

FEB 1 1989
EDUCATION

HOUSE FILE 289
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a requirement that children receive a blood
2 test for lead by age six or prior to enrollment in an
3 elementary school.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 289

1 Section 1. Section 135.102, Code 2005, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 7. Implementation of a requirement that
4 children receive a blood test for lead prior to the age of six
5 and before enrolling in any elementary school in Iowa in
6 accordance with section 135.105D. The department shall also
7 adopt rules relating to the reporting of evidence of blood
8 tests for lead.

9 Sec. 2. NEW SECTION. 135.105D LEAD TESTING OF CHILDREN.

10 1. A child shall not be enrolled in an elementary school
11 in Iowa without evidence of having received a blood test for
12 lead.

13 2. A parent or legal guardian shall assure that the
14 person's minor children residing in the state are tested for
15 elevated blood lead levels by the age of six according to
16 recommendations provided by the department.

17 3. A local board of health shall provide the required lead
18 testing to children in areas where no local provision of these
19 services exists.

20 4. A local board of health, in consultation with the local
21 school board and the authorities in charge of nonpublic
22 schools, shall furnish the department, within sixty days after
23 the first official day of school, evidence that each child
24 enrolled in any elementary school has been tested as required
25 in this section.

26 5. The department may waive the requirements of this
27 section if the department determines that a child is of very
28 low risk for elevated blood lead levels, or if the child's
29 parent or legal guardian submits a written statement that the
30 testing conflicts with the tenets and practices of a
31 recognized religious denomination of which the parent or legal
32 guardian submitting the statement is an adherent or member.

33 6. The department shall provide rules adopted pursuant to
34 section 135.102, subsection 7, to local school boards, the
35 authorities in charge of nonpublic schools, and to local

1 boards of health.

2 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
3 3, shall not apply to this Act.

4 EXPLANATION

5 This bill requires the department of public health to
6 implement a requirement that children receive a blood test for
7 lead prior to the age of six and before enrolling in any
8 elementary school in Iowa. The bill requires a child's parent
9 or legal guardian to assure that the child is tested.

10 The department is directed to adopt rules regarding the
11 requirements of the bill and to provide the rules to local
12 school boards, authorities in charge of nonpublic schools, and
13 local boards of health.

14 A local board of health must test children in areas where
15 no local provision of the services exists. The local board
16 must also provide evidence to the department that the children
17 living in the area served by the board have been tested.

18 The department can waive testing requirements if the
19 department determines that a child is of very low risk or if
20 the child's parent or legal guardian objects to the test on
21 religious grounds.

22 The bill may include a state mandate as defined in Code
23 section 25B.3. The bill makes inapplicable Code section
24 25B.2, subsection 3, which would relieve a political
25 subdivision from complying with a state mandate if funding for
26 the cost of the state mandate is not provided or specified.
27 Therefore, political subdivisions are required to comply with
28 any state mandate included in the bill.

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