

CHAPTER 55
LEAD ABATEMENT PROGRAM
H.F. 169

AN ACT creating a lead abatement program within the Iowa department of public health.

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

Section 1. NEW SECTION. 135.100 DEFINITIONS.

For the purposes of this division, unless the context otherwise requires:

1. "Department" means the Iowa department of public health.
2. "Local board" means the local board of health.

Sec. 2. NEW SECTION. 135.101 LEAD PROGRAM.

There is established a lead abatement program within the Iowa department of public health. The department shall implement and review programs necessary to eliminate potentially dangerous toxic lead levels in children in Iowa in a year for which funds are appropriated to the department for this purpose.

Sec. 3. NEW SECTION. 135.102 RULES.

The department shall adopt rules, pursuant to chapter 17A, regarding the:

1. Implementation of the grant program pursuant to section 135.103.
2. Maintenance of laboratory facilities for the lead abatement program.
3. Maximum blood lead levels in children living in targeted rental dwelling units.
4. Standards and program requirements of the grant program pursuant to section 135.103.
5. Prioritization of proposed lead abatement programs, based on the geographic areas known with children identified with elevated blood lead level resulting from surveys completed by the department.

Sec. 4. NEW SECTION. 135.103 GRANT PROGRAM.

The department shall implement a lead abatement grant program which provides matching funds to local boards of health or cities for the program after standards and requirements for the local program are developed. The state shall provide funds to approved programs on the basis of three dollars for each one dollar designated by the local board of health or city for the program for the first two years of a program, and funds on the basis of one dollar for each one dollar designated by the local board of health or city for the program for the third and fourth years of the program if such funding is determined necessary by the department for such subsequent years. A lead abatement program grant shall not exceed a time period of four years.

Sec. 5. NEW SECTION. 135.104 REQUIREMENTS.

The program by a local board of health or city receiving matching funding for an approved lead abatement grant program shall include:

1. A public education program about lead poisoning and dangers of lead poisoning to children.
2. An effective outreach effort to ensure availability of services in the predicted geographic area.
3. A screening program for children, with emphasis on children less than five years of age.
4. Access to laboratory services for lead analysis.
5. A program of referral of identified children for assessment and treatment.
6. An environmental assessment of suspect dwelling units.
7. Abatement surveillance to ensure correction of the identified hazardous settings.
8. A plan of intent to continue the program on a maintenance basis after the grant is discontinued.

Sec. 6. NEW SECTION. 135.105 DEPARTMENT DUTIES.

The department shall:

1. Coordinate the lead abatement program with the department of natural resources, the University of Iowa poison control program, the mobile and regional child health speciality clinics, and any agency or program known for a direct interest in lead levels in the environment.

2. Survey geographic areas not included in the grant program pursuant to section 135.103 periodically to determine prioritization of such areas for future grant programs.

Approved April 24, 1987

CHAPTER 56

LOANS OF LIBRARY MATERIALS AND EQUIPMENT

H.F. 176

AN ACT relating to the requirements for the loaning by a library of library materials or equipment having a value of five hundred dollars or more.

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

Section 1. Section 714.5, unnumbered paragraph 6, Code 1987, is amended by striking the unnumbered paragraph.

Approved April 24, 1987

CHAPTER 57

ADVOCATES FOR THE MENTALLY ILL

H.F. 251

AN ACT relating to advocates for certain individuals involuntarily hospitalized.

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

Section 1. Section 229.19, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The district court in each county shall appoint an individual who has demonstrated by prior activities an informed concern for the welfare and rehabilitation of the mentally ill, and who is not an officer or employee of the department of human services nor of any agency or facility providing care or treatment to the mentally ill, to act as advocate representing the interests of all patients involuntarily hospitalized by that the court, in any matter relating to the patients' hospitalization or treatment under section 229.14 or 229.15. The court shall assign the advocate appointed from the patient's county of legal settlement to the patient, or if the patient has no county of legal settlement, the court shall assign the advocate appointed from the county where the hospital or facility is located. The advocate's responsibility with respect to any patient shall begin at whatever time the attorney employed or appointed to represent that patient as respondent in hospitalization proceedings, conducted under sections 229.6 to 229.13, reports to the court that the attorney's services are no longer required and requests the court's approval to withdraw as counsel for that patient. However, if the patient is found to be seriously mentally impaired at the hospitalization hearing, the attorney representing the patient shall automatically be relieved of responsibility in the case and an advocate shall be ~~appointed~~ assigned to the patient at the conclusion of the hearing unless the attorney indicates an intent to continue the attorney's services and the court so directs. If the court directs the attorney to remain on the case the attorney shall assume all the duties of an advocate. The clerk shall furnish the advocate with a copy of the court's order approving the withdrawal and shall inform the patient of the name of the patient's advocate. With regard to each patient whose interests