

**CHAPTER 56**

## PUBLIC HEALTH — MISCELLANEOUS CHANGES

H.F. 380

**AN ACT** relating to the administration of programs under the jurisdiction of the department of public health and increasing a penalty and providing an effective date.

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

Section 1. Section 144.39, Code 2009, is amended to read as follows:  
144.39 CHANGE OF NAME.

Upon receipt of a certified copy of a court order from a court of competent jurisdiction or certificate of the clerk of court pursuant to chapter 674 changing the name of a person born in this state ~~and upon request of the person or the person's parent, guardian, or legal representative,~~ the state registrar shall amend the certificate of birth to reflect the new name. A fee established by the department by rule based on average administrative cost shall be collected ~~for each amended~~ to amend the certificate of birth to reflect a new name. Fees collected under this section shall be deposited in the general fund of the state.

Sec. 2. Section 147.14, subsection 1, paragraph d, Code 2009, is amended to read as follows:

d. For dentistry, five members licensed to practice dentistry, two members licensed to practice dental hygiene, and two members not licensed to practice dentistry or dental hygiene and who shall represent the general public. ~~No member of the dental faculty of the school of dentistry at the state university of Iowa shall be eligible to be appointed. Persons appointed to the board as dental hygienist members shall not be employed by or receive any form of remuneration from a dental or dental hygiene educational institution.~~ The two dental hygienist board members and one dentist board member shall constitute a dental hygiene committee of the board as provided in section 153.33A.

Sec. 3. Section 147A.1, Code 2009, is amended by adding the following new subsection:  
**NEW SUBSECTION.** 6A. "Emergency medical services medical director" means a physician licensed under chapter 148, who is responsible for overall medical direction of an emergency medical services program and who has completed a medical director workshop, sponsored by the department, within one year of assuming duties. An emergency medical services medical director who receives no compensation for the performance of the director's volunteer duties under this chapter shall be considered a state volunteer as provided in section 669.24 while performing volunteer duties as an emergency medical services medical director.

Sec. 4. Section 149.7, Code 2009, is amended to read as follows:  
149.7 TEMPORARY CERTIFICATE LICENSE.

1. The board may issue a temporary certificate license authorizing the licensee ~~named in the certificate~~ to practice podiatry if, in the opinion of the board, a need exists and the person possesses the qualifications prescribed by the board for the certificate temporary license, which shall be substantially equivalent to those required for ~~regular permanent licensure~~ under this chapter. The board shall determine in each instance the applicant's eligibility for the certificate temporary license, whether or not an examination shall be given, and the type of examination. The requirements of the law pertaining to ~~regular permanent licensure~~ shall not be mandatory for ~~this temporary certificate licensure~~ except as specifically designated by the board. The granting of a temporary certificate license does not in any way indicate that the person licensed is necessarily eligible for ~~regular permanent licensure~~, and the board is not obligated to issue a permanent license to the person.

2. ~~The temporary certificate shall be issued for one year and may be renewed, but a person shall not be entitled to practice podiatry in excess of three years while holding a temporary~~

~~certificate. The board shall determine the duration of time a person is qualified to practice podiatry while holding a temporary license.~~ The fee for this ~~certificate license~~ shall be set by the board, and if extended beyond one year, a renewal fee per year shall be set by the board. The fees shall be based on the administrative costs of issuing and renewing the ~~certificates temporary licenses~~.

Sec. 5. Section 153.13, Code 2009, is amended by adding the following new subsection:

**NEW SUBSECTION.** 3. Persons who offer to perform, perform, or assist with any phase of any operation incident to tooth whitening, including the instruction or application of tooth whitening materials or procedures at any geographic location. For purposes of this subsection, "tooth whitening" means any process to whiten or lighten the appearance of human teeth by the application of chemicals, whether or not in conjunction with a light source.

Sec. 6. Section 158.1, subsection 1, paragraph d, Code 2009, is amended to read as follows:

d. Applying cosmetic preparations, antiseptics, powders, oils, clays, waxes, or lotions to scalp, face, or neck.

Sec. 7. Section 158.3, subsection 3, Code 2009, is amended by striking the subsection.

Sec. 8. Section 158.7, Code 2009, is amended to read as follows:

158.7 LICENSING BARBER SCHOOLS.

1. It is unlawful for a barber school to operate unless the owner has obtained a license issued by the department. The owner shall file a verified application with the department on forms prescribed by the board.

