

FEB 27 2001
EDUCATION

HOUSE FILE 418
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FALCK, OSTERHAUS, JOCHUM,
and QUIRK

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

A BILL FOR

HF 418

1 An Act relating to a requirement that children receive a blood
2 test for lead by age six or prior to enrollment in an
3 elementary school.

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

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1 Section 1. Section 135.102, Code 2001, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 6. Implementation of a requirement that
4 children receive a blood test for lead prior to the age of six
5 and before enrolling in any elementary school in Iowa in
6 accordance with section 135.105D. The department shall also
7 adopt rules pursuant to chapter 17A relating to the reporting
8 of evidence of testing.

9 Sec. 2. NEW SECTION. 135.105D LEAD TESTING OF CHILDREN.

10 1. A child shall not be enrolled in an elementary school
11 in Iowa without evidence of having received a blood test for
12 lead.

13 2. A parent or legal guardian shall assure that the
14 person's minor children residing in the state are tested for
15 elevated blood lead levels by the age of six according to
16 recommendations provided by the department.

17 3. A local board shall provide the required lead testing
18 to children in areas where no local provision of these
19 services exists.

20 4. A local board shall furnish the department, within
21 sixty days after the first official day of school, evidence
22 that each person enrolled in any elementary school has been
23 tested as required in this section.

24 5. The department may waive the requirements of this
25 section if the department determines that a child is of very
26 low risk for elevated blood lead levels, or if the child's
27 parent or legal guardian submits a written statement that the
28 testing conflicts with the tenets and practices of a
29 recognized religious denomination of which the applicant is an
30 adherent or member.

31 6. The department shall provide rules adopted pursuant to
32 section 135.102, subsection 6, to local school boards, the
33 authorities in charge of nonpublic schools, and to local
34 boards.

35 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection

1 3, shall not apply to this Act.

2 EXPLANATION

3 This bill requires the department of public health to
4 implement a requirement that children receive a blood test for
5 lead prior to the age of six and before enrolling in any
6 elementary school in Iowa. The bill requires a child's parent
7 or legal guardian to assure that the child is tested.

8 The department shall adopt rules regarding the requirements
9 of the bill and shall provide the rules to local school boards
10 and local boards.

11 A local board of health must test children in areas where
12 no local provision of the services exists. The local board
13 must also provide evidence to the department that the children
14 living in the area served by the board have been tested.

15 The department can waive testing requirements if the
16 department determines that a child is of very low risk or if
17 the child's parent or legal guardian objects to the test on
18 religious grounds.

19 The bill may include a state mandate as defined in Code
20 section 25B.3. The bill makes inapplicable Code section
21 25B.2, subsection 3, which would relieve a political
22 subdivision from complying with a state mandate if funding for
23 the cost of the state mandate is not provided or specified.
24 Therefore, political subdivisions are required to comply with
25 any state mandate included in the bill.

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