section 235C.2, Code 1999, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 18. Two consumer representatives selected
29 by the governor, one of whom shall be a parent and one of whom
30 shall be a nonparent family member.

31 Sec. 33. Section 235C.3, subsection 2, paragraph b, Code
32 1999, is amended to read as follows:

33 b. A health professional training campaign, including
34 recommendations concerning the curriculum offered at the
35 college of medicine at the state university of Iowa and the

1 university of osteopathic medicine and health services,
 2 providing assistance in the identification of women at risk of
 3 substance abuse during pregnancy and strategies to be employed
 4 in assisting those women to maintain healthy lifestyles during
 5 pregnancy. ~~Included-in-this~~ This education campaign shall be
 6 guidelines offer information to health professionals offering
 7 information on assessment, laboratory testing, ~~medication-use,~~
 8 and referrals.

9 Sec. 34. Section 235C.3, subsection 5, unnumbered
 10 paragraph 2, Code 1999, is amended by striking the unnumbered
 11 paragraph.

12 Sec. 35. Section 252A.3A, subsection 5, Code 1999, is
 13 amended to read as follows:

14 5. A completed affidavit of paternity shall contain or
 15 have attached all of the following:

16 a. A statement by the mother consenting to the assertion
 17 of paternity and the identity of the father and acknowledging
 18 either any one of the following:

19 (1) That the mother was unmarried at the time of
 20 conception, birth, and at any time during the period between
 21 conception and birth of the child.

22 (2) That the mother was married at the time of conception,
 23 birth, or at any time during the period between conception and
 24 birth of the child, and that a court order has been entered
 25 ruling that the individual to whom the mother was married at
 26 that time is not the father of the child.

27 (3) That the mother was married at the time of conception
 28 or birth of the child, that the man to whom the mother was
 29 married at the time of conception or birth is not the
 30 biological father of the child, and that the mother, the man
 31 to whom she was married at the time of conception or birth,
 32 and the biological father of the child collectively stipulate
 33 that the man to whom the mother was married at the time of
 34 conception or birth is not the biological father of the child.

35 b. If paragraph "a", subparagraph (2), is applicable, a

1 certified copy of the filed order ruling that the husband is
2 not the father of the child.

3 c. A statement from the putative father that the putative
4 father is the father of the child.

5 d. The name of the child at birth and the child's birth
6 date.

7 e. The signatures of the mother and putative father.

8 f. The social security numbers of the mother and putative
9 father.

10 g. The addresses of the mother and putative father, as
11 available.

12 h. The signature of a notary public attesting to the
13 identities of the parties signing the affidavit of paternity.

14 i. Instructions for filing the affidavit.

15 j. If paragraph "a", subparagraph (3), is applicable, a
16 statement from the man who was married to the mother at the
17 time of conception or birth of the child that he is not the
18 biological father of the child, a statement from the mother
19 that the putative father is the biological father of the
20 child, and a statement from the putative father that he is the
21 biological father of the child shall also be contained or
22 attached.

23 k. The child's name following completion of the paternity
24 affidavit.

25 Sec. 36. Section 321.19, subsection 1, unnumbered
26 paragraph 2, Code 1999, is amended to read as follows:

27 The department shall furnish, on application, free of
28 charge, distinguishing plates for vehicles thus exempted,
29 which plates except plates on Iowa state patrol vehicles shall
30 bear the word "official" and the department shall keep a
31 separate record. Registration plates issued for Iowa state
32 patrol vehicles, except unmarked patrol vehicles, shall bear
33 two red stars on a yellow background, one before and one
34 following the registration number on the plate, which
35 registration number shall be the officer's badge number.

1 Registration plates issued for county sheriff's patrol
2 vehicles shall display one seven-pointed gold star followed by
3 the letter "S" and the call number of the vehicle. However,
4 the director of general services or the director of
5 transportation may order the issuance of regular registration
6 plates for any exempted vehicle used by peace officers in the
7 enforcement of the law, persons enforcing chapter 124 and
8 other laws relating to controlled substances, persons in the
9 department of justice, the alcoholic beverages division of the
10 department of commerce, disease investigators of the Iowa
11 department of public health, the department of inspections and
12 appeals, and the department of revenue and finance, who are
13 regularly assigned to conduct investigations which cannot
14 reasonably be conducted with a vehicle displaying "official"
15 state registration plates, persons in the lottery division of
16 the department of revenue and finance whose regularly assigned
17 duties relating to security or the carrying of lottery tickets
18 cannot reasonably be conducted with a vehicle displaying
19 "official" registration plates, and persons in the department
20 of economic development who are regularly assigned duties
21 relating to existing industry expansion or business
22 attraction. For purposes of sale of exempted vehicles, the
23 exempted governmental body, upon the sale of the exempted
24 vehicle, may issue for in-transit purposes a pasteboard card
25 bearing the words "Vehicle in Transit", the name of the
26 official body from which the vehicle was purchased, together
27 with the date of the purchase plainly marked in at least one-
28 inch letters, and other information required by the
29 department. The in-transit card is valid for use only within
30 forty-eight hours after the purchase date as indicated on the
31 bill of sale which shall be carried by the driver.

32 Sec. 37. Section 321.34, subsection 11A, paragraph c, Code
33 1999, is amended to read as follows:

34 c. The special fee for letter number designated love our
35 kids plates is thirty-five dollars. The fee for personalized

1 love our kids plates is twenty-five dollars, which shall be
2 paid in addition to the special love our kids fee of thirty-
3 five dollars. The fees collected by the director under this
4 subsection shall be paid monthly to the treasurer of state and
5 credited to the road use tax fund. Notwithstanding section
6 423.24, and prior to the crediting of revenues to the road use
7 tax fund under section 423.24, subsection 1, paragraph "c",
8 the treasurer of state shall transfer monthly from those
9 revenues to the Iowa department of public health the amount of
10 the special fees collected in the previous month for the love
11 our kids plates. Notwithstanding section 8.33, moneys
12 transferred under this subsection shall not revert to the
13 general fund of the state.

14 Sec. 38. Section 331.605, subsection 5, Code 1999, is
15 amended to read as follows:

16 5. A county fee of four dollars for ~~the-following~~
17 ~~certificates, records, or services:~~

18 ~~a--~~ A a certified copy of a ~~birth-record,~~ death record, or
19 marriage certificate.

20 Sec. 39. Section 331.802, subsection 2, Code 1999, is
21 amended to read as follows:

22 2. If a person's death affects the public interest, the
23 county medical examiner shall conduct a preliminary
24 investigation of the cause and manner of death, prepare a
25 written report of the findings, promptly submit the full
26 report to the state medical examiner on forms prescribed for
27 that purpose, and submit a copy of the report to the county
28 attorney. For each preliminary investigation and the
29 preparation and submission of the required reports, the county
30 medical examiner shall receive from the county of appointment
31 a fee determined by the board plus the examiner's actual
32 expenses. The fee and expenses paid by the county of
33 appointment shall be reimbursed to the county of appointment
34 by the county of the person's residence. However, if the
35 person's death is caused by a defendant for whom a judgment of

1 conviction and sentence is rendered under section 707.2,
 2 707.3, 707.4, 707.5, or 707.6A, the county of the person's
 3 residence may recover from the defendant the fee and expenses.
 4 The fee and expenses of the county medical examiner who
 5 performs an autopsy or conducts an investigation of a person
 6 who dies after being brought into this state for emergency
 7 medical treatment by or at the direction of an out-of-state
 8 law enforcement officer or public authority shall be paid by
 9 the state. A claim for payment shall be filed with the Iowa
 10 department of public health. If moneys are not appropriated
 11 to the Iowa department of public health for the payment of
 12 autopsies under this subsection, claims for payment shall be
 13 forwarded to the state appeal board and, if authorized by the
 14 board, shall be paid out of moneys in the general fund of the
 15 state not otherwise appropriated.

16 Sec. 40. Section 151.7, Code 1999, is repealed.

17 EXPLANATION

18 This bill provides for several changes related to the
 19 administration of programs under the purview of the Iowa
 20 department of public health and related health professional
 21 licensing and regulatory boards.

22 The amendments to Code section 125.39 eliminates the
 23 specific list of entities eligible for licensure as substance
 24 abuse treatment facilities.

25 The amendments to Code sections 135.22, 135.22A, and
 26 225C.23 provide separate definitions for "brain injury" and
 27 "spinal cord injury".

28 The amendments to Code sections 135.101 through 135.105
 29 change Code references to the "lead abatement program" to
 30 "childhood lead poisoning prevention program" and strike the
 31 use of the term abatement for purposes of lead hazard
 32 surveillance.

33 The amendment to Code section 136C.3 modifies the
 34 membership composition of the department's technical advisory
 35 committee for operators of radiation machines.

1 The amendment to Code section 137.19 provides for the
2 availability of emergency reserve funding to local boards of
3 health.

4 The amendment to Code section 144.1 defines "court of
5 competent jurisdiction" for the purposes of inspection of an
6 original certificate of birth based upon an adoption.

7 The amendments to Code sections 144.1, subsection 13,
8 144.13, 144.13A, and 331.605, subsection 5, make technical
9 corrections and update outdated references to the duties of
10 the county registrar regarding fees associated with
11 registering a certificate of birth. Fees would only be
12 collected by the state registrar.

13 The amendment to Code section 144.24 adds biological parent
14 to the list of persons entitled to be informed of which court
15 issued an adoption order.

16 The amendment creating Code section 144.43A directs the
17 department to establish a voluntary adoption registry through
18 which adult adoptees, their siblings, and biological parents
19 could register to reveal the identity of each other. The
20 registry would only reveal information to those persons who
21 have mutually consented to participate. A filing fee would be
22 established to support the cost associated with the registry.

23 The amendments to Code sections 147A.1, 147A.4, 147A.7,
24 147A.8, and 147A.9 eliminate references to the Iowa board of
25 medical examiners in Code chapter 147A (emergency medical care
26 -- trauma care) including striking a requirement that any
27 disciplinary actions relating to clinical issues be referred
28 to the board. The amendments to Code sections 147.103A and
29 147A.13A also provide that investigators authorized by the
30 department, rather than the board, have the powers of peace
31 officers when enforcing the chapter.

32 The amendments to Code sections 151.1 and 151.7, which is
33 repealed, eliminate the prohibition on chiropractors from
34 advertising or selling nutritional supplements.

35 The amendments to Code sections 156.4 and 156.7 eliminate

1 oral exams and proficiency testing for licensing as a funeral
2 director and provide the board of mortuary science examiners
3 with the authority to establish practicums in mortuary
4 science.

5 The amendments to Code sections 157.11 and 158.9 extend the
6 license period for cosmetology salons and barbershops from one
7 year to two years.

8 The amendments to Code sections 235A.15 and 235B.6 provide
9 the department and professional licensure boards with access
10 to dependent adult and child abuse records.

11 The amendments to Code sections 235C.2 and 235C.3 make
12 changes and updates regarding the council on chemically
13 exposed infants and children and changes the status of the
14 directors of human services, human rights, education, and
15 corrections from nonvoting to voting members.

16 The amendments to Code section 252A.3A establish a three-
17 way paternity affidavit for the situation when a women's
18 husband is not the biological father of a child born during
19 the marriage and all three parties are in agreement.

20 The amendment to Code section 321.19 extends the authority
21 to use unmarked state vehicles to department disease
22 investigators.

23 The amendment to Code section 321.34 provides that funds
24 transferred to the department from the department of
25 transportation from revenues derived from the "Love our Kids"
26 license plates shall not revert to the general fund of the
27 state.

28 The amendment to Code section 331.802 provides that county
29 claims for autopsy expenses pursuant to Code section 331.802
30 shall be forwarded to the state appeal board if funds are not
31 appropriated to the department for payment of these claims.

32
33
34
35

REPRINTED

MAR 3 1999

Place On Calendar

497

HOUSE FILE

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 128)

Passed House, Date 3/15/99 Passed Senate, Date 4/25/99
Vote: Ayes 94 Nays 1 Vote: Ayes 46 Nays 0
Approved May 18, 1999

A BILL FOR

1 An Act relating to certain programs and public health issues
2 under the purview of the Iowa department of public health.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4

HOUSE FILE 497

H-1070

1 Amend House File 497 as follows:
2 1. Page 16, line 5, by striking the words "birth
3 record, death record," and inserting the following:
4 "birth record, death record,"
By BLODGETT of Cerro Gordo

H-1070 FILED MARCH 10, 1999

Adopted
3-15-99 (P. 664)

11
12
13
14
15
16
17
18
19
20
21
22
23

HF 497

1 Section 1. Section 125.39, subsection 1, Code 1999, is
2 amended by striking the subsection.

3 Sec. 2. Section 135.22, Code 1999, is amended to read as
4 follows:

5 135.22 CENTRAL REGISTRY FOR BRAIN OR SPINAL CORD INJURIES.

