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APPROPRIATIONS

HOUSE FILE 2195  
BY MYERS

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

A BILL FOR

1 An Act authorizing the state board of regents to issue bonds to  
2 construct, improve, remodel, repair, furnish, and equip  
3 inpatient, outpatient, and patient care facilities at the  
4 university of Iowa hospitals and clinics.

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

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HF 2195

1 Section 1. LEGISLATIVE FINDINGS. The general assembly  
2 finds that the hospitals at the state university of Iowa are  
3 inadequate to meet present and future demands for statewide  
4 specialty care, modern and emerging technology, and teaching  
5 services.

6 Sec. 2. BONDS AUTHORIZED.

7 1. The state board of regents is authorized to issue bonds  
8 as provided in chapter 263A in an amount not exceeding one  
9 hundred million dollars, except as provided in subsection 2.  
10 The bonds may be issued at such times and in such amounts as  
11 determined by the state board of regents. Bond proceeds shall  
12 be used to construct, improve, remodel, repair, furnish, and  
13 equip inpatient and outpatient facilities and patient care  
14 facilities, including facilities for image-guided radiation  
15 therapy services and mechanical and other supporting  
16 facilities at the university of Iowa hospitals and clinics.

17 2. Notwithstanding the limitation established in  
18 subsection 1, the amount of bonds issued as authorized in  
19 subsection 1 may be exceeded by the amount the state board of  
20 regents determines to be necessary to capitalize bond reserves  
21 and issuance costs.

22 EXPLANATION

23 This bill expresses the findings of the general assembly  
24 that the university of Iowa's hospitals are inadequate to meet  
25 present and future demands for statewide specialty care,  
26 technology, and teaching services, and authorizes the state  
27 board of regents to issue bonds in an amount of not more than  
28 \$100 million to construct, improve, remodel, repair, furnish,  
29 and equip inpatient and outpatient facilities and patient care  
30 facilities, including facilities for image-guided radiation  
31 therapy services and mechanical and other supporting  
32 facilities at the university of Iowa hospitals and clinics.

33 The board may issue the bonds at times and in amounts as  
34 necessary, and may increase the amount of bonds issued as  
35 needed to capitalize bond reserves and issuance costs.

1 The Code provides that if the amount of bonds issued  
2 exceeds the actual costs, the difference shall be used to pay  
3 the principal and interest due on the bonds issued.

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1 Section 1. Section 142C.2, subsection 4, Code Supplement  
2 2001, is amended to read as follows:

3 4. "Document of gift" means a card signed by an individual  
4 donor, a written statement attached to or imprinted or noted  
5 on a driver's license or nonoperator's identification card, an  
6 entry in a donor registry, a donor's will, or any other  
7 written document used by a donor to make an anatomical gift.

8 Sec. 2. Section 142C.2, Code Supplement 2001, is amended  
9 by adding the following new subsection:

10 NEW SUBSECTION. 5A. "Donor registry" means the statewide  
11 organ and tissue donor registry established pursuant to  
12 section 142C.18 or a similar registry.

13 Sec. 3. Section 142C.3, subsections 2, 3, and 12, Code  
14 2001, are amended to read as follows:

15 2. An anatomical gift may be made only by completion of a  
16 document of gift or as otherwise provided in this section. If  
17 the prospective donor is a minor fourteen through seventeen  
18 years of age, to be valid, a document of gift shall be signed  
19 by the minor and the minor's parent or legal guardian. If the  
20 document of gift requires the signature of the donor, but the  
21 donor is unable to sign the document, the document of gift  
22 shall be signed by another individual and by two witnesses,  
23 all of whom sign at the direction and in the presence of the  
24 donor, the other individual, and the two witnesses. The  
25 document of gift, including an entry in a donor registry,  
26 shall provide certification that the document has been  
27 executed in the prescribed manner.

28 3. If a donor indicates the wish to become a donor,  
29 pursuant to section 321.189, and the indication is attached to  
30 or imprinted or noted on an individual's driver's license, or  
31 nonoperator's identification card, or if a donor indicates the  
32 wish to become a donor via an entry in a donor registry and  
33 the entry is certified as being executed in the prescribed  
34 manner, the document, including an entry in a donor registry,  
35 shall be considered ~~an-expression-of-intent-for-the-purposes~~

1 ~~of this section~~ a valid document of gift.

