

FEB 21 2003
EDUCATION

HOUSE FILE 266
BY FORD

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

A BILL FOR

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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HF 266

1 Section 1. Section 135.102, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 7. 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 relating to the reporting of evidence of testing.

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

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

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

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

19 4. A local board of health, in consultation with the local
20 school board and the authorities in charge of nonpublic
21 schools, shall furnish the department, within sixty days after
22 the first official day of school, evidence that each child
23 enrolled in any elementary school has been tested as required
24 in this section.

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

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

1 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
2 3, shall not apply to this Act.

3 EXPLANATION

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

9 The department shall adopt rules regarding the requirements
10 of the bill and shall provide the rules to local school
11 boards, authorities in charge of nonpublic schools, and local
12 boards of health.

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

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

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

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