6 1. As used in this section, "brain:

7 a. "Brain injury" means clinically-evident-brain-damage-or
8 spinal-cord-injury-resulting-from-trauma-or-anoxia, which
9 temporarily-or-permanently-impairs-a-person's-physical-or
10 cognitive-functions the occurrence of injury to the head not
11 primarily related to a degenerative disease or aging process
12 that is documented in a medical record with one or more of the
13 following conditions attributed to the head injury:

14 (1) An observed or self-reported decreased level of
15 consciousness.

16 (2) Amnesia.

17 (3) A skull fracture.

18 (4) An objective neurological or neuropsychological
19 abnormality.

20 (5) A diagnosed intracranial lesion.

21 b. "Spinal cord injury" means the occurrence of an acute
22 traumatic lesion of neural elements in the spinal cord
23 including the spinal cord and cauda equina, resulting in
24 temporary or permanent sensory deficit, motor deficit, or
25 bladder or bowel dysfunction.

26 2. The director shall establish and maintain a central
27 registry of persons with brain or spinal cord injuries in
28 order to facilitate prevention strategies and the provision of
29 appropriate rehabilitative services to the persons by the
30 department and other state agencies. Hospitals shall report
31 patients who are admitted with a brain or spinal cord injury
32 and their diagnoses to the director no later than forty-five
33 days after the close of a quarter in which the patient was
34 discharged. The report shall contain the name, age, and
35 residence of the person, the date, type, and cause of the

1 brain or spinal cord injury, and additional information as the
2 director requires, except that where available, hospitals
3 shall report the ~~Glasgow~~ Glasgow coma scale. The director
4 shall consult with health care providers concerning the
5 availability of additional relevant information. The
6 department shall maintain the confidentiality of all
7 information which would identify any person named in a report.
8 However, the identifying information may be released for bona
9 fide research purposes if the confidentiality of the
10 identifying information is maintained by the researchers, or
11 the identifying information may be released by the person with
12 the brain or spinal cord injury or by the person's guardian
13 or, if the person is a minor, by the person's parent or
14 guardian.

15 Sec. 3. Section 135.22A, Code 1999, is amended to read as
16 follows:

17 135.22A ADVISORY COUNCIL ON HEAD BRAIN INJURIES.

18 1. For purposes of this section, unless the context
19 otherwise requires:

20 ~~a. "Council" means the advisory council on head injuries.~~

21 b a. "Head Brain injury" means "~~brain-injury~~" an injury to
22 the brain as defined in section ~~225E-23~~ 135.22.

23 b. "Council" means the advisory council on brain injuries.

24 2. The advisory council on head brain injuries is
25 established. The following persons or their designees shall
26 serve as ex officio, nonvoting members of the council:

27 a. The director of public health.

28 b. The director of human services and any division
29 administrators of the department of human services so assigned
30 by the director.

31 c. The director of the department of education.

32 d. The chief of the special education bureau of the
33 department of education.

34 e. The administrator of the division of vocational
35 rehabilitation services of the department of education.

1 f. The director of the department for the blind.

2 g. The commissioner of insurance.

3 3. The council shall be composed of a minimum of nine
4 members appointed by the governor in addition to the ex
5 officio members, and the governor may appoint additional
6 members. Insofar as practicable, the council shall include
7 persons with head brain injuries, family members of persons
8 with head brain injuries, representatives of industry, labor,
9 business, and agriculture, representatives of federal, state,
10 and local government, and representatives of religious,
11 charitable, fraternal, civic, educational, medical, legal,
12 veteran, welfare, and other professional groups and
13 organizations. Members shall be appointed representing every
14 geographic and employment area of the state and shall include
15 members of both sexes.

16 4. Members of the council appointed by the governor shall
17 be appointed for terms of two years. Vacancies on the council
18 shall be filled for the remainder of the term of the original
19 appointment. Members whose terms expire may be reappointed.

20 5. The voting members of the council shall appoint a
21 chairperson and a vice chairperson and other officers as the
22 council deems necessary. The officers shall serve until their
23 successors are appointed and qualified. Members of the
24 council shall receive actual expenses for their services.
25 Members may also be eligible to receive compensation as
26 provided in section 7E.6. The council shall adopt rules
27 pursuant to chapter 17A.

28 6. The council shall do all of the following:

29 a. Promote meetings and programs for the discussion of
30 methods to reduce the debilitating effects of head brain
31 injuries, and disseminate information in cooperation with any
32 other department, agency, or entity on the prevention,
33 evaluation, care, treatment, and rehabilitation of persons
34 affected by head brain injuries.

35 b. Study and review current prevention, evaluation, care,

1 treatment, and rehabilitation technologies and recommend
2 appropriate preparation, training, retraining, and
3 distribution of personnel and resources in the provision of
4 services to persons with head brain injuries through private
5 and public residential facilities, day programs, and other
6 specialized services.

7 | c. Participate in developing and disseminating criteria
8 and standards which may be required for future funding or
9 licensing of facilities, day programs, and other specialized
10 services for persons with head brain injuries in this state.

11 | d. Make recommendations to the governor for developing and
12 administering a state plan to provide services for persons
13 with head brain injuries.

14 | e. Meet at least quarterly.

15 | 7. The council is assigned to the department for
16 administrative purposes. The director shall be responsible
17 for budgeting, program coordination, and related management
18 functions.

19 | 8. The council may receive gifts, grants, or donations
20 made for any of the purposes of its programs and disburse and
21 administer them in accordance with their terms and under the
22 direction of the director.

23 | Sec. 4. Section 135.101, Code 1999, is amended to read as
24 follows:

25 | 135.101 CHILDHOOD LEAD POISONING PREVENTION PROGRAM.

26 | There is established a childhood lead abatement poisoning
27 prevention program within the Iowa department of public
28 health. The department shall implement and review programs
29 necessary to eliminate potentially dangerous toxic lead levels
30 in children in Iowa in a year for which funds are appropriated
31 to the department for this purpose.

32 | Sec. 5. Section 135.102, subsections 2 and 5, Code 1999,
33 are amended to read as follows:

34 | 2. Maintenance of laboratory facilities for the childhood
35 lead abatement poisoning prevention program.

1 5. Prioritization of proposed childhood lead abatement
2 poisoning prevention programs, based on the geographic areas
3 known with children identified with elevated blood lead level
4 resulting from surveys completed by the department.

5 Sec. 6. Section 135.103, Code 1999, is amended to read as
6 follows:

7 135.103 GRANT PROGRAM.

8 The department shall implement a childhood lead abatement
9 poisoning prevention grant program which provides matching
10 funds to local boards of health or cities for the program
11 after standards and requirements for the local program are
12 developed. The state shall provide funds to approved programs
13 on the basis of three dollars for each one dollar designated
14 by the local board of health or city for the program for the
15 first two years of a program, and funds on the basis of one
16 dollar for each one dollar designated by the local board of
17 health or city for the program for the third and subsequent
18 years of the program if such funding is determined necessary
19 by the department for such subsequent years.

20 Sec. 7. Section 135.104, unnumbered paragraph 1, Code
21 1999, is amended to read as follows:

22 The program by a local board of health or city receiving
23 matching funding for an approved childhood lead abatement
24 poisoning prevention grant program shall include:

25 Sec. 8. Section 135.104, subsection 7, Code 1999, is
26 amended to read as follows:

27 7. ~~Abatement-surveillance~~ Surveillance to ensure
28 correction of the identified hazardous settings.

29 Sec. 9. Section 135.105, subsection 1, Code 1999, is
30 amended to read as follows:

31 1. Coordinate the childhood lead abatement poisoning
32 prevention program with the department of natural resources,
33 the University of Iowa poison control program, the mobile and
34 regional child health speciality clinics, and any agency or
35 program known for a direct interest in lead levels in the

1 environment.

2 | Sec. 10. Section 136C.3, subsection 2, unnumbered
3 paragraph 2, Code 1999, is amended to read as follows:

4 | The department shall establish a technical advisory
5 committee made up of ~~two radiologic technologists, two~~ four
6 technologists, one of whom shall be a limited radiography
7 instructor, one of whom shall represent nuclear medicine
8 technologists, one of whom shall represent radiation
9 therapists, and one of whom shall represent diagnostic
10 radiographers; four physicians, including one radiologist, one
11 chiropractor, one physician representing either radiation
12 therapy or nuclear medicine, and one private practitioner;
13 and a representative of the department. The advisory
14 committee shall assist the department in developing and
15 establishing criteria for ~~continuing-education-and~~
16 examinations the administration of this subsection.

17 | Sec. 11. Section 137.19, Code 1999, is amended to read as
18 follows:

19 | 137.19 EMERGENCY REQUEST FOR FUNDS.

20 | A local board may, in emergency situations, request
21 additional appropriations, which may, upon approval of the
22 director, be allotted from the funds reserved for that purpose
23 to the extent that funds are appropriated and available. On
24 termination of the emergency situation, the local board shall
25 report its expenditures of emergency funds, to the director
26 and return any unexpended funds.

27 | Sec. 12. Section 144.1, Code 1999, is amended by adding
28 the following new subsection:

29 | NEW SUBSECTION. 1A. "Court of competent jurisdiction"
30 when used to refer to inspection of an original certificate of
31 birth based upon an adoption means the court where the
32 adoption was ordered.

33 | Sec. 13. Section 144.1, subsection 13, Code 1999, is
34 amended to read as follows:

35 | 13. "Vital statistics" means records of births, deaths,

1 fetal deaths, adoptions, marriages, divorces dissolutions,
2 annulments, and data related thereto.

3 Sec. 14. Section 144.13, subsection 1, paragraph d, Code
4 1999, is amended to read as follows:

5 d. The state registrar may ~~transmit-to-the-appropriate~~
6 ~~local-boards-of-health~~ share information from birth
7 certificates for the sole purpose of identifying those
8 children in need of immunizations.

9 Sec. 15. Section 144.13A, Code 1999, is amended to read as
10 follows:

11 144.13A FEES -- USE OF FUNDS.

12 The ~~county-registrar-or~~ state registrar shall charge the
13 parent a ten dollar fee for the registration of a certificate
14 of birth and a separate fee established under section 144.46
15 for a certified copy of the certificate ~~except-as-otherwise~~
16 ~~provided-in-section-331:6057-subsection-6~~. The certified copy
17 shall be mailed to the parent by the state registrar. If the
18 person responsible for the filing of the certificate of birth
19 under section 144.13 is not the parent, the person is entitled
20 to collect the fee from the parent. The fee shall be remitted
21 to the appropriate state registrar. If the expenses of the
22 birth are reimbursed under the medical assistance program
23 established by chapter 249A, or paid for under the statewide
24 indigent patient care program established by chapter 255, or
25 paid for under the obstetrical and newborn indigent patient
26 care program established by chapter 255A, or if the parent is
27 indigent and unable to pay the expenses of the birth and no
28 other means of payment is available to the parent, the
29 registration fee and certified copy fee are waived. If the
30 person responsible for the filing of the certificate is not
31 the parent, the person is discharged from the duty to collect
32 and remit the fee under this section if the person has made a
33 good faith effort to collect the fee from the parent. The
34 fees collected by the ~~county-registrar-and~~ state registrar
35 shall be remitted to the treasurer of state for deposit in the

1 general fund of the state. It is the intent of the general
2 assembly that the funds generated from the registration fees
3 be appropriated and used for primary and secondary child abuse
4 prevention programs. It is the intent of the general assembly
5 that the funds generated from the fees as established under
6 section 144.46 for the mailing of the certified copy of the
7 birth certificate be appropriated and used to support the
8 distribution of the automatic birth certificate and the
9 implementation of the electronic birth certificate system.

10 Sec. 16. Section 144.24, Code 1999, is amended to read as
11 follows:

12 | 144.24 SUBSTITUTING NEW FOR ORIGINAL BIRTH CERTIFICATES --
13 INSPECTION.

14 | If a new certificate of birth is established, the actual
15 place and date of birth shall be shown on the certificate.
16 The certificate shall be substituted for the original
17 certificate of birth. Thereafter, the original certificate
18 and the evidence of adoption, paternity, legitimation, or sex
19 change shall not be subject to inspection except under order
20 of a court of competent jurisdiction, including but not
21 limited to an order issued pursuant to section ~~600.16~~ 600.16A,
22 or as provided by administrative rule for statistical or
23 administrative purposes only. However, the state registrar
24 shall, upon the application of an adult adopted person, a
25 biological parent, an adoptive parent, or the legal
26 representative of ~~either~~ the adult adopted person, the
27 biological parent, or the adoptive parent, inspect the
28 original certificate and the evidence of adoption and reveal
29 to the applicant the date of the adoption and the name and
30 address of the court which issued the adoption decree.

31 Sec. 17. NEW SECTION. 144.43A MUTUAL CONSENT VOLUNTARY
32 ADOPTION REGISTRY.

33 | 1. In addition to other procedures by which birth
34 certificates may be inspected under this chapter, the state
35 registrar shall establish a mutual consent voluntary adoption

1 registry through which adult adopted children, adult siblings,
2 and the biological parents of adult adoptees may register to
3 obtain identifying birth information.

