



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8565

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 3, line 32, after <257.37A.> by inserting
1 3 <The department of management may adjust the amount
1 4 allocated pursuant to this subsection in order to
1 5 reflect any differences resulting from the budget
1 6 certification process.>
1 7 #2. Page 4, by striking lines 4 through 6 and
1 8 inserting <section 257.16, subsection 4.>
1 9 #3. Page 16, after line 28 by inserting:
1 10 <Sec. _____. Section 46.3, subsection 3, Code 2009,
1 11 as amended by 2010 Iowa Acts, Senate File 2343, section
1 12 1, if enacted, is amended to read as follows:
1 13 3. ~~A~~ No more than a simple majority of the
1 14 commissioners appointed shall be of the same gender.>
1 15 #4. Page 21, after line 26 by inserting:
1 16 <Sec. _____. Section 476.53, subsection 2, paragraph
1 17 a, Code 2009, as amended by 2010 Iowa Acts, House File
1 18 2399, section 2, if enacted, is amended to read as
1 19 follows:
1 20 a. The general assembly's intent with regard to
1 21 the development of electric power generating and
1 22 transmission facilities, or the significant alteration
1 23 of an existing generating facility, as provided in
1 24 subsection 1, shall be implemented in a manner that is
1 25 cost-effective and compatible with the environmental
1 26 policies of the state, as expressed in Title XI.>
1 27 #5. By renumbering as necessary.

OLDSON of Polk
HF2531.2661 (2) 83
tm/jp



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8566

PAG LIN

1 1 Amend Senate File 2381, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 6, after line 15 by inserting:
 1 4 <Sec. _____. Section 321.445, subsection 3, Code
 1 5 2009, is amended to read as follows:
 1 6 3. The driver and front seat passengers may be
 1 7 each charged separately for improperly used or nonused
 1 8 equipment under subsection 2. However, the driver
 1 9 shall not be charged for a violation committed by a
 1 10 passenger who is fourteen years of age or older unless
 1 11 the passenger is unable to properly fasten a seat belt
 1 12 due to a temporary or permanent disability. The owner
 1 13 of the motor vehicle may be charged for equipment
 1 14 violations under subsection 1.>
 1 15 #2. Page 7, after line 7 by inserting:
 1 16 <Sec. _____. Section 321.446, subsection 4, Code
 1 17 2009, is amended by striking the subsection and
 1 18 inserting in lieu thereof the following:
 1 19 4. A person who violates this section is guilty
 1 20 of a simple misdemeanor punishable as a scheduled
 1 21 violation under section 805.8A, subsection 14,
 1 22 paragraph "c". Violations shall be charged as follows:
 1 23 a. An operator who transports a passenger under
 1 24 fourteen years of age in violation of subsection 1 or 2
 1 25 may be charged with a violation of this section.
 1 26 b. If a passenger fourteen years of age or older is
 1 27 unable to properly fasten a seatbelt due to a temporary
 1 28 or permanent disability, an operator who transports
 1 29 such a person in violation of subsection 2 may be
 1 30 charged with a violation of this section. Otherwise, a
 1 31 passenger fourteen years of age or older who violates
 1 32 subsection 2 shall be charged in lieu of the operator.
 1 33 c. If a child under fourteen years of age, or a
 1 34 child fourteen years of age or older who is unable
 1 35 to fasten a seatbelt due to a temporary or permanent
 1 36 disability, is being transported in a taxicab in a
 1 37 manner that is not in compliance with subsection 1 or
 1 38 2, the parent, legal guardian, or other responsible
 1 39 adult traveling with the child shall be served with a
 1 40 citation for a violation of this section in lieu of
 1 41 the taxicab operator. Otherwise, if a passenger being
 1 42 transported in the taxicab is fourteen years of age or
 1 43 older, the citation shall be served on the passenger in
 1 44 lieu of the taxicab operator.>
 1 45 #3. By renumbering as necessary.

TJEPKES of Webster



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

dea/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8567

PAG LIN

1 1 Amend the amendment, H=8514, to Senate File 2381, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, by striking lines 43 through 46.
1 4 #2. Page 2, by striking lines 5 through 8 and
1 5 inserting <a designated street.>
1 6 #3. By renumbering as necessary.

PALMER of Mahaska
H8514.2691 (2) 83
dea/tm



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8568

PAG LIN

1 1 Amend House File 2526, as amended,
1 2 passed, and reprinted by the House, as follows:
1 3 #1. Page 4, line 14, by striking <(1)>
1 4 #2. Page 4, after line 16 by inserting:
1 5 <(1) Of the funds allocated in this lettered
1 6 paragraph, \$756,613 shall be used for the public
1 7 purpose of a grant program to provide substance abuse
1 8 prevention programming for children.
1 9 (a) Of the funds allocated in this subparagraph,
1 10 \$355,000 shall be utilized for the public purpose
1 11 of providing grant funding for organizations that
1 12 provide programming for children by utilizing mentors.
1 13 Programs approved for such grants shall be certified
1 14 or will be certified within six months of receiving
1 15 the grant award by the Iowa commission on volunteer
1 16 services as utilizing the standards for effective
1 17 practice for mentoring programs.
1 18 (b) Of the funds allocated in this subparagraph,
1 19 \$360,000 shall be utilized for the public purpose
1 20 of providing grant funding for organizations that
1 21 provide programming that includes youth development
1 22 and leadership. The programs shall also be recognized
1 23 as being programs that are scientifically based with
1 24 evidence of their effectiveness in reducing substance
1 25 abuse in children.
1 26 (c) The Iowa department of public health shall
1 27 utilize a request for proposals process to implement
1 28 the grant program.
1 29 (d) All grant recipients shall participate in a
1 30 program evaluation as a requirement for receiving grant
1 31 funds.
1 32 (e) Of the funds allocated for the grant program,
1 33 \$41,613 shall be used to administer substance abuse
1 34 prevention grants and for program evaluations.>
1 35 #3. Page 7, line 6, by striking <3,522,313> and
1 36 inserting <3,572,313>
1 37 #4. Page 7, line 19, by striking <\$489,868> and
1 38 inserting <\$539,868>
1 39 #5. Page 8, by striking lines 3 and 4 and inserting
1 40 <disorders.>
1 41 #6. Page 13, line 22, by striking <3,212,987> and
1 42 inserting <3,287,987>
1 43 #7. Page 13, line 29, by striking <\$209,229> and
1 44 inserting <\$234,229>
1 45 #8. Page 14, after line 4 by inserting:
1 46 <d. Of the funds appropriated in this subsection,
1 47 \$50,000 shall be used for education, testing, training,
1 48 and other costs to conform the requirements for
1 49 certification of emergency medical care providers with
1 50 national standards.>



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8568 continued

- 2 1 #9. Page 19, line 9, by striking <115=5> and
2 2 inserting <111=5>
2 3 #10. Page 19, by striking lines 15 through 17 and
2 4 inserting <in the following priority order: the family
2 5 investment program for the fiscal year and for state
2 6 child care assistance program>
2 7 #11. By striking page 19, line 24, through page 20,
2 8 line 11.
2 9 #12. Page 20, line 12, by striking <c.> and
2 10 inserting <b.>
2 11 #13. Page 20, line 16, by striking <d.> and
2 12 inserting <c. For the purposes of this lettered
2 13 paragraph, "employment and training=related programs"
2 14 means summer youth programs and other employment and
2 15 training=related programs, as allowed by federal law,
2 16 that are administered by the department of workforce
2 17 development.>
2 18 #14. Page 20, line 17, by striking <summer
2 19 youth programs> and inserting <employment and
2 20 training=related programs>
2 21 #15. Page 20, lines 22 and 23, by striking <summer
2 22 youth employment programs> and inserting <employment
2 23 and training=related programs>
2 24 #16. Page 20, line 32, by striking <115=5> and
2 25 inserting <111=5>
2 26 #17. Page 20, by striking lines 33 and 34 and
2 27 inserting <collaboration shall be for the purpose of
2 28 securing emergency contingency funds to subsidize the
2 29 administrative costs and wages>
2 30 #18. Page 20, line 35, through page 21, line 1,
2 31 by striking <summer youth employment program> and
2 32 inserting <employment and training=related programs>
2 33 #19. Page 21, line 2, after <wages> by inserting <,
2 34 administrative costs, and other costs of the employment
2 35 and training=related programs>
2 36 #20. Page 21, line 4, by striking <115=5> and
2 37 inserting <111=5>
2 38 #21. Page 21, by striking lines 10 through 12 and
2 39 inserting <workforce development to be used for the
2 40 purpose of covering administrative costs and the costs
2 41 of wages and other costs relating to the employment and
2 42 training=related programs administered by the>
2 43 #22. Page 21, by striking line 19 and inserting <of
2 44 administrative costs and the costs of wages and other
2 45 federally allowed costs relating to the employment
2 46 and training=related programs that are eligible for
2 47 reimbursement under the terms>
2 48 #23. Page 21, line 21, by striking <115=5> and
2 49 inserting <111=5>
2 50 #24. Page 21, after line 32 by inserting:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8568 continued

3 1 <(5) The department of workforce development
3 2 regional advisory boards shall make every effort to
3 3 implement a competitive bidding process seeking one
3 4 or more qualified agencies or other organizations to
3 5 administer summer youth employment programs for their
3 6 areas.>
3 7 #25. Page 25, after line 34 by inserting:
3 8 <4. Of the funds appropriated in this section,
3 9 \$200,000 shall be used for continuation of a grant to
3 10 an Iowa-based nonprofit organization with a history
3 11 of providing tax preparation assistance to low-income
3 12 Iowans in order to expand the usage of the earned
3 13 income tax credit. The purpose of the grant is to
3 14 supply this assistance to underserved areas of the
3 15 state.>
3 16 #26. Page 27, line 25, by striking <418,921,344> and
3 17 inserting <412,546,344>
3 18 #27. Page 28, line 33, by striking <diagnosis> and
3 19 inserting <diagnostic>
3 20 #28. Page 31, line 28, after <inpatient> by
3 21 inserting <and outpatient>
3 22 #29. Page 33, after line 35 by inserting:
3 23 <24. a. The department of human services shall
3 24 amend the medical assistance waiver for the Iowa family
3 25 planning network to continue the current waiver with
3 26 the following modifications which provide for all of
3 27 the following:
3 28 (1) Coverage for women who meet all of the
3 29 following criteria:
3 30 (a) Are uninsured or have health insurance coverage
3 31 that does not include coverage for benefits provided
3 32 under the Iowa family planning network.
3 33 (b) Have income of up to 300 percent of the federal
3 34 poverty level.
3 35 (c) Are under 55 years of age.
3 36 (2) Coverage of pregnancy prevention services for
3 37 men who meet the income, age, and insurance coverage
3 38 specifications described in subparagraph (1).
3 39 b. Implementation of this section is contingent
3 40 upon approval of the medical assistance waiver for
3 41 the Iowa family planning network by the centers for
3 42 Medicare and Medicaid services of the United States
3 43 department of health and human services and upon
3 44 availability of funding as determined by the director
3 45 of the department of human services.
3 46 c. Of the funds appropriated in this section,
3 47 \$25,000 shall be used for administrative costs for
3 48 renewal and modification of the Iowa family planning
3 49 network waivers as provided in this subsection.>
3 50 #30. Page 38, line 26, by striking <6,977,599> and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8568 continued

4 1 inserting <7,777,599>
4 2 #31. Page 38, line 32, by striking <10,851,062> and
4 3 inserting <11,001,062>
4 4 #32. Page 41, line 13, after <subsection 7.> by
4 5 inserting <An appropriate amount of the funds allocated
4 6 in this subsection may be used for wraparound and
4 7 emergency services to prevent the need for shelter care
4 8 services, including such services for children who have
4 9 an immediate need for shelter care services but are
4 10 ineligible due to income, status, or other requirement.
4 11 The funding shall be expended by providers in a manner
4 12 that does not impinge upon the availability of beds for
4 13 eligible children.>
4 14 #33. Page 45, after line 16 by inserting:
4 15 <__. Of the funds appropriated in this section,
4 16 at least \$211,721 shall be used for the child welfare
4 17 training academy.>
4 18 #34. Page 50, line 21, by striking <10,295,207> and
4 19 inserting <11,345,207>
4 20 #35. Page 54, line 9, by striking <53,207,624> and
4 21 inserting <56,207,624>
4 22 #36. Page 54, line 22, by striking <15,352,271> and
4 23 inserting <16,602,271>
4 24 #37. Page 54, after line 29 by inserting:
4 25 <3. Of the funds appropriated in this section,
4 26 \$500,000 shall be used for implementation activities
4 27 necessary to conform the Medicaid and related human
4 28 services programs to enactment of federal health care
4 29 coverage reforms. The department and the general
4 30 assembly's legislative health care coverage commission
4 31 shall work collaboratively and share resources in
4 32 addressing changes of the state's public and private
4 33 health coverage systems necessitated by the federal
4 34 reforms.
4 35 4. Of the funds appropriated in this section,
4 36 \$150,000 shall be used to implement a program to
4 37 provide technical assistance, support, and consultation
4 38 to providers of habilitation services and home and
4 39 community-based waiver services for adults with
4 40 disabilities under the medical assistance program.
4 41 Notwithstanding chapter 8A, subchapter III, or
4 42 any other provision of law to the contrary, the
4 43 department shall contract with a statewide organization
4 44 representing providers of such services to provide the
4 45 program.
4 46 5. Of the funds appropriated in this section,
4 47 \$200,000 shall be used to expand the provision of
4 48 nationally accredited and recognized internet-based
4 49 training to include mental health and disability
4 50 services providers.>



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8568 continued

5 1 #38. Page 73, line 11, by striking <8,500,000> and
5 2 inserting <13,900,000>
5 3 #39. Page 73, by striking line 12 and inserting:
5 4 <1. Of the funds appropriated in this section,
5 5 \$7,500,000 shall be used for>
5 6 #40. Page 74, by striking lines 1 through 17 and
5 7 inserting:
5 8 <1. To the department of public health:
5 9 \$ 635,000
5 10 a. Of the funds appropriated in this subsection,
5 11 \$500,000 is allocated for addictive disorders to be
5 12 used for substance abuse treatment and prevention.
5 13 b. Of the funds appropriated in this subsection,
5 14 \$35,000 is allocated for chronic conditions to be used
5 15 as follows:
5 16 (1) \$20,000 shall be used for grants to individual
5 17 patients who have phenylketonuria (PKU) to assist with
5 18 the costs of necessary special foods.
5 19 (2) \$15,000 shall be used for child health
5 20 specialty clinics.
5 21 c. Of the funds appropriated in this subsection,
5 22 \$100,000 is allocated for public protection to be used
5 23 for the state poison control center.>
5 24 #41. Page 76, by striking line 16 and inserting
5 25 <trust fund, the health care trust fund, and the
5 26 quality assurance trust fund, are in excess of>
5 27 #42. Page 81, line 9, by striking <5> and inserting
5 28 <4>
5 29 #43. Page 81, line 11, by striking <5> and inserting
5 30 <4>
5 31 #44. Page 81, line 17, by striking <"a"> and
5 32 inserting <"d">
5 33 #45. Page 82, after line 27 by inserting:
5 34 <CHILD WELFARE DECATORIZATION
5 35 FY 2008=2009 NONREVERSION
5 36 Sec. _____. 2008 Iowa Acts, chapter 1187, section 16,
5 37 subsection 5, is amended by adding the following new
5 38 unnumbered paragraph:
5 39 NEW UNNUMBERED PARAGRAPH Notwithstanding section
5 40 232.188, subsection 5, moneys from the allocations made
5 41 in this subsection or made from any other source for
5 42 the decategorization of child welfare and juvenile
5 43 justice funding initiative under section 232.188,
5 44 that are designated as carryover funding that remain
5 45 unencumbered or unobligated at the close of the fiscal
5 46 year beginning July 1, 2009, following the transfer
5 47 made pursuant to 2010 Iowa Acts, Senate File 2366,
5 48 section 19, if enacted, shall not revert but shall
5 49 be used until the close of the fiscal year beginning
5 50 July 1, 2010, as follows: the first \$1,925,000 shall



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8568 continued

6 1 be used to restore up to half of the reimbursement
6 2 rate reduction applied to adoption, family foster
6 3 care, group foster care, and supervised apartment
6 4 living services providers to implement appropriations
6 5 reductions applied pursuant to executive order number
6 6 19 issued October 8, 2009, and the remainder shall be
6 7 used for the purposes of continuing the initiative in
6 8 the fiscal year.>
6 9 #46. Page 88, line 35, by striking <a. (1)> and
6 10 inserting <a. For the purposes of this subsection,
6 11 "employment and training-related programs" means
6 12 summer youth programs and other employment and
6 13 training-related programs, as allowed by federal law,
6 14 that are administered by the department of workforce
6 15 development.>
6 16 #47. Page 89, line 1, by striking <summer
6 17 youth programs> and inserting <employment and
6 18 training-related programs>
6 19 #48. Page 89, line 7, by striking <summer youth
6 20 employment programs> and inserting <employment and
6 21 training-related programs>
6 22 #49. Page 89, line 10, by striking <lettered
6 23 paragraph> and inserting <subsection>
6 24 #50. Page 89, line 11, by striking <(2)> and
6 25 inserting <b.>
6 26 #51. Page 89, by striking lines 17 through 21 and
6 27 inserting <collaboration shall be for the purpose of
6 28 securing emergency contingency funds to subsidize
6 29 the administrative costs and wages paid on behalf
6 30 of individuals participating in the employment and
6 31 training-related programs and administered by the
6 32 department of workforce development. Such costs shall
6 33 be eligible for>
6 34 #52. Page 89, line 27, by striking <(3)> and
6 35 inserting <c.>
6 36 #53. Page 89, by striking lines 29 through 31 and
6 37 inserting <workforce development for the purpose of
6 38 covering the administrative costs and wages paid on
6 39 behalf of individuals participating in the employment
6 40 and training-related programs administered by the>
6 41 #54. Page 90, line 11, by striking <(4)> and
6 42 inserting <d.>
6 43 #55. Page 90, after line 29 by inserting:
6 44 <FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT
6 45 FEDERAL FISCAL YEAR 2009=2010
6 46 Sec. _____. CHILD CARE AND DEVELOPMENT
6 47 APPROPRIATION. There is appropriated from the
6 48 fund created by section 8.41 to the department of human
6 49 services for the federal fiscal year beginning October
6 50 1, 2009, and ending September 30, 2010, the following



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8568 continued

7 1 amount:
7 2 \$ 15,755,256

7 3 Funds appropriated in this section are the
7 4 additional funding anticipated to be received from the
7 5 federal government under the federal American Recovery
7 6 and Reinvestment Act of 2009 for the federal child care
7 7 and development block grant, and include the allocation
7 8 made from the funds for infant and toddler care quality
7 9 in 2009 Iowa Acts, chapter 183, section 62. The
7 10 department shall expend the remainder of the funds
7 11 appropriated in this section for the state child care
7 12 assistance program under section 237A.13, as provided
7 13 in the federal law making the funds available and in
7 14 conformance with chapter 17A.>

7 15 #56. Page 90, after line 29 by inserting:

7 16 <FOOD ESTABLISHMENT INSPECTIONS
7 17 Sec. ____ . FOOD ESTABLISHMENT INSPECTIONS.

