

House File 158

HOUSE FILE _____
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 lead test by age six or prior to enrollment in an elementary
3 school.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1885HH 82
6 kh/es/88

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1 1 Section 1. Section 135.102, Code 2007, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 7. Implementation of a requirement that
1 4 children receive a blood lead test prior to the age of six and
1 5 before enrolling in any elementary school in Iowa in
1 6 accordance with section 135.105D. The department shall also
1 7 adopt rules relating to the reporting of evidence of lead
1 8 poisoning based on these tests.
1 9 Sec. 2. Section 135.105D, Code 2007, is amended by adding
1 10 the following new subsections:
1 11 NEW SUBSECTION. 1A. A child shall not be enrolled in an
1 12 elementary school in Iowa without evidence of having received
1 13 blood lead testing. A parent or guardian shall assure that
1 14 the parent or guardian's minor children residing in the state
1 15 are tested for elevated blood lead levels by the age of six
1 16 according to recommendations provided by the department.
1 17 NEW SUBSECTION. 1B. The board of directors of each school
1 18 district and the authorities in charge of each nonpublic
1 19 school shall furnish the department, within sixty days after
1 20 the first official day of school, evidence that each child
1 21 enrolled in any elementary school has either been tested as
1 22 required in subsection 1A or received a waiver under
1 23 subsection 1C.
1 24 NEW SUBSECTION. 1C. The department may waive the
1 25 requirements of subsection 1A if the department determines
1 26 that a child is of very low risk for elevated blood lead
1 27 levels, or if the child's parent or legal guardian submits a
1 28 written statement that the testing conflicts with the tenets
1 29 and practices of a recognized religious denomination of which
1 30 the parent or legal guardian submitting the statement is an
1 31 adherent or member.
1 32 NEW SUBSECTION. 1D. The department shall provide rules
1 33 adopted pursuant to section 135.102, subsection 7, to local
1 34 school boards and the authorities in charge of nonpublic
1 35 schools.
2 1 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
2 2 3, shall not apply to this Act.
2 3 EXPLANATION
2 4 This bill requires the department of public health to
2 5 implement a requirement that children receive a blood lead
2 6 test prior to the age of six and before enrolling in any
2 7 elementary school in Iowa. The bill requires a child's parent
2 8 or legal guardian to assure that the child is tested.
2 9 The department is directed to adopt rules regarding the
2 10 requirements of the bill and to provide the rules to local
2 11 school boards and the authorities in charge of nonpublic
2 12 schools.
2 13 The department can waive testing requirements if the
2 14 department determines that a child is of very low risk or if
2 15 the child's parent or legal guardian objects to the test on
2 16 religious grounds.
2 17 The bill may include a state mandate as defined in Code
2 18 section 25B.3. The bill makes inapplicable Code section
2 19 25B.2, subsection 3, which would relieve a political

2 20 subdivision from complying with a state mandate if funding for
2 21 the cost of the state mandate is not provided or specified.
2 22 Therefore, political subdivisions are required to comply with
2 23 any state mandate included in the bill.
2 24 LSB 1885HH 82
2 25 kh:nh/es/88