2. Any person employed as a barbering instructor in a licensed barber school shall be a licensed barber and shall possess a separate instructor's license which shall be renewed ~~annually~~ biennially. An instructor shall file an application with the department on forms prescribed by the board.

3. The barber school must pass a sanitary inspection, and the course of study of the school must be approved by the board under the provisions of section 158.8.

4. An annual inspection of each barber school, including the educational activities of each school, shall be conducted and completed by the board prior to renewal of the license.

5. The application shall be accompanied by the annual license fee determined under the provisions of section 147.80 and shall state the name and location of the school, name of the owner, name of the manager, and such other additional information as the board may require. The license is valid for one year and may be renewed.

6. A license for a barber school shall not be issued for any space in any location where the same space is licensed as a school of cosmetology.

Sec. 9. Section 158.8, Code 2009, is amended to read as follows:

158.8 COURSE OF STUDY.

1. The course of study of a barber school shall consist of at least two thousand one hundred hours of instruction as prescribed by the board and shall include instruction in all phases of the practice of barbering as defined in section 158.1, subsection 1. The course shall require at least ten months of instruction for completion. The course shall include not less than three hundred hours of demonstrations and lectures in the following areas: ~~Law~~ law; ethics; equipment; shop management; history of barbering; sanitation; sterilization; personal hygiene; first aid; bacteriology; anatomy; scalp, skin, hair and their common disorders; electricity as applied to barbering; chemistry and pharmacology; scalp care; hair body processing; hairpieces; honing and stropping; shaving; facials, massage and packs; haircutting; hair tonics; dyeing and bleaching; instruments; soaps; and shampoos, creams, lotions, waxes, and tonics. It shall include not less than one thousand four hundred hours of supervised practical instruction in the following areas: ~~Scalp~~ scalp care and shampooing, honing and stropping, shaving, haircutting, hairstyling and blow waving, dyeing and bleaching, hair body processing, facials, waxing, massage and packs, beard and mustache trimming, and hairpieces.

2. A person licensed under section 157.3 who enrolls in a barber school shall be granted full credit for each course successfully completed which meets the requirements of the barber school, which shall be credited toward the two thousand one hundred hour requirement, and the ten-month period does not apply. A person who has been a student in a school of cosmetology arts and sciences licensed under chapter 157 may enroll in a barber school and shall be granted, at the discretion of the school, at least half credit and up to full credit for each course successfully completed which meets the requirements of the barber school.

Sec. 10. Section 158.16, Code 2009, is amended to read as follows:  
158.16 PENALTY.

A person convicted of violating any of the provisions of this chapter shall be fined not to exceed one ~~hundred~~ thousand dollars.

Sec. 11. Section 691.6C, Code 2009, is amended to read as follows:  
691.6C STATE MEDICAL EXAMINER ADVISORY COUNCIL.

A state medical examiner advisory council is established to advise and consult with the state medical examiner on a range of issues affecting the organization and functions of the office of the state medical examiner and the effectiveness of the medical examiner system in the state. Membership of the state medical examiner advisory council shall be determined by the state medical examiner, in consultation with the director of public health, and shall include, but not necessarily be limited to, representatives from the office of the attorney general, the Iowa county attorneys association, the Iowa medical society, the Iowa association of pathologists, the Iowa association of county medical examiners, the departments of public safety and public health, the statewide emergency medical system, and the Iowa funeral directors association. The advisory council shall meet ~~on a quarterly or more frequent basis~~ on a regular basis, and shall be organized and function as established by the state medical examiner by rule.

Sec. 12. Sections 135.30, 148B.8, 155.7, 155.17, and 155.18, Code 2009, are repealed.

Sec. 13. EFFECTIVE DATE. The section of this Act amending section 153.13, being deemed of immediate importance, takes effect upon enactment.

Approved April 10, 2009

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## CHAPTER 57

### ELECTIONS AND VOTER REGISTRATION

*H.F. 475*

**AN ACT** making technical changes to the laws relating to elections and voter registration, making a penalty applicable, and including effective date and applicability date provisions.

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

Section 1. Section 2.27, Code 2009, is amended to read as follows:  
2.27 CANVASS OF VOTES FOR GOVERNOR.

The general assembly shall meet in joint session on the same day the assembly first convenes in January of 1979 and every four years thereafter as soon as both houses have been organized, and canvass the votes cast for governor and lieutenant governor and determine the election.