

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

Senate File 398

February 26, 1947.
Passed on File.

By VITTETOE.

A BILL FOR

An Act to provide for the creation of county and district boards of health and the establishment of county and district health departments; to provide for their organization and their powers and duties; to provide jurisdiction over health matters and to control preventable diseases; to provide for the appointment of necessary health officers and the employment of medical, nursing and other essential personnel; and to authorize the levy and collection of taxes for the purposes of this act.

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

1 Section 1. "County health department" and "district health
2 department" mean a full time health department utilizing local,
3 state, federal and other funds, or any combination thereof, em-
4 ploying qualified medical, nursing and other essential personnel,
5 working under the direction and supervision of a full time
6 qualified health officer, and conducted in conformity with the
7 rules, regulations and policies of the department of health of
8 the State of Iowa.

1 Sec. 2. When it is proposed to establish in any county a
2 county health department the board of supervisors may, and upon
3 a petition signed by 200 or more resident freeholders of such
4 county, not more than 50 of whom shall be residents of any city
5 or town in such county, shall submit to the voters of the county

6 at the next general election the question of establishing a
7 county health department.

1 Sec. 3. Should a majority of all the votes cast outside of
2 the corporate limits of any city or town, and a majority of all
3 of the votes cast within the corporate limits of cities and towns
4 upon the proposition at a general election, be in favor of
5 establishing such county health department the board of super-
6 visors shall proceed to establish such a county health depart-
7 ment as hereinafter provided.

1 Sec. 4. When it has been determined by the voters of a
2 county to establish a county health department the board of super-
3 visors shall appoint seven members to a county board of health
4 chosen from among the resident citizens of the county with
5 reference to their fitness for such office, three of whom may be
6 women, and not more than four of such board members shall be
7 residents of the largest political subdivision in such county,
8 and none shall be physicians or licensed practitioners. Such
9 board members shall hold office until the following general
10 election at which time their successors shall be elected, two for
11 a term of two years and two for four years and three for six
12 years, and they shall determine by lot their respective terms,
13 and thereafter their successors shall be elected for regular
14 terms of six years each.

1 Sec. 5. Vacancies in the board shall be filled in the same
2 manner as original appointments, such appointees to hold office
3 until the following general election.

1 Sec. 6. Such board members shall within ten days after
2 appointment or election qualify by taking the usual oath of
3 office, but no bond shall be required of them. They shall organize
4 by the election of one of their number as chairman and one as
5 secretary. Said board shall meet at least once every three months.
6 Four members of said board shall constitute a quorum for the
7 transaction of business. The secretary shall keep a complete
8 record of its proceedings.

1 Sec. 7. The county treasurer shall receive and disburse
2 all funds which are under the control of said board, the same to
3 be paid out only upon warrants drawn by the county auditor by
4 direction of the Board of Supervisors after the claim for which
5 the warrant is drawn is certified to be correct by the said county
6 board of health.

1 Sec. 8. Said county board of health shall appoint a health
2 officer who shall be a physician specially trained in public
3 hygiene and sanitation who shall hold office during the pleasure
4 of the board. The compensation of such health officer shall be
5 fixed by said board. The board shall employ qualified medical,
6 nursing and public health engineering personnel and such other
7 essential assistants and employees and fix their compensation provided
8 that all professional employees and technicians shall meet the
9 educational requirements prescribed by the state health department.

1 Sec. 9. Upon the establishment of a county health department
2 as herein provided the county board of health shall guide and
3 direct all public health activities within such county and shall

4 assume all of the powers and duties of local boards of health,
5 except in cities having a population of 25,000 or more and which
6 maintain a full time health department, unless any such city by
7 mutual agreement with the county board of health determines to
8 come under its jurisdiction.

1 Sec. 10. All of the powers and duties conferred upon local
2 boards of health and health officers under chapter 137 are hereby
3 conferred upon the county board of health as herein established
4 and its health officer, and all of the provisions of chapter 137
5 that are applicable and not inconsistent with the provisions of
6 this act are hereby made applicable to such county boards of health.

1 Sec. 11. The board of supervisors at the time of levying
2 ordinary taxes shall levy a tax at the rate voted not to exceed
3 one mill in any one year upon the property within the jurisdiction
4 of the county board of health as certified by the board of health
5 for the support and maintenance of the county health department.

1 Sec. 12. No member of the board of health shall receive any
2 compensation for his services performed under this act, but he
3 shall be reimbursed for any cash expenditures actually made for
4 personal expenses incurred in the performance of his duties. An
5 itemized statement of such expenses verified by the oath of such
6 member shall be filed with the secretary and the same shall only
7 be allowed by an affirmative vote of all members present at the
8 meeting of the board.

1 Sec. 13. The boards of supervisors of two or more adjoining
2 counties of less than fifty thousand each in population may by

3 agreement between such boards of supervisors submit to the voters
4 of their respective counties the proposition of establishing a
5 district health department with jurisdiction in the district
6 composed of such counties.

1 Sec. 14. Should a majority of all the votes cast outside
2 of the corporate limits of any city or town in each of such
3 counties, and a majority of all of the votes cast within the corporate
4 limits of cities and towns in each of said counties, be in favor
5 of establishing such district health department, the boards of
6 supervisors of said counties shall meet jointly and establish
7 such district health department, and shall appoint seven members
8 to the first district board of health with the same qualifications
9 as are prescribed for the members of a county board of health,
10 but not more than four of such board members shall be residents
11 of any one county. Thereafter board members shall be elected in
12 the district in the same manner as is prescribed in this act for
13 the election in counties of members of a county board of health.
14 Vacancies in such district board of health shall be filled by
15 a meeting of the boards of supervisors of the counties composing
16 such district and such appointees shall hold office until the next
17 general election.

1 Sec. 15. All of the provisions of this act relating to county
2 boards of health shall apply equally to district boards of health.

1 Sec. 16. When a county having a county health department under
2 the provisions of this act becomes a part of a district which has
3 determined to establish a district health department, then upon

4 the establishment of such district health department the county
5 health department shall cease and the terms of the members
6 of such county board of health shall expire.