7 18 Notwithstanding any contrary provisions of section
7 19 137F.3A or other applicable law, if within ninety
7 20 calendar days of the effective date of this division
7 21 of this Act a county operating pursuant to a chapter
7 22 28E agreement with the department of inspections and
7 23 appeals to enforce chapters 137C, 137D, and 137F, in a
7 24 multicounty area consisting of fifteen or more counties
7 25 elects not to renew the agreement for the multicounty
7 26 area, and the department has determined that the
7 27 quality of service provided by the county has been
7 28 acceptable or better, the department shall enter into
7 29 an agreement with the county for the county to continue
7 30 such enforcement activity for the food establishments,
7 31 home food establishments, food processing plants, and
7 32 hotels located within the county.>

7 33 #57. Page 114, after line 33 by inserting:

7 34 <Sec. ____ . 2010 Iowa Acts, Senate File 2088,
7 35 section 399, as enacted, is amended to read as follows:

7 36 SEC. 399. REPEAL. Sections 135.28, ~~135N.1, 135N.2,~~
~~7 37 135N.3, 135N.4, 135N.5, 135N.6,~~ and 142C.16, Code 2009,
7 38 are repealed.>

7 39 #58. By renumbering as necessary.

HF2526.2700.S (3) 83

jh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8569

PAG LIN

1 1 Amend the amendment, H=8551, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, after line 45 by inserting:
1 4 c. In any fiscal year, an area shall not receive
1 5 grants totaling more than twenty-five percent of the
1 6 moneys expended from the fund in that fiscal year. For
1 7 purposes of this paragraph, "area" means the same area
1 8 used to determine the median income under paragraph
1 9 "a".

HORBACH of Tama
H8551.2695 (1) 83
md/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8570

PAG LIN

1 1 Amend the amendment, H=8556, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, line 32, after <shall> by inserting <,
1 4 to the extent feasible,>

SCHUELLER of Jackson
HF2531.2705 (1) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8571

PAG LIN

1 1 Amend the amendment, H=8551, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, line 8, after <to the fund.> by
1 4 inserting <The fund shall not, however, consist of or
1 5 receive an appropriation from the net proceeds from
1 6 bonds issued pursuant to sections 12.87 through 12.90.>
1 7 #2. Page 2, by striking lines 8 through 12.
1 8 #3. Page 2, line 13, by striking <6.> and inserting
1 9 <5.>

FORRISTALL of Pottawattamie
H8551.2692 (2) 83
md/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8572

PAG LIN

1 1 Amend Senate File 2265, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 2, line 17, by striking <environmentally
1 4 sensitive land,>
1 5 #2. Page 3, by striking lines 1 through 11 and
1 6 inserting:
1 7 <a. (1) "Development" means any of the following:
1 8 (a) Construction, reconstruction, renovation,
1 9 mining, extraction, dredging, filling, excavation, or
1 10 drilling activity or operation.
1 11 (b) Man-made changes in the use or appearance of
1 12 any structure or in the land itself.
1 13 (c) The division or subdivision of land.
1 14 (d) Any change in the intensity of use or the use
1 15 of land.
1 16 (2) "Development" does not include any of the
1 17 following:
1 18 (a) Activities on or uses of agricultural land,
1 19 farm houses, or agricultural buildings or structures,
1 20 unless such buildings or structures are located in the
1 21 flood plain of a river or stream.
1 22 (b) Installation, operation, and maintenance of
1 23 soil and water conservation practices.
1 24 (c) The choice of crops or a change in the choice
1 25 of crops on agricultural land.>
1 26 #3. By striking page 5, line 34, through page 6,
1 27 line 4, and inserting <resources.>
1 28 #4. Page 6, line 17, after <municipality> by
1 29 inserting <or that pose a risk of catastrophic damage>
1 30 #5. Page 6, line 19, by striking <consistent with>
1 31 and inserting <after considering>
1 32 #6. Page 7, after line 2 by inserting:
1 33 <3. A municipality's comprehensive plan developed
1 34 using the guidelines under this section shall address
1 35 prevention and mitigation of, response to, and recovery
1 36 from a catastrophic flood.>
1 37 #7. Page 12, line 35, by striking <twenty-seven> and
1 38 inserting <twenty-nine>
1 39 #8. Page 13, line 4, by striking <Thirteen> and
1 40 inserting <Fourteen>
1 41 #9. Page 13, after line 32 by inserting:
1 42 <(14) The chairperson of the utilities board within
1 43 the utilities division of the department of commerce or
1 44 the chairperson's designee.>
1 45 #10. Page 13, by striking lines 33 and 34 and
1 46 inserting:
1 47 b. Chairperson of the department of community
1 48 and regional planning at Iowa state university or the
1 49 chairperson's designee.
1 50 #11. Page 14, after line 13 by inserting:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8572 continued

2 1 <Oj. President of the executive committee of the
2 2 school administrators of Iowa or the president's
2 3 designee.>
2 4 #12. Page 14, line 16, by striking <latest
2 5 preceding> and inserting <2000>
2 6 #13. Page 14, line 19, by striking <latest
2 7 preceding> and inserting <2000>
2 8 #14. Page 14, line 23, by striking <latest
2 9 preceding> and inserting <2000>
2 10 #15. Page 14, line 26, by striking <latest
2 11 preceding> and inserting <2000>
2 12 #16. Page 14, line 29, by striking <latest
2 13 preceding> and inserting <2000>
2 14 #17. Page 14, line 33, by striking <latest
2 15 preceding> and inserting <2000>
2 16 #18. Page 15, line 13, after <governor.> by
2 17 inserting <For the members of the task force designated
2 18 in subsection 2, paragraphs "j" through "o", at least
2 19 one member shall have experience in real estate,
2 20 at least one member shall have experience in land
2 21 development, and at least one member shall have
2 22 experience in residential construction.>
2 23 #19. Page 15, by striking line 32 and inserting:
2 24 <8. The director of the department of management,
2 25 or the director's designee,>
2 26 #20. Page 16, after line 1 by inserting:
2 27 <8A. The director of the department of management,
2 28 or the director's designee, shall seek funding to
2 29 support municipal comprehensive planning in this
2 30 state.>
2 31 #21. Page 16, line 3, by striking <rebuild Iowa
2 32 office> and inserting <department of management>
2 33 #22. Page 16, line 22, after <conduct> by inserting
2 34 <local and regional>
2 35 #23. Page 16, by striking lines 29 and 30 and
2 36 inserting:
2 37 <g. Review municipal comprehensive plans to
2 38 determine the number of such plans that address the
2 39 hazards identified in section 18B.2, subsection 2,
2 40 paragraph "k", and the adequacy of such plans in
2 41 addressing those hazards.
2 42 h. Develop a set of recommendations that is
2 43 consistent with>
2 44 #24. Page 17, before line 17 by inserting:
2 45 <i. (1) Develop a model ordinance for the
2 46 regulation of a two-tenths percent floodplain
2 47 by political subdivisions. The model ordinance
2 48 shall include a definition of the term "two-tenths
2 49 percent floodplain" as applicable to the ordinance's
2 50 provisions.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8572 continued

- 3 1 (2) The taskforce may consider all of the following
3 2 in the model ordinance:
3 3 (a) Requirements for the purchase of flood
3 4 insurance for property.
3 5 (b) Requirements for new development or
3 6 modification or improvement of existing development to
3 7 mitigate the effects of future flooding.
3 8 (c) The effect of flood control levees.
3 9 (d) The use of fill and offsets required for the
3 10 use of fill.
3 11 (e) Categories of development that should be
3 12 prohibited.
3 13 (f) Interaction with regulations by the federal
3 14 emergency management agency.
3 15 (g) Any other issues that the taskforce finds
3 16 should be addressed in the model ordinance.>
3 17 #25. Page 17, after line 20 by inserting:
3 18 <12. The task force is dissolved on December 31,
3 19 2012.>
3 20 #26. By renumbering, redesignating, and correcting
3 21 internal references as necessary.

D. OLSON of Boone
SF2265.2620 (1) 83
md/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8573

PAG LIN

1 1 Amend the Senate amendment, H=8539, to House File
1 2 2525, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 2, line 40, by striking <twenty=five> and
1 5 inserting <fifty>
1 6 #2. By striking page 2, line 43, through page 3,
1 7 line 1.
1 8 #3. Page 3, line 2, by striking <(D)> and inserting
1 9 <(B)>
1 10 #4. Page 3, line 2, by striking <twenty=five> and
1 11 inserting <fifty>
1 12 #5. Page 3, line 4, after <projects> by inserting
1 13 <including the deconstruction, renovation, or removal
1 14 of derelict buildings. Eligible communities are
1 15 limited to cities of five thousand or fewer in
1 16 population. Eligible costs shall include but are not
1 17 limited to asbestos abatement and removal, the recovery
1 18 and processing of recyclable or reusable material from
1 19 derelict buildings and reimbursement for purchased
1 20 recycled content materials used in the renovation
1 21 of buildings. Special consideration may be given to
1 22 communities that hire the unemployed to deconstruct
1 23 structures, clean up the properties and, if there is no
1 24 immediate buyer for the properties, turn the properties
1 25 into green spaces. Any business entity or individual
1 26 engaged in the removal or abatement of asbestos must
1 27 have obtained a valid license or permit as required in
1 28 chapter 88B>
1 29 #6. By renumbering as necessary.

SWAIM of Davis
HF2525.2662 (3) 83
da/jp



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8574

PAG LIN

1 1 Amend House File 2531 as follows:
 1 2 #1. Page 38, after line 1 by inserting:
 1 3 <DIVISION ____
 1 4 IDENTIFICATION OF WORKER MISCLASSIFICATION
 1 5 Sec. ____ . Section 421.17, Code 2009, is amended by
 1 6 adding the following new subsection:
 1 7 NEW SUBSECTION. 31. If the director has reason
 1 8 to believe, as a result of an investigation or audit,
 1 9 that a taxpayer may have misclassified workers, then
 1 10 to assist the department of workforce development, the
 1 11 director is authorized to provide to the department
 1 12 of workforce development the following confidential
 1 13 information with respect to such a taxpayer:
 1 14 a. Withholding and payroll tax information.
 1 15 b. The taxpayer's identity, including taxpayer
 1 16 identification number and date of birth.
 1 17 c. The results or most recent status of the audit
 1 18 or investigation.
 1 19 Sec. ____ . Section 422.20, subsection 3, paragraph
 1 20 a, Code 2009, is amended to read as follows:
 1 21 a. Unless otherwise expressly permitted by section
 1 22 8A.504, section 96.11, subsection 6, section 421.17,
 1 23 subsections 22, 23, ~~and 26~~, and 31, sections 252B.9,
 1 24 321.120, 421.19, 421.28, 422.72, and 452A.63, and
 1 25 this section, a tax return, return information,
 1 26 or investigative or audit information shall not be
 1 27 divulged to any person or entity, other than the
 1 28 taxpayer, the department, or internal revenue service
 1 29 for use in a matter unrelated to tax administration.
 1 30 Sec. ____ . Section 422.72, subsection 3, paragraph
 1 31 a, Code 2009, is amended to read as follows:
 1 32 a. Unless otherwise expressly permitted by section
 1 33 8A.504, section 96.11, subsection 6, section 421.17,
 1 34 subsections 22, 23, ~~and 26~~, and 31, sections 252B.9,
 1 35 321.120, 421.19, 421.28, 422.20, and 452A.63, and
 1 36 this section, a tax return, return information,
 1 37 or investigative or audit information shall not be
 1 38 divulged to any person or entity, other than the
 1 39 taxpayer, the department, or internal revenue service
 1 40 for use in a matter unrelated to tax administration.
 1 41 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
 1 42 of this Act, being deemed of immediate importance,
 1 43 takes effect upon enactment.>
 1 44 #2. By renumbering as necessary.

TAYLOR of Linn
 HF2531.2699 (4) 83
 tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8575

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 31, by striking lines 31 and 32 and
1 3 inserting:
1 4 <3. By January 15, 2011, the state board of regents
1 5 shall submit a report of the study to the general
1 6 assembly. If the report recommends that residential
1 7 services should not be provided on the campus of the
1 8 Iowa braille and sight saving school, such services
1 9 shall not be eliminated until requirements of section
1 10 270.10 have been met.>

PETTENGILL of Benton
HF2531.2640 (1) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8576

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. ____ Section 256.7, subsection 29, Code
1 4 Supplement 2009, is amended to read as follows:
1 5 29. Adopt rules establishing nutritional content
1 6 standards for foods and beverages sold or provided on
1 7 the school grounds of any school district or accredited
1 8 nonpublic school during the school day exclusive of the
1 9 food provided by any federal school food program or
1 10 pursuant to an agreement with any agency of the federal
1 11 government in accordance with the provisions of chapter
1 12 283A, and exclusive of foods sold for fundraising
1 13 purposes and foods and beverages sold at concession
1 14 stands. The standards shall be consistent with the
1 15 dietary guidelines for Americans issued by the United
1 16 States department of agriculture food and nutrition
1 17 service. Nothing in this subsection shall prohibit a
1 18 local school district from adopting their own standards
1 19 for food and beverages sold or provided on the school
1 20 grounds during the school day, provided such standards
1 21 are not more restrictive than those implemented by the
1 22 department.>
1 23 #2. By renumbering as necessary.

UPMEYER of Hancock
HF2531.2706 (3) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8577

PAG LIN

- 1 1 Amend House File 2531 as follows:
- 1 2 #1. By striking page 38, line 2, through page 42,
- 1 3 line 29.
- 1 4 #2. Title page, lines 2 through 4, by striking <by
- 1 5 increasing the maximum allowable local hotel and motel
- 1 6 tax rates,>
- 1 7 #3. By renumbering as necessary.

REICHERT of Muscatine
HF2531.2702 (1) 83
tm/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8578

PAG LIN

1 1 Amend Senate File 2201, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 2, after line 29 by inserting:
1 4 <Sec. _____. Section 505.7, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 10. a. The commissioner shall
1 7 assess the costs of carrying out the insurance
1 8 division's duties pursuant to section 505.8, subsection
1 9 18, section 505.17, subsection 2, and sections 505.18
1 10 and 505.19 that are directly attributable to the
1 11 performance of the division's duties involving specific
1 12 health insurance carriers licensed to do business in
1 13 this state. Such expenses shall be charged to and paid
1 14 by the specific health insurance carrier to whom the
1 15 expenses are attributable and upon failure or refusal
1 16 of any such carrier to pay such expenses, the same may
1 17 be recovered in an action brought in the name of the
1 18 state. In addition, the commissioner may revoke the
1 19 certificate of authority of a health insurance carrier
1 20 licensed to do business in this state that fails to pay
1 21 such expenses attributable to that carrier.
1 22 b. The commissioner shall assess the costs of
1 23 carrying out the insurance division's duties generally
1 24 pursuant to section 505.8, subsection 18, section
1 25 505.17, subsection 2, and sections 505.18 and 505.19,
1 26 and for implementation and maintenance of health
1 27 insurance information for consumers on the insurance
1 28 division internet site, that are not attributable to
1 29 a specific health insurance carrier, to all health
1 30 insurance carriers that are licensed to do business
1 31 in this state on a proportionate basis as provided by
1 32 rules adopted by the commissioner.
1 33 Sec. _____. Section 505.8, Code Supplement 2009, is
1 34 amended by adding the following new subsection:
1 35 NEW SUBSECTION. 18. The commissioner shall
1 36 annually convene a work group composed of the consumer
1 37 advocate, health insurance carriers, health care
1 38 providers, small employers that purchase health
1 39 insurance under chapter 513B, and individual consumers
1 40 in the state for the purpose of considering ways
1 41 to reduce the cost of providing health insurance
1 42 coverage and health care services, including but
1 43 not limited to utilization of uniform billing codes,
1 44 improvements to provider credentialing procedures,
1 45 reducing out-of-state care expenses, and the electronic
1 46 delivery of explanation of benefits statements. The
1 47 recommendations made by the work group shall be
1 48 included in the annual report filed with the general
1 49 assembly pursuant to section 505.18.
1 50 Sec. _____. Section 505.17, Code 2009, is amended to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8578 continued

2 1 read as follows:

2 2 505.17 Confidential information.

