

Senate Study Bill 1094

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

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

A BILL FOR

1 An Act providing for veterinary emergency preparedness and
2 response by the department of agriculture and land
3 stewardship.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1221DP 81
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1 1 Section 1. Section 163.3, Code 2005, is amended to read as
1 2 follows:
1 3 163.3 VETERINARY ASSISTANTS.
1 4 The ~~department secretary or the secretary's designee~~ may
1 5 appoint one or more ~~licensed~~ veterinarians licensed pursuant
1 6 to chapter 169 in each county as assistant veterinarians. ~~It~~
1 7 The secretary may also appoint such special assistants as may
1 8 be necessary in cases of emergency, including as provided in
1 9 section 163.3A.

1 10 Sec. 2. NEW SECTION. 163.3A VETERINARY EMERGENCY
1 11 PREPAREDNESS AND RESPONSE.

1 12 1. The department may provide veterinary emergency
1 13 preparedness and response services necessary to prevent or
1 14 control a serious threat to the public health, public safety,
1 15 or the state's economy caused by the transmission of disease
1 16 among livestock as defined in section 717.1 or agricultural
1 17 animals as defined in section 717A.1. The services may
1 18 include measures necessary to ensure that that all such
1 19 animals carrying disease are properly identified, segregated,
1 20 treated, or destroyed as provided in this Code.

1 21 2. The services shall be performed under the direction of
1 22 the department and may be part of measures authorized by the
1 23 governor under a declaration or proclamation issued pursuant
1 24 to chapter 29C. In such case, the department shall cooperate
1 25 with the Iowa department of public health under chapter 135;
1 26 and the department of public defense, homeland security and
1 27 emergency management division; and local emergency management
1 28 agencies as provided in chapter 29C.

1 29 3. The secretary or the secretary's designee shall appoint
1 30 veterinarians licensed pursuant to chapter 169 or persons in
1 31 related professions or occupations who are qualified, as
1 32 determined by the secretary, to serve on a voluntary basis as
1 33 members of one or more veterinary emergency response teams.
1 34 The secretary shall provide for the registration of persons as
1 35 part of the appointment process. The secretary may cooperate
2 1 with the Iowa board of veterinary medicine in implementing
2 2 this section.

2 3 4. a. A registered member of an emergency response team
2 4 who acts under the authority of the secretary shall be
2 5 considered an employee of the state for purposes of defending
2 6 a claim on account of damage to or loss of property or on
2 7 account of personal injury or death under chapter 669. The
2 8 registered member shall be afforded protection under section
2 9 669.21. The registered member shall also be considered an
2 10 employee of the state for purposes of disability, workers'
2 11 compensation, and death benefits under chapter 85.

2 12 b. The department shall provide and update a list of the
2 13 registered members of each emergency response team, including
2 14 the members' names and identifying information, to the
2 15 department of administrative services. Upon notification of a

2 16 compensable loss suffered by a registered member, the
2 17 department of administrative services shall seek funding from
2 18 the executive council for those costs associated with covered
2 19 benefits.

2 20 EXPLANATION

2 21 This bill amends provisions in Code chapter 163, which
2 22 regulates transmissible diseases among livestock in
2 23 conjunction with a series of Code chapters which authorize the
2 24 department of agriculture and land stewardship to regulate
2 25 livestock threatened with a variety of diseases (e.g., foot
2 26 and mouth disease in Code section 163.51, brucellosis in Code
2 27 chapters 163A and 164, tuberculosis in Code chapter 165,
2 28 paratuberculosis in Code chapter 165A, pathogenic viruses in
2 29 poultry in Code chapter 165B, hog cholera in Code chapters 166
2 30 and 166B, scabies in Code chapter 166A, pseudorabies in Code
2 31 chapter 166D, and chronic wasting disease in Code section
2 32 167.22).

2 33 The bill authorizes the department to provide veterinary
2 34 emergency preparedness and response services necessary to
2 35 prevent or control a serious threat to the public health,
3 1 public safety, or the state's economy caused by the
3 2 transmission of these diseases among livestock populations.
3 3 The bill's provisions are generally modeled on provisions in
3 4 Code section 135.143, which authorizes the Iowa department of
3 5 public health to establish disaster medical assistance teams
3 6 to supplement and support disrupted or overburdened local
3 7 medical and public health facilities.

3 8 The bill requires the secretary of agriculture to appoint
3 9 licensed veterinarians or persons in related professions or
3 10 occupations to serve as volunteers on veterinary emergency
3 11 response teams. The bill provides for registration
3 12 procedures, affords registered members protections as state
3 13 employees under the state tort claims Act, and treats them as
3 14 state employees for purposes of receiving disability, workers'
3 15 compensation, and death benefits. The bill also requires the
3 16 department to provide a list of registered members to the
3 17 department of administrative services, which is required to
3 18 seek funding from the executive council for costs associated
3 19 with covered benefits.

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