

### **135.11 Duties of department.**

The director of public health shall be the head of the "Iowa Department of Public Health", which shall:

1. Exercise general supervision over the public health, promote public hygiene and sanitation, prevent substance abuse and unless otherwise provided, enforce the laws relating to the same.
2. Conduct campaigns for the education of the people in hygiene and sanitation.
3. Issue monthly health bulletins containing fundamental health principles and other health data deemed of public interest.
4. Make investigations and surveys in respect to the causes of disease and epidemics, and the effect of locality, employment, and living conditions upon the public health. For this purpose the department may use the services of the experts connected with the state hygienic laboratory at the state university of Iowa.
5. Establish, publish, and enforce a code of rules governing the installation of plumbing in cities and amend the same when deemed necessary.
6. Exercise general supervision over the administration of the housing law and give aid to the local authorities in the enforcement of the same, and it shall institute in the name of the state such legal proceedings as may be necessary in the enforcement of said law.
7. Establish stations throughout the state for the distribution of antitoxins and vaccines to physicians, druggists, and other persons, at cost. All antitoxin and vaccine thus distributed shall be labeled "Iowa Department of Public Health".
8. Exercise general supervision over the administration and enforcement of the sexually transmitted diseases and infections law, chapter 139A, subchapter II.
9. Exercise sole jurisdiction over the disposal and transportation of the dead bodies of human beings and prescribe the methods to be used in preparing such bodies for disposal and transportation. However, the department may approve a request for an exception to the application of specific embalming and disposition rules adopted pursuant to this subsection if such rules would otherwise conflict with tenets and practices of a recognized religious denomination to which the deceased individual adhered or of which denomination the deceased individual was a member. The department shall inform the board of mortuary science examiners of any such approved exception which may affect services provided by a funeral director licensed pursuant to chapter 156.
10. Establish, publish, and enforce rules which require companies, corporations, and other entities to obtain a permit from the department prior to scattering cremated human remains.
11. Exercise general supervision over the administration and enforcement of the vital statistics law, chapter 144.
12. Enforce the law relative to chapter 146 and "Health-related Professions", Title IV, subtitle 3, excluding chapter 155.
13. Establish and maintain such divisions in the department as are necessary for the proper enforcement of the laws administered by it, including a division of contagious and infectious diseases, a division of venereal diseases, a division of housing, a division of sanitary engineering, and a division of vital statistics, but the various services of the department shall be so consolidated as to eliminate unnecessary personnel and make possible the carrying on of the functions of the department under the most economical methods.

14. Establish, publish, and enforce rules not inconsistent with law for the enforcement of the provisions of chapters 125 and 155, and Title IV, subtitle 2, excluding chapters 142B, 145B, and 146 and for the enforcement of the various laws, the administration and supervision of which are imposed upon the department.
15. Establish standards for, issue permits for, and exercise control over the distribution of venereal disease prophylactics distributed by methods not under the direct supervision of a physician licensed under chapter 148, 150, or 150A, or a pharmacist licensed under chapter 147. Any person selling, offering for sale, or giving away any venereal disease prophylactics in violation of the standards established by the department shall be fined not exceeding five hundred dollars, and the department shall revoke their permit.
16. Administer the statewide public health nursing, homemaker-home health aide, and senior health programs by approving grants of state funds to the local boards of health and the county boards of supervisors and by providing guidelines for the approval of the grants and allocation of the state funds. Program direction, evaluation requirements, and formula allocation procedures for each of the programs shall be established by the department by rule.
17. Administer chapters 125, 136A, 136C, 139A, 142, 142A, 144, and 147A.
18. Issue an annual report to the governor as provided in section 7E.3, subsection 4.
19. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and the Des Moines university osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.
20. Administer the statewide maternal and child health program and the program for children with disabilities by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential conditions which may cause disabilities and children with chronic illnesses in accordance with the requirements of Title V of the federal Social Security Act. The department shall provide technical assistance to encourage the coordination and collaboration of state agencies in developing outreach centers which provide publicly supported services for pregnant women, infants, and children. The department shall also, through cooperation and collaborative agreements with the department of human services and the mobile and regional child health specialty clinics, establish common intake proceedings for maternal and child health services. The department shall work in cooperation with the legislative services agency in monitoring the effectiveness of the maternal and child health centers, including the provision of transportation for patient appointments and the keeping of scheduled appointments.
21. Establish, publish, and enforce rules requiring prompt reporting of methemoglobinemia, pesticide poisoning, and the reportable poisonings and illnesses established pursuant to section 139A.21.
22. Collect and maintain reports of pesticide poisonings and other poisonings, illnesses, or injuries caused by selected chemical or physical agents, including methemoglobinemia and pesticide and fertilizer hypersensitivity; and compile and publish, annually, a statewide and county-by-county profile based on the reports.
23. Adopt rules which require personnel of a licensed hospice, of a homemaker-home health aide provider agency which receives state homemaker-home health aide funds, or of an agency which provides respite care

services and receives funds to complete a minimum of two hours of training concerning acquired immune deficiency syndrome- related conditions through a program approved by the department. The rules shall require that new employees complete the training within six months of initial employment and existing employees complete the training on or before January 1, 1989.