2 3 1. a. Information, records, and documents utilized
2 4 for the purpose of, or in the course of, investigation,
2 5 regulation, or examination of an insurance company or
2 6 insurance holding company, received by the division
2 7 from some other governmental entity which treats such
2 8 information, records, and documents as confidential,
2 9 are confidential and shall not be disclosed by the
2 10 division and are not subject to subpoena. Such
2 11 information, records, and documents do not constitute a
2 12 public record under chapter 22.

2 13 b. The disclosure of confidential information,
2 14 administrative or judicial orders which contain
2 15 confidential information, or information regarding
2 16 other action of the division which is not a public
2 17 record subject to disclosure, to other insurance and
2 18 financial regulatory officials may be permitted by
2 19 the commissioner provided that those officials are
2 20 subject to, or agree to comply with, standards of
2 21 confidentiality comparable to those imposed on the
2 22 commissioner.

2 23 2. Notwithstanding subsection 1, an application for
2 24 a rate increase filed by a health insurance carrier and
2 25 all information, records, and documents accompanying
2 26 such an application or utilized for the purpose of,
2 27 or in the course of consideration of the application
2 28 by the commissioner, shall constitute a public record
2 29 under chapter 22 except as provided in this subsection.

2 30 a. The commissioner shall consider the written
2 31 request of a health insurance carrier to keep
2 32 confidential certain details of an application or
2 33 accompanying information, records, and documents. If
2 34 the request includes a sufficient explanation as to why
2 35 public disclosure of such details would give an unfair
2 36 advantage to competitors, the commissioner shall keep
2 37 such details confidential. If the commissioner elects
2 38 to keep certain details confidential, the commissioner
2 39 shall release only the nonconfidential details in
2 40 response to a request for records made pursuant to
2 41 chapter 22. If confidential details are withheld from
2 42 a request for records made pursuant to chapter 22, the
2 43 commissioner shall release an explanation of why the
2 44 information was deemed confidential and a summary of
2 45 the nature of the information withheld and the reasons
2 46 for withholding the information.

2 47 b. In considering requests for confidential
2 48 treatment, the commissioner shall narrowly construe the
2 49 provisions of this subsection in order to appropriately
2 50 balance an applicant's need for confidentiality



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8578 continued

3 1 against the public's right to information about the
3 2 application.

3 3 c. The commissioner shall adopt rules establishing
3 4 a process relating to requests to keep information
3 5 confidential pursuant to this subsection which may
3 6 include but are not limited to the following:

3 7 (1) The nature and extent of competition in the
3 8 applicant's industry sector or service territory.

3 9 (2) The likelihood of adverse financial impact to
3 10 the applicant if the information were to be released.

3 11 (3) Any other factor the commissioner reasonably
3 12 considers relevant.

3 13 Sec. ____ NEW SECTION. 505.18 Annual report.

3 14 1. Consumers deserve to know the quality and cost
3 15 of their health care insurance. Health care insurance
3 16 transparency provides consumers with the information
3 17 necessary, and the incentive, to choose health plans
3 18 based on cost and quality. Reliable cost and quality
3 19 information about health care insurance empowers
3 20 consumer choice and consumer choice creates incentives
3 21 at all levels, and motivates the entire health care
3 22 delivery system to provide better health care and
3 23 health care benefits at a lower cost. It is the
3 24 purpose of this section to make information regarding
3 25 the costs of health care insurance readily available to
3 26 consumers through the consumer advocate bureau of the
3 27 insurance division.

3 28 2. The commissioner in collaboration with the
3 29 consumer advocate shall prepare and deliver a report
3 30 to the governor and to the general assembly no later
3 31 than November 15 of each year that provides findings
3 32 regarding health spending costs for health insurance
3 33 plans in the state for the previous fiscal year.

3 34 The commissioner may contract with outside vendors
3 35 or entities to assist in providing the information
3 36 contained in the annual report. The report shall
3 37 provide, at a minimum, the following information:

3 38 a. Aggregate health insurance data concerning loss
3 39 ratios of health insurance carriers licensed to do
3 40 business in the state.

3 41 b. Rate increase data.

3 42 c. Health care expenditures in the state and the
3 43 effect of such expenditures on health insurance premium
3 44 rates.

3 45 d. A ranking and quantification of those factors
3 46 that result in higher costs and those factors that
3 47 result in lower costs for each health insurance plan
3 48 offered in the state.

3 49 e. The current capital and surplus and reserve
3 50 amounts held in reserve by each health insurance



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8578 continued

4 1 carrier licensed to do business in the state.
4 2 f. A listing of any apparent medical trends
4 3 affecting health insurance costs in the state.
4 4 g. Any additional data or analysis deemed
4 5 appropriate by the commissioner to provide the
4 6 general assembly with pertinent health insurance cost
4 7 information.
4 8 h. Recommendations made by the work group convened
4 9 pursuant to section 505.8, subsection 18.
4 10 Sec. ____ . NEW SECTION. 505.19 Health insurance
4 11 rate increase applications == public hearing and
4 12 comment.
4 13 1. All health insurance carriers licensed to
4 14 do business in the state shall immediately notify
4 15 policyholders of any application for a rate increase
4 16 that is filed with the insurance division. Such
4 17 notice shall specify the rate increase proposed that
4 18 is applicable to each policyholder and shall include
4 19 the ranking and quantification of those factors that
4 20 are responsible for the amount of the rate increase
4 21 proposed. The notice shall include information about
4 22 how the policy holder can contact the consumer advocate
4 23 for assistance.
4 24 2. The commissioner shall hold a public hearing at
4 25 the time a carrier files for proposed health insurance
4 26 rate increases prior to approval or disapproval of
4 27 the proposed rate increases for that carrier by the
4 28 commissioner.
4 29 3. The consumer advocate shall solicit public
4 30 comments on each proposed health insurance rate
4 31 increase application and shall post without delay all
4 32 comments received on the insurance division's internet
4 33 site prior to approval or disapproval of the proposed
4 34 rate increase by the commissioner.
4 35 4. The consumer advocate shall present the public
4 36 testimony and comments received for consideration by
4 37 the commissioner in determining whether to approve
4 38 or disapprove such health insurance rate increase
4 39 proposals.
4 40 5. The commissioner shall adopt rules pursuant
4 41 to chapter 17A to implement the provisions of this
4 42 section.>
4 43 #2. Page 18, after line 31 by inserting:
4 44 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The following
4 45 provisions of this Act, being deemed of immediate
4 46 importance, take effect upon enactment:
4 47 1. The section of this Act enacting section 505.7,
4 48 subsection 10.
4 49 2. The section of this Act enacting section 505.8,
4 50 subsection 18.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8578 continued

5 1 3. The section of this Act amending section 505.17.
5 2 4. The sections of this Act enacting sections
5 3 505.18 and 505.19.>
5 4 #3. Title page, line 4, after <Act,> by inserting <a
5 5 health care and insurance cost work group, applications
5 6 for health insurance rate increases, an internet
5 7 consumer guide,>
5 8 #4. Title page, line 9, after <applicable> by
5 9 inserting <and including effective date provisions>
5 10 #5. By renumbering as necessary.

PETERSEN of Polk
SF2201.2707 (3) 83
av/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8579

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. _____. Section 729.6, subsection 1, paragraph
1 4 c, Code 2009, as amended by 2010 Iowa Acts, Senate File
1 5 2215, if enacted, is amended to read as follows:
1 6 <c. "Genetic testing" means the same as genetic
1 7 test as defined in 29 U.S.C. { 1191b(d)(7). "Genetic
1 8 testing" does not mean routine physical measurement, a
1 9 routine chemical, blood, or urine analysis, a biopsy,
1 10 an autopsy, or clinical specimen obtained solely for
1 11 the purpose of conducting an immediate clinical or
1 12 diagnostic test to detect an existing disease, illness,
1 13 impairment, or disorder, or a test for drugs or for
1 14 human immunodeficiency virus infections.>
1 15 #2. By renumbering as necessary.

RUNNING=MARQUARDT of Linn
HF2531.2658 (2) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8580

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. _____. Section 729.6, subsection 1, Code 2009,
1 4 is amended by adding the following new paragraph:
1 5 NEW PARAGRAPH. OOb. "Genetic services" means the
1 6 same as defined in 29 U.S.C. { 1191b(d)(8).
1 7 Sec. _____. Section 729.6, subsection 1, paragraph c,
1 8 Code 2009, as amended by 2010 Iowa Acts, Senate File
1 9 2215, if enacted, is amended to read as follows:
1 10 c. "Genetic testing" means the same as genetic
1 11 test as defined in 29 U.S.C. { 1191b(d)(7). "Genetic
1 12 testing" does not mean routine physical measurement, a
1 13 routine chemical, blood, or urine analysis, a biopsy,
1 14 an autopsy, or clinical specimen obtained solely for
1 15 the purpose of conducting an immediate clinical or
1 16 diagnostic test to detect an existing disease, illness,
1 17 impairment, or disorder, or a test for drugs or for
1 18 human immunodeficiency virus infections.>
1 19 #2. By renumbering as necessary.

RUNNING=MARQUARDT of Linn
HF2531.2712 (4) 83
av/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8581

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 31, line 5, by striking <not held liable>
1 3 and inserting <receive the limitation on liability
1 4 contained in section 670.4, subsection 8,>

SWAIM of Davis

JACOBY of Johnson
HF2531.2714 (1) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8582

PAG LIN

1 1 Amend the amendment, H=8557, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, by striking lines 32 through 34 and
1 4 inserting <the general assembly.>>

R. OLSON of Polk
H8557.2711 (2) 83
ec/jp



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8583

PAG LIN

1 1 Amend House File 2531 as follows:
 1 2 #1. Page 38, after line 1 by inserting:
 1 3 <DIVISION ____
 1 4 WEAPONS
 1 5 Sec. ____ . Section 80A.13, Code 2009, is amended to
 1 6 read as follows:
 1 7 80A.13 Campus weapon requirements.
 1 8 An individual employed by a college or university,
 1 9 or by a private security business holding a contract
 1 10 with a college or university, who performs private
 1 11 security duties on a college or university campus and
 1 12 who carries a weapon while performing these duties
 1 13 shall ~~meet all of the following requirements:~~
 1 14 1. ~~File with the sheriff of the county in which~~
 1 15 ~~the campus is located evidence that the individual has~~
 1 16 ~~successfully completed an approved firearms training~~
 1 17 ~~program under section 724.9. This requirement does not~~
 1 18 ~~apply to armored car personnel.~~
 1 19 2. ~~Possess a permit to carry weapons issued by the~~
 1 20 ~~sheriff of the county in which the campus is located~~
 1 21 ~~under sections 724.6 through 724.11. This requirement~~
 1 22 ~~does not apply to armored car personnel.~~
 1 23 3. ~~File file with the sheriff of the county in~~
 1 24 ~~which the campus is located a sworn affidavit from~~
 1 25 ~~the employer outlining the nature of the duties to be~~
 1 26 ~~performed and justification of the need to go armed.~~
 1 27 Sec. ____ . Section 724.4, Code 2009, is amended to
 1 28 read as follows:
 1 29 724.4 Carrying weapons.
 1 30 1. Except as otherwise provided in this section, a
 1 31 person who goes armed with a dangerous weapon ~~concealed~~
 1 32 ~~on or about the person, or who, within the limits of~~
 1 33 ~~any city, goes armed with a pistol or revolver, or~~
 1 34 ~~any loaded firearm of any kind, whether concealed~~
 1 35 ~~or not, or who knowingly carries or transports in a~~
 1 36 ~~vehicle a pistol or revolver, commits an aggravated~~
 1 37 ~~misdemeanor with the intent to commit a crime of~~
 1 38 ~~violence commits a class "D" felony. This subsection~~
 1 39 ~~applies regardless of whether the dangerous weapon~~
 1 40 ~~is concealed or not concealed on or about the person~~
 1 41 ~~and regardless of whether the dangerous weapon is~~
 1 42 ~~transported in a vehicle. For purposes of this~~
 1 43 ~~subsection, "crime of violence" means a felony which~~
 1 44 ~~has, as an element of the offense, the use of physical~~
 1 45 ~~force by one person against another person.~~
 1 46 2. A person who goes armed with a knife concealed
 1 47 on or about the person, if the person uses the knife
 1 48 in the commission of a crime, commits an aggravated
 1 49 misdemeanor.
 1 50 3. A person who goes armed with a knife concealed



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8583 continued

2 1 on or about the person, if the person does not use the
2 2 knife in the commission of a crime:
2 3 a. If the knife has a blade exceeding eight inches
2 4 in length, commits an aggravated misdemeanor.
2 5 b. If the knife has a blade exceeding five inches
2 6 but not exceeding eight inches in length, commits a
2 7 serious misdemeanor.
2 8 4. Subsections 1 through 3 do not apply to any of
2 9 the following:
2 10 a. A person who for any lawful purpose goes armed
2 11 with a dangerous weapon in the person's own dwelling
2 12 or place of business, or on land owned or possessed by
2 13 the person.
2 14 b. A peace officer, when the officer's duties
2 15 require the person to carry such weapons.
2 16 c. ~~A member of the armed forces of the United~~
~~2 17 States or of the national guard or person in the~~
~~2 18 service of the United States, when the weapons are~~
~~2 19 carried in connection with the person's duties as such.~~
2 20 d. ~~A correctional officer, when the officer's~~
~~2 21 duties require, serving under the authority of the Iowa~~
~~2 22 department of corrections.~~
2 23 e. c. A person who for any lawful purpose carries
2 24 an unloaded pistol, revolver, or other dangerous weapon
2 25 inside a closed and fastened container or securely
2 26 wrapped package which is too large to be concealed on
2 27 the person.
2 28 f. ~~A person who for any lawful purpose carries or~~
~~2 29 transports an unloaded pistol or revolver in a vehicle~~
~~2 30 inside a closed and fastened container or securely~~
~~2 31 wrapped package which is too large to be concealed on~~
~~2 32 the person or inside a cargo or luggage compartment~~
~~2 33 where the pistol or revolver will not be readily~~
~~2 34 accessible to any person riding in the vehicle or~~
~~2 35 common carrier.~~
2 36 g. ~~A person while the person is lawfully engaged in~~
~~2 37 target practice on a range designed for that purpose or~~
~~2 38 while actually engaged in lawful hunting.~~
2 39 h. d. A person who carries a knife used in hunting
2 40 or fishing, while actually engaged in lawful hunting
2 41 or fishing.
2 42 i. ~~A person who has in the person's possession~~
~~2 43 and who displays to a peace officer on demand a valid~~
~~2 44 permit to carry weapons which has been issued to the~~
~~2 45 person, and whose conduct is within the limits of that~~
~~2 46 permit. A person shall not be convicted of a violation~~
~~2 47 of this section if the person produces at the person's~~
~~2 48 trial a permit to carry weapons which was valid at~~
~~2 49 the time of the alleged offense and which would have~~
~~2 50 brought the person's conduct within this exception if~~



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

~~House Amendment 8583 continued~~

~~3 1 the permit had been produced at the time of the alleged
3 2 offense.~~

3 3 ~~j.~~ e. A law enforcement officer from another state
3 4 when the officer's duties require the officer to carry
3 5 the weapon and the officer is in this state for any of
3 6 the following reasons:

3 7 (1) The extradition or other lawful removal of a
3 8 prisoner from this state.

3 9 (2) Pursuit of a suspect in compliance with chapter
3 10 806.

3 11 (3) Activities in the capacity of a law enforcement
3 12 officer with the knowledge and consent of the chief
3 13 of police of the city or the sheriff of the county in
3 14 which the activities occur or of the commissioner of
3 15 public safety.

3 16 ~~k.~~ f. A person engaged in the business of
3 17 transporting prisoners under a contract with the
3 18 Iowa department of corrections or a county sheriff,
3 19 a similar agency from another state, or the federal
3 20 government.

3 21 Sec. _____. Section 724.4B, subsection 2, paragraph
3 22 a, Code 2009, is amended to read as follows:

3 23 a. A person listed under section 724.4, subsection
3 24 4, ~~paragraphs~~ paragraph "b" through "f", "c", or
3 25 ~~"j"~~ "e".

3 26 Sec. _____. Section 724.6, subsection 1, Code
3 27 Supplement 2009, is amended to read as follows:

~~3 28 1. A person may be issued a permit to carry weapons
3 29 when the person's employment who is employed in a
3 30 private investigation business or private security
3 31 business licensed under chapter 80A, or a person's
3 32 employment as a peace officer, correctional officer,
3 33 security guard, bank messenger or other person
3 34 transporting property of a value requiring security, or
3 35 in police work, whose employment reasonably justifies
3 36 that person going armed, shall be issued a professional
3 37 permit to carry weapons if the person applies for
3 38 the permit and meets the requirements of sections~~

~~3 39 724.8 through 724.10. The permit shall be on a form
3 40 prescribed and published by the commissioner of public
3 41 safety, shall identify the holder, and shall state
3 42 the nature of the employment requiring the holder to
3 43 go armed. A permit so issued, other than to a peace
3 44 officer, shall authorize the person to whom it is
3 45 issued to go armed anywhere in the state, ~~only~~ while
3 46 engaged in the employment, and while going to and from
3 47 the place of the employment. A permit issued to a
3 48 certified peace officer shall authorize that peace
3 49 officer to go armed anywhere in the state at all times.
3 50 Permits shall expire ~~twelve months~~ five years after the~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8583 continued

4 1 date when issued except that permits issued to peace
4 2 officers and correctional officers are valid through
4 3 the officer's period of employment unless otherwise
4 4 canceled. When the employment is terminated, the
4 5 holder of the permit shall surrender it to the issuing
4 6 officer for cancellation.

