

CHAPTER 103**INFECTIOUS WASTE TREATMENT AND DISPOSAL FACILITIES***S.F. 290*

AN ACT relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities and providing for exemptions.

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

Section 1. Section 455B.503, Code 1993, is amended to read as follows:

455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL FACILITIES — PERMITS REQUIRED — RULES.

The commission shall adopt rules which require a person who owns or operates an infectious waste treatment or disposal facility to obtain an operating permit before initial operation of the facility. The rules shall specify the information required to be submitted with the application for a permit and the conditions under which a permit may be issued, suspended, modified, revoked, or renewed. The rules shall address but are not limited to the areas of operator safety, recordkeeping and tracking procedures, best available appropriate technologies, emergency response and remedial action procedures, waste minimization procedures, and long-term liability. The department shall submit proposed rules to the commission and notify the general assembly of the submission of the proposed rules pursuant to section 7A.11 ~~by January 15, 1993~~ and the commission shall adopt rules by January 15, 1994. The department shall not grant permits for the construction or operation of a commercial infectious waste treatment or disposal facility until the commission has adopted the required rules, and in no event earlier than July 1, ~~1993~~ 1994.

Sec. 2. 1990 Iowa Acts, chapter 1191, section 5, unnumbered paragraph 1, as amended by 1991 Iowa Acts, chapter 242, section 7, to be subsection 1 and subsection 3, paragraph a, and as further amended by 1992 Iowa Acts, chapter 1182, section 6, is amended to read as follows:

1. The department of natural resources shall not grant a permit for the construction or operation of a commercial infectious waste treatment or disposal facility until such time as the department adopts rules for operating permits for these facilities and in any event not earlier than July 1, ~~1993~~ 1994. The department shall adopt rules no later than January 15, 1994. The moratorium does not apply to an infectious waste treatment or disposal facility exclusively constructed or exclusively owned and operated by a hospital licensed pursuant to chapter 135B, or by two or more hospitals licensed pursuant to chapter 135B that jointly and exclusively construct or jointly and exclusively own and operate an infectious waste treatment or disposal facility, which in addition to its own waste only accepts infectious waste from other infectious waste generators, including but not limited to hospitals, health care facilities licensed pursuant to chapter 135C, physicians' offices or clinics, homemaker-home health agencies, hospice programs, public health and educational institutions, nurses' offices, veterinary clinics, and any other institutional health service-related entities facility as defined in section 135.61, subsection 14, in this state or within the service area of the hospital or hospitals operating the facility. The service area shall not extend more than seventy-five miles from the state border. Owners and operators of small quantity generators of infectious medical waste who do not treat or dispose of the waste generated by the small quantity generator shall take precautions to ensure the safety and well-being of the public and especially persons directly exposed to the waste in the course of disposal. The precautions shall include but are not limited to securing all sharps; separating and securing infectious waste apart from general waste; clearly marking the waste to indicate that the waste is infectious; and ensuring that the waste is stored, transported, treated, and disposed of in a safe and secure manner. The department, in cooperation with the Iowa department of public health, shall adopt rules defining small quantity generators of infectious waste subject to the provisions of this subsection and which establish criteria for fulfilling the precautionary requirements established.

a. An existing infectious waste treatment or disposal facility shall comply with the standards and limitations adopted by July 1, ~~1994~~ 1995, or as federal standards and limitations become final, whichever is earlier.

Approved May 5, 1993

CHAPTER 104

CRIME VICTIM COMPENSATION

S.F. 296

AN ACT relating to criminal proceedings and amounts available for victim reparation.

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

Section 1. Section 912.6, subsections 1 and 6, Code 1993, are amended to read as follows:

1. Reasonable charges incurred for medical care not to exceed ten thousand five hundred dollars. Reasonable charges incurred for mental health care not to exceed ~~one~~ three thousand five hundred dollars which includes services provided by a psychologist licensed under chapter 154B, a person holding at least a master's degree in social work or counseling and guidance, or a victim counselor as defined in section 236A.1.

6. In the event of a victim's death, reasonable charges incurred for counseling the victim's spouse, children, parents, siblings, or persons cohabiting with or related by blood or affinity to the victim if the counseling services are provided by a psychologist licensed under chapter 154B, a victim counselor as defined in section 236A.1, subsection 1, or an individual holding at least a master's degree in social work or counseling and guidance, and reasonable charges incurred by such persons for medical care counseling provided by a psychiatrist licensed under chapter 147 or 150A. The allowable charges under this subsection shall not exceed ~~five~~ three thousand three thousand dollars per person or a total of ~~two~~ six thousand dollars per victim death.

Approved May 5, 1993

CHAPTER 105

ACTIVITIES COVERED UNDER PHASE III OF EDUCATIONAL EXCELLENCE PROGRAM

S.F. 326

AN ACT relating to parent involvement policies in district and area education agency phase III plans, and to participation in family support programs.

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

Section 1. Section 294A.12, unnumbered paragraph 2, Code 1993, is amended to read as follows:

It is the intent of the general assembly that school districts and area education agencies incorporate into their planning for performance-based pay plans and supplemental pay plans, implementation of recommendations from recently issued national and state reports relating to the requirements of the educational system for meeting future educational needs, especially