4 2. If all of the following conditions are met, the state
5 registrar shall reveal the identity of the biological parent
6 to the adult adopted child or the identity of the adult
7 adopted child to the biological parent, shall notify the
8 parties involved that the requests have been matched, and
9 shall disclose the identifying information to those parties:

10 a. A biological parent has filed a request and provided
11 consent to the revelation of the biological parent's identity
12 to the adult-adopted child, upon request of the adult adopted
13 child.

14 b. An adult adopted child has filed a request and provided
15 consent to the revelation of the identity of the adult adopted
16 child to a biological parent, upon request of the biological
17 parent.

18 c. The state registrar has been provided sufficient
19 information to make the requested match.

20 3. Notwithstanding the provisions of this section, if the
21 adult adopted person has a sibling who is a minor and who has
22 also been adopted, the state registrar shall not grant the
23 request of either the adult adopted person or the biological
24 parent to reveal the identities of the parties.

25 4. If all of the following conditions are met, the state
26 registrar shall reveal the identity of the adult adopted child
27 to an adult sibling and shall notify the parties involved that
28 the requests have been matched, and disclose the identifying
29 information to those parties:

30 a. An adult adopted child has filed a request and provided
31 consent to the revelation of the adult adopted child's
32 identity to an adult sibling.

33 b. The adult sibling has filed a request and provided
34 consent to the revelation of the identity of the adult sibling
35 to the adult adopted child.

1 c. The state registrar has been provided with sufficient
2 information to make the requested match.

3 5. A person who has filed a request or provided consent
4 under this section may withdraw the consent at any time prior
5 to the release of any information by filing a written
6 withdrawal of consent statement with the state registrar. The
7 adult adoptee, adult sibling, and biological parent shall
8 notify the state registrar of any change in the information
9 contained in a filed request or consent.

10 6. The state registrar shall establish a fee by rule based
11 on the average administrative costs for providing services
12 under this section.

13 Sec. 18. Section 147.103A, subsection 3, Code 1999, is
14 amended to read as follows:

15 3. The board may appoint investigators, who shall not be
16 members of the examining board, and whose compensation shall
17 be determined pursuant to chapter 19A. Investigators
18 appointed by the board have the powers and status of peace
19 officers when enforcing this chapter and chapters ~~147A~~, 148,
20 150, 150A, and 272C.

21 Sec. 19. Section 147A.1, subsection 1, Code 1999, is
22 amended by striking the subsection.

23 Sec. 20. Section 147A.4, subsection 2, Code 1999, is
24 amended to read as follows:

25 2. The department shall adopt rules required or authorized
26 by this subchapter pertaining to the examination and
27 certification of emergency medical care providers. These
28 rules shall include, but need not be limited to, requirements
29 concerning prerequisites, training, and experience for
30 emergency medical care providers and procedures for
31 determining when individuals have met these requirements. The
32 department shall adopt rules to recognize the previous EMS
33 training and experience of first responders and emergency
34 medical technicians to provide for an equitable transition to
35 the EMT-basic certification. The department may require

1 additional training and examinations as necessary and
2 appropriate to ensure that individuals seeking certification
3 have met the EMT-basic knowledge and skill requirements. The
4 ~~department shall consult with the board concerning these~~
5 ~~rules:~~

6 Sec. 21. Section 147A.7, subsection 2, Code 1999, is
7 amended by striking the subsection.

8 Sec. 22. Section 147A.8, unnumbered paragraph 2, Code
9 1999, is amended by striking the unnumbered paragraph.

10 Sec. 23. Section 147A.9, subsection 4, Code 1999, is
11 amended by striking the subsection.

12 Sec. 24. NEW SECTION. 147A.13A ENFORCEMENT.

13 Investigators authorized by the department have the powers
14 and status of peace officers when enforcing this chapter.

15 Sec. 25. Section 151.1, subsection 3, Code 1999, is
16 amended to read as follows:

17 3. Persons utilizing differential diagnosis and procedures
18 related thereto, withdrawing or ordering withdrawal of the
19 patient's blood for diagnostic purposes, performing or
20 utilizing routine laboratory tests, performing physical
21 examinations, rendering nutritional advice, utilizing
22 chiropractic physiotherapy procedures, all of which are
23 subject to and authorized by section 151.8. ~~However, a person~~
24 ~~engaged in the practice of chiropractic shall not profit from~~
25 ~~the sale of nutritional products coinciding with the~~
26 ~~nutritional advice rendered.~~

27 Sec. 26. Section 157.11, unnumbered paragraph 2, Code
28 1999, is amended to read as follows:

29 The application shall be accompanied by the ~~annual~~ biennial
30 license fee determined pursuant to section 147.80. The
31 license is valid for ~~one year~~ two years and may be renewed.

32 Sec. 27. Section 158.9, unnumbered paragraph 2, Code 1999,
33 is amended to read as follows:

34 The application shall be accompanied by the ~~annual~~ biennial
35 license fee determined pursuant to section 147.80. The

1 license is valid for ~~one-year~~ two years and may be renewed.
2 Sec. 28. Section 225C.23, Code 1999, is amended to read as
3 follows:

4 225C.23 BRAIN INJURY RECOGNIZED AS DISABILITY.

5 1. The department of human services, the Iowa department
6 of public health, the department of education and its
7 divisions of special education and vocational rehabilitation
8 services, the department of human rights and its division for
9 persons with disabilities, the department for the blind, and
10 all other state agencies which serve persons with brain
11 injuries, shall recognize brain injury as a distinct
12 disability and shall identify those persons with brain
13 injuries among the persons served by the state agency.

14 2. For the purposes of this section and section 135.22A,
15 "brain injury" means ~~clinically-evident-brain-damage-or-spinal~~
16 ~~cord-injury-resulting-directly-or-indirectly-from-trauma,~~
17 ~~infection,-anoxia,-or-vascular-lesions-not-primarily-related~~
18 ~~to-degenerative-or-aging-processes,-which-temporarily-or~~
19 ~~permanently-impairs-a-person's-physical-or-cognitive~~
20 ~~functions.~~ the occurrence of injury to the head not primarily
21 related to a degenerative disease or aging process that is
22 documented in a medical record with one or more of the
23 following conditions attributed to the head injury:

24 a. An observed or self-reported decreased level of
25 consciousness.

26 b. Amnesia.

27 c. A skull fracture.

28 d. An objective neurological or neuropsychological
29 abnormality.

30 e. A diagnosed intracranial lesion.

31 Sec. 29. Section 235A.15, subsection 2, paragraph d, Code
32 1999, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (6) Each board of examiners specified
34 under chapter 147 and the Iowa department of public health for
35 the purpose of licensure, certification or registration,

1 disciplinary investigation, or the renewal of licensure,
2 certification or registration, or disciplinary proceedings of
3 health care professionals.

4 Sec. 30. Section 235B.6, subsection 2, paragraph b, Code
5 1999, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (7) Each board of examiners specified
7 under chapter 147 and the Iowa department of public health for
8 the purpose of licensure, certification or registration,
9 disciplinary investigation, or the renewal of licensure,
10 certification or registration, or disciplinary proceedings of
11 health care professionals.

12 Sec. 31. Section 235C.2, subsections 2, 3, 4, 5, and 8,
13 Code 1999, are amended to read as follows:

14 2. The director ~~of the department~~ of human services or the
15 director's designee ~~as a nonvoting ex-officio member~~.

16 3. The ~~department coordinator~~ director of the department
17 of human rights or the ~~coordinator's~~ director's designee ~~as a~~
18 ~~nonvoting ex-officio member~~.

19 4. The director of the department of education or the
20 director's designee ~~as a nonvoting ex-officio member~~.

21 5. The director of the department of corrections or the
22 director's designee ~~as a nonvoting ex-officio member~~.

23 8. A hospital administrator or the administrator's
24 designee selected by the board of the association of Iowa
25 hospitals and health systems.

26 Sec. 32. Section 235C.2, Code 1999, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 18. Two consumer representatives selected
29 by the governor, one of whom shall be a parent and one of whom
30 shall be a nonparent family member.

31 Sec. 33. Section 235C.3, subsection 2, paragraph b, Code
32 1999, is amended to read as follows:

33 b. A health professional training campaign, including
34 recommendations concerning the curriculum offered at the
35 college of medicine at the state university of Iowa and the

1 university of osteopathic medicine and health services,
2 providing assistance in the identification of women at risk of
3 substance abuse during pregnancy and strategies to be employed
4 in assisting those women to maintain healthy lifestyles during
5 pregnancy. ~~Included-in-this~~ This education campaign shall be
6 guidelines offer information to health professionals offering
7 information on assessment, laboratory testing, medication-use,
8 and referrals.

9 Sec. 34. Section 235C.3, subsection 5, unnumbered
10 paragraph 2, Code 1999, is amended by striking the unnumbered
11 paragraph.

12 Sec. 35. Section 321.19, subsection 1, unnumbered
13 paragraph 2, Code 1999, is amended to read as follows:

14 The department shall furnish, on application, free of
15 charge, distinguishing plates for vehicles thus exempted,
16 which plates except plates on Iowa state patrol vehicles shall
17 bear the word "official" and the department shall keep a
18 separate record. Registration plates issued for Iowa state
19 patrol vehicles, except unmarked patrol vehicles, shall bear
20 two red stars on a yellow background, one before and one
21 following the registration number on the plate, which
22 registration number shall be the officer's badge number.
23 Registration plates issued for county sheriff's patrol
24 vehicles shall display one seven-pointed gold star followed by
25 the letter "S" and the call number of the vehicle. However,
26 the director of general services or the director of
27 transportation may order the issuance of regular registration
28 plates for any exempted vehicle used by peace officers in the
29 enforcement of the law, persons enforcing chapter 124 and
30 other laws relating to controlled substances, persons in the
31 department of justice, the alcoholic beverages division of the
32 department of commerce, disease investigators of the Iowa
33 department of public health, the department of inspections and
34 appeals, and the department of revenue and finance, who are
35 regularly assigned to conduct investigations which cannot

1 reasonably be conducted with a vehicle displaying "official"
2 state registration plates, persons in the lottery division of
3 the department of revenue and finance whose regularly assigned
4 duties relating to security or the carrying of lottery tickets
5 cannot reasonably be conducted with a vehicle displaying
6 "official" registration plates, and persons in the department
7 of economic development who are regularly assigned duties
8 relating to existing industry expansion or business
9 attraction. For purposes of sale of exempted vehicles, the
10 exempted governmental body, upon the sale of the exempted
11 vehicle, may issue for in-transit purposes a pasteboard card
12 bearing the words "Vehicle in Transit", the name of the
13 official body from which the vehicle was purchased, together
14 with the date of the purchase plainly marked in at least one-
15 inch letters, and other information required by the
16 department. The in-transit card is valid for use only within
17 forty-eight hours after the purchase date as indicated on the
18 bill of sale which shall be carried by the driver.

19 Sec. 36. Section 321.34, subsection 11A, paragraph c, Code
20 1999, is amended to read as follows:

21 c. The special fee for letter number designated love our
22 kids plates is thirty-five dollars. The fee for personalized
23 love our kids plates is twenty-five dollars, which shall be
24 paid in addition to the special love our kids fee of thirty-
25 five dollars. The fees collected by the director under this
26 subsection shall be paid monthly to the treasurer of state and
27 credited to the road use tax fund. Notwithstanding section
28 423.24, and prior to the crediting of revenues to the road use
29 tax fund under section 423.24, subsection 1, paragraph "c",
30 the treasurer of state shall transfer monthly from those
31 revenues to the Iowa department of public health the amount of
32 the special fees collected in the previous month for the love
33 our kids plates. Notwithstanding section 8.33, moneys
34 transferred under this subsection shall not revert to the
35 general fund of the state.

1 Sec. 37. Section 331.605, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. A county fee of four dollars for ~~the following~~
4 ~~certificates, records, or services:~~

5 a. ~~A~~ a certified copy of a ~~birth record,~~ death record, or
6 marriage certificate.