24. Adopt rules which require all emergency medical services personnel, firefighters, and law enforcement personnel to complete a minimum of two hours of training concerning acquired immune deficiency syndrome- related conditions and the prevention of human immunodeficiency virus infection.

25. Adopt rules which provide for the testing of a convicted or alleged offender for the human immunodeficiency virus pursuant to sections 915.40 through 915.43. The rules shall provide for the provision of counseling, health care, and support services to the victim.

26. Establish ad hoc and advisory committees to the director in areas where technical expertise is not otherwise readily available. Members may be compensated for their actual and necessary expenses incurred in the performance of their duties. To encourage health consumer participation, public members may also receive a per diem as specified in section 7E.6 if funds are available and the per diem is determined to be appropriate by the director. Expense moneys paid to the members shall be paid from funds appropriated to the department. A majority of the members of such a committee constitutes a quorum.

27. Establish an abuse education review panel for review and approval of mandatory reporter training curricula for those persons who work in a position classification that under law makes the persons mandatory reporters of child or dependent adult abuse and the position classification does not have a mandatory reporter training curriculum approved by a licensing or examining board.

28. Establish and administer a substance abuse treatment facility pursuant to section 135.130.

29. Administer annual grants to county boards of health for the purpose of conducting programs for the testing of private water supply wells, the closing of abandoned private water supply wells, and the renovation or rehabilitation of private water supply wells. Grants shall be funded through moneys transferred to the department from the agriculture management account of the groundwater protection fund pursuant to section 455E.11, subsection 2, paragraph "b", subparagraph (3), subparagraph subdivision (b). The department shall adopt rules relating to the awarding of the grants.

30. Establish and administer, if sufficient funds are available to the department, a program to assess and forecast health workforce supply and demand in the state for the purpose of identifying current and projected workforce needs. The program may collect, analyze, and report data that furthers the purpose of the program. The program shall not release information that permits identification of individual respondents of program surveys.

**1.** [C97, § 2565; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 135.11(1)]

**2, 3.** [C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 135.11(2, 3)]

**4.** [C97, § 2565; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 135.11(4)]

**5, 6.** [C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(8, 9); C73, 75, 77, 79, 81, § 135.11(7, 8)]

**7.** [S13, § 2572-a, -b, -c; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(11); C73, § 135.11(10); C75, 77, 79, 81, § 135.11(9)]

**8.** [C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(12); C73, § 135.11(11); C75, 77, 79, 81,

§ 135.11(10)]

**9.** [S13, § 2575-a42; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(13); C73, § 135.11(12); C75, 77, 79, 81, § 135.11(11)]

**10.** [C97, § 2565; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(14); C73, § 135.11(13); C75, 77, 79, 81, § 135.11(12)]

**11, 12.** [C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(15, 16); C73, § 135.11(14, 15); C75, 77, 79, 81, § 135.11(13, 14)]

**13.** [C97, § 2565; C24, 27, 31, 35, 39, § **2191**; C46, 50, 54, 58, 62, 66, 71, § 135.11(17); C73, § 135.11(16); C75, 77, 79, 81, § 135.11(15)]

**14.** [C75, 77, 79, 81, § 135.11(16)]

**15.** [82 Acts, ch 1260, § 55]

83 Acts, ch 27, § 7; 86 Acts, ch 1245, § 1104; 87 Acts, ch 8, §2; 87 Acts, ch 115, § 22; 87 Acts, ch 225, § 202; 88 Acts, ch 1224, § 12; 89 Acts, ch 304, § 103; 90 Acts, ch 1259, § 10; 91 Acts, ch 258, §29; 93 Acts, ch 140, § 4; 94 Acts, ch 1023, § 11; 94 Acts, ch 1132, § 9; 96 Acts, ch 1036, § 2; 96 Acts, ch 1128, § 1; 96 Acts, ch 1129, § 23; 97 Acts, ch 23, § 13; 97 Acts, ch 197, § 1; 98 Acts, ch 1053, §1; 98 Acts, ch 1087, § 1; 98 Acts, ch 1090, §60, 84; 98 Acts, ch 1221, § 12; 99 Acts, ch 141, §2; 2000 Acts, ch 1058, §14; 2000 Acts, ch 1066, §37; 2000 Acts, ch 1223, §18; 2001 Acts, ch 58, §3; 2001 Acts, ch 122, §1; 2001 Acts, ch 184, §6; 2001 Acts, 2nd Ex, ch 1, §25, 28; 2002 Acts, ch 1108, §7; 2003 Acts, ch 33, §8, 11; 2003 Acts, ch 35, §45, 49; 2003 Acts, ch 44, §36; 2004 Acts, ch 1167, §1; 2005 Acts, ch 89, §2, 3

## **Footnotes**

Laboratory tests, § 263.7, 263.8

Establishment and funding of state poison control center;  
2000 Acts, ch 1221, §1; 2001 Acts, ch 184, §1; 2002 Acts, ch 1174, §1; 2003 Acts, ch 183, §1; 2004 Acts, ch 1176, §1; 2005 Acts, ch 176, §1; 2006 Acts, ch 1181, §1