4 7 Sec. _____. Section 724.7, Code 2009, is amended to
4 8 read as follows:

4 9 724.7 Nonprofessional permit to carry weapons.

4 10 Any person ~~who can reasonably justify going armed~~
~~4 11 may not otherwise prohibited from possessing or~~
4 12 transporting a firearm and who meets the requirements
4 13 in sections 724.8 through 724.10 shall be issued a
4 14 nonprofessional permit to carry weapons if the person
4 15 applies for such permit. Such permits shall be on a
4 16 form prescribed and published by the commissioner of
4 17 public safety, which shall be readily distinguishable
4 18 from the professional permit, and shall identify the
4 19 holder thereof, and state the reason for the issuance
4 20 of the permit, and the limits of the authority granted
~~4 21 by such permit. All permits so issued shall be for a~~
4 22 definite five-year period as established by the issuing
~~4 23 officer, but in no event shall exceed a period of~~
~~4 24 twelve months.~~

4 25 Sec. _____. Section 724.8, subsection 5, Code 2009,
4 26 is amended to read as follows:

4 27 5. ~~The issuing officer reasonably determines that~~
~~4 28 the applicant does not constitute a danger to any~~
~~4 29 person person is not otherwise prohibited by state or~~
4 30 federal law from possessing or transporting a firearm.

4 31 Sec. _____. Section 724.9, Code 2009, is amended to
4 32 read as follows:

4 33 724.9 Firearm training program.

4 34 A training program to qualify persons in the safe
4 35 use of firearms shall be provided by the issuing
4 36 officer of permits, as provided in section 724.11.
4 37 ~~The commissioner of public safety shall approve~~
~~4 38 the training program, and the county sheriff or~~
4 39 the commissioner of public safety conducting the
4 40 training program within their respective jurisdictions
~~4 41 may shall contract with a private organization or~~
~~4 42 use the services of other agencies, or may use a~~
~~4 43 combination of the two, to provide such training a~~
4 44 private individual or a professional organization who
4 45 shall conduct the training consistent with training
4 46 standards set forth by the national rifle association.

4 47 Any person eligible to be issued a permit to carry
4 48 weapons may enroll in such course. A fee sufficient
4 49 to cover the cost of the program may be charged each
4 50 person attending. Certificates of completion, on a



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8583 continued

5 1 form prescribed and published by the commissioner
 5 2 of public safety, shall be issued to each person who
 5 3 successfully completes the program. ~~No~~ A person shall
 5 4 not be issued either a professional or nonprofessional
 5 5 permit unless the person has received a certificate of
 5 6 completion or is a certified peace officer. ~~No peace~~
~~5 7 officer or correctional officer, except a certified~~
~~5 8 peace officer, shall go armed with a pistol or revolver~~
~~5 9 unless the officer has received a certificate of~~
~~5 10 completion, provided that this requirement shall not~~
~~5 11 apply to persons who are employed in this state as~~
~~5 12 peace officers on January 1, 1978 until July 1, 1978,~~
~~5 13 or to peace officers of other jurisdictions exercising~~
~~5 14 their legal duties within this state.~~
 5 15 Sec. _____. Section 724.11, Code 2009, is amended to
 5 16 read as follows:
 5 17 724.11 Issuance of permit to carry weapons.
 5 18 ~~Applications for permits~~ An application for a
~~5 19 permit to carry weapons, if made, shall be made to the~~
 5 20 sheriff of the county in which the applicant resides.
 5 21 Applications from persons who are nonresidents of
 5 22 the state, or whose need to go armed arises out
 5 23 of employment by the state, shall be made to the
 5 24 commissioner of public safety. In either case,
 5 25 the issuance of the permit shall be by ~~and at the~~
~~5 26 discretion of the sheriff or commissioner, who~~
 5 27 shall, before issuing the permit, determine that the
 5 28 requirements of sections ~~724.6 to 724.8~~ through 724.10
 5 29 have been satisfied and the person is not otherwise
~~5 30 prohibited by state or federal law from possessing or~~
~~5 31 transporting a firearm. However, the training program~~
~~5 32 requirements in section 724.9 may be waived for renewal~~
~~5 33 permits.~~ The issuing officer shall collect a fee
 5 34 of ~~ten~~ fifty dollars, except from a duly appointed
 5 35 peace officer or correctional officer, for each permit
 5 36 issued. Renewal permits or duplicate permits shall be
 5 37 issued for a fee of five dollars. The issuing officer
 5 38 shall notify the commissioner of public safety of the
 5 39 issuance of any permit at least monthly and forward to
 5 40 the commissioner an amount equal to two dollars for
 5 41 each permit issued and one dollar for each renewal
 5 42 or duplicate permit issued. All such fees received
 5 43 by the commissioner shall be paid to the treasurer
 5 44 of state and deposited in the operating account of
 5 45 the department of public safety to offset the cost of
 5 46 administering this chapter. Any unspent balance as of
 5 47 June 30 of each year shall revert to the general fund
 5 48 as provided by section 8.33.
 5 49 Sec. _____. NEW SECTION. 724.11A Reciprocity.
 5 50 A person possessing a valid out-of-state permit to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8583 continued

6 1 carry a weapon shall be entitled to the privileges and
6 2 subject to the restrictions prescribed by this chapter
6 3 provided the state that issued the license recognizes
6 4 weapons permits issued in Iowa and provided the person
6 5 possessing such permit is not otherwise prohibited from
6 6 possessing a firearm.
6 7 Sec. ____ . REPEAL. Section 724.5, Code 2009, is
6 8 repealed.>
6 9 #2. By renumbering as necessary.

PAULSEN of Linn
HF2531.2641 (2) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8584

PAG LIN

1 1 Amend the Senate amendment, H=8539, to House File
1 2 2525, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 2, line 1, after <266.39> by inserting
1 5 <, in cooperation with the Iowa cooperative extension
1 6 service in agriculture and home economics as provided
1 7 in chapter 266, at Iowa state university of science and
1 8 technology>
1 9 #2. Page 2, line 7, after <agriculture> by inserting
1 10 <, in cooperation with the Iowa cooperative extension
1 11 service in agriculture and home economics,>
1 12 #3. By renumbering as necessary.

SWEENEY of Hardin
HF2525.2709 (3) 83
da/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8585

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. ____ Section 232.188, subsection 5, paragraph
1 4 b, unnumbered paragraph 1, Code 2009, is amended to
1 5 read as follows:
1 6 Notwithstanding section 8.33, moneys designated for
1 7 a project's decategorization services funding pool that
1 8 remain unencumbered or unobligated at the close of the
1 9 fiscal year shall not revert but shall remain available
1 10 for expenditure as directed by the project's governance
1 11 board for child welfare and juvenile justice systems
1 12 enhancements and other purposes of the project ~~until~~
~~1 13 the close of the succeeding fiscal year and for the~~
~~1 14 next two succeeding fiscal years. Such moneys shall~~
1 15 be known as "carryover funding". Moneys may be made
1 16 available to a funding pool from one or more of the
1 17 following sources:>
1 18 #2. By renumbering as necessary.

L. MILLER of Scott

HEATON of Henry
HF2531.2654 (2) 83
jp/tm



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8586

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 36, line 27, by striking ~~and~~ or and
1 3 inserting <and>

HUSER of Polk
HF2531.2716 (1) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8587

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 36, after line 7 by inserting:
1 3 <Sec. _____. Section 99F.6, subsection 4, paragraph
1 4 a, Code 2009, is amended to read as follows:
1 5 a. Before a license is granted, the division
1 6 of criminal investigation of the department of
1 7 public safety shall conduct a thorough background
1 8 investigation of the applicant for a license to
1 9 operate a gambling game operation on an excursion
1 10 gambling boat. The applicant shall provide information
1 11 on a form as required by the division of criminal
1 12 investigation. A qualified sponsoring organization
1 13 licensed to operate gambling games under this chapter
1 14 shall distribute the receipts of all gambling games,
1 15 less reasonable expenses, charges, taxes, fees, and
1 16 deductions allowed under this chapter, as winnings
1 17 to players or participants or shall distribute the
1 18 receipts for educational, civic, public, charitable,
1 19 patriotic, or religious uses as defined in section
1 20 99B.7, subsection 3, paragraph "b". However, a
1 21 licensee to conduct gambling games under this chapter
1 22 shall, unless an operating agreement for an excursion
1 23 gambling boat otherwise provides, distribute at least
1 24 three percent of the adjusted gross receipts for
1 25 each license year for educational, civic, public,
1 26 charitable, patriotic, or religious uses as defined
1 27 in section 99B.7, subsection 3, paragraph "b".
1 28 However, if a licensee who is also licensed to conduct
1 29 pari-mutuel wagering at a horse racetrack has unpaid
1 30 debt from the pari-mutuel racetrack operations, the
1 31 first receipts of the gambling games operated within
1 32 the racetrack enclosure less reasonable operating
1 33 expenses, taxes, and fees allowed under this chapter
1 34 shall be first used to pay the annual indebtedness.
1 35 The commission shall authorize, subject to the debt
1 36 payments for horse racetracks and the provisions of
1 37 paragraph "b" for dog racetracks, a licensee who is
1 38 also licensed to conduct pari-mutuel dog or horse
1 39 racing to use receipts from gambling games within
1 40 the racetrack enclosure to supplement purses for
1 41 races particularly for Iowa-bred horses pursuant to
1 42 an agreement which shall be negotiated between the
1 43 licensee and representatives of the dog or horse
1 44 owners. A qualified sponsoring organization shall
1 45 not make a contribution to a candidate, political
1 46 committee, candidate's committee, state statutory
1 47 political committee, county statutory political
1 48 committee, national political party, or fund-raising
1 49 event as these terms are defined in section 68A.102.
1 50 The membership of the board of directors of a qualified



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8587 continued

2 1 sponsoring organization shall represent a broad
 2 2 interest of the communities.
 2 3 Ob. For agreements subject to commission approval
 2 4 concerning purses for horse racing beginning on or
 2 5 after January 1, 2006, and ending before January 1,
 2 6 2021, the agreements shall provide that total annual
 2 7 purses for all horse racing shall be no less than
 2 8 eleven percent of the first two hundred million dollars
 2 9 of net receipts, and six percent of net receipts
 2 10 above two hundred million dollars. Agreements that
 2 11 are subject to commission approval concerning horse
 2 12 purses for a particular period of time beginning on
 2 13 or after January 1, 2006, and ending before January
 2 14 1, 2021, shall be jointly submitted to the commission
 2 15 for approval. A qualified sponsoring organization
~~2 16 shall not make a contribution to a candidate, political~~
~~2 17 committee, candidate's committee, state statutory~~
~~2 18 political committee, county statutory political~~
~~2 19 committee, national political party, or fund-raising~~
~~2 20 event as these terms are defined in section 68A.102.~~
~~2 21 The membership of the board of directors of a qualified~~
~~2 22 sponsoring organization shall represent a broad~~
~~2 23 interest of the communities. If any party representing~~
 2 24 a horse breed and the horse racetrack licensee cannot
 2 25 reach agreement by July 1 of the year preceding the
 2 26 year in which the agreement is to become effective, the
 2 27 commission shall require each party not in agreement
 2 28 to arbitrate to conclusion by September 1, as provided
 2 29 in this lettered paragraph. Each party not in
 2 30 agreement shall select a representative and the two
 2 31 representatives shall select a third party to assist in
 2 32 negotiating an agreement. The two representatives may
 2 33 select the commission or one of its members to serve as
 2 34 the third party. Alternately, each party shall submit
 2 35 the name of a proposed third party to the commission
 2 36 which shall then select one of the two parties to serve
 2 37 as the third party. All parties to the negotiations,
 2 38 including the commission, shall consider that the horse
 2 39 racetrack was built to facilitate the development and
 2 40 promotion of Iowa-bred racing horses in this state and
 2 41 shall negotiate and decide accordingly. For purposes
 2 42 of this lettered paragraph, "net receipts" means the
 2 43 annual adjusted gross receipts from all gambling games
 2 44 less the annual amount of money pledged by the owner
 2 45 of the facility to fund a project approved to receive
 2 46 vision Iowa funds as of July 1, 2004.>
 2 47 #2. By renumbering as necessary.

R. OLSON of Polk
 HF2531.2715 (2) 83
 ec/jp



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8588

PAG LIN

1 1 Amend the amendment, H=8557, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, line 29, after <report.> by inserting
1 4 <The legislative council shall provide for the funding
1 5 of the study and report by the commission.>

MASCHER of Johnson

H8557.2722 (1) 83
ec/jp



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 March 24, 2010

House Amendment 8589

PAG LIN

1 1 Amend House File 2531 as follows:
 1 2 #1. Page 42, after line 29 by inserting:
 1 3 <DIVISION ____
 1 4 WEAPONS
 1 5 Sec. ____ . Section 724.7, Code 2009, is amended to
 1 6 read as follows:
 1 7 724.7 Nonprofessional permit to carry weapons.
 1 8 Any person who ~~can reasonably justify going armed~~
 1 9 ~~may is not disqualified under section 724.8, who~~
 1 10 satisfies the training requirements of section 724.9,
 1 11 and who files an application in accordance with
 1 12 section 724.10 shall be issued a nonprofessional permit
 1 13 to carry weapons. Such permits shall be on a form
 1 14 prescribed and published by the commissioner of public
 1 15 safety, which shall be readily distinguishable from
 1 16 the professional permit, and shall identify the holder
 1 17 thereof, and state the reason for the issuance of the
 1 18 permit, and the limits of the authority granted by such
 1 19 permit of the permit. All permits so issued shall be
 1 20 for a definite period as established by the issuing
 1 21 officer, but in no event shall exceed a period of
 1 22 ~~twelve months~~ five years and shall be valid throughout
 1 23 the state except where the possession or carrying of a
 1 24 firearm is prohibited by state or federal law.
 1 25 Sec. ____ . Section 724.8, Code 2009, is amended by
 1 26 striking the section and inserting in lieu thereof the
 1 27 following:
 1 28 724.8 Persons eligible for permit to carry weapons.
 1 29 No professional or nonprofessional permit to carry
 1 30 weapons shall be issued to a person who is prohibited
 1 31 by federal law from shipping, transporting, possessing,
 1 32 or receiving a firearm.
 1 33 Sec. ____ . Section 724.9, Code 2009, is amended by
 1 34 striking the section and inserting in lieu thereof the
 1 35 following:
 1 36 724.9 Firearm training program.
 1 37 1. An applicant shall demonstrate knowledge of
 1 38 firearm safety by any of the following means:
 1 39 a. Completion of any national rifle association
 1 40 firearms safety or firearms training course.
 1 41 b. Completion of any firearms safety or firearms
 1 42 training course available to the general public
 1 43 offered by a law enforcement agency, community
 1 44 college, college, private or public institution or
 1 45 organization, or firearms training school utilizing
 1 46 instructors certified by the national rifle association
 1 47 or the department of public safety or another state's
 1 48 department of public safety, state police department,
 1 49 or similar certifying body.
 1 50 c. Completion of any law enforcement firearms



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8589 continued

2 1 safety or firearms training course or class offered
2 2 for security guards, investigators, special deputies,
2 3 or any division or subdivision of a law enforcement or
2 4 security enforcement agency.
2 5 d. Completion of small arms training while serving
2 6 with the armed forces of the United States as evidenced
2 7 by any of the following:
2 8 (1) For personnel released or retired from active
2 9 duty, possession of an honorable discharge or general
2 10 discharge under honorable conditions.
2 11 (2) For personnel on active duty or serving in
2 12 one of the national guard or reserve components of
2 13 the armed forces of the United States, possession of
2 14 a certificate of completion of basic training with a
2 15 service record of successful completion of small arms
2 16 training and qualification.
2 17 e. Previously having held a license to carry a
2 18 firearm in this state, any political subdivision of
2 19 this state, or in a state recognized under section
2 20 724.11A, unless such license was revoked for cause.
2 21 f. Completion of a law enforcement agency firearms
2 22 training course that qualifies a peace officer to carry
2 23 a firearm in the normal course of the peace officer's
2 24 duties.
2 25 2. Evidence of qualification under this section may
2 26 be documented by any of the following:
2 27 a. A photocopy of a certificate of completion or
2 28 any similar document indicating completion of any
2 29 course or class identified in subsection 1.
2 30 b. An affidavit from the instructor, school,
2 31 organization, or group that conducted or taught a
2 32 course or class identified in subsection 1 attesting to
2 33 the completion of the course or class by the applicant.
2 34 c. A copy of any document indicating participation
2 35 in any firearms shooting competition.
2 36 d. A copy of a license described in subsection 1,
2 37 paragraph "f".
2 38 3. An issuing officer shall not condition the
2 39 issuance of a permit on training requirements that are
2 40 not specified in or that exceed the requirements of
2 41 this section.
2 42 Sec. _____. Section 724.10, Code 2009, is amended to
2 43 read as follows:
2 44 724.10 Application for permit to carry weapons ==
2 45 ~~criminal history background~~ check required.
2 46 1. A person shall not be issued a permit to carry
2 47 weapons unless the person has completed and signed an
2 48 application on a form to be prescribed and published
2 49 by the commissioner of public safety. The application
2 50 shall ~~state~~ require only the full name, driver's