7 Sec. 38. Section 331.802, subsection 2, Code 1999, is
8 amended to read as follows:

9 2. If a person's death affects the public interest, the
10 county medical examiner shall conduct a preliminary
11 investigation of the cause and manner of death, prepare a
12 written report of the findings, promptly submit the full
13 report to the state medical examiner on forms prescribed for
14 that purpose, and submit a copy of the report to the county
15 attorney. For each preliminary investigation and the
16 preparation and submission of the required reports, the county
17 medical examiner shall receive from the county of appointment
18 a fee determined by the board plus the examiner's actual
19 expenses. The fee and expenses paid by the county of
20 appointment shall be reimbursed to the county of appointment
21 by the county of the person's residence. However, if the
22 person's death is caused by a defendant for whom a judgment of
23 conviction and sentence is rendered under section 707.2,
24 707.3, 707.4, 707.5, or 707.6A, the county of the person's
25 residence may recover from the defendant the fee and expenses.
26 The fee and expenses of the county medical examiner who
27 performs an autopsy or conducts an investigation of a person
28 who dies after being brought into this state for emergency
29 medical treatment by or at the direction of an out-of-state
30 law enforcement officer or public authority shall be paid by
31 the state. A claim for payment shall be filed with the Iowa
32 department of public health. If moneys are not appropriated
33 to the Iowa department of public health for the payment of
34 autopsies under this subsection, claims for payment shall be
35 forwarded to the state appeal board and, if authorized by the

1 board, shall be paid out of moneys in the general fund of the
2 state not otherwise appropriated.

3 Sec. 39. AFFIDAVIT PROCESS -- HUSBAND NOT BIOLOGICAL
4 FATHER.

5 1. The Iowa department of public health and the department
6 of human services shall review and make recommendations to the
7 general assembly regarding the implementation of an affidavit
8 process, similar to the process established pursuant to
9 section 252A.3A, to overcome paternity established by
10 operation of law when the established father and the mother of
11 the child are or were married at the time of conception or
12 birth of the child, and to simultaneously establish paternity
13 of the biological father. In reviewing this issue and
14 developing recommendations, the departments shall seek input
15 from representatives of custodial and noncustodial parents,
16 vital records entities, hospitals and birth centers, the
17 judicial branch, the office of the attorney general, the child
18 support advisory committee created in section 252B.18, and
19 other interested parties.

20 2. The departments shall submit a report of the results of
21 the review and recommendations, including a listing of any
22 necessary, proposed statutory amendments, to the general
23 assembly and to the chairpersons of the senate and house human
24 resources standing committees by December 15, 1999.

25 Sec. 40. Section 151.7, Code 1999, is repealed.

26 EXPLANATION

27 This bill provides for several changes related to the
28 administration of programs under the purview of the Iowa
29 department of public health and related health professional
30 licensing and regulatory boards.

31 The amendments to Code section 125.39 eliminates the
32 specific list of entities eligible for licensure as substance
33 abuse treatment facilities.

34 The amendments to Code sections 135.22, 135.22A, and
35 225C.23 provide separate definitions for "brain injury" and

1 "spinal cord injury".

2 The amendments to Code sections 135.101 through 135.105
3 change Code references to the "lead abatement program" to,
4 "childhood lead poisoning prevention program" and strike the
5 use of the term abatement for purposes of lead hazard
6 surveillance.

7 The amendment to Code section 136C.3 modifies the
8 membership composition of the department's technical advisory
9 committee for operators of radiation machines.

10 The amendment to Code section 137.19 provides for the
11 availability of emergency reserve funding to local boards of
12 health.

13 The amendment to Code section 144.1 defines "court of
14 competent jurisdiction" for the purposes of inspection of an
15 original certificate of birth based upon an adoption.

16 The amendments to Code sections 144.1, subsection 13,
17 144.13, 144.13A, and 331.605, subsection 5, make technical
18 corrections and update outdated references to the duties of
19 the county registrar regarding fees associated with
20 registering a certificate of birth. Fees would only be
21 collected by the state registrar.

22 The amendment to Code section 144.24 adds biological parent
23 to the list of persons entitled to be informed of which court
24 issued an adoption order.

25 The amendment creating Code section 144.43A directs the
26 department to establish a voluntary adoption registry through
27 which adult adoptees, their siblings, and biological parents
28 could register to reveal the identity of each other. The
29 registry would only reveal information to those persons who
30 have mutually consented to participate. A filing fee would be
31 established to support the cost associated with the registry.

32 The amendments to Code sections 147A.1, 147A.4, 147A.7,
33 147A.8, and 147A.9 eliminate references to the Iowa board of
34 medical examiners in Code chapter 147A (emergency medical care
35 +- trauma care) including striking a requirement that any

1 disciplinary actions relating to clinical issues be referred
2 to the board. The amendments to Code sections 147.103A and
3 147A.13A also provide that investigators authorized by the
4 department, rather than the board, have the powers of peace
5 officers when enforcing the chapter.

6 The amendments to Code sections 151.1 and 151.7, which is
7 repealed, eliminate the prohibition on chiropractors from
8 advertising or selling nutritional supplements.

9 The amendments to Code sections 156.4 and 156.7 eliminate
10 oral exams and proficiency testing for licensing as a funeral
11 director and provide the board of mortuary science examiners
12 with the authority to establish practicums in mortuary
13 science.

14 The amendments to Code sections 157.11 and 158.9 extend the
15 license period for cosmetology salons and barbershops from one
16 year to two years.

17 The amendments to Code sections 235A.15 and 235B.6 provide
18 the department and professional licensure boards with access
19 to dependent adult and child abuse records.

20 The amendments to Code sections 235C.2 and 235C.3 make
21 changes and updates regarding the council on chemically
22 exposed infants and children and changes the status of the
23 directors of human services, human rights, education, and
24 corrections from nonvoting to voting members.

25 The amendment to Code section 321.19 extends the authority
26 to use unmarked state vehicles to department disease
27 investigators.

28 The amendment to Code section 321.34 provides that funds
29 transferred to the department from the department of
30 transportation from revenues derived from the "Love our Kids"
31 license plates shall not revert to the general fund of the
32 state.

33 The amendment to Code section 331.802 provides that county
34 claims for autopsy expenses pursuant to Code section 331.802
35 shall be forwarded to the state appeal board if funds are not

1 appropriated to the department for payment of these claims.
2 The bill also requires the Iowa department of public health
3 and the department of human services to review and make
4 recommendations to the general assembly, regarding
5 implementation of an affidavit process to overcome paternity
6 established by operation of law when the established father
7 and mother of the child are or were married to each other at
8 the time of conception or birth of the child, and to
9 simultaneously establish paternity of the biological father.
10 The departments are required to submit a report to the general
11 assembly and to the chairpersons of the senate and house human
12 resources committees by December 15, 1999.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

- 3/12/99
5-3/23/99 Amend/Do Pass
w/S3113

HOUSE FILE 497
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 128)

(As Amended and Passed by the House, March 15, 1999)

Passed House, Date 4/15/99 Passed Senate, Date 4/5/99
Vote: Ayes 89 Nays 0 Vote: Ayes 46 Nays 0

Approved May 18, 1999 Repassed 4-26-99 (P.1289)
Vote 49-0

A BILL FOR

1 An Act relating to certain programs and public health issues
2 under the purview of the Iowa department of public health.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

HF
497

1 Section 1. Section 125.39, subsection 1, Code 1999, is
2 amended by striking the subsection.

3 Sec. 2. Section 135.22, Code 1999, is amended to read as
4 follows:

5 135.22 CENTRAL REGISTRY FOR BRAIN OR SPINAL CORD INJURIES.

6 1. As used in this section, "brain:

7 a. "Brain injury" means clinically-evident-brain-damage-or
8 spinal-cord-injury-resulting-from-trauma-or-anoxia, which
9 temporarily-or-permanently-impairs-a-person's-physical-or
10 cognitive-functions the occurrence of injury to the head not
11 primarily related to a degenerative disease or aging process
12 that is documented in a medical record with one or more of the
13 following conditions attributed to the head injury:

14 (1) An observed or self-reported decreased level of
15 consciousness.

16 (2) Amnesia.

17 (3) A skull fracture.

18 (4) An objective neurological or neuropsychological
19 abnormality.

20 (5) A diagnosed intracranial lesion.

21 b. "Spinal cord injury" means the occurrence of an acute
22 traumatic lesion of neural elements in the spinal cord
23 including the spinal cord and cauda equina, resulting in
24 temporary or permanent sensory deficit, motor deficit, or
25 bladder or bowel dysfunction.

26 2. The director shall establish and maintain a central
27 registry of persons with brain or spinal cord injuries in
28 order to facilitate prevention strategies and the provision of
29 appropriate rehabilitative services to the persons by the
30 department and other state agencies. Hospitals shall report
31 patients who are admitted with a brain or spinal cord injury
32 and their diagnoses to the director no later than forty-five
33 days after the close of a quarter in which the patient was
34 discharged. The report shall contain the name, age, and
35 residence of the person, the date, type, and cause of the

1 brain or spinal cord injury, and additional information as the
2 director requires, except that where available, hospitals
3 shall report the ~~Glasgow~~ Glasgow coma scale. The director
4 shall consult with health care providers concerning the
5 availability of additional relevant information. The
6 department shall maintain the confidentiality of all
7 information which would identify any person named in a report.
8 However, the identifying information may be released for bona
9 fide research purposes if the confidentiality of the
10 identifying information is maintained by the researchers, or
11 the identifying information may be released by the person with
12 the brain or spinal cord injury or by the person's guardian
13 or, if the person is a minor, by the person's parent or
14 guardian.

15 Sec. 3. Section 135.22A, Code 1999, is amended to read as
16 follows:

17 135.22A ADVISORY COUNCIL ON HEAD BRAIN INJURIES.

18 1. For purposes of this section, unless the context
19 otherwise requires:

20 ~~a. "Council" means the advisory council on head injuries.~~

21 b a. "Head Brain injury" means "brain-injury" an injury to
22 the brain as defined in section 225E-23 135.22.

23 b. "Council" means the advisory council on brain injuries.

24 2. The advisory council on head brain injuries is
25 established. The following persons or their designees shall
26 serve as ex officio, nonvoting members of the council:

27 a. The director of public health.

28 b. The director of human services and any division
29 administrators of the department of human services so assigned
30 by the director.

31 c. The director of the department of education.

32 d. The chief of the special education bureau of the
33 department of education.

34 e. The administrator of the division of vocational
35 rehabilitation services of the department of education.

1 f. The director of the department for the blind.

2 g. The commissioner of insurance.

3 3. The council shall be composed of a minimum of nine
4 members appointed by the governor in addition to the ex
5 officio members, and the governor may appoint additional
6 members. Insofar as practicable, the council shall include
7 persons with head brain injuries, family members of persons
8 with head brain injuries, representatives of industry, labor,
9 business, and agriculture, representatives of federal, state,
10 and local government, and representatives of religious,
11 charitable, fraternal, civic, educational, medical, legal,
12 veteran, welfare, and other professional groups and
13 organizations. Members shall be appointed representing every
14 geographic and employment area of the state and shall include
15 members of both sexes.

16 4. Members of the council appointed by the governor shall
17 be appointed for terms of two years. Vacancies on the council
18 shall be filled for the remainder of the term of the original
19 appointment. Members whose terms expire may be reappointed.

20 5. The voting members of the council shall appoint a
21 chairperson and a vice chairperson and other officers as the
22 council deems necessary. The officers shall serve until their
23 successors are appointed and qualified. Members of the
24 council shall receive actual expenses for their services.
25 Members may also be eligible to receive compensation as
26 provided in section 7E.6. The council shall adopt rules
27 pursuant to chapter 17A.

28 6. The council shall do all of the following:

29 a. Promote meetings and programs for the discussion of
30 methods to reduce the debilitating effects of head brain
31 injuries, and disseminate information in cooperation with any
32 other department, agency, or entity on the prevention,
33 evaluation, care, treatment, and rehabilitation of persons
34 affected by head brain injuries.

35 b. Study and review current prevention, evaluation, care,

1 treatment, and rehabilitation technologies and recommend
2 appropriate preparation, training, retraining, and
3 distribution of personnel and resources in the provision of
4 services to persons with head brain injuries through private
5 and public residential facilities, day programs, and other
6 specialized services.

7 c. Participate in developing and disseminating criteria
8 and standards which may be required for future funding or
9 licensing of facilities, day programs, and other specialized
10 services for persons with head brain injuries in this state.

11 d. Make recommendations to the governor for developing and
12 administering a state plan to provide services for persons
13 with head brain injuries.

14 e. Meet at least quarterly.

15 7. The council is assigned to the department for
16 administrative purposes. The director shall be responsible
17 for budgeting, program coordination, and related management
18 functions.

19 8. The council may receive gifts, grants, or donations
20 made for any of the purposes of its programs and disburse and
21 administer them in accordance with their terms and under the
22 direction of the director.

23 Sec. 4. Section 135.101, Code 1999, is amended to read as
24 follows:

25 135.101 CHILDHOOD LEAD POISONING PREVENTION PROGRAM.

26 There is established a childhood lead abatement poisoning
27 prevention program within the Iowa department of public
28 health. The department shall implement and review programs
29 necessary to eliminate potentially dangerous toxic lead levels
30 in children in Iowa in a year for which funds are appropriated
31 to the department for this purpose.

32 Sec. 5. Section 135.102, subsections 2 and 5, Code 1999,
33 are amended to read as follows:

34 2. Maintenance of laboratory facilities for the childhood
35 lead abatement poisoning prevention program.

