

CHAPTER 1030

WASTE TIRE MANAGEMENT — ENFORCEMENT

H.F. 2351

AN ACT relating to enforcement of waste tire violations and providing a penalty.

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

Section 1. Section 455D.11, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 9. The commission or the director may issue any order necessary to secure compliance with or prevent a violation of a provision of this section or a rule adopted pursuant to this section. The attorney general shall, upon request by the department, institute any civil or criminal legal proceeding necessary to obtain compliance with an order of the commission or director or to prosecute a person for a violation of a provision of this section or a rule adopted pursuant to this section.

Unless otherwise provided in this section, a person who violates a provision of this section, a rule adopted pursuant to this section, or a condition of a permit or order issued pursuant to this section shall be subject to a civil penalty not to exceed five thousand dollars for each day of such violation.

Approved April 2, 2004

CHAPTER 1031

BIRTH DEFECTS INSTITUTE — RENAMED — DUTIES

H.F. 2362

AN ACT relating to the duties of the birth defects institute by providing for a work group to study stillbirths and renaming the institute.

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

Section 1. **LEGISLATIVE INTENT AND PURPOSE — STILLBIRTHS PROTOCOL WORK GROUP.**

1. It is the intent of the general assembly that the department of public health study and develop prevention strategies to reduce stillbirths and other congenital or inherited disorders which cause the death and disability of newborns in this state. It is the purpose of this Act to enable the department to carry out the intent of the general assembly through a stillbirths protocol work group and the redesign of the birth defects institute.

2. The Iowa department of public health shall establish a work group to develop protocol and implementation guidelines for the evaluation of causes and prevention of stillbirths including environmental and maternal factors. The director of public health shall select the members of the work group, which may include representatives from the child death review team, the health care industry, the health insurance industry, and parents or other interested parties as deemed appropriate by the director. The director shall submit a report from the work group to the general assembly on or before July 15, 2005.

Sec. 2. NEW SECTION. 136E.1 PURPOSE.

To reduce and avoid adverse health conditions of inhabitants of the state, the Iowa department of public health shall initiate, conduct, and supervise screening and health care programs in order to detect and predict congenital or inherited disorders. The department shall assist in the translation and integration of genetic and genomic advances into public health services to improve health outcomes throughout the life span of the inhabitants of the state.

Sec. 3. NEW SECTION. 136E.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Attending health care provider" means a licensed physician, nurse practitioner, certified nurse midwife, or physician assistant.
2. "Congenital disorder" means an abnormality existing prior to or at birth, including a stillbirth, that adversely affects the health and development of a fetus, newborn, child, or adult, including a structural malformation or a genetic, chromosomal, inherited, or biochemical disorder.
3. "Department" means the Iowa department of public health.
4. "Disorder" means a congenital or inherited disorder.
5. "Genetics" means the study of inheritance and how genes contribute to health conditions and the potential for disease.
6. "Genomics" mean the functions and interactions of all human genes and their variation within human populations, including their interaction with environmental factors, and their contribution to health.
7. "Inherited disorder" means a condition caused by an abnormal change in a gene or genes passed from a parent or parents to their child. Onset of the disorder may be prior to or at birth, during childhood, or in adulthood.
8. "Stillbirth" means an unintended fetal death occurring after a gestation period of twenty completed weeks, or an unintended fetal death of a fetus with a weight of three hundred fifty or more grams.

Sec. 4. NEW SECTION. 136E.3 ESTABLISHMENT OF CENTER FOR CONGENITAL AND INHERITED DISORDERS — DUTIES.

A center for congenital and inherited disorders is established within the department. The center shall do all of the following:

1. Initiate, conduct, and supervise statewide screening programs for congenital and inherited disorders amenable to population screening.
2. Initiate, conduct, and supervise statewide health care programs to aid in the early detection, treatment, prevention, education, and provision of supportive care related to congenital and inherited disorders.
3. Develop specifications for and designate a central laboratory in which tests conducted pursuant to the screening programs provided for in subsection 1 will be performed.
4. Gather, evaluate, and maintain information related to causes, severity, prevention, and methods of treatment for congenital and inherited disorders in conjunction with a central registry, screening programs, genetic health care programs, and ongoing scientific investigations and surveys.
5. Perform surveillance and monitoring of congenital and inherited disorders to determine the occurrence and trends of the disorders, to conduct thorough and complete epidemiological surveys, to assist in the planning for and provision of services to children with congenital and inherited disorders and their families, and to identify environmental and genetic risk factors for congenital and inherited disorders.
6. Provide information related to severity, causes, prevention, and methods of treatment for congenital and inherited disorders to the public, medical and scientific communities, and health science disciplines.
7. Implement public education programs, continuing education programs for health practi-

tioners, and education programs for trainees of the health science disciplines related to genetics, congenital disorders, and inheritable disorders.

