

and analyzed pursuant to sections fourteen (14) through eighteen (18) of this Act, prepared for the purpose of assisting the general assembly to determine whether regulation of hospital and health care facility rates by the state is warranted, and is likely to prove effective, in order to prevent unnecessary increases and control other increases in the cost of delivering institutional health care services to the people of this state.

Sec. 22. Until such time as the agreement of the state of Iowa to conduct reviews pursuant to section one thousand one hundred twenty-two (1122) of the United States Social Security Act is terminated, the department shall furnish or prescribe forms so that the application for a certificate of need and the application for review pursuant to said section one thousand one hundred twenty-two (1122) may be made at the same time with minimal duplication, and shall provide coordinated procedures for review and action on both applications. This section shall not be construed to require or to indicate legislative intent that the state continue to conduct such reviews if federal law does not so require as a condition of federal participation in state programs including, but not limited to, the medical assistance program.

Sec. 23. Sections one (1) and three (3) through twenty-one (21) of this Act shall take effect July 1, 1978. The governor shall appoint the initial members of the health facilities council no later than October 1, 1977, and the council and department shall then begin preparations to implement this Act on July 1, 1978.

Approved July 13, 1977

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CHAPTER 76  
IMMUNIZATION OF SCHOOL CHILDREN

H. F. 163

AN ACT relating to the immunization of persons attending elementary or secondary schools or licensed child care centers and to the authority of the state department of health to modify immunization requirements for admission to school.

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

Section 1. Chapter one hundred thirty-nine (139), Code 1977, is amended by adding the following new section:

NEW SECTION. IMMUNIZATION.

1. Every parent or legal guardian shall assure that his or her minor children residing in the state have been adequately immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, and rubella according to recommendations provided by the state department of health subject to the provisions of subsections three (3) and four (4) of this section.

2. No person shall be enrolled in any licensed child care center, elementary or secondary school in Iowa without evidence of adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, and rubella, except as provided in subsections three (3) and four (4) of this section.

3. Subject to the provision of subsection four (4) of this section the state board of health may modify or delete any of the immunizations in subsection one (1) of this section.

4. Immunization is not required for a person's enrollment in any elementary or secondary school or licensed child care center if that person submits to the admitting official either of the following:

a. A statement signed by a doctor, who is licensed by the state board of medical examiners, in which it is stated that, in the doctor's opinion, the immunizations required would be injurious to the health and well-being of the applicant or any member of the applicant's family or household;  
or

b. An affidavit signed by the applicant or, if a minor, by a legally authorized representative, stating that the immunization conflicts with the tenets and practice of a recognized religious denomination of which the applicant is an adherent or member; however, this exemption does not apply in times of emergency or epidemic as determined by the state board of health and as declared by the commissioner of health.

5. A person may be provisionally enrolled in an elementary or secondary school or licensed child care center if the person has begun the required immunizations and if the person continues to receive the necessary immunizations as rapidly as is medically feasible. The state department of health shall promulgate rules relating to the provisional admission of persons to an elementary or secondary school or licensed child care center.

6. It shall be the duty of the local board of health to furnish the state department of health within thirty days

of the first official day of school evidence that each person enrolled in any elementary or secondary school has been immunized in accordance with this Act subject to the provisions in subsection four (4) of this section. The state department of health shall promulgate rules pursuant to chapter seventeen A (17A) of the Code relating to the reporting of evidence of immunization.

7. The local boards of health shall provide the required immunizations to children in areas where no local provision exists to provide these services.

8. The state department of health in consultation with the superintendent of public instruction shall promulgate rules for the implementation of this Act and shall provide those rules to local school boards and local boards of health.

Sec. 2. This Act is effective August 15, 1977.

Approved July 13, 1977

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CHAPTER 77  
EUGENICS BOARD ABOLISHED

S. F. 71

AN ACT to abolish the state board of eugenics.

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

Section 1. Chapter one hundred forty-five (145), Code 1977, is repealed.

April 15, 1977

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CHAPTER 78  
DENTAL PRACTICE

S. F. 205

AN ACT relating to the practice of dentistry and dental hygiene by faculty of the college of dentistry.

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

Section 1. Chapter one hundred fifty-three (153), Code 1977, is amended by adding the following new section:

NEW SECTION. DENTAL COLLEGE FACULTY PERMITS. The state board of dental examiners may issue to members of the faculty