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8589 continued

3 1 license or nonoperator's identification card number,
3 2 residence, place of birth, and age of the applicant,
3 3 and shall state whether the applicant ~~has ever been~~
~~3 4 convicted of a felony, whether the person is addicted~~
~~3 5 to the use of alcohol or any controlled substance, and~~
~~3 6 whether the person has any history of mental illness or~~
~~3 7 repeated acts of violence meets the criteria specified~~
3 8 in sections 724.8 and 724.9. An applicant may provide
3 9 the applicant's social security number if the applicant
3 10 so chooses. The applicant shall also display an
3 11 identification card that bears a distinguishing number
3 12 assigned to the cardholder, the full name, date of
3 13 birth, sex, residence address, and a brief description
3 14 and colored photograph of the cardholder.
3 15 2. The ~~sheriff~~ issuing officer, upon receipt
3 16 of an initial or renewal application under this
3 17 section, shall ~~conduct~~ immediately conduct a criminal
~~3 18 history background check concerning each applicant by~~
3 19 obtaining criminal history data from the department of
3 20 public safety which shall include an inquiry of the
3 21 national instant criminal background system maintained
3 22 by the federal bureau of investigation or any successor
3 23 agency.
3 24 3. A person who knowingly makes a false statement
3 25 of material fact on ~~the~~ an application submitted under
3 26 this section or who knowingly submits any materially
3 27 falsified or forged document in connection with such
3 28 application commits a class "D" felony an aggravated
3 29 misdemeanor.
3 30 Sec. _____. Section 724.11, Code 2009, is amended to
3 31 read as follows:
3 32 724.11 Issuance of permit to carry weapons.
3 33 1. Applications for permits to carry weapons shall
3 34 be made to the sheriff of the county in which the
3 35 applicant resides. Applications from persons who are
3 36 nonresidents of the state, or whose need to go armed
3 37 arises out of employment by the state, shall be made
3 38 to the commissioner of public safety. In either case,
3 39 ~~the issuance of the permit shall be by and at the~~
~~3 40 discretion of the sheriff or commissioner, who shall,~~
3 41 before issuing the permit, shall determine that the
3 42 requirements of sections 724.6 to 724.10 have been
3 43 satisfied. However, the training program requirements
3 44 in section 724.9 may shall be waived for renewal
3 45 permits.
3 46 2. The issuing officer shall collect a fee of
3 47 ~~ten~~ fifty dollars, except from a duly appointed peace
3 48 officer or correctional officer, for each permit
3 49 issued. Renewal permits or duplicate permits shall be
3 50 issued for a fee of ~~five~~ twenty-five dollars, provided



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8589 continued

4 1 the application for such renewal permit is received
4 2 by the issuing officer at least thirty days prior to
4 3 the expiration of the applicant's current permit.
4 4 The issuing officer shall notify the commissioner of
4 5 public safety of the issuance of any permit at least
4 6 monthly and forward to the commissioner an amount
4 7 equal to two dollars for each permit issued and one
4 8 dollar for each renewal or duplicate permit issued.
4 9 All such fees received by the commissioner shall be
4 10 paid to the treasurer of state and deposited in the
4 11 operating account of the department of public safety
4 12 to offset the cost of administering this chapter.
4 13 ~~Any~~ Notwithstanding section 8.33, any unspent balance
4 14 as of June 30 of each year shall revert to the general
4 15 fund as provided by section 8.33 of the state.
4 16 3. The sheriff or commissioner of public safety
4 17 shall approve or deny an initial or renewal application
4 18 submitted under this section within thirty days of
4 19 receipt of the application. If the issuing officer
4 20 has not received a response to an information request
4 21 necessary to determine the applicant's eligibility at
4 22 the end of the thirty-day period and the applicant is
4 23 not otherwise disqualified, the issuing officer shall
4 24 issue a conditional permit to the applicant. The
4 25 conditional permit shall be readily distinguishable
4 26 in appearance from a five-year permit and shall be
4 27 immediately revoked if the information subsequently
4 28 received indicates the applicant is ineligible for a
4 29 permit and the application is denied. A person whose
4 30 application for a permit under this chapter is denied
4 31 may seek review of the denial under section 724.21A.
4 32 Sec. ____ . NEW SECTION. 724.11A Reciprocity.
4 33 1. The commissioner of public safety shall compare
4 34 the provisions of sections 724.7 and 724.8 with similar
4 35 statutes of other states to determine whether such
4 36 state's laws are similar to or exceed the requirements
4 37 of sections 724.7 and 724.8. The commissioner shall
4 38 seek a reciprocity agreement with each state whose laws
4 39 are similar to or exceed the requirements of sections
4 40 724.7 and 724.8.
4 41 2. A valid nonprofessional permit or license to
4 42 carry weapons recognized in this state pursuant to
4 43 subsection 1 shall have the same legal effect as a
4 44 nonprofessional permit to carry weapons issued under
4 45 this chapter, except that such permit shall not be
4 46 considered to be a substitute for an annual permit to
4 47 acquire weapons issued pursuant to section 724.15.
4 48 Sec. ____ . Section 724.17, Code 2009, is amended to
4 49 read as follows:
4 50 724.17 Application for annual permit to acquire ==



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8589 continued

5 1 criminal history check required.
5 2 The application for an annual permit to acquire
5 3 pistols or revolvers may be made to the sheriff of the
5 4 county of the applicant's residence and shall be on a
5 5 form prescribed and published by the commissioner of
5 6 public safety. The application shall ~~state require~~
5 7 only the full name of the applicant, the driver's
5 8 license or nonoperator's identification card number of
5 9 the applicant, the residence of the applicant, and the
5 10 age and place of birth of the applicant. The applicant
5 11 shall also display an identification card that bears
5 12 a distinguishing number assigned to the cardholder,
5 13 the full name, date of birth, sex, residence address,
5 14 and brief description and colored photograph of the
5 15 cardholder, or other identification as specified by
5 16 rule of the department of public safety. The sheriff
5 17 shall conduct a criminal history check concerning
5 18 each applicant by obtaining criminal history data
5 19 from the department of public safety which shall
5 20 include an inquiry of the national instant criminal
5 21 background system maintained by the federal bureau of
5 22 investigation or any successor agency. A person who
~~5 23 knowingly makes a false statement of material fact on~~
~~5 24 the application commits a class "D" felony. A person~~
~~5 25 who knowingly makes a false statement of material fact~~
~~5 26 on an application submitted under this section or who~~
~~5 27 knowingly submits any materially falsified or forged~~
~~5 28 document in connection with such application commits~~
~~5 29 an aggravated misdemeanor.~~
5 30 Sec. _____. NEW SECTION. 724.21A Hearing on denial
5 31 or revocation of permit to carry weapons and permits to
5 32 acquire pistols or revolvers.
5 33 1. In any case where the sheriff or the
5 34 commissioner of public safety denies an application
5 35 for or revokes a permit to carry weapons or an annual
5 36 permit to acquire pistols or revolvers, the applicant
5 37 or permit holder shall have the right to appeal the
5 38 denial or revocation of the permit to an administrative
5 39 law judge in the department of inspections and appeals
5 40 within thirty days of receiving written notice of the
5 41 denial or revocation.
5 42 2. The applicant or permit holder may file an
5 43 appeal with an administrative law judge by filing a
5 44 copy of the denial or revocation notice with a written
5 45 statement that clearly states the applicant's reasons
5 46 rebutting the denial or revocation along with a fee
5 47 of ten dollars. Additional supporting information
5 48 relevant to the proceedings may also be included.
5 49 3. The administrative law judge shall grant an
5 50 aggrieved applicant an opportunity to be heard within



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8589 continued

6 1 forty-five days of receipt of the request for an
6 2 appeal. The hearing may be held by telephone or video
6 3 conference at the discretion of the administrative law
6 4 judge. The administrative law judge shall receive
6 5 witness testimony and other evidence relevant to the
6 6 proceedings at the hearing.

6 7 4. Upon conclusion of the hearing, the
6 8 administrative law judge shall order that the denial
6 9 or revocation of the permit be either rescinded or
6 10 sustained. An applicant, permit holder, or issuing
6 11 officer aggrieved by the final judgment of the
6 12 administrative law judge shall have the right to
6 13 judicial review in accordance with the terms of the
6 14 Iowa administrative procedure Act, chapter 17A.

6 15 Sec. _____. Section 724.25, subsection 1, Code 2009,
6 16 is amended to read as follows:

6 17 1. As used in ~~sections 724.8, subsection 2,~~
~~6 18 and section 724.26~~, the word "felony" means any offense
6 19 punishable in the jurisdiction where it occurred
6 20 by imprisonment for a term exceeding one year, but
6 21 does not include any offense, ~~other than an offense~~
~~6 22 involving a firearm or explosive~~, classified as a
6 23 misdemeanor under the laws of the state and punishable
6 24 by a term of imprisonment of two years or less.

6 25 Sec. _____. Section 724.27, Code 2009, is amended to
6 26 read as follows:

6 27 724.27 Offenders' rights restored.

6 28 1. The provisions of section 724.8, ~~subsection~~
~~6 29 2~~, section 724.15, subsection 1, ~~paragraphs "b" and~~
~~6 30 "e"~~, and section 724.26 shall not apply to a person who
6 31 is eligible to have the person's civil rights regarding
6 32 firearms restored under section 914.7 ~~and who is~~
~~6 33 pardoned or has had the person's civil rights restored~~
~~6 34 by the President of the United States or the chief~~
~~6 35 executive of a state and who is expressly authorized~~
~~6 36 by the President of the United States or such chief~~
~~6 37 executive to receive, transport, or possess firearms or~~
~~6 38 destructive devices. if any of the following occur:~~

6 39 a. The person is pardoned by the President of the
6 40 United States or the chief executive of a state for a
6 41 disqualifying conviction.

6 42 b. The person's civil rights have been restored
6 43 after a disqualifying conviction, commitment, or
6 44 adjudication.

6 45 c. The person's conviction for a disqualifying
6 46 offense has been expunged.

6 47 2. Subsection 1 shall not apply to a person whose
6 48 pardon, restoration of civil rights, or expungement of
6 49 conviction expressly forbids the person to receive,
6 50 transport, or possess firearms or destructive devices.>



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8589 continued

7 1 #2. By renumbering as necessary.

PAULSEN of Linn
HF2531.2721 (2) 83
rh/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8590

PAG LIN

1 1 Amend Senate File 2270, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. BREAST=FEEDING IN THE WORKPLACE. It
1 6 is the intent of the general assembly that the state
1 7 shall not enact more stringent provisions than those
1 8 provided in federal House Resolution 3590, the Patient
1 9 Protection and Affordable Care Act, section 4207,
1 10 amending section 7 of the Fair Labor Standards Act of
1 11 1938, 29 U.S.C. { 207, relating to employers providing
1 12 time and locations for employees to express breast
1 13 milk.>

TYMESON of Madison
SF2270.2723 (3) 83
ak/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8591

PAG LIN

1 1 Amend the Senate amendment, H=8464, to House File
1 2 2459, as passed by the House, as follows:
1 3 #1. Page 1, line 48, after <watershed.> by
1 4 inserting <All political subdivisions within a
1 5 watershed must be notified within thirty days prior
1 6 to organization of any watershed management authority
1 7 within the watershed, and provided the opportunity to
1 8 participate.>
1 9 #2. Page 2, lines 1 and 2, by striking <county or
1 10 a soil and water conservation district> and inserting
1 11 <political subdivision>
1 12 #3. Page 2, by striking lines 32 through 42 and
1 13 inserting:
1 14 <2. A board of directors shall consist of one
1 15 representative of each participating political
1 16 subdivision. This subsection shall not apply if a>
1 17 #4. Page 3, line 32, by striking <shall> and
1 18 inserting <may>
1 19 #5. Page 3, lines 32 and 33, by striking <and
1 20 cooperate> and inserting <its activities>
1 21 #6. By renumbering as necessary.

SANDS of Louisa

D. OLSON of Boone
HF2459.2725 (1) 83
tm/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8592

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, line 45, after <expenses,> by inserting
1 5 <annually assessing the impact of federal health care
1 6 reform legislation on health care costs in the state
1 7 and determining whether such legislation has reduced
1 8 the cost of health insurance in the state,>

SCHULTE of Linn
H8578.2743 (1) 83
av/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8593

PAG LIN

1 1 Amend the amendment, H=8443, to Senate File 2270, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, line 48, after <birth> by inserting <or
1 4 as soon as practicable>
1 5 #2. Page 2, lines 2 and 3, by striking <within a
1 6 reasonable time> and inserting <as soon as practicable>

MASCHER of Johnson
H8443.2741 (2) 83
ak/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8594

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. _____. 2010 Iowa Acts, Senate File 2378,
1 4 section 20, subsection 1, if enacted, is amended to
1 5 read as follows:
1 6 1. A public safety enforcement fund is created in
1 7 the state treasury under the control of the treasurer
1 8 of state. Notwithstanding section 602.8108, after
1 9 the necessary amount is remitted for deposit in the
1 10 Iowa prison infrastructure fund as provided in section
1 11 602.8108A, the state court administrator shall allocate
1 12 to the treasurer of state for deposit in the public
1 13 safety enforcement fund the ~~first~~ next eight million
1 14 eight hundred thousand dollars of the moneys received
1 15 under section 602.8108, subsection 2, during the fiscal
1 16 year beginning July 1, 2010, and ending June 30, 2011.
1 17 Moneys deposited into the fund are appropriated to
1 18 the treasurer of state for allocation as provided in
1 19 subsection 2.>
1 20 #2. By renumbering as necessary.

TAYLOR of Linn
HF2531.2727 (4) 83
jm/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8595

PAG LIN

1 1 Amend Senate File 2270, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. NEW SECTION. 135.30B Breast=feeding
1 6 in the workplace.
1 7 1. An employer shall provide reasonable break
1 8 time for an employee to express breast milk for her
1 9 nursing child for one year after the child's birth
1 10 each time such employee has need to express the milk.
1 11 The employer shall also provide a place, other than
1 12 a bathroom, that is shielded from view and free from
1 13 intrusion from coworkers and the public, which may be
1 14 used by an employee to express breast milk.
1 15 2. An employer is not required to compensate
1 16 an employee receiving reasonable break time under
1 17 subsection 1 for any work time spent for such purpose.
1 18 3. An employer that employs less than fifty
1 19 employees shall not be subject to the requirements of
1 20 this section, if such requirements would impose an
1 21 undue hardship by causing the employer significant
1 22 difficulty or expense when considered in relation to
1 23 the size, financial resources, nature, or structure of
1 24 the employer's business.>

TYMESON of Madison
SF2270.2717 (3) 83
ak/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8596

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, line 35, after <18.> by inserting <a.>
1 5 #2. Page 1, after line 49 by inserting:
1 6 <b. The work group shall also complete an annual
1 7 review of the cost of health insurance mandates
1 8 currently imposed on health insurance regulated by
1 9 the state and provide projections of the cost of
1 10 any mandates that the commissioner determines may be
1 11 considered by the general assembly during the upcoming
1 12 legislative session. The review and projections
1 13 shall be included in the annual report filed by the
1 14 commissioner with the general assembly pursuant to
1 15 section 505.18.>

UPMEYER of Hancock
H8578.2742 (1) 83
av/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8597

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, after line 3 by inserting:
1 5 <Og. Any increase in health insurance premiums
1 6 that is related to the assessment of health insurance
1 7 carriers pursuant to the provisions of section 505.7,
1 8 subsection 10.>

PETTENGILL of Benton
H8578.2745 (1) 83
av/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8598

PAG LIN

1 1 Amend the amendment, H=8589, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, by striking lines 29 through 32 and
1 4 inserting:
1 5 <A professional or nonprofessional permit to carry
1 6 weapons shall not be issued to a person unless the
1 7 person is eighteen years of age or older and the
1 8 person is not prohibited by federal law from shipping,
1 9 transporting, possessing, or receiving a firearm.>

WINDSCHITL of Harrison
H8589.2748 (1) 83
rj/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8599

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, line 45, after <expenses,> by inserting
1 5 <the impact on health insurance rates of allowing
1 6 Iowans to purchase health insurance from insurers not
1 7 licensed to do business in Iowa,>

SODERBERG of Plymouth
H8578.2744 (1) 83
av/nh



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8600

PAG LIN

```

1 1 Amend the amendment, H=8554, to House File 2531 as
1 2 follows:
1 3 #1. Page 1, after line 1 by inserting:
1 4 <____. Page 29, after line 27 by inserting:
1 5 <Sec. ____ There is appropriated from the general
1 6 fund of the state to the electrical examining board
1 7 established in section 103.2 for the fiscal year
1 8 beginning July 1, 2010, and ending June 30, 2011, the
1 9 following amount, or so much thereof as is necessary
1 10 for the purpose of conducting inspections pursuant to
1 11 section 103.23:
1 12 ..... $ 5,000 >>

```

BAILEY of Hamilton
HF2531.2747 (1) 83
rn/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8601

PAG LIN

1 1 Amend the amendment, H=8587, to House File 2531 as
1 2 follows:
1 3 #1. Page 2, line 10, after <dollars.> by inserting
1 4 <In addition, for agreements concerning horse racing
1 5 between the licensee operating the horse racetrack in
1 6 Polk county and representatives of standardbred horse
1 7 owners, the agreement shall include a supplemental
1 8 amount for standardbred horse races held at county fair
1 9 racetracks in the state.>
1 10 #2. By renumbering as necessary.

