

1 SEC. 5. If a person known to be suffering from a communicable  
2 disease dangerous to the public health moves from the jurisdiction of a  
3 local board of health into the jurisdiction of another local board of health,  
4 the board of health from whose jurisdiction the person is moving will make  
5 notification of such move to the board of health into whose jurisdiction the  
6 person is moving.

1 SEC. 6. Sections one hundred thirty-nine point one (139.1), one hun-  
2 dred thirty-nine point two (139.2), one hundred thirty-nine point three  
3 (139.3), one hundred thirty-nine point four (139.4), one hundred thirty-nine  
4 point six (139.6), one hundred thirty-nine point seven (139.7), one hundred  
5 thirty-nine point eight (139.8), one hundred thirty-nine point nine (139.9),  
6 one hundred thirty-nine point ten (139.10), one hundred thirty-nine point  
7 eleven (139.11), one hundred thirty-nine point fourteen (139.14), one hun-  
8 dred thirty-nine point fifteen (139.15), one hundred thirty-nine point six-  
9 teen (139.16), one hundred thirty-nine point seventeen (139.17), one hundred  
10 thirty-nine point eighteen (139.18), one hundred thirty-nine point nineteen  
11 (139.19), one hundred thirty-nine point twenty (139.20), one hundred thirty-  
12 nine point twenty-one (139.21), and one hundred thirty-nine point twenty-  
13 two (139.22), Code 1966, are hereby repealed.

Approved April 25, 1969.

## CHAPTER 136

### CONTROL AND DIAGNOSIS OF VENEREAL DISEASE

S. F. 226

AN ACT relating to the control and diagnosis of venereal disease.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter one hundred forty (140), Code 1966, is hereby  
2 repealed and the following enacted in lieu thereof.

1 SEC. 2. This Act shall be known as the "Venereal Disease Control  
2 Act".

1 SEC. 3. For the purposes of this Act venereal disease shall mean syphi-  
2 lis, gonorrhoea, chancroid, granuloma inguinale, and lymphogranuloma ve-  
3 nereum.

1 SEC. 4. Reports to the state department of health which include the  
2 identity of persons infected with venereal disease shall be kept secret, and  
3 all such information, records, and reports concerning the same shall be  
4 confidential and shall not be accessible to the public. However, such re-  
5 ports, information, and records shall be secret and confidential only to the  
6 extent which is necessary to prevent identification of persons named there-  
7 in; and the other parts of such reports, information, and records shall be  
8 public records. The preceding sentence shall prevail over any inconsistent  
9 provision of this Act.

1 SEC. 5. Immediately after the first examination or treatment of any  
2 person infected with any venereal disease, the physician performing the  
3 same shall transmit to the state department of health a report stating the  
4 name, age, sex, marital status, occupation of patient, name of the disease,  
5 probable source of infection, and duration of the disease; except, when a  
6 case occurs within the jurisdiction of a local health department, such a  
7 report shall be made directly to the local health department which shall  
8 immediately forward the same information to the state department of  
9 health. Such reports shall be made in accordance with rules adopted by  
10 the state department of health. Such reports shall be confidential. Any  
11 person in good faith making a report of a venereal disease shall have im-  
12 munity from any liability, civil or criminal, which might otherwise be  
13 incurred or imposed as a result of such report.

1 SEC. 6. Any person who is in charge of a public, private, or hospital  
2 clinical laboratory shall report to the state department of health, on  
3 forms prescribed by the department, results obtained in the examination  
4 of all specimens which yield evidence of or are reactive for syphilis, gon-  
5 orrhea, chancroid, granuloma inguinale, or lymphogranuloma venereum.  
6 The report shall state the name of the person from whom the specimen  
7 was obtained, the name and address of the physician or other person sub-  
8 mitting the specimen, the laboratory results, the test employed, and the  
9 date of the laboratory examination.

1 SEC. 7. Any physician or other person who fails to make or falsely  
2 makes any of the reports required by this Act concerning persons infected  
3 with any venereal disease, or who discloses the identity of such person,  
4 except as herein provided, shall be punished as provided in this Act. Fail-  
5 ure to report any venereal disease as specified in this Act shall be cause for  
6 the refusal of a renewal of license as required in section one hundred forty-  
7 seven point ten (147.10) of the Code.

1 SEC. 8. The local or the state department of health shall use every  
2 available means to determine the source and spread of any infectious case  
3 of venereal disease which is reported.

1 SEC. 9. The local board of health shall cause an examination to be  
2 made of every person reasonably suspected, on the basis of epidemiological  
3 investigation, of having any venereal disease in the infectious stages to  
4 ascertain if such person is so infected, and if so infected, to cause such  
5 person to be treated. No person shall be subjected to such examination who  
6 is under the care and treatment of a physician for the suspected condition.  
7 If a person suspected of having venereal disease should refuse to submit  
8 to an examination voluntarily, application may be made by the local  
9 board of health to the district court for an order compelling such person  
10 to submit to examination and if infected, to treatment. Such person shall  
11 be treated until certified to the local board of health or, if none, to the  
12 state department of health as no longer infectious. In every case of treat-  
13 ment ordered by the district court the attending physician shall so certify  
14 that the person is no longer infectious.

