

"There is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of more perfectly equipping the present bacteriological laboratory at the State University and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of six thousand dollars (\$6,000) annually or so much thereof as may be necessary, to be additional salary of the director, the assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery, and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and performing the duties required therein by the provision of this act. The director shall receive such additional salary not to exceed twelve hundred (\$1,200) dollars per year as the state board of health may fix. The appropriations hereby provided shall be expended in the manner provided in section two thousand five hundred and seventy-five (2575) of the code."

SEC. 2. **Acts in conflict repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 27, A. D. 1907.

## CHAPTER 138.

### MATERNITY HOSPITALS.

S. F. 55.

AN ACT to prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying-in or maternity hospitals, or hospitals or places for the reception, care and treatment of women in labor. [Additional to chapter sixteen (16) of title twelve (XII) of the code, relating to the state board of health.]

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Erection, establishment or maintenance—permit.** That from and after the taking effect of this act, it shall be unlawful to erect, or establish or maintain, conduct, keep or carry on, or to continue to maintain, keep or carry on, within this state any lying-in or maternity hospital, or any institution or place for the reception, care and treatment of women in labor, or where females may be received, cared for and treated during pregnancy or after delivery, or any hospital wherein women are received, cared for and treated during pregnancy, or after delivery, the proprietor, owner or persons in charge of which, or any person representing them, undertakes to adopt or procure or assist in procuring the adoption or disposal of any child born therein, within two hundred feet of any church building, university, school or other institution of learning, or public park, or in a building situated within 75 feet of premises owned by another. And it shall from and after the taking effect of this act be unlawful to so erect, establish, maintain, conduct, keep or carry on, or continue to keep or carry on elsewhere in this state, any place or places above enumerated, for any such purpose or purposes, without having first obtained a permit in writing, as hereinafter provided. This act shall not apply to general hospitals for the treatment of diseases, obstetrics and surgical cases.

SEC. 2. **Board of health to grant permit.** The state board of health is hereby authorized to grant a permit in writing, to establish, maintain, conduct, keep or carry on such lying-in or maternity hospital, or hospital ward, or institution, or place for the reception, care and treatment of women in labor, for pay, or where females may be received, cared for or treated during

pregnancy or during or after delivery, for pay, at any place within the state, except as prohibited in section one of this act; but only one such permit shall be issued for any one premises.

**SEC. 3. Application—inspection of premises—issuance of permit—fees.** Any person or persons who desire to obtain the permit provided in section two of this act, shall file with the state board of health an application for said permit, naming each person to whom said permit is to be granted, and particularly describing the place or premises to be used for said purposes, and the location thereof; and shall also cause to be filed with said state board of health a statement signed by two regular physicians, holding a certificate, in force, from the state board of medical examiners of this state, to the effect that, to the personal knowledge of each of said physicians, said person, or each of said persons, is of good character and reputation; that he has personally examined the premises described in the application for said permit, and that the same are suitable and properly furnished for the uses described in section one of this act, and that such hospital or ward or other institution or place will be for the public convenience. Upon the filing of such application for a permit, together with said physicians' certificate, the state board of health shall satisfy itself as to the correctness of the matters set forth in said application and physicians' certificate, and shall cause said premises to be inspected, for which inspection a fee of five dollars shall be paid by the person or persons signing such application, and when so satisfied, and upon the payment of a fee of twenty-five dollars by the person or persons applying for said permit to the said state board of health, said state board of health shall issue its permit, particularly naming the person or persons to whom granted, the description and location of the premises to be used, and the purpose or purposes for which said permit is granted, which permit shall continue in force for one year from the date thereof, unless sooner revoked. Said permit may be renewed, from time to time, whenever said state board of health deem it proper so to do, and upon payment to said board of a fee of five dollars for each renewal thereof. Said permit shall not authorize the use of any other place or premises than the one named in said permit or in the renewal thereof. Provided that no fee mentioned in this section should be required of any religious or charitable institution conducting such lying-in or maternity hospital.

**SEC. 4. Register of patients, births and deaths—reports.** The person or persons in charge of the place described in said permit shall keep a true, accurate and complete register of all patients and of all births and deaths occurring upon said premises, giving date of entry of each patient, date of birth and name of each child born on said premises, and the age of all children dying thereon, and the same particulars, as well as the name, so far as known, of any woman patient dying on said premises; and said person or persons in charge of the place described in said permit shall furnish to the officer authorized by law to receive them, all of the particulars required by law to be furnished for the due registration of each birth or death occurring on said premises, except when such particulars have been furnished by the physician in attendance at birth, or attending on the person so dying thereon. The state board of health shall furnish blanks to all permit holders specified in this act and to be filled out and returned to the state board of health within twenty-four hours after the birth or death of any child or death of any woman patient dying on the premises described in such permit, giving date of birth and sex of each child born on said premises and name and age of the mother, and if the true name of the mother cannot be ascertained then the assumed name given by her, and the age and sex of all children dying on said premises. And the state board of health shall keep a

record of same, which record shall be accessible to the members of the state board of health, members of the board of control of state institutions, the attorney general and any county attorney in the state, and to no other person except on order of a court of record.

SEC. 5. **Articles of adoption—record.** The person or persons in charge of the premises described in such permit shall not adopt or dispose of by adoption or procure or assist in the disposal by adoption of any child born thereon, without the articles of adoption being filed as required by law. Within twenty-four hours after the departure, removal or withdrawal from said premises of any child born thereon, or of the body of any such child, the person or persons in charge thereof shall enter upon said register a record of such departure, removal or withdrawal and the name or other description of said child, the name or names and respective residences of the person or persons who took said child or its body, the disposition made of said child or its body, the place to which the same was taken and where the same was left.

SEC. 6. **Inspections—by whom made—report.** Every person in charge of the premises described in any such permit, his servants, employes or agents, shall permit visitation or inspection of said premises, and of the register in this act provided to be kept, to be made at any time, by the state board or local board of health or by any person designated in writing by the state or local board of health for that purpose. It shall be the duty of the local board of health of the city, town or township in which such premises are maintained to inspect such premises at least once in six months; and to file an accurate report of such inspection with the city, town or township clerk of the city, town or township in which such premises are maintained, and that such report shall be preserved as a permanent record.

SEC. 7. **Revocation of permit.** Said permit may be revoked after reasonable notice by the state board of health, and a conviction under the succeeding section of this act shall operate to terminate and revoke said permit.

SEC. 8. **Penalty.** Any person violating any of the provisions of this act or making any false entry on the register required by this act to be kept, shall be guilty of misdemeanor, and shall be punished by a fine of not more than two hundred and fifty dollars, or by confinement in the county jail not more than six months, or by both such fine and imprisonment. And the premises so unlawfully used are hereby declared to be a nuisance, and the same shall be subject to the procedure provided in section twenty-four hundred and five (2405), twenty-four hundred and six (2406) and twenty-four hundred and seven (2407) of the code, as far as applicable thereto.

Approved March 19, A. D. 1907.

## CHAPTER 139.

### THE PRACTICE OF NURSING.

S. F. 78.

AN ACT to provide for the examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof. [Additional to chapter sixteen (16) of title twelve (XII) of the code, relating to the state board of health.]

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Certificate required.** It shall be unlawful for any person to profess to be a registered nurse without first obtaining from the state board of health a certificate authorizing him or her to practice nursing in this state, except as hereinafter provided.