PALMER of Mahaska
H8587.2749 (3) 83
ec/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8602

PAG LIN

1 1 Amend the amendment, H=8443, to Senate File 2270, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 1, line 5, through page 4, line
1 4 25, and inserting:
1 5 <<Section 1. BREAST=FEEDING IN THE WORKPLACE. It
1 6 is the intent of the general assembly that the state
1 7 shall not enact more stringent provisions than those
1 8 provided in federal House Resolution 3590, the Patient
1 9 Protection and Affordable Care Act, section 4207,
1 10 amending section 7 of the Fair Labor Standards Act of
1 11 1938, 29 U.S.C. { 207, relating to employers providing
1 12 time and locations for employees to express breast
1 13 milk. >>

TYMESON of Madison
H8443.2757 (2) 83
ak/nh



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Amendment 8603

PAG LIN

1 1 Amend House File 2193, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 3, by striking lines 34 and 35 and
 1 4 inserting <association of counties. The council
 1 5 shall also include at least two at-large members who
 1 6 are volunteer emergency medical care providers and a
 1 7 representative of a private service program.>
 1 8 #2. By striking page 5, line 34, through page 8,
 1 9 line 14, and inserting:
 1 10 <3. The department may deny an application for
 1 11 authorization, or may place on probation, suspend, or
 1 12 revoke the authorization of, or otherwise discipline
 1 13 a service program with an existing authorization
 1 14 if the department finds ~~reason to believe that the~~
 1 15 service program has not been or will not be operated
 1 16 in compliance with this subchapter and the rules
 1 17 adopted pursuant to this subchapter, or that there
 1 18 is insufficient assurance of adequate protection
 1 19 for the public. The authorization denial or period
 1 20 of probation, suspension, or revocation, or other
 1 21 disciplinary action shall be effected and may be
 1 22 appealed as provided by section 17A.12.>
 1 23 #3. Page 12, by striking lines 3 through 14 and
 1 24 inserting:
 1 25 <3. The department may deny an application for
 1 26 authorization, or may place on probation, suspend or
 1 27 revoke the authorization of, or otherwise discipline
 1 28 a training program with an existing authorization if
 1 29 the department finds reason to believe the program has
 1 30 not been or will not be operated in compliance with
 1 31 this subchapter and the rules adopted pursuant to this
 1 32 subchapter, or that there is insufficient assurance of
 1 33 adequate protection for the public. The authorization
 1 34 denial, period of probation, suspension, or revocation,
 1 35 or other disciplinary action shall be effected and may
 1 36 be appealed as provided by section 17A.12.>
 1 37 #4. By renumbering as necessary.
 HF2193.2735.S (1) 83
 jh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8604

PAG LIN

- 1 1 Amend House File 2531 as follows:
- 1 2 #1. Page 10, by striking lines 21 and 22.
- 1 3 #2. By renumbering as necessary.

HUSER of Polk
HF2531.2759 (1) 83
tm/jp



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8605

PAG LIN

1 1 Amend the amendment, H=8443, to Senate File 2270, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 1, line 5, through page 4, line
1 4 25, and inserting:
1 5 <<Section 1. NEW SECTION. 135.30B Breast=feeding
1 6 in the workplace.
1 7 1. An employer shall provide reasonable break
1 8 time for an employee to express breast milk for her
1 9 nursing child for one year after the child's birth
1 10 each time such employee has need to express the milk.
1 11 The employer shall also provide a place, other than
1 12 a bathroom, that is shielded from view and free from
1 13 intrusion from coworkers and the public, which may be
1 14 used by an employee to express breast milk.
1 15 2. An employer is not required to compensate
1 16 an employee receiving reasonable break time under
1 17 subsection 1 for any work time spent for such purpose.
1 18 3. An employer that employs less than fifty
1 19 employees shall not be subject to the requirements of
1 20 this section, if such requirements would impose an
1 21 undue hardship by causing the employer significant
1 22 difficulty or expense when considered in relation to
1 23 the size, financial resources, nature, or structure of
1 24 the employer's business. >>

TYMESON of Madison
H8443.2756 (2) 83
ak/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Amendment 8606

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, after line 39 by inserting:
1 5 <4A. a. For the purposes of this section, "health
1 6 insurance" does not include any of the following:
1 7 (1) Coverage for accident-only, or disability
1 8 income insurance.
1 9 (2) Coverage issued as a supplement to liability
1 10 insurance.
1 11 (3) Liability insurance, including general
1 12 liability insurance and automobile liability insurance.
1 13 (4) Workers' compensation or similar insurance.
1 14 (5) Automobile medical-payment insurance.
1 15 (6) Credit-only insurance.
1 16 (7) Coverage for on-site medical clinic care.
1 17 (8) Other similar insurance coverage, specified in
1 18 federal regulations, under which benefits for medical
1 19 care are secondary or incidental to other insurance
1 20 coverage or benefits.
1 21 b. For the purposes of this section, "health
1 22 insurance" does not include benefits provided under a
1 23 separate policy as follows:
1 24 (1) Limited scope dental or vision benefits.
1 25 (2) Benefits for long-term care, nursing home care,
1 26 home health care, or community-based care.
1 27 (3) Any other similar limited benefits as provided
1 28 by rule of the commissioner.
1 29 c. For the purposes of this section, "health
1 30 insurance" does not include benefits offered as
1 31 independent noncoordinated benefits as follows:
1 32 (1) Coverage only for a specified disease or
1 33 illness.
1 34 (2) A hospital indemnity or other fixed indemnity
1 35 insurance.
1 36 d. For the purposes of this section, "health
1 37 insurance" does not include Medicare supplemental
1 38 health insurance as defined under { 1882(g)(1) of the
1 39 federal Social Security Act, coverage supplemental
1 40 to the coverage provided under 10 U.S.C. ch. 55, and
1 41 similar supplemental coverage provided to coverage
1 42 under group health insurance coverage.>

PETERSEN of Polk
H8578.2762 (2) 83
av/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2532 - Introduced

HOUSE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO HF 2138)
(SUCCESSOR TO HSB 540)

A BILL FOR

1 An Act exempting from the computation of the state individual
2 income tax certain amounts received from the veterans trust
3 fund and including a retroactive applicability provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5344HZ (2) 83
tw/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2532 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.7, Code Supplement 2009, is amended
1 2 by adding the following new subsection:

1 3 NEW SUBSECTION. 46A. Subtract, to the extent included,
1 4 amounts received from the veterans trust fund for any of the
1 5 following items:

1 6 a. Travel expenses pursuant to section 35A.13, subsection
1 7 7, paragraph "a".

1 8 b. Unemployment assistance pursuant to section 35A.13,
1 9 subsection 7, paragraph "c".

1 10 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
1 11 retroactively to January 1, 2010, for tax years beginning on
1 12 or after that date.

1 13 EXPLANATION

1 14 The veterans trust fund allows moneys appropriated to
1 15 the veterans affairs commission to be expended for, among
1 16 other things, providing travel expenses for wounded veterans
1 17 and their spouses, if the expenses are directly related to
1 18 follow-up medical care, and unemployment assistance during a
1 19 period of unemployment, if the unemployment is due to prolonged
1 20 physical or mental illness or disability resulting from
1 21 military service.

1 22 This bill exempts these benefits from the individual income
1 23 tax.

1 24 The bill applies retroactively to January 1, 2010, for tax
1 25 years beginning on or after that date.

LSB 5344HZ (2) 83

tw/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced

HOUSE FILE
BY COMMITTEE ON
APPROPRIATIONS

(SUCCESSOR TO HF 2445)
(SUCCESSOR TO HSB 634)

A BILL FOR

1 An Act relating to the nursing workforce and providing for an
2 Iowa needs nurses now initiative.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5253HZ (3) 83
pf/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 84A.11 Nursing workforce data
1 2 clearinghouse.
1 3 1. a. The department of workforce development shall
1 4 establish a nursing workforce data clearinghouse for the
1 5 purpose of collecting and maintaining data from all available
1 6 and appropriate sources regarding Iowa's nursing workforce.
1 7 b. The department of workforce development shall have access
1 8 to all data regarding Iowa's nursing workforce collected or
1 9 maintained by any state department or agency to support the
1 10 data clearinghouse.
1 11 c. Information maintained in the nursing workforce data
1 12 clearinghouse shall be available to any state department or
1 13 agency.
1 14 2. The department of workforce development shall consult
1 15 with the board of nursing, the department of public health,
1 16 the department of education, and other appropriate entities in
1 17 developing recommendations to determine options for additional
1 18 data collection.
1 19 3. The department of workforce development, in consultation
1 20 with the board of nursing, shall adopt rules pursuant to
1 21 chapter 17A to administer the data clearinghouse.
1 22 4. The nursing workforce data clearinghouse shall be
1 23 established and maintained in a manner consistent with the
1 24 health care delivery infrastructure and health care workforce
1 25 resources strategic plan developed pursuant to section 135.164.
1 26 5. The department of workforce development shall submit a
1 27 report to the governor and the general assembly, annually by
1 28 January 15, regarding the nursing workforce data clearinghouse,
1 29 and, following establishment of the data clearinghouse, the
1 30 status of the nursing workforce in Iowa.
1 31 Sec. 2. Section 135.175, subsection 1, paragraph a, Code
1 32 Supplement 2009, is amended to read as follows:
1 33 a. A health care workforce support initiative is established
1 34 to provide for the coordination and support of various efforts
1 35 to address the health care workforce shortage in this state.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

2 1 This initiative shall include the medical residency training
2 2 state matching grants program created in section 135.176,
2 3 the nurse residency state matching grants program created in
2 4 section 135.176A, the health care professional and ~~nursing~~
~~2 5 workforce shortage Iowa needs nurses now initiative created~~
2 6 in sections 261.128 and 261.129, the safety net provider
2 7 recruitment and retention initiatives program created in
2 8 section 135.153A, health care workforce shortage national
2 9 initiatives, and the physician assistant mental health
2 10 fellowship program created in section 135.177.
2 11 Sec. 3. Section 135.175, subsection 3, Code Supplement
2 12 2009, is amended to read as follows:
2 13 3. The department and any entity identified in this section
2 14 as having control over any of the accounts within the fund,
2 15 may receive contributions, grants, and in-kind contributions
2 16 to support the purposes of the fund and the accounts within
2 17 the fund. Not more than five percent of the moneys allocated
2 18 to any account within the fund may be used for administrative
2 19 costs.
2 20 Sec. 4. Section 135.175, subsection 5, paragraph b, Code
2 21 Supplement 2009, is amended to read as follows:
2 22 b. The health care professional and ~~nurse workforce~~
~~2 23 shortage Iowa needs nurses now initiative account. The health~~
2 24 ~~care professional and nurse workforce shortage Iowa needs~~
2 25 ~~nurses now initiative account shall be under the control of~~
2 26 the college student aid commission created in section 261.1
2 27 and the moneys in the account shall be used for the purposes
2 28 of the health care professional incentive payment program and
2 29 the ~~nurse workforce shortage Iowa needs nurses now initiative~~
2 30 as specified in sections 261.128 and 261.129. Moneys in the
2 31 account shall consist of moneys appropriated or allocated
2 32 for deposit in or received by the fund or the account and
2 33 specifically dedicated to the health care professional and
2 34 ~~nurse workforce shortage Iowa needs nurses now initiative~~ or
2 35 the account for the purposes of the account.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

3 1 Sec. 5. Section 135.175, subsection 5, Code Supplement
3 2 2009, is amended by adding the following new paragraphs:
3 3 NEW PARAGRAPH. f. The Iowa needs nurses now infrastructure
3 4 account. The Iowa needs nurses now infrastructure account
3 5 shall be under the control of the department and the moneys
3 6 in the account shall be used to award grants in accordance
3 7 with rules adopted by the department, in consultation with
3 8 the board of nursing, the department of education, and a
3 9 statewide association that represents nurses specified by the
3 10 director, pursuant to chapter 17A, for clinical simulators,
3 11 laboratory facilities, health information technology, and other
3 12 infrastructure to improve the training of nurses and nurse
3 13 educators in the state and to enhance the clinical experience
3 14 for nurses. Grants awarded shall authorize the use of a
3 15 reasonable portion of the grant moneys for training in the
3 16 use of the infrastructure purchased with the grant moneys.
3 17 Moneys in the account shall consist of moneys appropriated
3 18 or allocated for deposit in or received by the fund or the
3 19 account and specifically dedicated to the Iowa needs nurses now
3 20 infrastructure account for the purposes of the account.
3 21 NEW PARAGRAPH. g. The nurse residency state matching grants
3 22 program account. The nurse residency state matching grants
3 23 program account shall be under the control of the department
3 24 and the moneys in the account shall be used for the purposes of
3 25 the nurse residency state matching grants program as specified
3 26 in section 135.176A. Moneys in the account shall consist of
3 27 moneys appropriated or allocated for deposit in or received
3 28 by the fund or the account and specifically dedicated to the
3 29 nurse residency state matching grants program account for the
3 30 purposes of such account.
3 31 Sec. 6. Section 135.175, subsection 6, paragraph a, Code
3 32 Supplement 2009, is amended to read as follows:
3 33 a. Moneys in the fund and the accounts in the fund shall
3 34 only be appropriated in a manner consistent with the principles
3 35 specified and the strategic plan developed pursuant to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

4 1 sections 135.163 and 135.164 to support the medical residency
4 2 training state matching grants program, the nurse residency
4 3 state matching grants program, the health care professional
4 4 incentive payment program, the ~~nurse educator incentive payment~~
~~4 5 and nursing faculty fellowship programs~~ Iowa needs nurses
4 6 now initiative, the safety net recruitment and retention
4 7 initiatives program, for national health care workforce
4 8 shortage initiatives, for the physician assistant mental health
4 9 fellowship program, for the purposes of the Iowa needs nurses
4 10 now infrastructure account, and to provide funding for state
4 11 health care workforce shortage programs as provided in this
4 12 section.
4 13 Sec. 7. NEW SECTION. 135.176A Nurse residency state
4 14 matching grants program == repeal.
4 15 1. The department shall establish a nurse residency state
4 16 matching grants program to provide matching state funding
4 17 to sponsors of nurse residency programs in this state to
4 18 establish, expand, or support nurse residency programs that
4 19 meet standards adopted by rule of the department. Funding for
4 20 the program may be provided through the health care workforce
4 21 shortage fund or the nurse residency state matching grants
4 22 program account created in section 135.175. The department,
4 23 in cooperation with the Iowa board of nursing, the department
4 24 of education, Iowa institutions of higher education with board
4 25 of nursing=approved programs to educate nurses, and the Iowa
4 26 nurses association, shall adopt rules pursuant to chapter 17A
4 27 to establish minimum standards for nurse residency programs
4 28 to be eligible for a matching grant that address all of the
4 29 following:
4 30 a. Eligibility requirements for and qualifications of
4 31 a sponsor of a nurse residency program to receive a grant,
4 32 including that the program includes both rural and urban
4 33 components.
4 34 b. The application process for the grant.
4 35 c. Criteria for preference in awarding of the grants.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

5 1 d. Determination of the amount of a grant.
5 2 e. Use of the funds awarded. Funds may be used to pay
5 3 the costs of establishing, expanding, or supporting a nurse
5 4 residency program as specified in this section, including but
5 5 not limited to the costs associated with residency stipends and
5 6 nursing faculty stipends.
5 7 2. This section is repealed June 30, 2014.
5 8 Sec. 8. Section 261.2, subsection 10, Code Supplement 2009,
5 9 is amended to read as follows:
5 10 10. Administer the health care professional incentive
5 11 payment program established in section 261.128 and the ~~nursing~~
~~5 12 workforce shortage Iowa needs nurses now~~ initiative created in
5 13 section 261.129. This subsection is repealed June 30, 2014.
5 14 Sec. 9. Section 261.128, subsection 1, Code Supplement
5 15 2009, is amended to read as follows:
5 16 1. The commission shall establish a health care
5 17 professional incentive payment program to recruit and retain
5 18 health care professionals in this state. Funding for the
5 19 program may be provided through the health care workforce
5 20 shortage fund or the health care professional and ~~nurse~~
~~5 21 workforce shortage Iowa needs nurses now~~ initiative account
5 22 created in section 135.175.
5 23 Sec. 10. Section 261.129, Code Supplement 2009, is amended
5 24 to read as follows:
5 25 261.129 ~~Nursing workforce shortage Iowa needs nurses~~
~~5 26 now~~ initiative == repeal.
5 27 1. Nurse educator incentive payment program.
5 28 a. The commission shall establish a nurse educator incentive
5 29 payment program. Funding for the program may be provided
5 30 through the health care workforce shortage fund or the health
5 31 care professional and ~~nurse workforce shortage Iowa needs~~
~~5 32 nurses now~~ initiative account created in section 135.175.
5 33 For the purposes of this subsection, "nurse educator" means
5 34 a registered nurse who holds a master's degree or doctorate
5 35 degree and is employed as a faculty member who teaches nursing



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

6 1 in a nursing education program as provided in 655 IAC 2.6 at
6 2 a community college, an accredited private institution, or an
6 3 institution of higher education governed by the state board of
6 4 regents.

6 5 b. The program shall consist of incentive payments to
6 6 recruit and retain nurse educators. The program shall provide
6 7 for incentive payments of up to twenty thousand dollars for a
6 8 nurse educator who remains teaching in a qualifying teaching
6 9 position for a period of not less than four consecutive
6 10 academic years.

6 11 c. The nurse educator and the commission shall enter into an
6 12 agreement specifying the obligations of the nurse educator and
6 13 the commission. If the nurse educator leaves the qualifying
6 14 teaching position prior to teaching for four consecutive
6 15 academic years, the nurse educator shall be liable to repay
6 16 the incentive payment amount to the state, plus interest as
6 17 specified by rule. However, if the nurse educator leaves
6 18 the qualifying teaching position involuntarily, the nurse
6 19 educator shall be liable to repay only a pro rata amount of the
6 20 incentive payment based on incompleting years of service.

