Review of Iowa Code

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Getting Authority

Whether we want it or not…
Snapshot of Iowa’s Political Environment

Iowa House of Representatives

U.S. House

Governor

U.S. Senate

Iowa Senate
Legislators by Occupation

- Farmers
- Teacher/School Administrator
- Lawyer
- Small Business Owner
- Executive (Not for Profit)
- Legislator
- Fire/ Police
- Media/ PR
- Other
- Contractor
- Health Professional
- Executive
- College Faculty
- Insurance Agent
- Real Estate/ Realtor
- Social Worker
It all starts with an idea

• An idea may come from many different sources:
  – Legislator
  – Constituent
  – Business
  – Government agency
  – Professional association
  – Interest Group
From Idea to Policy

• An idea must put into the form of a legislative bill in order for it to become a policy

• In Iowa, only legislators are able to introduce bills to the Iowa General

• Bills are sponsored by a Senator or Representative or a Senate or House Committee
Once it is approved

- A bill must be approved by both the Senate and the House
- After that it is sent to the Governor and he has 3 choices:
  - Sign it
  - Veto it and send it back
  - Take no action
    » If no action is taken during the legislative session the bill will automatically become law
    » If a bill is received after the session it either must be signed or vetoed in 30 days
Where does it go next?

• First the bill becomes part of the law in Iowa Code
• This law will designate the state agency who is responsible for carrying out the duties related to the law
• This will require the agency to develop and adopt administrative rules
  – Also known as the Iowa Administrative Code (IAC)
  – Iowa Dept. of Public Health IAC is 641
Purpose of Administrative Rules

• Limited opportunity for both the Governor and the Legislature to exercise oversight over the rulemaking process
• Opportunity for the public to offer comments and criticisms on the proposal
• Publication process to widely distribute final rules
Summary of Administrative Code Process

• Administrative code is written by the department
• Administrative head reviews the rules
• Clearance by IGOV
• Notice of Intended Action
• Published in the Iowa Administrative Bulletin

• Public comment period and open hearing
• Adoption of rules by the Agency
• Review by the legislature’s Administrative Rules Review Committee—twice
When and How Long?

• The Administrative Rule process can occur with new bills, but also occurs to update rules.

• The process (not including the drafting of rules and Governor’s Office Clearance) takes 108 days.

• There is a mechanism in place for emergency rule making.
Who’s responsible?

- Iowa Dept. of Public Health
  - Draft the rules and use the approval process
  - Provide guidance, technical assistance, and consultation on the interpretation of the rules
  - Update the rules

- Local Agencies
  - Participate on work groups
  - Talk to their legislators about concerns and ideas
  - Create ordinances at the local county or city level when the state has nothing in place