1 5. Prioritization of proposed childhood lead **abatement**
2 poisoning prevention programs, based on the geographic areas
3 known with children identified with elevated blood lead level
4 resulting from surveys completed by the department.

5 Sec. 6. Section 135.103, Code 1999, is amended to read as
6 follows:

7 135.103 GRANT PROGRAM.

8 The department shall implement a childhood lead **abatement**
9 poisoning prevention grant program which provides matching
10 funds to local boards of health or cities for the program
11 after standards and requirements for the local program are
12 developed. The state shall provide funds to approved programs
13 on the basis of three dollars for each one dollar designated
14 by the local board of health or city for the program for the
15 first two years of a program, and funds on the basis of one
16 dollar for each one dollar designated by the local board of
17 health or city for the program for the third and subsequent
18 years of the program if such funding is determined necessary
19 by the department for such subsequent years.

20 Sec. 7. Section 135.104, unnumbered paragraph 1, Code
21 1999, is amended to read as follows:

22 The program by a local board of health or city receiving
23 matching funding for an approved childhood lead **abatement**
24 poisoning prevention grant program shall include:

25 Sec. 8. Section 135.104, subsection 7, Code 1999, is
26 amended to read as follows:

27 7. **Abatement-surveillance** Surveillance to ensure
28 correction of the identified hazardous settings.

29 Sec. 9. Section 135.105, subsection 1, Code 1999, is
30 amended to read as follows:

31 1. Coordinate the childhood lead **abatement** poisoning
32 prevention program with the department of natural resources,
33 the University of Iowa poison control program, the mobile and
34 regional child health speciality clinics, and any agency or
35 program known for a direct interest in lead levels in the

1 environment.

2 Sec. 10. Section 136C.3, subsection 2, unnumbered
3 paragraph 2, Code 1999, is amended to read as follows:

4 The department shall establish a technical advisory
5 committee made up of ~~two radiologic technologists,~~ two four
6 technologists, one of whom shall be a limited radiography
7 instructor, one of whom shall represent nuclear medicine
8 technologists, one of whom shall represent radiation
9 therapists, and one of whom shall represent diagnostic
10 radiographers; four physicians, including one radiologist, one
11 chiropractor, one physician representing either radiation
12 therapy or nuclear medicine, and one private practitioner;
13 and a representative of the department. The advisory
14 committee shall assist the department in developing and
15 establishing criteria for ~~continuing-education-and~~
16 ~~examinations~~ the administration of this subsection.

17 Sec. 11. Section 137.19, Code 1999, is amended to read as
18 follows:

19 137.19 EMERGENCY REQUEST FOR FUNDS.

20 A local board may, in emergency situations, request
21 additional appropriations, which may, upon approval of the
22 director, be allotted from the funds reserved for that purpose
23 to the extent that funds are appropriated and available. On
24 termination of the emergency situation, the local board shall
25 report its expenditures of emergency funds, to the director
26 and return any unexpended funds.

27 Sec. 12. Section 144.1, Code 1999, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 1A. "Court of competent jurisdiction"
30 when used to refer to inspection of an original certificate of
31 birth based upon an adoption means the court where the
32 adoption was ordered.

33 Sec. 13. Section 144.1, subsection 13, Code 1999, is
34 amended to read as follows:

35 13. "Vital statistics" means records of births, deaths,

1 fetal deaths, adoptions, marriages, divorces dissolutions,
2 annulments, and data related thereto.

3 Sec. 14. Section 144.13, subsection 1, paragraph d, Code
4 1999, is amended to read as follows:

5 d. The state registrar may ~~transmit-to-the-appropriate~~
6 ~~local-boards-of-health~~ share information from birth
7 certificates for the sole purpose of identifying those
8 children in need of immunizations.

9 Sec. 15. Section 144.13A, Code 1999, is amended to read as
10 follows:

11 144.13A FEES -- USE OF FUNDS.

12 The ~~county-registrar-or~~ state registrar shall charge the
13 parent a ten dollar fee for the registration of a certificate
14 of birth and a separate fee established under section 144.46
15 for a certified copy of the certificate ~~except-as-otherwise~~
16 ~~provided-in-section-331-605,-subsection-6~~. The certified copy
17 shall be mailed to the parent by the state registrar. If the
18 person responsible for the filing of the certificate of birth
19 under section 144.13 is not the parent, the person is entitled
20 to collect the fee from the parent. The fee shall be remitted
21 to the appropriate state registrar. If the expenses of the
22 birth are reimbursed under the medical assistance program
23 established by chapter 249A, or paid for under the statewide
24 indigent patient care program established by chapter 255, or
25 paid for under the obstetrical and newborn indigent patient
26 care program established by chapter 255A, or if the parent is
27 indigent and unable to pay the expenses of the birth and no
28 other means of payment is available to the parent, the
29 registration fee and certified copy fee are waived. If the
30 person responsible for the filing of the certificate is not
31 the parent, the person is discharged from the duty to collect
32 and remit the fee under this section if the person has made a
33 good faith effort to collect the fee from the parent. The
34 fees collected by the ~~county-registrar-and~~ state registrar
35 shall be remitted to the treasurer of state for deposit in the

1 general fund of the state. It is the intent of the general
2 assembly that the funds generated from the registration fees
3 be appropriated and used for primary and secondary child abuse
4 prevention programs. It is the intent of the general assembly
5 that the funds generated from the fees as established under
6 section 144.46 for the mailing of the certified copy of the
7 birth certificate be appropriated and used to support the
8 distribution of the automatic birth certificate and the
9 implementation of the electronic birth certificate system.

10 Sec. 16. Section 144.24, Code 1999, is amended to read as
11 follows:

12 144.24 SUBSTITUTING NEW FOR ORIGINAL BIRTH CERTIFICATES --
13 INSPECTION.

14 If a new certificate of birth is established, the actual
15 place and date of birth shall be shown on the certificate.
16 The certificate shall be substituted for the original
17 certificate of birth. Thereafter, the original certificate
18 and the evidence of adoption, paternity, legitimation, or sex
19 change shall not be subject to inspection except under order
20 of a court of competent jurisdiction, including but not
21 limited to an order issued pursuant to section ~~600.16~~ 600.16A,
22 or as provided by administrative rule for statistical or
23 administrative purposes only. However, the state registrar
24 shall, upon the application of an adult adopted person, a
25 biological parent, an adoptive parent, or the legal
26 representative of ~~either~~ the adult adopted person, the
27 biological parent, or the adoptive parent, inspect the
28 original certificate and the evidence of adoption and reveal
29 to the applicant the date of the adoption and the name and
30 address of the court which issued the adoption decree.

31 Sec. 17. NEW SECTION. 144.43A MUTUAL CONSENT VOLUNTARY
32 ADOPTION REGISTRY.

33 1. In addition to other procedures by which birth
34 certificates may be inspected under this chapter, the state
35 registrar shall establish a mutual consent voluntary adoption

1 registry through which adult adopted children, adult siblings,
2 and the biological parents of adult adoptees may register to
3 obtain identifying birth information.

4 2. If all of the following conditions are met, the state
5 registrar shall reveal the identity of the biological parent
6 to the adult adopted child or the identity of the adult
7 adopted child to the biological parent, shall notify the
8 parties involved that the requests have been matched, and
9 shall disclose the identifying information to those parties:

10 a. A biological parent has filed a request and provided
11 consent to the revelation of the biological parent's identity
12 to the adult adopted child, upon request of the adult adopted
13 child.

14 b. An adult adopted child has filed a request and provided
15 consent to the revelation of the identity of the adult adopted
16 child to a biological parent, upon request of the biological
17 parent.

18 c. The state registrar has been provided sufficient
19 information to make the requested match.

20 3. Notwithstanding the provisions of this section, if the
21 adult adopted person has a sibling who is a minor and who has
22 also been adopted, the state registrar shall not grant the
23 request of either the adult adopted person or the biological
24 parent to reveal the identities of the parties.

25 4. If all of the following conditions are met, the state
26 registrar shall reveal the identity of the adult adopted child
27 to an adult sibling and shall notify the parties involved that
28 the requests have been matched, and disclose the identifying
29 information to those parties:

30 a. An adult adopted child has filed a request and provided
31 consent to the revelation of the adult adopted child's
32 identity to an adult sibling.

33 b. The adult sibling has filed a request and provided
34 consent to the revelation of the identity of the adult sibling
35 to the adult adopted child.

1 c. The state registrar has been provided with sufficient
2 information to make the requested match.

3 5. A person who has filed a request or provided consent
4 under this section may withdraw the consent at any time prior
5 to the release of any information by filing a written
6 withdrawal of consent statement with the state registrar. The
7 adult adoptee, adult sibling, and biological parent shall
8 notify the state registrar of any change in the information
9 contained in a filed request or consent.

10 6. The state registrar shall establish a fee by rule based
11 on the average administrative costs for providing services
12 under this section.

13 Sec. 18. Section 147.103A, subsection 3, Code 1999, is
14 amended to read as follows:

15 3. The board may appoint investigators, who shall not be
16 members of the examining board, and whose compensation shall
17 be determined pursuant to chapter 19A. Investigators
18 appointed by the board have the powers and status of peace
19 officers when enforcing this chapter and chapters ~~147A~~ 148,
20 150, 150A, and 272C.

21 Sec. 19. Section 147A.1, subsection 1, Code 1999, is
22 amended by striking the subsection.

23 Sec. 20. Section 147A.4, subsection 2, Code 1999, is
24 amended to read as follows:

25 2. The department shall adopt rules required or authorized
26 by this subchapter pertaining to the examination and
27 certification of emergency medical care providers. These
28 rules shall include, but need not be limited to, requirements
29 concerning prerequisites, training, and experience for
30 emergency medical care providers and procedures for
31 determining when individuals have met these requirements. The
32 department shall adopt rules to recognize the previous EMS
33 training and experience of first responders and emergency
34 medical technicians to provide for an equitable transition to
35 the EMT-basic certification. The department may require

1 additional training and examinations as necessary and
2 appropriate to ensure that individuals seeking certification
3 have met the EMT-basic knowledge and skill requirements. The
4 ~~department shall consult with the board concerning these~~
5 ~~rules.~~

6 Sec. 21. Section 147A.7, subsection 2, Code 1999, is
7 amended by striking the subsection.

8 Sec. 22. Section 147A.8, unnumbered paragraph 2, Code
9 1999, is amended by striking the unnumbered paragraph.

10 Sec. 23. Section 147A.9, subsection 4, Code 1999, is
11 amended by striking the subsection.

12 Sec. 24. NEW SECTION. 147A.13A ENFORCEMENT.

13 Investigators authorized by the department have the powers
14 and status of peace officers when enforcing this chapter.

15 Sec. 25. Section 151.1, subsection 3, Code 1999, is
16 amended to read as follows:

17 3. Persons utilizing differential diagnosis and procedures
18 related thereto, withdrawing or ordering withdrawal of the
19 patient's blood for diagnostic purposes, performing or
20 utilizing routine laboratory tests, performing physical
21 examinations, rendering nutritional advice, utilizing
22 chiropractic physiotherapy procedures, all of which are
23 subject to and authorized by section 151.8. ~~However, a person~~
24 ~~engaged in the practice of chiropractic shall not profit from~~
25 ~~the sale of nutritional products coinciding with the~~
26 ~~nutritional advice rendered.~~

27 Sec. 26. Section 157.11, unnumbered paragraph 2, Code
28 1999, is amended to read as follows:

29 The application shall be accompanied by the ~~annual~~ biennial
30 license fee determined pursuant to section 147.80. The
31 license is valid for ~~one-year~~ two years and may be renewed.

32 Sec. 27. Section 158.9, unnumbered paragraph 2, Code 1999,
33 is amended to read as follows:

34 The application shall be accompanied by the ~~annual~~ biennial
35 license fee determined pursuant to section 147.80. The

1 license is valid for ~~one-year~~ two years and may be renewed.

2 Sec. 28. Section 225C.23, Code 1999, is amended to read as
3 follows:

4 225C.23 BRAIN INJURY RECOGNIZED AS DISABILITY.

5 1. The department of human services, the Iowa department
6 of public health, the department of education and its
7 divisions of special education and vocational rehabilitation
8 services, the department of human rights and its division for
9 persons with disabilities, the department for the blind, and
10 all other state agencies which serve persons with brain
11 injuries, shall recognize brain injury as a distinct
12 disability and shall identify those persons with brain
13 injuries among the persons served by the state agency.

14 2. For the purposes of this section and section 135.22A,
15 "brain injury" means ~~clinically-evident-brain-damage-or-spinal~~
16 ~~cord-injury-resulting-directly-or-indirectly-from-trauma,~~
17 ~~infection,-anoxia,-or-vascular-lesions-not-primarily-related~~
18 ~~to-degenerative-or-aging-processes,-which-temporarily-or~~
19 ~~permanently-impairs-a-person's-physical-or-cognitive~~
20 functions; the occurrence of injury to the head not primarily
21 related to a degenerative disease or aging process that is
22 documented in a medical record with one or more of the
23 following conditions attributed to the head injury:

24 a. An observed or self-reported decreased level of
25 consciousness.