6 21 d. The commission, in consultation with the department
6 22 of public health, the board of nursing, the department of
6 23 education, and the Iowa nurses association, shall adopt rules
6 24 pursuant to chapter 17A relating to the establishment and
6 25 administration of the nurse educator incentive payment program.
6 26 The rules shall include provisions specifying what constitutes
6 27 a qualifying teaching position.

6 28 2. Nursing faculty fellowship program.

6 29 a. The commission shall establish a nursing faculty
6 30 fellowship program to provide funds to nursing schools in the
6 31 state, including but not limited to nursing schools located at
6 32 community colleges, for fellowships for individuals employed
6 33 in qualifying positions on the nursing faculty. Funding for
6 34 the program may be provided through the health care workforce
6 35 shortage fund or the health care professional and ~~nurse~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

~~House File 2533 — Introduced continued~~

~~7 1 workforce shortage the Iowa needs nurses now initiative account
7 2 created in section 135.175. The program shall be designed
7 3 to assist nursing schools in filling vacancies in qualifying
7 4 positions throughout the state.
7 5 b. The commission, in consultation with the department
7 6 of public health, the board of nursing, the department of
7 7 education, and the Iowa nurses association, and in cooperation
7 8 with nursing schools throughout the state, shall develop a
7 9 distribution formula which shall provide that no more than
7 10 thirty percent of the available moneys are awarded to a single
7 11 nursing school. Additionally, the program shall limit funding
7 12 for a qualifying position in a nursing school to no more than
7 13 ten thousand dollars per year for up to three years.
7 14 c. The commission, in consultation with the department
7 15 of public health, the board of nursing, the department of
7 16 education, and the Iowa nurses association, shall adopt
7 17 rules pursuant to chapter 17A to administer the program. The
7 18 rules shall include provisions specifying what constitutes a
7 19 qualifying position at a nursing school.
7 20 d. In determining eligibility for a fellowship, the
7 21 commission shall consider all of the following:
7 22 (1) The length of time a qualifying position has gone
7 23 unfilled at a nursing school.
7 24 (2) Documented recruiting efforts by a nursing school.
7 25 (3) The geographic location of a nursing school.
7 26 (4) The type of nursing program offered at the nursing
7 27 school, including associate, bachelor's, master's, or doctoral
7 28 degrees in nursing, and the need for the specific nursing
7 29 program in the state.
7 30 3. Nurse educator scholarship program.
7 31 a. The commission shall establish a nurse educator
7 32 scholarship program. Funding for the program may be provided
7 33 through the health care workforce shortage fund or the health
7 34 care professional and the Iowa needs nurses now initiative
7 35 account created in section 135.175. The goal of the nurse~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

8 1 educator scholarship program is to address the waiting list of
8 2 qualified applicants to Iowa's nursing schools by providing
8 3 incentives for the training of additional nursing educators.
8 4 For the purposes of this subsection, "nurse educator" means
8 5 a registered nurse who holds a master's degree or doctorate
8 6 degree and is employed as a faculty member who teaches nursing
8 7 in a nursing education program as provided in 655 IAC 2.6 at
8 8 a community college, an accredited private institution, or an
8 9 institution of higher education governed by the state board of
8 10 regents.

8 11 b. The program shall consist of scholarships to further
8 12 advance the education of nurses to become nurse educators. The
8 13 program shall provide for scholarship payments in an amount
8 14 established by rule for students who are preparing to teach in
8 15 qualifying teaching positions.

8 16 c. The commission, in consultation with the department
8 17 of public health, the board of nursing, the department of
8 18 education, and the Iowa nurses association, shall adopt rules
8 19 pursuant to chapter 17A relating to the establishment and
8 20 administration of the nurse educator scholarship program. The
8 21 rules shall include provisions specifying what constitutes a
8 22 qualifying teaching position and the amount of any scholarship.

8 23 4. Nurse educator scholarship=in=exchange=
8 24 for=service program.

8 25 a. The commission shall establish a nurse educator
8 26 scholarship=in=exchange=for=service program. Funding for the
8 27 program may be provided through the health care workforce
8 28 shortage fund or the health care professional and Iowa needs
8 29 nurses now initiative account created in section 135.175. The
8 30 goal of the nurse educator scholarship=in=exchange=for=service
8 31 program is to address the waiting list of qualified applicants
8 32 to Iowa's nursing schools by providing incentives for the
8 33 education of additional nursing educators. For the purposes
8 34 of this subsection, "nurse educator" means a registered nurse
8 35 who holds a master's degree or doctorate degree and is employed



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

9 1 as a faculty member who teaches nursing in a nursing education
9 2 program as provided in 655 IAC 2.6 at a community college, an
9 3 accredited private institution, or an institution of higher
9 4 education governed by the state board of regents.
9 5 b. The program shall consist of scholarships to further
9 6 advance the education of nurses to become nurse educators. The
9 7 program shall provide for scholarship=in=exchange=for=service
9 8 payments in an amount established by rule for students who
9 9 are preparing to teach in qualifying teaching positions for a
9 10 period of not less than four consecutive academic years.
9 11 c. The scholarship=in=exchange=for=service recipient
9 12 and the commission shall enter into an agreement specifying
9 13 the obligations of the applicant and the commission.
9 14 If the nurse educator leaves the qualifying teaching
9 15 position prior to teaching for four consecutive academic
9 16 years, the nurse educator shall be liable to repay the
9 17 scholarship=in=exchange=for=service amount to the state plus
9 18 interest as specified by rule. However, if the nurse educator
9 19 leaves the qualified teaching position involuntarily, the nurse
9 20 educator shall be liable to repay only a pro rata amount of the
9 21 scholarship based on incomplete years of service.
9 22 d. The receipt of a nurse educator
9 23 scholarship=in=exchange=for=service shall not impact
9 24 eligibility of an individual for other financial incentives
9 25 including but not limited to loan forgiveness programs.
9 26 e. The commission, in consultation with the department
9 27 of public health, the board of nursing, the department
9 28 of education, and the Iowa nurses association, shall
9 29 adopt rules pursuant to chapter 17A relating to the
9 30 establishment and administration of the nurse educator
9 31 scholarship=in=exchange=for=service program. The rules
9 32 shall include the provisions specifying what constitutes
9 33 a qualifying teaching position and the amount of any
9 34 scholarship=in=exchange=for=service.
9 35 ~~3-~~ 5. Repeal. This section is repealed June 30, 2014.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House File 2533 - Introduced continued

11 1 health care delivery infrastructure and health care workforce
11 2 resources strategic plan developed by DPH. The bill requires
11 3 the department of workforce development to submit an annual
11 4 report to the governor and the general assembly regarding the
11 5 data clearinghouse, and, following its establishment, the
11 6 status of the nursing workforce in Iowa.

11 7 The bill also adds two accounts to the health care workforce
11 8 shortage fund: the Iowa needs nurses now infrastructure
11 9 account under the control of DPH to provide for the awarding of
11 10 grants for clinical simulators, laboratory facilities, health
11 11 information technology, and other infrastructure to improve
11 12 the training of nurses and nurse educators in the state and
11 13 to enhance the clinical experience for nurses; and the nurse
11 14 residency state matching grants program account under the
11 15 control of DPH to provide matching state funding to sponsors of
11 16 nurse residency programs in this state to establish, expand, or
11 17 support nurse residency programs that meet standards adopted
11 18 by rule of DPH.

11 19 The bill changes the name of the nursing workforce shortage
11 20 initiative within the health care workforce support initiative
11 21 to the Iowa needs nurses now initiative and makes a similar
11 22 change to the name of the account for the initiative. The
11 23 bill also requires the college student aid commission, which
11 24 currently controls the Iowa needs nurses now initiative, to
11 25 consult with the Iowa board of nursing, the department of
11 26 education, and the Iowa nurses association in adopting rules
11 27 for the initiative and distributing funds.

11 28 The bill adds two programs to the Iowa needs nurses now
11 29 initiative: the nurse educator scholarship program and the
11 30 nurse educator scholarship-in-exchange-for-service program.

11 31 The bill also provides that implementation is subject to the
11 32 extent of funding available.

LSB 5253HZ (3) 83
pf/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Resolution 131 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY KRESSIG

1 1 A Resolution to recognize the work of the members of
1 2 student safety patrols in protecting the safety of
1 3 Iowa's school children and to recognize April 6,
1 4 2010, as "Student Safety Patrol Appreciation Day".
1 5 WHEREAS, student safety patrols provide an important
1 6 public safety service to Iowa's school children; and
1 7 WHEREAS, student safety patrols serve at dangerous
1 8 intersections and ensure the safety of their fellow
1 9 students; and
1 10 WHEREAS, the members of student safety patrols know
1 11 and help fairly enforce all walking or traffic rules
1 12 and regulations; and
1 13 WHEREAS, in their role of encouraging students
1 14 to observe safety rules, student safety patrols
1 15 can have a significant, positive influence on their
1 16 schoolmates; and
1 17 WHEREAS, the members of student safety patrols
1 18 influence other students both formally as part of their
1 19 regular duties, as well as informally because they
1 20 serve as student role models of appropriate and safe
1 21 behavior; and
1 22 WHEREAS, through their service student safety
1 23 patrols are an integral and indispensable part of the
1 24 educational community; NOW THEREFORE,
1 25 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
1 26 the House of Representatives thanks Iowa's student
1 27 safety patrols for their continued dedication to the
1 28 safety and well-being of our school children, and



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

House Resolution 131 - Introduced continued

2 1 recognizes Monday, April 6, 2010, as "Student Safety
2 2 Patrol Appreciation Day".
LSB 6218HH (3) 83
jr/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

House Resolution 132 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY COMMITTEE ON ADMINISTRATION AND RULES

1 1 A Resolution amending the permanent rules of the House
1 2 of Representatives relating to voting by members.

1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 4 That Rule 74, unnumbered paragraph 1, of the Rules of
1 5 the House, as adopted by the House of Representatives
1 6 during the 2009 Session in House Resolution 8, is
1 7 amended to read as follows:

1 8 Members present may cast their votes, either
1 9 by operating the voting mechanism located at their
1 10 assigned desk or by signaling the speaker from the
1 11 floor of the house or from the south visitors' gallery
1 12 if they are unable to vote at their assigned desk.

1 13 Only a member may operate the voting mechanism at that
1 14 member's assigned desk. The speaker shall announce the
1 15 votes of members signaling their votes. Upon direction
1 16 of the speaker only those members at their desks and
1 17 voting shall be counted. Members who are not present
1 18 shall not cast their votes except:

LSB 6281HV (1) 83

rj/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5320

PAG LIN

1 1 Amend Senate File 2381, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 5, before line 1 by inserting:
1 4 <Sec. _____. Section 321.1, subsection 4, Code
1 5 Supplement 2009, is amended to read as follows:
1 6 4. "All-terrain vehicle" means a motor vehicle
1 7 designed to travel on three or more wheels and designed
1 8 primarily for off-road recreational use ~~but not~~
~~1 9 including.~~ "All-terrain vehicle" includes off-road
1 10 utility vehicles as defined in section 321I.1, but does
1 11 not include farm tractors or equipment, construction
1 12 equipment, forestry vehicles, or lawn and grounds
1 13 maintenance vehicles.>
1 14 #2. Page 5, after line 8 by inserting:
1 15 <Sec. _____. Section 321.234A, subsection 1, Code
1 16 2009, is amended by adding the following new paragraph:
1 17 NEW PARAGRAPH. f. The all-terrain vehicle is
1 18 operated on a county roadway in accordance with section
1 19 321I.10, subsection 2, or a city street in accordance
1 20 with section 321I.10, subsection 3.>
1 21 #3. Page 6, after line 15 by inserting:
1 22 <Sec. _____. Section 321.445, subsection 3, Code
1 23 2009, is amended to read as follows:
1 24 3. The driver and front seat passengers may be
1 25 each charged separately for improperly used or nonused
1 26 equipment under subsection 2. However, the driver
1 27 shall not be charged for a violation committed by a
1 28 passenger who is fourteen years of age or older unless
1 29 the passenger is unable to properly fasten a seat belt
1 30 due to a temporary or permanent disability. The owner
1 31 of the motor vehicle may be charged for equipment
1 32 violations under subsection 1.>
1 33 #4. Page 7, after line 7 by inserting:
1 34 <Sec. _____. Section 321.446, subsection 4, Code
1 35 2009, is amended by striking the subsection and
1 36 inserting in lieu thereof the following:
1 37 4. A person who violates this section is guilty
1 38 of a simple misdemeanor punishable as a scheduled
1 39 violation under section 805.8A, subsection 14,
1 40 paragraph "c". Violations shall be charged as follows:
1 41 a. An operator who transports a passenger under
1 42 fourteen years of age in violation of subsection 1 or 2
1 43 may be charged with a violation of this section.
1 44 b. If a passenger fourteen years of age or older is
1 45 unable to properly fasten a seatbelt due to a temporary
1 46 or permanent disability, an operator who transports
1 47 such a person in violation of subsection 2 may be
1 48 charged with a violation of this section. Otherwise, a
1 49 passenger fourteen years of age or older who violates
1 50 subsection 2 shall be charged in lieu of the operator.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5320 continued

2 1 c. If a child under fourteen years of age, or a
2 2 child fourteen years of age or older who is unable
2 3 to fasten a seatbelt due to a temporary or permanent
2 4 disability, is being transported in a taxicab in a
2 5 manner that is not in compliance with subsection 1 or
2 6 2, the parent, legal guardian, or other responsible
2 7 adult traveling with the child shall be served with a
2 8 citation for a violation of this section in lieu of
2 9 the taxicab operator. Otherwise, if a passenger being
2 10 transported in the taxicab is fourteen years of age or
2 11 older, the citation shall be served on the passenger in
2 12 lieu of the taxicab operator.>

2 13 #5. Page 7, after line 7 by inserting:

2 14 <Sec. _____. Section 321I.10, subsections 1, 2,
2 15 and 3, Code Supplement 2009, are amended to read as
2 16 follows:

2 17 1. A person shall not operate an all-terrain
2 18 vehicle or off-road utility vehicle upon roadways or
2 19 highways except as provided in section 321.234A and
2 20 this section.

2 21 2. A registered all-terrain vehicle or off-road
2 22 utility vehicle may be operated on the roadways of
2 23 that portion of county highways designated by the
2 24 county board of supervisors for such use during a
2 25 specified period. The county board of supervisors
2 26 shall evaluate the traffic conditions on all county
2 27 highways and designate roadways on which all-terrain
2 28 vehicles or off-road utility vehicles may be operated
2 29 for the specified period without unduly interfering
2 30 with or constituting an undue hazard to conventional
2 31 motor vehicle traffic. In designating such roadways,
2 32 the board may authorize all-terrain vehicles and
2 33 off-road utility vehicles to stop at service stations
2 34 or convenience stores along a designated roadway.

2 35 3. Cities may designate streets under the
2 36 jurisdiction of cities within their respective
2 37 corporate limits which may be used for the ~~sport~~
2 38 of driving operation of registered all-terrain
2 39 vehicles or registered off-road utility vehicles.
2 40 In designating such streets, the city may authorize
2 41 all-terrain vehicles and off-road utility vehicles to
2 42 stop at service stations or convenience stores along
2 43 a designated street.

2 44 Sec. _____. Section 322D.1, subsection 1, Code 2009,
2 45 is amended to read as follows:

2 46 1. "All-terrain vehicle" means ~~the same as defined~~
2 47 in section 321I.1 a motor vehicle designed to travel
2 48 on three or more wheels and designed primarily for
2 49 off-road recreational use but not including farm
2 50 tractors or equipment, construction equipment, forestry



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5320 continued

3 1 vehicles, or lawn and grounds maintenance vehicles.>

3 2 #6. By renumbering as necessary.

