

House File 166 - Introduced

HOUSE FILE 166

BY HAYES

A BILL FOR

1 An Act relating to vaccines, including modifying provisions
2 related to a minor's legal capacity to give consent
3 to the provision of vaccines and provisions related to
4 the instruction provided to students enrolled in school
5 districts, accredited nonpublic schools, and charter schools
6 related to the human papilloma virus.

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

1 Section 1. Section 139A.35, Code 2023, is amended to read
2 as follows:

3 **139A.35 Minors.**

4 A Except for the provision of vaccinations included on
5 the vaccine injury table pursuant to 42 U.S.C. §300aa-14, as
6 amended, a minor shall have the legal capacity to act and give
7 consent to provision of medical care or services to the minor
8 for the prevention, diagnosis, or treatment of a sexually
9 transmitted disease or infection by a hospital, clinic, or
10 health care provider. Such medical care or services shall be
11 provided by or under the supervision of a physician licensed
12 to practice medicine and surgery or osteopathic medicine and
13 surgery, a physician assistant, or an advanced registered
14 nurse practitioner. Consent shall not be subject to later
15 disaffirmance by reason of such minority. The consent of
16 another person, including but not limited to the consent of a
17 spouse, parent, custodian, or guardian, shall not be necessary.

18 Sec. 2. Section 256.11, subsection 4, Code 2023, is amended
19 to read as follows:

20 4. The following shall be taught in grades seven and
21 eight: English-language arts; social studies; mathematics;
22 science; health; age-appropriate and research-based human
23 growth and development; career exploration and development;
24 physical education; music; and visual art. Computer science
25 instruction incorporating the standards established under
26 section 256.7, subsection 26, paragraph "a", subparagraph (4),
27 shall be offered in at least one grade level commencing with
28 the school year beginning July 1, 2023. Career exploration
29 and development shall be designed so that students are
30 appropriately prepared to create an individual career
31 and academic plan pursuant to [section 279.61](#), incorporate
32 foundational career and technical education concepts aligned
33 with the six career and technical education service areas
34 as defined in [subsection 5](#), paragraph "h", and incorporate
35 relevant twenty-first century skills. The health curriculum

1 shall include age-appropriate and research-based information
2 regarding the characteristics of sexually transmitted diseases,
3 including ~~HPV and the availability of a vaccine to prevent~~
4 ~~HPV~~, and acquired immune deficiency syndrome. The state board
5 as part of accreditation standards shall adopt curriculum
6 definitions for implementing the program in grades seven
7 and eight. However, **this subsection** shall not apply to the
8 teaching of career exploration and development in nonpublic
9 schools. For purposes of **this section**, "*age-appropriate*"
10 "~~HPV~~", and "*research-based*" mean the same as defined in section
11 279.50.

12 Sec. 3. Section 256.11, subsection 5, paragraph j,
13 subparagraph (1), Code 2023, is amended to read as follows:

14 (1) One unit of health education which shall include
15 personal health; food and nutrition; environmental health;
16 safety and survival skills; consumer health; family life;
17 age-appropriate and research-based human growth and
18 development; substance abuse and nonuse; emotional and
19 social health; health resources; and prevention and control
20 of disease, including age-appropriate and research-based
21 information regarding sexually transmitted diseases, including
22 ~~HPV and the availability of a vaccine to prevent HPV, and~~
23 acquired immune deficiency syndrome.

24 Sec. 4. Section 279.50, subsection 2, Code 2023, is amended
25 to read as follows:

26 2. Each school board shall provide age-appropriate and
27 research-based instruction in human growth and development
28 including instruction regarding human sexuality, self-esteem,
29 stress management, interpersonal relationships, domestic
30 abuse, ~~HPV and the availability of a vaccine to prevent HPV,~~
31 and acquired immune deficiency syndrome as required in section
32 256.11, in grades one through twelve.

33 Sec. 5. Section 279.50, subsection 9, paragraphs b and c,
34 Code 2023, are amended by striking the paragraphs.

35

EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to vaccines, including modifying
4 provisions related to a minor's legal capacity to give consent
5 to the provision of vaccines and provisions related to the
6 instruction provided to students enrolled in school districts,
7 accredited nonpublic schools, and charter schools related to
8 the human papilloma virus.

9 Current law provides that a minor has the legal capacity to
10 act and give consent to provision of medical care or services
11 to the minor for the prevention, diagnosis, or treatment of
12 a sexually transmitted disease or infection by a hospital,
13 clinic, or health care provider. The bill modifies this
14 provision to provide that a minor shall not have the legal
15 capacity to give consent for the provision of vaccinations
16 included on the vaccine injury table created and revised
17 pursuant to federal law.

18 Current law requires that the human growth and development
19 or health curriculum provided to students enrolled in
20 school districts, accredited nonpublic schools, and charter
21 schools be both research-based and age-appropriate. Within
22 those limitations, current law also requires that the
23 human growth and development or health curriculum include
24 information regarding the human papilloma virus (HPV) and the
25 availability of a vaccine to prevent HPV. The bill strikes
26 this requirement.