26 b. Amnesia.

27 c. A skull fracture.

28 d. An objective neurological or neuropsychological
29 abnormality.

30 e. A diagnosed intracranial lesion.

31 Sec. 29. Section 235A.15, subsection 2, paragraph d, Code
32 1999, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (6) Each board of examiners specified
34 under chapter 147 and the Iowa department of public health for
35 the purpose of licensure, certification or registration,

1 disciplinary investigation, or the renewal of licensure,
2 certification or registration, or disciplinary proceedings of
3 health care professionals.

4 Sec. 30. Section 235B.6, subsection 2, paragraph b, Code
5 1999, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (7) Each board of examiners specified
7 under chapter 147 and the Iowa department of public health for
8 the purpose of licensure, certification or registration,
9 disciplinary investigation, or the renewal of licensure,
10 certification or registration, or disciplinary proceedings of
11 health care professionals.

12 Sec. 31. Section 235C.2, subsections 2, 3, 4, 5, and 8,
13 Code 1999, are amended to read as follows:

14 2. The director ~~of the department~~ of human services or the
15 director's designee ~~as a nonvoting ex-officio member~~.

16 3. The ~~department coordinator~~ director of the department
17 of human rights or the ~~coordinator's~~ director's designee ~~as a~~
18 ~~nonvoting ex-officio member~~.

19 4. The director of the department of education or the
20 director's designee ~~as a nonvoting ex-officio member~~.

21 5. The director of the department of corrections or the
22 director's designee, ~~as a nonvoting ex-officio member~~.

23 8. A hospital administrator or the administrator's
24 designee selected by the board of the association of Iowa
25 hospitals and health systems.

26 Sec. 32. Section 235C.2, Code 1999, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 18. Two consumer representatives selected
29 by the governor, one of whom shall be a parent and one of whom
30 shall be a nonparent family member.

31 Sec. 33. Section 235C.3, subsection 2, paragraph b, Code
32 1999, is amended to read as follows:

33 b. A health professional training campaign, including
34 recommendations concerning the curriculum offered at the
35 college of medicine at the state university of Iowa and the

1 university of osteopathic medicine and health services,
2 providing assistance in the identification of women at risk of
3 substance abuse during pregnancy and strategies to be employed
4 in assisting those women to maintain healthy lifestyles during
5 pregnancy. ~~Included-in-this~~ This education campaign shall be
6 guidelines offer information to health professionals offering
7 information on assessment, laboratory testing, medication-use,
8 and referrals.

9 Sec. 34. Section 235C.3, subsection 5, unnumbered
10 paragraph 2, Code 1999, is amended by striking the unnumbered
11 paragraph.

12 Sec. 35. Section 321.19, subsection 1, unnumbered
13 paragraph 2, Code 1999, is amended to read as follows:

14 The department shall furnish, on application, free of
15 charge, distinguishing plates for vehicles thus exempted,
16 which plates except plates on Iowa state patrol vehicles shall
17 bear the word "official" and the department shall keep a
18 separate record. Registration plates issued for Iowa state
19 patrol vehicles, except unmarked patrol vehicles, shall bear
20 two red stars on a yellow background, one before and one
21 following the registration number on the plate, which
22 registration number shall be the officer's badge number.
23 Registration plates issued for county sheriff's patrol
24 vehicles shall display one seven-pointed gold star followed by
25 the letter "S" and the call number of the vehicle. However,
26 the director of general services or the director of
27 transportation may order the issuance of regular registration
28 plates for any exempted vehicle used by peace officers in the
29 enforcement of the law, persons enforcing chapter 124 and
30 other laws relating to controlled substances, persons in the
31 department of justice, the alcoholic beverages division of the
32 department of commerce, disease investigators of the Iowa
33 department of public health, the department of inspections and
34 appeals, and the department of revenue and finance, who are
35 regularly assigned to conduct investigations which cannot

1 reasonably be conducted with a vehicle displaying "official"
2 state registration plates, persons in the lottery division of
3 the department of revenue and finance whose regularly assigned
4 duties relating to security or the carrying of lottery tickets
5 cannot reasonably be conducted with a vehicle displaying
6 "official" registration plates, and persons in the department
7 of economic development who are regularly assigned duties
8 relating to existing industry expansion or business
9 attraction. For purposes of sale of exempted vehicles, the
10 exempted governmental body, upon the sale of the exempted
11 vehicle, may issue for in-transit purposes a pasteboard card
12 bearing the words "Vehicle in Transit", the name of the
13 official body from which the vehicle was purchased, together
14 with the date of the purchase plainly marked in at least one-
15 inch letters, and other information required by the
16 department. The in-transit card is valid for use only within
17 forty-eight hours after the purchase date as indicated on the
18 bill of sale which shall be carried by the driver.

19 Sec. 36. Section 321.34, subsection 11A, paragraph c, Code
20 1999, is amended to read as follows:

21 c. The special fee for letter number designated love our
22 kids plates is thirty-five dollars. The fee for personalized
23 love our kids plates is twenty-five dollars, which shall be
24 paid in addition to the special love our kids fee of thirty-
25 five dollars. The fees collected by the director under this
26 subsection shall be paid monthly to the treasurer of state and
27 credited to the road use tax fund. Notwithstanding section
28 423.24, and prior to the crediting of revenues to the road use
29 tax fund under section 423.24, subsection 1, paragraph "c",
30 the treasurer of state shall transfer monthly from those
31 revenues to the Iowa department of public health the amount of
32 the special fees collected in the previous month for the love
33 our kids plates. Notwithstanding section 8.33, moneys
34 transferred under this subsection shall not revert to the
35 general fund of the state.

1 Sec. 37. Section 331.605, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. A county fee of four dollars for ~~the following~~
4 ~~certificates, records, or services:~~

5 ~~a.---A~~ a certified copy of a birth record, death record, or
6 marriage certificate.

7 Sec. 38. Section 331.802, subsection 2, Code 1999, is
8 amended to read as follows:

9 2. If a person's death affects the public interest, the
10 county medical examiner shall conduct a preliminary
11 investigation of the cause and manner of death, prepare a
12 written report of the findings, promptly submit the full
13 report to the state medical examiner on forms prescribed for
14 that purpose, and submit a copy of the report to the county
15 attorney. For each preliminary investigation and the
16 preparation and submission of the required reports, the county
17 medical examiner shall receive from the county of appointment
18 a fee determined by the board plus the examiner's actual
19 expenses. The fee and expenses paid by the county of
20 appointment shall be reimbursed to the county of appointment
21 by the county of the person's residence. However, if the
22 person's death is caused by a defendant for whom a judgment of
23 conviction and sentence is rendered under section 707.2,
24 707.3, 707.4, 707.5, or 707.6A, the county of the person's
25 residence may recover from the defendant the fee and expenses.
26 The fee and expenses of the county medical examiner who
27 performs an autopsy or conducts an investigation of a person
28 who dies after being brought into this state for emergency
29 medical treatment by or at the direction of an out-of-state
30 law enforcement officer or public authority shall be paid by
31 the state. A claim for payment shall be filed with the Iowa
32 department of public health. If moneys are not appropriated
33 to the Iowa department of public health for the payment of
34 autopsies under this subsection, claims for payment shall be
35 forwarded to the state appeal board and, if authorized by the

1 board, shall be paid out of moneys in the general fund of the
2 state not otherwise appropriated.

3 Sec. 39. AFFIDAVIT PROCESS -- HUSBAND NOT BIOLOGICAL
4 FATHER.

5 1. The Iowa department of public health and the department
6 of human services shall review and make recommendations to the
7 general assembly regarding the implementation of an affidavit
8 process, similar to the process established pursuant to
9 section 252A.3A, to overcome paternity established by
10 operation of law when the established father and the mother of
11 the child are or were married at the time of conception or
12 birth of the child, and to simultaneously establish paternity
13 of the biological father. In reviewing this issue and
14 developing recommendations, the departments shall seek input
15 from representatives of custodial and noncustodial parents,
16 vital records entities, hospitals and birth centers, the
17 judicial branch, the office of the attorney general, the child
18 support advisory committee created in section 252B.18, and
19 other interested parties.

20 2. The departments shall submit a report of the results of
21 the review and recommendations, including a listing of any
22 necessary, proposed statutory amendments, to the general
23 assembly and to the chairpersons of the senate and house human
24 resources standing committees by December 15, 1999.

25 Sec. 40. Section 151.7, Code 1999, is repealed.

26

27

28

29

30

31

32

33

34

35

HOUSE FILE 497

S-3113

1 Amend House File 497, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "Sec. ____ Section 135.11, subsection 9, Code
 6 1999, is amended to read as follows:
 7 9. Exercise sole jurisdiction over the disposal
 8 and transportation of the dead bodies of human beings
 9 and prescribe the methods to be used in preparing such
 10 bodies for disposal and transportation. However, the
 11 department may approve a request for an exception to
 12 the application of specific embalming and disposition
 13 rules adopted pursuant to this subsection, if such
 14 rules would otherwise conflict with tenets and
 15 practices of a recognized religious denomination to
 16 which the deceased individual adhered or of which
 17 denomination the deceased individual was a member.
 18 The department shall inform the board of mortuary
 19 science examiners of any such approved exception which
 20 may affect services provided by a funeral director
 21 licensed pursuant to chapter 156."
 22 2. By renumbering as necessary.

By COMMITTEE ON HUMAN RESOURCES
 NANCY BOETTGER, CHAIRPERSON

S-3113 FILED MARCH 23, 1999

*Adopted 4/5/99
 (p. 921)*

HOUSE FILE 497

S-3155

1 Amend House File 497, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 6, line 12, by inserting after the word
 4 "medicine," the following: "one podiatrist,".

By KEN VEENSTRA

out of order 4/5/99 (p. 920)
 S-3155 FILED MARCH 25, 1999

HOUSE FILE 497

S-3199

1 Amend House File 497, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 6, line 10, by striking the word "four"
 4 and inserting the following: "five".
 5 2. Page 6, line 12, by inserting after the word
 6 "medicine," the following: "one podiatrist,".

By KEN VEENSTRA

S-3199 FILED MARCH 30, 1999

*Adopted
 4/5/99
 (p. 920)*

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 497

S-3408

1 Amend the Senate amendment, H-1405, to House File
2 497, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 21, the
5 following:

6 "_____. Page 6, by inserting after line 1 the
7 following:

8 "Sec. _____. Section 135C.2, subsection 5, paragraph
9 b, Code 1999, is amended to read as follows:

10 b. A facility must be located in an area zoned for
11 single or multiple-family housing or in an
12 unincorporated area and must be constructed in
13 compliance with applicable local requirements and the
14 rules adopted for the special classification by the
15 state fire marshal in accordance with the concept of
16 the least restrictive environment for the facility
17 residents. ~~The rules adopted by the state fire~~
18 ~~marshal for the special classification shall be no~~
19 ~~more restrictive than the rules adopted by the state~~
20 ~~fire marshal for demonstration waiver project~~
21 ~~facilities pursuant to 1986 Iowa Acts, chapter 1246,~~
22 ~~section 2067, subsection 2.~~ Local requirements shall
23 not be more restrictive than the rules adopted for the
24 special classification by the state fire marshal and
25 the state building code requirements for single or
26 multiple-family housing."

27 2. Page 1, by inserting after line 25 and
28 inserting the following:

29 "_____. Title page, line 1, by inserting after the
30 word "issues" the following: "including those"."

31 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3408 FILED APRIL 15, 1999

Senate Concurred
4/26/99
(P. 1289)

HOUSE FILE 497

H-1488

1 Amend the Senate amendment, H-1405, to House File
2 497, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 21, the
5 following:

6 "_____. Page 6, by inserting after line 1 the
7 following:

8 "Sec. _____. Section 135C.2, subsection 5, paragraph
9 b, Code 1999, is amended to read as follows:

10 b. A facility must be located in an area zoned for
11 single or multiple-family housing or in an
12 unincorporated area and must be constructed in
13 compliance with applicable local requirements and the
14 rules adopted for the special classification by the
15 state fire marshal in accordance with the concept of
16 the least restrictive environment for the facility
17 residents. ~~The rules adopted by the state fire~~
18 ~~marshal for the special classification shall be no~~
19 ~~more restrictive than the rules adopted by the state~~
20 ~~fire marshal for demonstration waiver project~~
21 ~~facilities pursuant to 1986 Iowa Acts, chapter 1246,~~
22 ~~section 206, subsection 2.~~ Local requirements shall
23 not be more restrictive than the rules adopted for the
24 special classification by the state fire marshal and
25 the state building code requirements for single or
26 multiple-family housing."