2 12. A document of gift may be in the form of a specific  
3 donor card such as an eye donor card, a uniform donor card, a  
4 driver's license, a nonoperator's identification card, an  
5 entry in a donor registry, a will, or any other written  
6 document executed pursuant to this chapter. A uniform donor  
7 card shall include the options of donating any and all parts,  
8 or any specific part or parts. A uniform donor card may, but  
9 is not required to be, in the following form:

10 UNIFORM DONOR CARD

11 I, ....., have made a commitment to be an anatomical  
12 gift donor.

13 I wish to donate the following:

14 ..... Any needed ..... Only the  
15 part following part  
16 .....

17 Donor Signature ..... Date .....

18 Sec. 4. Section 142C.3, subsection 8, Code 2001, is  
19 amended by striking the subsection and inserting in lieu  
20 thereof the following:

21 8. A document of gift that is not revoked by the donor  
22 prior to the donor's death does not require the consent or  
23 concurrence of any other person after the donor's death and is  
24 sufficient legal authority, following the donor's death, for  
25 the removal of any part donated under the document of gift,  
26 without the consent or concurrence of any other person. A  
27 person, including but not limited to a family member, a  
28 guardian, an attorney in fact named under a durable power of  
29 attorney for health care, or an executor of the donor's  
30 estate, is not authorized to and shall not revoke or in any  
31 way supersede a document of gift that is not revoked by the  
32 donor prior to the donor's death.

33 Sec. 5. Section 142C.4, subsection 2, paragraph a, Code  
34 2001, is amended to read as follows:

35 a. A person in a prior class is available, in person or by

1 telephone contact, at the time of the death of the decedent to  
2 make an anatomical gift.

3 Sec. 6. Section 142C.6, subsection 2, Code 2001, is  
4 amended to read as follows:

5 2. If an anatomical gift is made to a designated donee,  
6 the document of gift, or a copy, may be delivered to the donee  
7 to expedite the appropriate procedures after the death of the  
8 donor. The document of gift, or a copy, may be deposited in  
9 any hospital, organ procurement organization, bank or storage  
10 organization, or donor registry office that accepts the  
11 document of gift for safekeeping or for the facilitation of  
12 procedures after the death of the donor. If a document is  
13 deposited by a donor in a hospital, donor registry, or bank or  
14 storage organization, the hospital or bank or storage  
15 organization may forward the document to an organ procurement  
16 organization which will retain the document for facilitating  
17 procedures following the death of the donor. Upon request of  
18 a hospital, physician, or surgeon, upon or after the donor's  
19 death, the person in possession of the document of gift may  
20 allow the hospital, physician, or surgeon to examine or copy  
21 the document of gift.

22 Sec. 7. Section 142C.7, Code 2001, is amended to read as  
23 follows:

24 142C.7 CONFIDENTIAL INFORMATION.

25 A hospital, licensed or certified health care professional,  
26 pursuant to chapter 148, 148C, 150A, or 152, or medical  
27 examiner may release patient information to an organ  
28 procurement organization, donor registry, or bank or storage  
29 organization as part of a referral or retrospective review of  
30 the patient as a potential donor. Additionally, a medical  
31 examiner or a medical examiner's designee, peace officer, fire  
32 fighter, or emergency medical care provider may release an  
33 individual's identifying information to an organ procurement  
34 organization, donor registry, or bank or storage organization  
35 to determine if the individual is a donor. Any information

1 regarding a patient, including the patient's identity,  
2 however, constitutes confidential medical information and  
3 under any other circumstances is prohibited from disclosure  
4 without the written consent of the patient or the patient's  
5 legal representative.

6 Sec. 8. Section 142C.11, subsection 3, Code 2001, is  
7 amended to read as follows:

8 3. A hospital, funeral establishment, health care  
9 professional licensed or certified pursuant to chapter 148,  
10 148C, 150A, or 152, a medical examiner, or a medical  
11 examiner's designee, technician, enucleator, peace officer,  
12 fire fighter, emergency medical care provider, funeral  
13 director, or other person, who complies with this chapter in  
14 good faith or with the applicable anatomical gift law of  
15 another state, or who attempts in good faith to comply, is  
16 immune from any liability, civil or criminal, which might  
17 result from the making or acceptance of an anatomical gift.

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