

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 409

February 26, 1947. By BRYSON, FIMMEN, POSTON and WILLIAMS.
Public Health.

A BILL FOR

An Act relating to the licensing and inspection of
nursing homes or boarding homes for the aged,
and providing the penalty for violation of the act.

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

1 Section 1. The words "person" or "agency" where
2 used in this chapter shall include individuals,
3 institutions, partnerships, voluntary associations and
4 corporations other than institutions under the management
5 of the state board of control or its officers or agents.

1 Sec. 2. Any person who receives for care and
2 treatment or boarding and lodging, or has in his custody
3 at any one time, more than two persons for the purpose
4 of providing them with food, care and lodging shall be
5 deemed to maintain a boarding and nursing home for the
6 aged. This definition shall not include any person
7 who, without compensation, is caring for such persons
8 for a temporary period. The state board of health is
9 hereby empowered to grant a license for one year at a
10 time for the conduct of any boarding or nursing home
11 for the aged, that is for the public good, that has

12 adequate equipment for the work which it undertakes
13 and that is conducted by a reputable and responsible person
14 in a safe and sanitary manner.

1 Sec. 3. No such license shall be issued unless
2 the premises are in a fit sanitary condition and the
3 application for such license shall have been approved
4 by the state department of health.

1 Sec. 4. The license shall state the name of the
2 licensee, the particular premises in which the business
3 may be carried on, and the number of people that may be
4 properly boarded, nursed or cared for therein at any
5 one time.

1 Sec. 5. Record of the licenses so issued shall be kept
2 by the state board of health.

1 Sec. 6. The state board of health shall forthwith
2 give notice to the state board of social welfare and the
3 local board of health of the city, village or town in which
4 the licensed premises are located, of the granting of such
5 license and the conditions thereof.

1 Sec. 7. No person shall receive a person for care
2 in any such home or solicit or receive funds for its
3 support unless it has an unrevoked license issued by
4 the state board of health within twelve months preceding
5 its conducting such home.

1 Sec. 8. No greater number of persons shall be kept
2 at any one time on the licensed premises than is

3 authorized by the license and no person shall be kept
4 in a building or place not designated in the license.

1 Sec. 9. Such license shall be kept posted in a
2 conspicuous place on the licensed premises.

1 Sec. 10. It shall be the duty of the state board of
2 health to provide such general regulations and rules for
3 the conduct of all such homes as shall be necessary to affect
4 the purpose of this and of all other laws of the state
5 relating to persons so far as the same are applicable and
6 to safeguard the well-being of all persons kept therein.

1 Sec. 11. License granted under this chapter shall be
2 valid for one year from the date of issuance thereof unless
3 revoked in accordance with the provisions of this chapter.

1 Sec. 12. The state board of health may revoke any
2 such license under the conditions and by the procedure
3 specified for the revocation of licenses of child placing
4 agencies.

1 Sec. 13. The state board of health shall have the same
2 rights and duties relative to records, reports and inspections
3 of boarding and nursing homes for the aged, as are provided
4 for in connection with child placing agencies.

1 Sec. 14. Said homes shall be subject to inspection at all
2 times by the state fire marshal and must be maintained so as to
3 provide for the safety of all persons therein.

1 Sec. 15. In a prosecution under the provisions of this
2 law or any penal law relating thereto, a defendant who relies

3 for defense upon the relation of any person to himself shall
4 have the burden of proof.

1 Sec. 16. Every person who violates any of the provisions
2 of this chapter or who intentionally shall make any false
3 statements or reports to the state board of health with
4 reference to the matters contained herein, or who shall
5 abuse, defraud or fail to properly care for any person in
6 any such nursing or boarding homes shall be guilty of a
7 misdemeanor and penalized accordingly, and such violation
8 shall be grounds for the revocation of the license.

EXPLANATION OF H. F. 409

There is much complaint that the nursing homes and boarding homes for the aged in the state are kept in a very unsanitary condition and that the patients therein are not properly cared for and fed and in many instances are mistreated, and the purpose of this bill is to correct these conditions by having the same supervised and subject to inspection by the State Board of Health and also inspected by the State Fire Marshal for fire hazards.