1 SEC. 10. A minor of age sixteen or more, who seeks diagnosis or treat-  
2 ment for a venereal disease, shall have the legal capacity to act and give  
3 consent to medical care and service for venereal disease by public and pri-  
4 vate hospitals or public and private clinics or physicians. Such medical

5 diagnosis and treatment is to be provided by a physician licensed to prac-  
6 tice medicine and surgery, osteopathy, or osteopathic medicine and sur-  
7 gery. Such consent shall not be subject to later disaffirmance by reason of  
8 such minority. The consent of no other person or persons, including but not  
9 limited to spouse, parent, custodian, or guardian, shall be necessary. The  
10 physician shall notify the parents of such minor child that the child does  
11 have a venereal disease when the results of the diagnosis indicate that the  
12 child might communicate the disease to other members of his family.

1     SEC. 11. No certificate of freedom from any venereal disease shall be  
2 issued to any person by any official health agency except as provided by  
3 chapter five hundred ninety-six (596) of the Code.

1     SEC. 12. Each physician attending a pregnant woman in this state  
2 shall take or cause to be taken a sample of blood of each such woman  
3 within fourteen days of the first examination, and shall submit such sample  
4 for standard serological tests for syphilis to the state hygienic laboratory  
5 of the state university at Iowa City or some other laboratory approved by  
6 the state department of health. Every other person attending a pregnant  
7 woman in this state, but not permitted by law to take blood tests, shall  
8 cause a sample of blood of each such woman to be taken by a duly licensed  
9 physician, who shall submit such sample for standard serological tests for  
10 syphilis to the state hygienic laboratory of the state university at Iowa City  
11 or such other laboratories cooperating with and approved by the state de-  
12 partment of health. If the blood of the pregnant woman reacts positively  
13 to such test, then, if she is married, the husband and other children by the  
14 same mother shall be subjected to the same blood tests as herein provided.  
15 If the pregnant woman is single, then the person responsible for the preg-  
16 nancy and other children by the same mother shall be subjected to the  
17 same blood tests as herein provided.

1     SEC. 13. Physicians and others attending pregnancy cases and required  
2 to report births and stillbirths shall state on the appropriate birth or  
3 stillbirth certificate whether a blood test for syphilis was made during such  
4 pregnancy upon a specimen of blood taken from the mother of the subject  
5 child and if made, the date when such test was made, and if not made, the  
6 reason why such test was not made. In no event shall the birth certificate  
7 state the result of the test.

1     SEC. 14. Each physician attending the birth of a child, shall cause to  
2 be instilled into the eyes of the newly born infant a prophylactic solution  
3 approved by the state department of health. This section shall not be con-  
4 strued to require medical treatment of the child of any person who is a  
5 member of a church or religious denomination and whose religious convic-  
6 tions, in accordance with the tenets or principles of his church or religious  
7 denomination, are against medical prophylaxis or treatment for disease.

1     SEC. 15. No provision of this Act shall be construed to require or  
2 compel any person, whose religious convictions are as described in section  
3 fourteen (14) of this Act, to take or follow a course of medical treatment  
4 prescribed by law or a physician. However, such person while in an infec-  
5 tious stage of disease shall be subject to isolation and such other measures  
6 appropriate for the prevention of the spread of the disease to other persons.

1 SEC. 16. Any person violating any of the provisions of this Act shall  
 2 be punished by a fine of not more than one hundred dollars, or by imprison-  
 3 ment in the county jail for a period not to exceed thirty days, or by both  
 4 such fine and imprisonment.

Approved April 18, 1969.

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CHAPTER 137

ANATOMICAL GIFTS

H. F. 305

AN ACT relating to anatomical gifts and related procedures.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. **Definitions.**

2 1. "Bank or storage facility" means a facility licensed, accredited, or  
 3 approved under the laws of any state for storage of human bodies or parts  
 4 thereof.

5 2. "Decedent" means a deceased individual and includes a stillborn infant  
 6 or fetus.

7 3. "Donor" means an individual who makes a gift of all or part of his  
 8 body.

9 4. "Hospital" means a hospital licensed under the laws of this state, or  
 10 licensed, accredited, or approved under the laws of any other state and in-  
 11 cludes a hospital operated by the United States government, a state, or a  
 12 subdivision thereof, although not required to be licensed under state laws.

13 5. "Part" includes organs, tissues, eyes, bones, arteries, blood, other fluids  
 14 and other portions of a human body, and "part" includes "parts".

15 6. "Person" means an individual, corporation, government or governmen-  
 16 tal subdivision or agency, business trust, partnership, association, or any  
 17 other legal entity.

18 7. "Physician" or "surgeon" means a physician, surgeon, or osteopathic  
 19 physician and surgeon, licensed or authorized to practice under the laws of  
 20 any state.

21 8. "State" includes any state, district, commonwealth, territory, insular  
 22 possession, and any other area subject to the legislative authority of the  
 23 United States of America.

1 SEC. 2. **Persons Who May Execute an Anatomical Gift.**

2 1. Any individual of sound mind and twenty-one years of age or more  
 3 may give all or any part of his body for any purposes specified in section  
 4 three (3) of this Act, the gift to take effect upon death.

5 2. Any of the following persons, in order of priority stated, when persons  
 6 in prior classes are not available at the time of death, and in the absence  
 7 of actual notice of contrary indications by the decedent, or actual notice  
 8 of opposition by a member of the same or a prior class, may give all or any  
 9 part of the decedent's body for any purposes specified in section three (3)  
 10 of this Act:

11 a. The spouse.

12 b. An adult son or daughter.