27 2. Page 1, by inserting after line 25 and
28 inserting the following:

29 "_____. Title page, line 1, by inserting after the
30 word "issues" the following: "including those"."

31 3. By renumbering as necessary.

H-1488

FILED 4-6-99

By METCALF of Polk

Adopted
4/15/99
(P. 1349)

SENATE AMENDMENT TO HOUSE FILE 497

H-1405

1 Amend House File 497, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 2 the
4 following:

5 "Sec. ____ . Section 135.11, subsection 9, Code
6 1999, is amended to read as follows:

7 9. Exercise sole jurisdiction over the disposal
8 and transportation of the dead bodies of human beings
9 and prescribe the methods to be used in preparing such
10 bodies for disposal and transportation. However, the
11 department may approve a request for an exception to
12 the application of specific embalming and disposition
13 rules adopted pursuant to this subsection, if such
14 rules would otherwise conflict with tenets and
15 practices of a recognized religious denomination to
16 which the deceased individual adhered or of which
17 denomination the deceased individual was a member.
18 The department shall inform the board of mortuary
19 science examiners of any such approved exception which
20 may affect services provided by a funeral director
21 licensed pursuant to chapter 156."

22 2. Page 6, line 10, by striking the word "four"
23 and inserting the following: "five".

24 3. Page 6, line 12, by inserting after the word
25 "medicine," the following: "one podiatrist,".

26 4. By renumbering, relettering, or redesignating
27 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1405 FILED APRIL 5, 1999

House Concurred

4-15-99

(P.1349)

AN ACT

RELATING TO CERTAIN PROGRAMS AND PUBLIC HEALTH ISSUES INCLUDING THOSE UNDER THE PURVIEW OF THE IOWA DEPARTMENT OF PUBLIC HEALTH.

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

Section 1. Section 125.39, subsection 1, Code 1999, is amended by striking the subsection.

Sec. 2. Section 135.11, subsection 9, Code 1999, is amended to read as follows:

9. Exercise sole jurisdiction over the disposal and transportation of the dead bodies of human beings and prescribe the methods to be used in preparing such bodies for disposal and transportation. However, the department may approve a request for an exception to the application of specific embalming and disposition rules adopted pursuant to this subsection, if such rules would otherwise conflict with tenets and practices of a recognized religious denomination to which the deceased individual adhered or of which denomination the deceased individual was a member. The department shall inform the board of mortuary science examiners of any such approved exception which may affect services provided by a funeral director licensed pursuant to chapter 156.

Sec. 3. Section 135.22, Code 1999, is amended to read as follows:

135.22 CENTRAL REGISTRY FOR BRAIN OR SPINAL CORD INJURIES.

1. As used in this section, "brain:

a. "Brain injury" means clinically-evident-brain-damage-or spinal-cord-injury-resulting-from-trauma-or-anoxia-which temporarily-or-permanently-impairs-a-person's-physical-or cognitive-functions the occurrence of injury to the head not primarily related to a degenerative disease or aging process that is documented in a medical record with one or more of the following conditions attributed to the head injury:

(1) An observed or self-reported decreased level of consciousness.

(2) Amnesia.

(3) A skull fracture.

(4) An objective neurological or neuropsychological abnormality.

(5) A diagnosed intracranial lesion.

b. "Spinal cord injury" means the occurrence of an acute traumatic lesion of neural elements in the spinal cord including the spinal cord and cauda equina, resulting in temporary or permanent sensory deficit, motor deficit, or bladder or bowel dysfunction.

2. The director shall establish and maintain a central registry of persons with brain or spinal cord injuries in order to facilitate prevention strategies and the provision of appropriate rehabilitative services to the persons by the department and other state agencies. Hospitals shall report patients who are admitted with a brain or spinal cord injury and their diagnoses to the director no later than forty-five days after the close of a quarter in which the patient was discharged. The report shall contain the name, age, and residence of the person, the date, type, and cause of the brain or spinal cord injury, and additional information as the director requires, except that where available, hospitals shall report the Glasgow Glasgow coma scale. The director shall consult with health care providers concerning the availability of additional relevant information. The department shall maintain the confidentiality of all information which would identify any person named in a report. However, the identifying information may be released for bona

vide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain or spinal cord injury or by the person's guardian or, if the person is a minor, by the person's parent or guardian.

Sec. 4. Section 135.22A, Code 1999, is amended to read as follows:

135.22A ADVISORY COUNCIL ON HEAD BRAIN INJURIES.

1. For purposes of this section, unless the context otherwise requires:

~~a. "Council" means the advisory council on head injuries.~~

b. "Head Brain injury" means "brain injury" an injury to the brain as defined in section 2256.23 135.22.

b. "Council" means the advisory council on brain injuries.

2. The advisory council on head brain injuries is established. The following persons or their designees shall serve as ex officio, nonvoting members of the council:

- The director of public health.
- The director of human services and any division administrators of the department of human services so assigned by the director.

c. The director of the department of education.

d. The chief of the special education bureau of the department of education.

e. The administrator of the division of vocational rehabilitation services of the department of education.

f. The director of the department for the blind.

g. The commissioner of insurance.

3. The council shall be composed of a minimum of nine members appointed by the governor in addition to the ex officio members, and the governor may appoint additional members. Insofar as practicable, the council shall include persons with head brain injuries, family members of persons with head brain injuries, representatives of industry, labor, business, and agriculture, representatives of federal, state, and local government, and representatives of religious,

charitable, fraternal, civic, educational, medical, legal, veteran, welfare, and other professional groups and organizations. Members shall be appointed representing every geographic and employment area of the state and shall include members of both sexes.

4. Members of the council appointed by the governor shall be appointed for terms of two years. Vacancies on the council shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed.

5. The voting members of the council shall appoint a chairperson and a vice chairperson and other officers as the council deems necessary. The officers shall serve until their successors are appointed and qualified. Members of the council shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. The council shall adopt rules pursuant to chapter 17A.

6. The council shall do all of the following:

a. Promote meetings and programs for the discussion of methods to reduce the debilitating effects of head brain injuries, and disseminate information in cooperation with any other department, agency, or entity on the prevention, evaluation, care, treatment, and rehabilitation of persons affected by head brain injuries.

b. Study and review current prevention, evaluation, care, treatment, and rehabilitation technologies and recommend appropriate preparation, training, retraining, and distribution of personnel and resources in the provision of services to persons with head brain injuries through private and public residential facilities, day programs, and other specialized services.

c. Participate in developing and disseminating criteria and standards which may be required for future funding or licensing of facilities, day programs, and other specialized services for persons with head brain injuries in this state.

d. Make recommendations to the governor for developing and administering a state plan to provide services for persons with head brain injuries.

e. Meet at least quarterly.

7. The council is assigned to the department for administrative purposes. The director shall be responsible for budgeting, program coordination, and related management functions.

8. The council may receive gifts, grants, or donations made for any of the purposes of its programs and disburse and administer them in accordance with their terms and under the direction of the director.

Sec. 5. Section 135.101, Code 1999, is amended to read as follows:

135.101 CHILDHOOD LEAD POISONING PREVENTION PROGRAM.

There is established a childhood lead abatement poisoning prevention program within the Iowa department of public health. The department shall implement and review programs necessary to eliminate potentially dangerous toxic lead levels in children in Iowa in a year for which funds are appropriated to the department for this purpose.

Sec. 6. Section 135.102, subsections 2 and 5, Code 1999, are amended to read as follows:

2. Maintenance of laboratory facilities for the childhood lead abatement poisoning prevention program.

5. Prioritization of proposed childhood lead abatement poisoning prevention programs, based on the geographic areas known with children identified with elevated blood lead level resulting from surveys completed by the department.

Sec. 7. Section 135.103, Code 1999, is amended to read as follows:

135.103 GRANT PROGRAM.

The department shall implement a childhood lead abatement poisoning prevention grant program which provides matching funds to local boards of health or cities for the program after standards and requirements for the local program are developed. The state shall provide funds to approved programs on the basis of three dollars for each one dollar designated by the local board of health or city for the program for the first two years of a program, and funds on the basis of one

dollar for each one dollar designated by the local board of health or city for the program for the third and subsequent years of the program if such funding is determined necessary by the department for such subsequent years.

Sec. 8. Section 135.104, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The program by a local board of health or city receiving matching funding for an approved childhood lead abatement poisoning prevention grant program shall include:

Sec. 9. Section 135.104, subsection 7, Code 1999, is amended to read as follows:

7. Abatement-surveillance ~~Surveillance~~ to ensure correction of the identified hazardous settings.

Sec. 10. Section 135.105, subsection 1, Code 1999, is amended to read as follows:

1. Coordinate the childhood lead abatement poisoning prevention program with the department of natural resources, the University of Iowa poison control program, the mobile and regional child health speciality clinics, and any agency or program known for a direct interest in lead levels in the environment.

Sec. 11. Section 135C.2, subsection 5, paragraph b, Code 1999, is amended to read as follows:

b. A facility must be located in an area zoned for single or multiple-family housing or in an unincorporated area and must be constructed in compliance with applicable local requirements and the rules adopted for the special classification by the state fire marshal in accordance with the concept of the least restrictive environment for the facility residents. ~~The rules adopted by the state fire marshal for the special classification shall be no more restrictive than the rules adopted by the state fire marshal for demonstration-waiver-project-facilities-pursuant-to 1986 Iowa Acts, chapter 1246, section 266, subsection 2.~~ Local requirements shall not be more restrictive than the rules adopted for the special classification by the state fire marshal and the state building code requirements for single or multiple-family housing.

Sec. 12. Section 136C.3, subsection 2, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The department shall establish a technical advisory committee made up of ~~two radiologic technologists, two~~ four technologists, one of whom shall be a limited radiography instructor, one of whom shall represent nuclear medicine technologists, one of whom shall represent radiation therapists, and one of whom shall represent diagnostic radiographers; five physicians, including one radiologist, one chiropractor, one physician representing either radiation therapy or nuclear medicine, one podiatrist, and one private practitioner; and a representative of the department. The advisory committee shall assist the department in developing and establishing criteria for ~~continuing-education-and examinations~~ the administration of this subsection.

Sec. 13. Section 137.19, Code 1999, is amended to read as follows:

137.19 EMERGENCY REQUEST FOR FUNDS.

A local board may, in emergency situations, request additional appropriations, which may, upon approval of the director, be allotted from the funds reserved for that purpose to the extent that funds are appropriated and available. On termination of the emergency situation, the local board shall report its expenditures of emergency funds, to the director and return any unexpended funds.

Sec. 14. Section 144.1, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. "Court of competent jurisdiction" when used to refer to inspection of an original certificate of birth based upon an adoption means the court where the adoption was ordered.

Sec. 15. Section 144.1, subsection 13, Code 1999, is amended to read as follows:

13. "Vital statistics" means records of births, deaths, fetal deaths, adoptions, marriages, divorces dissolutions, annulments, and data related thereto.

Sec. 16. Section 144.13, subsection 1, paragraph d, Code 1999, is amended to read as follows:

d. The state registrar may ~~transmit-to-the-appropriate local-boards-of-health~~ share information from birth certificates for the sole purpose of identifying those children in need of immunizations.

Sec. 17. Section 144.13A, Code 1999, is amended to read as follows:

144.13A FEES -- USE OF FUNDS.

The ~~county-registrar-or~~ state registrar shall charge the parent a ten dollar fee for the registration of a certificate of birth and a separate fee established under section 144.46 for a certified copy of the certificate ~~except-as-otherwise provided-in-section-331-685, subsection-6.~~ The certified copy shall be mailed to the parent by the state registrar. If the person responsible for the filing of the certificate of birth under section 144.13 is not the parent, the person is entitled to collect the fee from the parent. The fee shall be remitted to the appropriate state registrar. If the expenses of the birth are reimbursed under the medical assistance program established by chapter 249A, or paid for under the statewide indigent patient care program established by chapter 255, or paid for under the obstetrical and newborn indigent patient care program established by chapter 255A, or if the parent is indigent and unable to pay the expenses of the birth and no other means of payment is available to the parent, the registration fee and certified copy fee are waived. If the person responsible for the filing of the certificate is not the parent, the person is discharged from the duty to collect and remit the fee under this section if the person has made a good faith effort to collect the fee from the parent. The fees collected by the ~~county-registrar-and~~ state registrar shall be remitted to the treasurer of state for deposit in the general fund of the state. It is the intent of the general assembly that the funds generated from the registration fees be appropriated and used for primary and secondary child abuse prevention programs. It is the intent of the general assembly

that the funds generated from the fees as established under section 144.46 for the mailing of the certified copy of the birth certificate be appropriated and used to support the distribution of the automatic birth certificate and the implementation of the electronic birth certificate system.

