

**Senate File 2148 - Introduced**

SENATE FILE 2148  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SSB 3047)

**A BILL FOR**

1 An Act relating to the organization and duties of the state  
2 board of health.

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

1 Section 1. Section 136.1, Code 2009, is amended to read as  
2 follows:

3 **136.1 Composition of board.**

4 The state board of health shall consist of the following  
5 members: ~~Five~~ Two members learned in health-related  
6 disciplines, three members who have direct experience with  
7 public health, two members who have direct experience with  
8 substance abuse treatment or prevention, and four members  
9 representing the general public. At least one of such members  
10 shall be licensed in the practice of medicine and surgery or  
11 osteopathic medicine and surgery under chapter 148.

12 ~~The director of public health shall serve as secretary of the~~  
13 ~~board.~~

14 Sec. 2. Section 136.3, Code 2009, is amended by striking the  
15 section and inserting in lieu thereof the following:

16 **136.3 Duties.**

17 The state board of health shall provide a forum for the  
18 development of public health policy in the state of Iowa and  
19 shall have the following powers and duties:

20 1. Consider and study legislation and administration  
21 concerning public health.

22 2. Advise the department on any issue related to the  
23 promotion and protection of the health of Iowans including but  
24 not limited to:

25 a. Prevention of epidemics and the spread of disease,  
26 including communicable and infectious diseases such as zoonotic  
27 diseases, quarantine and isolation, sexually transmitted  
28 diseases, and antitoxins and vaccines.

29 b. Protection against environmental hazards.

30 c. Prevention of injuries.

31 d. Promotion of healthy behaviors.

32 e. Preparing for, responding to, and recovering from public  
33 health emergencies and disasters.

34 3. Establish policies governing the performance of the  
35 department in the discharge of any duties imposed on it by law.

1 4. Provide guidance to the director in the discharge of the  
2 director's duties.

3 5. Adopt and implement the Iowa public health standards.

4 6. Assure that the department complies with Iowa Code,  
5 administrative rules, and the Iowa public health standards.  
6 For this purpose the board shall have access at any time to all  
7 documents and records of the department.

8 7. Assure that the department prepares and distributes an  
9 annual report.

10 8. Advise or make recommendations to the director of public  
11 health, governor, and general assembly relative to public  
12 health and advocate for state and local public health to comply  
13 with the Iowa public health standards.

14 9. Offer consultation to the governor in the appointment of  
15 the director of the department.

16 10. Adopt, promulgate, amend, and repeal rules and  
17 regulations consistent with law for the protection of the  
18 public health and prevention of substance abuse, and for  
19 the guidance of the department. All rules adopted by the  
20 department are subject to approval by the board.

21 11. Act by committee, or by a majority of the board.

22 12. Keep minutes of the transactions of each session,  
23 regular or special, which shall be public records and filed  
24 with the department.

25 13. Perform those duties authorized pursuant to chapter  
26 125. The board may appoint a substance abuse program committee  
27 to approve or deny applications for licensure received from  
28 substance abuse programs pursuant to chapter 125 and to perform  
29 any other function authorized by chapter 125 and delegated to  
30 the committee.

31 14. Perform those duties authorized pursuant to sections  
32 135.156, 135.159, and 135.161, and other provisions of law.

33 Sec. 3. Section 136.5, Code 2009, is amended to read as  
34 follows:

35 **136.5 Meetings.**

1 The board shall meet ~~on the second Wednesday in July and on~~  
2 ~~the second Wednesday of every second month thereafter~~ at least  
3 six times per year and ~~at such other times~~ as may be deemed  
4 necessary by the ~~president~~ chairperson of the board ~~or the~~  
5 director of the department. The ~~president~~ department shall  
6 give each board member adequate notice of all ~~special~~ meetings.  
7 A majority of the members of the board shall constitute a  
8 quorum.

9 Sec. 4. Section 136.7, Code 2009, is amended to read as  
10 follows:

11 **136.7 Officer Chairperson — staff assistance.**

12 ~~At the meeting held in~~ The board shall annually in July of  
13 ~~each year a president shall be elected from the board~~ elect  
14 a chairperson, who shall serve for a period of one year. ~~At~~  
15 ~~the request of the board the~~ The department shall furnish  
16 ~~an executive clerk~~ staff from the regular employees of the  
17 department to record the minutes of the meetings of the board.

18 Sec. 5. Section 136.8, Code 2009, is amended to read as  
19 follows:

20 **136.8 Supplies.**

21 The department shall furnish the board of health with all  
22 articles and supplies ~~required for the public use and~~ necessary  
23 to enable the board to perform the duties imposed upon it by  
24 law. Such articles and supplies shall be obtained by the  
25 department in the same manner in which the regular supplies for  
26 the department are obtained and the same shall be considered  
27 and accounted for as if obtained for the use of the department.

28 EXPLANATION

29 This bill rewrites provisions in Code chapter 136, relating  
30 to the organization and duties of the state board of health.  
31 The revision remains very similar to the current statute.

32 The bill revises the membership of the board itself. Under  
33 current law, the board consists of five members learned  
34 in health-related disciplines, two members who have direct  
35 experience with substance abuse treatment or prevention, and

1 four members representing the general public. Under the bill,  
2 board makeup consists of two members learned in health-related  
3 disciplines, three members who have direct experience with  
4 public health, two members who have direct experience with  
5 substance abuse treatment or prevention, and four members  
6 representing the general public. At least one member must be a  
7 physician.

8 The bill amends Code section 136.3, relating to the duties  
9 of the board, by reorganizing the Code section and updating  
10 language. The bill eliminates some specific duties and sets  
11 the board duties in general terms. Many of the specific duties  
12 are now encompassed in the board duty to "[a]dopt and implement  
13 the Iowa public health standards".

14 The bill revises Code section 136.5 to provide general  
15 guidelines for the number of meetings the board shall hold  
16 annually rather than specific meeting dates and directs the  
17 department, rather than the president of the board, to give  
18 notice of meetings. The bill also amends Code section 136.7 to  
19 provide that the board shall elect a chairperson rather than a  
20 president.