

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.