

CHAPTER 1072
RADIATION EMITTING EQUIPMENT

H. F. 82

AN ACT placing with the department of health the authority for regulating the installation and use of radiation emitting equipment and providing a penalty.

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

Section 1. NEW SECTION. DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Commissioner" means the commissioner of public health or a designee.
2. "Department" means the state department of health.
3. "Materials" means substances other than equipment which are capable of emitting radiation but does not include drugs as defined in chapter two hundred three A (203A) of the Code.
4. "Radiation" means energy forms capable of causing ionization including alpha particles, beta particles, gamma rays, X-rays, neutrons, high-speed protons, and other atomic particles, but does not include sound or radio waves, or visible light, or infrared or ultraviolet light.

Sec. 2. NEW SECTION. APPLICABILITY. The provisions of this Act apply to all equipment or materials which are located in this state and which are designed to emit radiation. The provisions of this Act shall not supersede or duplicate the authority and programs of any other agency of the state or the United States government. To avoid duplication and promote coordination of radiation protection activities, the department may enter into agreements pursuant to chapter twenty-eight E (28E) of the Code with other state and federal agencies, or with private organizations or individuals, to administer the provisions of this Act.

Sec. 3. NEW SECTION. POWERS AND DUTIES. The department shall be responsible for regulating the installation and use of radiation-producing equipment and materials in this state. The department shall:

1. Inspect at the time of installation, reinstallation or major component change and periodically inspect thereafter, all equipment and materials located in this state, for the purpose of detecting, abating, or eliminating excessive exposure hazards. The inspection shall include but shall not be limited to an evaluation of the equipment as well as

the immediate environment to insure that in using equipment and materials all unnecessary hazards for patients, personnel, and other persons who may be exposed to radiation produced by the equipment or materials are avoided. The department shall establish rules prescribing operating procedures for equipment and materials which insure minimum radiation exposure to patients, personnel, and other persons in the immediate environment. The inspection shall include inspection of the tube housing, beam restricting devices, filtration, exposure switches, control panel, and exposure timing switch. The inspector shall certify that protections against electrical hazards as well as the mechanical supporting and restraining devices used are adequate and that a device to monitor radiation exposure is available. All defects and deficiencies noted by the inspector shall be fully disclosed and discussed with the responsible persons at the time of inspection.

2. Establish minimum criteria and safety standards for the installation, operation and use of radiation emitting equipment and materials.

3. Establish minimum training standards for operators. All operators of equipment and users of material who are licensed by the state to practice medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene or veterinary medicine shall be deemed to have satisfied the minimum training standards.

4. Establish a system for the registration of the possession of radiation emitting equipment and materials in the state.

5. Establish and collect fees for the registration and for the periodic inspection of radiation emitting equipment and materials. Fees shall be in amounts sufficient to defray the cost of administering the provisions of this Act. All fees collected shall be remitted to the treasurer of state who shall deposit the funds in the general fund of the state.

6. Adopt, publish and amend rules, in accordance with the provisions of chapter seventeen A (17A) of the Code as may be necessary for the implementation and enforcement of the provisions of this Act.

Sec. 4. NEW SECTION. PENALTIES. It is unlawful to operate or utilize radiation emitting equipment or material in violation of the provisions of this Act or of any rule adopted pursuant to this Act. Persons convicted of violating the provisions of this Act shall be guilty of a simple misdemeanor.

Sec. 5. NEW SECTION. ENFORCEMENT. Upon determination

by the commissioner that this Act or any rule adopted pursuant to this Act has been or is being violated, the commissioner may order that the radiation emitting equipment or materials not be used until the necessary corrective action has been taken. Should the equipment or materials continue to be used in violation of the order of the commissioner, the commissioner may request the county attorney or the attorney general to make an application in the name of the state to the district court of the county in which the violations may have occurred for an order to enjoin such violations or practices.

Sec. 6. This Act is effective January 1, 1979.

Approved May 9, 1978

CHAPTER 1073

BIRTH CERTIFICATES FOR FOREIGN-BORN ADOPTED PERSONS

H. F. 547

AN ACT relating to birth certificates for adopted persons not born in Iowa.

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

Section 1. Section one hundred forty-four point twenty-three (144.23), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The state registrar shall establish a certificate of birth as provided in section six hundred point thirteen (600.13), subsection five (5), of the Code, for any adopted person born in a foreign country which person is a resident of this state, upon receipt of the adoption certificate provided for in section one hundred forty-four point nineteen (144.19) of the Code or upon receipt of a certified copy of the decree of adoption, together with information necessary to establish a new certificate of birth. This certificate of birth, if for an adopted person born in a foreign country, shall show specifically the true or probable country of birth and that the certificate is not evidence of United States citizenship. However, a new certificate of birth shall not be established if so requested by the court decreeing the adoption, the adoptive parents, or the adopted person.

Sec. 2. Section six hundred point thirteen (600.13), subsection five (5), Code 1977, is amended to read as follows:

5. An interlocutory or a final adoption decree shall