Sec. 18. Section 144.24, Code 1999, is amended to read as follows:

144.24 SUBSTITUTING NEW FOR ORIGINAL BIRTH CERTIFICATES -- INSPECTION.

If a new certificate of birth is established, the actual place and date of birth shall be shown on the certificate. The certificate shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of adoption, paternity, legitimation, or sex change shall not be subject to inspection except under order of a court of competent jurisdiction, including but not limited to an order issued pursuant to section 600-16 600.16A, or as provided by administrative rule for statistical or administrative purposes only. However, the state registrar shall, upon the application of an adult adopted person, a biological parent, an adoptive parent, or the legal representative of either the adult adopted person, the biological parent, or the adoptive parent, inspect the original certificate and the evidence of adoption and reveal to the applicant the date of the adoption and the name and address of the court which issued the adoption decree.

Sec. 19. NEW SECTION. 144.43A MUTUAL CONSENT VOLUNTARY ADOPTION REGISTRY.

1. In addition to other procedures by which birth certificates may be inspected under this chapter, the state registrar shall establish a mutual consent voluntary adoption registry through which adult adopted children, adult siblings, and the biological parents of adult adoptees may register to obtain identifying birth information.

2. If all of the following conditions are met, the state registrar shall reveal the identity of the biological parent to the adult adopted child or the identity of the adult

adopted child to the biological parent, shall notify the parties involved that the requests have been matched, and shall disclose the identifying information to those parties:

a. A biological parent has filed a request and provided consent to the revelation of the biological parent's identity to the adult adopted child, upon request of the adult adopted child.

b. An adult adopted child has filed a request and provided consent to the revelation of the identity of the adult adopted child to a biological parent, upon request of the biological parent.

c. The state registrar has been provided sufficient information to make the requested match.

3. Notwithstanding the provisions of this section, if the adult adopted person has a sibling who is a minor and who has also been adopted, the state registrar shall not grant the request of either the adult adopted person or the biological parent to reveal the identities of the parties.

4. If all of the following conditions are met, the state registrar shall reveal the identity of the adult adopted child to an adult sibling and shall notify the parties involved that the requests have been matched, and disclose the identifying information to those parties:

a. An adult adopted child has filed a request and provided consent to the revelation of the adult adopted child's identity to an adult sibling.

b. The adult sibling has filed a request and provided consent to the revelation of the identity of the adult sibling to the adult adopted child.

c. The state registrar has been provided with sufficient information to make the requested match.

5. A person who has filed a request or provided consent under this section may withdraw the consent at any time prior to the release of any information by filing a written withdrawal of consent statement with the state registrar. The adult adoptee, adult sibling, and biological parent shall notify the state registrar of any change in the information contained in a filed request or consent.

6. The state registrar shall establish a fee by rule based on the average administrative costs for providing services under this section.

Sec. 20. Section 147.103A, subsection 3, Code 1999, is amended to read as follows:

3. The board may appoint investigators, who shall not be members of the examining board, and whose compensation shall be determined pursuant to chapter 19A. Investigators appointed by the board have the powers and status of peace officers when enforcing this chapter and chapters ~~147A~~, 148, 150, 150A, and 272C.

Sec. 21. Section 147A.1, subsection 1, Code 1999, is amended by striking the subsection.

Sec. 22. Section 147A.4, subsection 2, Code 1999, is amended to read as follows:

2. The department shall adopt rules required or authorized by this subchapter pertaining to the examination and certification of emergency medical care providers. These rules shall include, but need not be limited to, requirements concerning prerequisites, training, and experience for emergency medical care providers and procedures for determining when individuals have met these requirements. The department shall adopt rules to recognize the previous EMS training and experience of first responders and emergency medical technicians to provide for an equitable transition to the EMT-basic certification. The department may require additional training and examinations as necessary and appropriate to ensure that individuals seeking certification have met the EMT-basic knowledge and skill requirements. ~~The department shall consult with the board concerning these rules.~~

Sec. 23. Section 147A.7, subsection 2, Code 1999, is amended by striking the subsection.

Sec. 24. Section 147A.8, unnumbered paragraph 1, Code 1999, is amended by striking the unnumbered paragraph.

Sec. 25. Section 147A.9, subsection 4, Code 1999, is amended by striking the subsection.

Sec. 26. NEW SECTION. 147A.13A ENFORCEMENT.

Investigators authorized by the department have the powers and status of peace officers when enforcing this chapter.

Sec. 27. Section 151.1, subsection 3, Code 1999, is amended to read as follows:

3. Persons utilizing differential diagnosis and procedures related thereto, withdrawing or ordering withdrawal of the patient's blood for diagnostic purposes, performing or utilizing routine laboratory tests, performing physical examinations, rendering nutritional advice, utilizing chiropractic physiotherapy procedures, all of which are subject to and authorized by section 151.8. ~~However, a person engaged in the practice of chiropractic shall not profit from the sale of nutritional products coinciding with the nutritional advice rendered.~~

Sec. 28. Section 157.11, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The application shall be accompanied by the ~~annual~~ biennial license fee determined pursuant to section 147.80. The license is valid for ~~one-year~~ two years and may be renewed.

Sec. 29. Section 158.9, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The application shall be accompanied by the ~~annual~~ biennial license fee determined pursuant to section 147.80. The license is valid for ~~one-year~~ two years and may be renewed.

Sec. 30. Section 225C.23, Code 1999, is amended to read as follows:

225C.23 BRAIN INJURY RECOGNIZED AS DISABILITY.

1. The department of human services, the Iowa department of public health, the department of education and its divisions of special education and vocational rehabilitation services, the department of human rights and its division for persons with disabilities, the department for the blind, and all other state agencies which serve persons with brain injuries, shall recognize brain injury as a distinct disability and shall identify those persons with brain injuries among the persons served by the state agency.

2. For the purposes of this section and section 135.22A, "brain injury" means ~~clinically-evident-brain-damage-or-spinal-cord-injury-resulting-directly-or-indirectly-from-trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions;~~ the occurrence of injury to the head not primarily related to a degenerative disease or aging process that is documented in a medical record with one or more of the following conditions attributed to the head injury:

- a. An observed or self-reported decreased level of consciousness.
- b. Amnesia.
- c. A skull fracture.
- d. An objective neurological or neuropsychological abnormality.
- e. A diagnosed intracranial lesion.

Sec. 31. Section 235A.15, subsection 2, paragraph d, Code 1999, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (6) Each board of examiners specified under chapter 147 and the Iowa department of public health for the purpose of licensure, certification or registration, disciplinary investigation, or the renewal of licensure, certification or registration, or disciplinary proceedings of health care professionals.

Sec. 32. Section 235B.6, subsection 2, paragraph b, Code 1999, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) Each board of examiners specified under chapter 147 and the Iowa department of public health for the purpose of licensure, certification or registration, disciplinary investigation, or the renewal of licensure, certification or registration, or disciplinary proceedings of health care professionals.

Sec. 33. Section 235C.2, subsections 2, 3, 4, 5, and 8, Code 1999, are amended to read as follows:

2. The director ~~of the department of human services or the director's designee as a nonvoting ex-officio member.~~

3. The ~~department coordinator~~ director of the department of human rights or the ~~coordinator's~~ director's designee ~~as a nonvoting ex-officio member.~~

4. The director of the department of education or the director's designee ~~as a nonvoting ex-officio member.~~

5. The director of the department of corrections or the director's designee, ~~as a nonvoting ex-officio member.~~

8. A hospital administrator ~~or the administrator's~~ designee selected by the board of the association of Iowa hospitals and health systems.

Sec. 34. Section 235C.2, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 18. Two consumer representatives selected by the governor, one of whom shall be a parent and one of whom shall be a nonparent family member.

Sec. 35. Section 235C.3, subsection 2, paragraph b, Code 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state university of Iowa and the university of osteopathic medicine and health services, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. ~~Included in this~~ This education campaign shall ~~be~~ include ~~information on assessment, laboratory testing, medication use, and referrals.~~ offer information to health professionals offering information on assessment, laboratory testing, medication use, and referrals.

Sec. 36. Section 235C.3, subsection 5, unnumbered paragraph 2, Code 1999, is amended by striking the unnumbered paragraph.

Sec. 37. Section 321.19, subsection 1, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The department shall furnish, on application, free of charge, distinguishing plates for vehicles thus exempted, which plates except plates on Iowa state patrol vehicles shall bear the word "official" and the department shall keep a

separate record. Registration plates issued for Iowa state patrol vehicles, except unmarked patrol vehicles, shall bear two red stars on a yellow background, one before and one following the registration number on the plate, which registration number shall be the officer's badge number. Registration plates issued for county sheriff's patrol vehicles shall display one seven-pointed gold star followed by the letter "S" and the call number of the vehicle. However, the director of general services or the director of transportation may order the issuance of regular registration plates for any exempted vehicle used by peace officers in the enforcement of the law, persons enforcing chapter 124 and other laws relating to controlled substances, persons in the department of justice, the alcoholic beverages division of the department of commerce, disease investigators of the Iowa department of public health, the department of inspections and appeals, and the department of revenue and finance, who are regularly assigned to conduct investigations which cannot reasonably be conducted with a vehicle displaying "official" state registration plates, persons in the lottery division of the department of revenue and finance whose regularly assigned duties relating to security or the carrying of lottery tickets cannot reasonably be conducted with a vehicle displaying "official" registration plates, and persons in the department of economic development who are regularly assigned duties relating to existing industry expansion or business attraction. For purposes of sale of exempted vehicles, the exempted governmental body, upon the sale of the exempted vehicle, may issue for in-transit purposes a pasteboard card bearing the words "Vehicle in Transit", the name of the official body from which the vehicle was purchased, together with the date of the purchase plainly marked in at least one-inch letters, and other information required by the department. The in-transit card is valid for use only within forty-eight hours after the purchase date as indicated on the bill of sale which shall be carried by the driver.

Sec. 38. Section 321.34, subsection 1A, paragraph c, Code 1999, is amended to read as follows:

c. The special fee for letter number designated love our kids plates is thirty-five dollars. The fee for personalized love our kids plates is twenty-five dollars, which shall be paid in addition to the special love our kids fee of thirty-five dollars. The fees collected by the director under this subsection shall be paid monthly to the treasurer of state and credited to the road use tax fund. Notwithstanding section 423.24, and prior to the crediting of revenues to the road use tax fund under section 423.24, subsection 1, paragraph "c", the treasurer of state shall transfer monthly from those revenues to the Iowa department of public health the amount of the special fees collected in the previous month for the love our kids plates. Notwithstanding section 8.33, moneys transferred under this subsection shall not revert to the general fund of the state.

Sec. 39. Section 331.605, subsection 5, Code 1999, is amended to read as follows:

5. A county fee of four dollars for ~~the following certificates, records, or services:~~

~~a--~~ A a certified copy of a birth record, death record, or marriage certificate.

Sec. 40. Section 331.802, subsection 2, Code 1999, is amended to read as follows:

2. If a person's death affects the public interest, the county medical examiner shall conduct a preliminary investigation of the cause and manner of death, prepare a written report of the findings, promptly submit the full report to the state medical examiner on forms prescribed for that purpose, and submit a copy of the report to the county attorney. For each preliminary investigation and the preparation and submission of the required reports, the county medical examiner shall receive from the county of appointment a fee determined by the board plus the examiner's actual expenses. The fee and expenses paid by the county of appointment shall be reimbursed to the county of appointment

by the county of the person's residence. However, if the person's death is caused by a defendant for whom a judgment of conviction and sentence is rendered under section 707.2, 707.3, 707.4, 707.5, or 707.6A, the county of the person's residence may recover from the defendant the fee and expenses. The fee and expenses of the county medical examiner who performs an autopsy or conducts an investigation of a person who dies after being brought into this state for emergency medical treatment by or at the direction of an out-of-state law enforcement officer or public authority shall be paid by the state. A claim for payment shall be filed with the Iowa department of public health. If moneys are not appropriated to the Iowa department of public health for the payment of autopsies under this subsection, claims for payment shall be forwarded to the state appeal board and, if authorized by the board, shall be paid out of moneys in the general fund of the state not otherwise appropriated.

Sec. 41. AFFIDAVIT PROCESS -- HUSBAND NOT BIOLOGICAL FATHER.

1. The Iowa department of public health and the department of human services shall review and make recommendations to the general assembly regarding the implementation of an affidavit process, similar to the process established pursuant to section 252A.3A, to overcome paternity established by operation of law when the established father and the mother of the child are or were married at the time of conception or birth of the child, and to simultaneously establish paternity of the biological father. In reviewing this issue and developing recommendations, the departments shall seek input from representatives of custodial and noncustodial parents, vital records entities, hospitals and birth centers, the judicial branch, the office of the attorney general, the child support advisory committee created in section 252B.18, and other interested parties.

2. The departments shall submit a report of the results of the review and recommendations, including a listing of any necessary, proposed statutory amendments, to the general

assembly and to the chairpersons of the senate and house human resources standing committees by December 15, 1999.

Sec. 42. Section 151.7, Code 1999, is repealed.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 497, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved May 18, 1999

THOMAS J. VILSACK
Governor