8. Participate in policy development to assure the appropriate use and confidentiality of genetic information and technologies to improve health and prevent disease.

9. Collaborate with state and local health agencies and other public and private organizations to provide education, intervention, and treatment for congenital and inherited disorders and to integrate genetics and genomics advances into public health activities and policies.

Sec. 5. NEW SECTION. 136E.4 GENETIC HEALTH SERVICES.

The center may initiate, conduct, and supervise genetic health services for the inhabitants of the state, including the provision of regional genetic consultation clinics, comprehensive neuromuscular health care outreach clinics, and other outreach services and clinics as established by rule.

Sec. 6. NEW SECTION. 136E.5 NEWBORN METABOLIC SCREENING.

1. All newborns born in this state shall be screened for congenital and inherited disorders in accordance with rules adopted by the department.

2. An attending health care provider shall ensure that every newborn under the provider's care is screened for congenital and inherited disorders in accordance with rules adopted by the department.

3. This section does not apply if the parent objects to the screening. If a parent objects to the screening of a newborn, the attending health care provider shall document the refusal in the newborn's medical record and shall obtain a written refusal from the parent and report the refusal to the department as provided by rule of the department.

Sec. 7. NEW SECTION. 136E.6 CENTRAL REGISTRY.

The center for congenital and inherited disorders shall maintain a central registry, or shall establish an agreement with a designated contractor to maintain a central registry, to compile, evaluate, retain, and disseminate information on the occurrence, prevalence, causes, treatment, and prevention of congenital disorders. Congenital disorders shall be considered reportable conditions in accordance with rules adopted by the department and shall be abstracted and maintained by the registry.

Sec. 8. NEW SECTION. 136E.7 CONFIDENTIALITY.

The center for congenital and inherited disorders and the department shall maintain the confidentiality of any identifying information collected, used, or maintained pursuant to this chapter in accordance with section 22.7, subsection 2.

Sec. 9. NEW SECTION. 136E.8 RULES.

The center for congenital and inherited disorders, with assistance provided by the Iowa department of public health, shall adopt rules pursuant to chapter 17A to administer this chapter.

Sec. 10. NEW SECTION. 136E.9 COOPERATION OF OTHER AGENCIES.

All state, district, county, and city health or welfare agencies shall cooperate and participate in the administration of this chapter.

Sec. 11. Chapter 136A, Code 2003, is repealed.

Sec. 12. CODE EDITOR DIRECTIVE.

1. The Code editor may transfer chapter 136E to chapter 136A.

2. The Code editor is directed to strike the words "birth defects institute" and insert the words "center for congenital and inherited disorders" where the words appear in section 144.13A.

3. The Code editor shall correct any references to the center for congenital and inherited disorders as the successor to the birth defects institute, including grammatical constructions,

anywhere else in the Code, in any bills awaiting codification, and in any bills enacted by the Eightieth General Assembly, 2004 Regular Session.

Approved April 2, 2004

CHAPTER 1032

COUNTY HOSPITAL BUDGET CERTIFICATION

H.F. 2381

AN ACT changing the budget certification deadline for county hospital budgets.

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

Section 1. Section 347.13, subsection 9, Code 2003, is amended to read as follows:

9. Fix at its regular February meeting in each year, the amount necessary for the improvement and maintenance of the hospital and for support of ambulance service during the ensuing fiscal year, and cause the president and the secretary to certify the amount to the county auditor before March 1 15 of each year, subject to any limitation in section 347.7.

Approved April 2, 2004

CHAPTER 1033

EDUCATIONAL INSTITUTIONS UNDER UNIVERSITY-BASED RESEARCH UTILIZATION PROGRAM

H.F. 2431

AN ACT relating to educational institutions under the university-based research utilization program.

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

Section 1. Section 262B.11, subsections 1, 2, 3, and 4, Code Supplement 2003, are amended to read as follows:

1. The department of economic development shall establish and administer a university-based research utilization program for purposes of encouraging the utilization of university-based research, primarily in the area of high technology, in new or existing businesses. The program shall include the three universities under the control of the state board of regents, community colleges established under chapter 260C, and all accredited private universities located in the state. For purposes of this section, "educational institution" means a university under the control of the state board of regents, a community college established under chapter 260C, or an accredited private university located in the state.