SF2381.2713.H (2) 83

mb



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5321

PAG LIN

1 1 Amend House File 758, as passed by the House, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. Section 613.15A, Code 2009, is amended
1 6 to read as follows:
1 7 613.15A Injury to or death of a child.
1 8 A parent of a child, or the parents of a child, or
1 9 an unborn child may recover for the expense and actual
1 10 loss of services, companionship, and society resulting
1 11 from injury to or death of a minor child or an unborn
1 12 child and may recover for the expense and actual loss
1 13 of services, companionship, and society resulting from
1 14 the death of an adult child.
1 15 Sec. 2. NEW SECTION. 613.22 Wrongful death ==
1 16 cause of action == unborn child.
1 17 Notwithstanding section 614.1 and any provision of
1 18 chapter 633 to the contrary, a personal representative
1 19 of an estate of an unborn child may file a wrongful
1 20 death action on behalf of an unborn child.>
1 21 #2. Title page, line 2, by striking <person> and
1 22 inserting <person, including an unborn child>

MERLIN BARTZ
HF758.206 (2) 83
rh/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5322

PAG LIN

1 1 Amend Senate File 2383, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 5, line 21, after <records> by inserting
1 4 <in order to obtain a telephone number and last known
1 5 address>
1 6 #2. Page 7, by striking line 6.
1 7 #3. Page 7, after line 27 by inserting:
1 8 <____. Assisting the director of revenue in
1 9 preparing the annual budget request related to the
1 10 office pursuant to section 8.23.
1 11 _____. Reporting annually to the department of
1 12 management and the legislative services agency on
1 13 additional full-time equivalent positions added during
1 14 the previous fiscal year and the direct and indirect
1 15 costs related to adding such full-time equivalent
1 16 positions.>
1 17 #4. Page 8, after line 3 by inserting:
1 18 <5. Personal identifying information or financial
1 19 information obtained by the state debt coordinator or a
1 20 designee shall not be divulged to any person or entity,
1 21 other than to the debtor, unless the information is
1 22 used in a matter related to the collection of a debt
1 23 obligation owed the state.>
1 24 #5. Page 8, by striking lines 12 and 13 and
1 25 inserting <where the civil action identified by the
1 26 state debt coordinator is filed and sends notice of
1 27 the lien to the debtor and to the debtor's attorney or
1 28 other representative, if applicable. To be effective
1 29 against>
1 30 #6. Page 8, line 16, after <representative.> by
1 31 inserting <The lien shall only be effective against the
1 32 monetary claim in the civil action against which the
1 33 lien is filed.>
1 34 #7. Page 8, line 30, before <The> by inserting
1 35 <The judicial branch shall cooperate with the state
1 36 debt coordinator to determine the most efficient way
1 37 to identify a debtor who has a claim against a third
1 38 party.>
1 39 #8. Page 8, line 33, after <state.> by inserting
1 40 <The debtor's attorney shall not have the
1 41 responsibility to notify the state that a debtor
1 42 has filed a civil action against a third party.>
1 43 #9. Page 8, line 35, by striking <monetary> and
1 44 inserting <actual>
1 45 #10. Page 9, by striking lines 5 through 12 and
1 46 inserting <of a negotiated settlement or verdict, if
1 47 actual notice of the lien has been provided in the
1 48 following manner:
1 49 a. The mailing and deposit in a United States post
1 50 office or public mailing box of the notice, addressed



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5322 continued

2 1 to the debtor and to the debtor's attorney or other
2 2 representative, if applicable, at the location used for
2 3 service of original notice.
2 4 b. The mailing and deposit in a United States post
2 5 office or public mailing box of the notice, addressed
2 6 to a third party, at the location used for service of
2 7 original notice.>
2 8 #11. Page 9, by striking lines 13 through 20 and
2 9 inserting:
2 10 <5. a. Upon resolution of the civil action against
2 11 which a lien has been filed and actual notice of the
2 12 lien has been given, the court costs and reasonable
2 13 attorney fees and expenses, hospital liens filed
2 14 pursuant to chapter 582 and other subrogated medical
2 15 expenses shall first be deducted from any total
2 16 judgment or settlement obtained. At least one-third of
2 17 the remaining balance shall then be deducted and paid
2 18 to the debtor. From the remaining balance, the state
2 19 debt coordinator shall have the authority to negotiate
2 20 a settlement of any debt obligation owed the state that
2 21 is noted in the lien, including forgiving the entire
2 22 balance due, based upon the circumstances of the case,
2 23 costs incurred in pursuing the matter, and the element
2 24 of the damages awarded. After deducting payments in
2 25 accordance with this subsection and negotiating a
2 26 settlement of the lien, any payments to satisfy the
2 27 lien shall be paid to the state debt coordinator.
2 28 The state debt coordinator shall transfer any moneys
2 29 collected to the appropriate accounts to satisfy the
2 30 debt owed. The state debt coordinator has authority to
2 31 file a satisfaction of the lien.
2 32 b. In circumstances where a lien encompasses
2 33 multiple claims by state entities, the priority of
2 34 payment made to the state debt coordinator shall first
2 35 be a credit against tax due as provided in section
2 36 422.73, and the remaining balance shall be distributed
2 37 in accordance with section 8A.504, subsection 3.
2 38 c. During the negotiation process pursuant to
2 39 this section the state debt coordinator shall make a
2 40 determination whether the amount to be received by the
2 41 coordinator under paragraph "a" shall be considered as
2 42 full payment of the debt obligation owed the state. If
2 43 the state debt coordinator settles any debt obligation
2 44 owed the state that is for less than the actual
2 45 amount owed the state, the state debt coordinator may
2 46 determine that the debt obligation owed the state is
2 47 paid in full. If settlement is reached that is for
2 48 less than the amount of the debt obligation owed the
2 49 state, and the state debt coordinator notifies the
2 50 applicable state department, agency, or branch that the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5322 continued

3 1 debt obligation is paid in full, the state department,
3 2 agency, or branch receiving the notification shall
3 3 indicate in the records of the state department,
3 4 agency, or branch that the debt obligation owed the
3 5 department, agency, or branch is paid in full.>
3 6 #12. Page 9, line 26, by striking <attorney,>
3 7 #13. Page 9, line 28, after <claim.> by inserting
3 8 <For purposes of this section, "third party" does not
3 9 include a financial institution as defined in section
3 10 527.2.>
3 11 #14. Page 9, by striking lines 31 and 32 and
3 12 inserting <delinquent court debt obligations defined
3 13 pursuant to section 602.8107 and owed the state, except
3 14 as provided in subsection 3. "Eligible debt" includes
3 15 any interest and>
3 16 #15. Page 9, line 34, by striking <coordinator> and
3 17 inserting <state debt coordinator, in consultation with
3 18 the other branches of state government,>
3 19 #16. By striking page 9, line 35, through page 10,
3 20 line 2, and inserting <program.>
3 21 #17. Page 10, line 9, by striking <321.32A> and
3 22 inserting <321A.32A>
3 23 #18. Page 10, line 24, by striking <court> and
3 24 inserting <state debt coordinator>
3 25 #19. Page 10, by striking lines 31 through 35.
3 26 #20. Page 11, after line 1 by inserting:
3 27 <4A. A person paying a delinquent court debt
3 28 obligation through an established payment plan
3 29 with the clerk of the district court, with the
3 30 centralized collection unit of the department of
3 31 revenue or its designee, with a county attorney or
3 32 the county attorney's designee, or with a private
3 33 collection designee, is eligible for the debt
3 34 settlement program if the person and debt are eligible
3 35 and if the collecting entity is a debt settlement
3 36 collection designee as provided in section 421C.4.
3 37 The distribution of any moneys collected by the debt
3 38 settlement collection designee shall be as provided in
3 39 section 421C.4.>
3 40 #21. Page 11, after line 4 by inserting:
3 41 <__. Payment to the state debt coordinator under
3 42 the program shall be provided in a lump sum.>
3 43 #22. Page 11, line 13, by striking <case in which
3 44 the debt accrued> and inserting <eligible debt>
3 45 #23. Page 11, line 31, by striking <department of
3 46 revenue> and inserting <state debt coordinator>
3 47 #24. Page 12, line 12, by striking <program> and
3 48 inserting <program established by the state debt
3 49 coordinator>
3 50 #25. Page 13, line 17, by striking <two> and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5322 continued

4 1 inserting <four>
4 2 #26. Page 13, line 24, after <collected> by
4 3 inserting <and credited to the county>
4 4 #27. Page 14, by striking lines 31 through 34
4 5 and inserting <district court for a period of ~~sixty~~
~~4 6 days~~ one year. In addition, court debt which>
4 7 #28. Page 15, by striking line 4 and inserting <one
4 8 year. If a county attorney has filed with the clerk
4 9 of the district court a full commitment to collect
4 10 delinquent court debt pursuant to subsection 4, the
4 11 court debt in a case shall be assigned after sixty days
4 12 to the county attorney as provided in subsection 4,
4 13 if the court debt in a case has not been placed in an
4 14 established payment plan by the centralized collection
4 15 unit. For all other delinquent court debt not assigned
4 16 to a county attorney pursuant to subsection 4, the
4 17 delinquent court debt shall be assigned to a private
4 18 collection designee as provided in subsection 5, after
4 19 one year, if the delinquent court debt in a case has
4 20 not been placed in an established payment plan by the
4 21 centralized collection unit.>
4 22 #29. Page 16, lines 20 and 21, by striking
4 23 <~~sixty~~ one hundred twenty days> and inserting <~~sixty~~
~~4 24 days~~ one year>
4 25 #30. Page 17, by striking lines 2 through 7 and
4 26 inserting:
4 27 <Sec. _____. Section 909.3, Code 2009, is amended to
4 28 read as follows:
4 29 909.3 Payment in installments or on a fixed date.
4 30 1. All fines imposed by the court shall be paid on
4 31 the day the fine is imposed, and the person shall be
4 32 instructed to pay such fines with the office of the
4 33 clerk of the district court on the date of imposition.
4 34 2. a. The court may, in its discretion, order a
4 35 fine to be paid in installments, ~~or may fix a date in~~
~~4 36 the future which is not more than one hundred twenty~~
~~4 37 days from the date the fine is imposed for the payment~~
~~4 38 of the fine, whenever it appears that the defendant~~
~~4 39 cannot make immediate payment, or should not be made~~
~~4 40 to do so.~~
4 41 For good cause, the court may order that the date
4 42 for payment of the fine be extended beyond one hundred
4 43 twenty days from the date the fine was imposed.
4 44 b. If the court orders the fine to be paid in
4 45 installments, the first installment payment shall be
4 46 made within thirty days of the fine being imposed.
4 47 All other terms and conditions of an installment
4 48 payment plan order pursuant to this section shall be
4 49 established by rule by the judicial branch.>
4 50 #31. Page 17, by striking lines 10 and 11 and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5322 continued

5 1 inserting <office of the state debt coordinator for a
5 2 period beginning September 1, 2010, through November
5 3 30, 2010, for any debt obligation eligible>
5 4 #32. Page 17, line 18, by striking <4, paragraph
5 5 "c"> and inserting <4A.>
5 6 #33. Page 17, line 20, by striking <director of
5 7 revenue> and inserting <state debt coordinator>
5 8 #34. Page 17, line 21, by striking <not more than>
5 9 and inserting <an amount equal to>
5 10 #35. Page 17, after line 22 by inserting:
5 11 <__. Payment to the state debt coordinator under
5 12 the program shall be provided in a lump sum.>
5 13 #36. Page 17, line 24, by striking <the agreed upon
5 14 percentage> and inserting <an amount equal to fifty
5 15 percent>
5 16 #37. Page 18, line 13, by striking <department of
5 17 revenue> and inserting <state debt coordinator>
5 18 #38. Page 18, line 21, by striking <director> and
5 19 inserting <state debt coordinator>
5 20 #39. Page 18, line 23, by striking <director> and
5 21 inserting <state debt coordinator>
5 22 #40. Page 18, line 34, before <program> by inserting
5 23 <debt amnesty>
5 24 #41. Page 19, line 2, by striking <department of
5 25 revenue> and inserting <state debt coordinator>
5 26 #42. Page 20, line 2, by striking <enacting> and
5 27 inserting <amending or enacting>
5 28 #43. Page 20, line 3, by striking <421C.3 and
5 29 421C.4> and inserting <321.40, 321.152, 321.153,
5 30 421.17, 421C.3, 421C.4, 422.20, and 422.72>
5 31 #44. Page 20, after line 3 by inserting:
5 32 <Sec. __. EFFECTIVE UPON ENACTMENT. The section
5 33 of this Act enacting 421C.1 and the section of this
5 34 Act enacting the debt amnesty program, being deemed of
5 35 immediate importance, takes effect upon enactment.>

ROBERT E. DVORSKY
SF2383.2750 (3) 83
jm/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5323

PAG LIN

1 1 Amend Senate File 2387 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. Section 423.3, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 26A. a. The sales price of
1 7 reagents and related accessory equipment to a regional
1 8 blood testing facility if all of the following
1 9 conditions are met:
1 10 (1) The regional blood testing facility is
1 11 registered by the federal food and drug administration.
1 12 (2) The regional blood testing facility performs
1 13 donor testing for other blood centers.
1 14 (3) The regional blood testing facility is located
1 15 in this state on or before January 1, 2011.
1 16 b. This subsection is repealed if a regional blood
1 17 testing facility is not located in this state on or
1 18 before January 1, 2011.>
1 19 #2. Title page, lines 2 and 3, by striking
1 20 <laboratory licensed> and inserting <facility
1 21 registered>
1 22 #3. By renumbering as necessary.

DR. JOE M. SENG
SF2387.2760 (2) 83
ak/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5324

PAG LIN

1 1 Amend House File 758, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 7, after <person.> by inserting
1 4 <For purposes of this section, "spouse" means a person
1 5 of the opposite sex who is married to the injured or
1 6 dead person at the time of the injury or death.>
1 7 #2. Page 1, after line 35 by inserting:
1 8 <3. For purposes of this section, "spouse" means
1 9 a person of the opposite sex who was married to the
1 10 decedent at the time of the decedent's death.>

MERLIN BARTZ
HF758.1574 (2) 83
rh/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Amendment 5325

PAG LIN

1 1 Amend House File 758, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 5, after <child> by inserting <,
1 4 including an unborn child,>
1 5 #2. Page 1, after line 7 by inserting:
1 6 <Sec. ____ . NEW SECTION. 613.22 Wrongful death ==
1 7 cause of action == unborn child.
1 8 Notwithstanding section 614.1 and any provision of
1 9 chapter 633 to the contrary, a personal representative
1 10 of an estate of an unborn child may file a wrongful
1 11 death action on behalf of an unborn child.>
1 12 #3. Title page, line 2, by striking <person> and
1 13 inserting <person, including an unborn child>
1 14 #4. By renumbering as necessary.

MERLIN BARTZ
HF758.2753 (2) 83
rh/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO SSB
3257)

A BILL FOR

1 An Act establishing a hospital health care access assessment
2 program, providing penalties, providing a future repeal,
3 and including effective date and contingent implementation
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 6248SV (1) 83
pf/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

PAG LIN

1 1 Section 1. INTENT OF THE GENERAL ASSEMBLY. It is the intent
1 2 of the general assembly that the hospital health care access
1 3 assessment program created in this Act be implemented as a
1 4 three-year pilot program to determine its efficacy in providing
1 5 adequate reimbursement to hospitals in the state, reducing the
1 6 level of uncompensated care and cost-shifting, enhancing the
1 7 health care workforce, and expanding access to quality health
1 8 care for low-income and uninsured Iowans. It is the intent of
1 9 the general assembly that the pilot program be evaluated for
1 10 such efficacy prior to the program's repeal or continuation.

1 11 Sec. 2. NEW SECTION. 249M.1 Title.

1 12 This chapter shall be known as the "Hospital Health Care
1 13 Access Assessment Program".

1 14 Sec. 3. NEW SECTION. 249M.2 Definitions.

1 15 As used in this chapter, unless the context otherwise
1 16 requires:

1 17 1. "Assessment" means the hospital health care access
1 18 assessment imposed pursuant to this chapter.

1 19 2. "Department" means the department of human services.

1 20 3. "Net patient revenue" means all revenue reported by a
1 21 hospital on the hospital's 2008 Medicare cost report for acute
1 22 patient care and services, but does not include contractual
1 23 adjustments, charity care, bad debt, Medicare revenue, or other
1 24 revenue derived from sources other than hospital operations
1 25 including but not limited to nonoperating revenue, other
1 26 operating revenue, skilled nursing facility revenue, physician
1 27 revenue, and long-term care revenue.

1 28 4. "Nonoperating revenue" means income from activities not
1 29 relating directly to the day-to-day operations of a hospital
1 30 such as gains from disposal of a hospital's assets, dividends
1 31 and interests from security investments, gifts, grants, and
1 32 endowments.

1 33 5. "Other operating revenue" means income from nonpatient
1 34 care services including but not limited to tax levy receipts,
1 35 laundry services, gift shop operations, meal services



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

2 1 to individuals other than patients, and vending machine
2 2 commissions.
2 3 6. "Participating hospital" means a nonstate-owned hospital
2 4 licensed under chapter 135B that is paid on a prospective
2 5 payment system basis by Medicare and the medical assistance
2 6 program for inpatient and outpatient services.
2 7 7. "Program" means the hospital health care access
2 8 assessment program created in this chapter.
2 9 8. "Trust fund" means the hospital health care access trust
2 10 fund created in section 249M.4.
2 11 9. "Upper payment limit" means the maximum ceiling imposed
2 12 by federal regulation on a participating hospital's medical
2 13 assistance program reimbursement for inpatient services under
2 14 42 C.F.R. { 447.272 and outpatient services under 42 C.F.R.
2 15 { 447.321, calculated separately for hospital inpatient and
2 16 outpatient services, and excluding from the calculation medical
2 17 assistance program disproportionate share hospital payments.
2 18 Sec. 4. NEW SECTION. 249M.3 Hospital health care access
2 19 assessment program == termination of program.
2 20 1. A hospital health care access assessment is imposed on
2 21 each participating hospital in this state to be used to promote
2 22 access to health care services for Iowans, including those
2 23 served by the medical assistance program.
2 24 2. The assessment rate for a participating hospital shall be
2 25 calculated as one and twenty-six one hundredths percent of net
2 26 patient revenue as specified in the hospital's fiscal year 2008
2 27 Medicare cost report.
2 28 3. If a participating hospital's fiscal year 2008 Medicare
2 29 cost report is not contained in the file of the centers
2 30 for Medicare and Medicaid services health care cost report
2 31 information system dated June 30, 2009, the hospital shall
2 32 submit a copy of the hospital's 2008 Medicare cost report
2 33 to the department to allow the department to determine the
2 34 hospital's net patient revenue for fiscal year 2008.
2 35 4. A participating hospital paid under the prospective



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

Senate File 2388 - Introduced continued

3 1 payment system by Medicare and the medical assistance program
3 2 that was not in existence prior to fiscal year 2008, shall
3 3 submit a prospective Medicare cost report to the department to
3 4 determine anticipated net patient revenue.

3 5 5. Net patient revenue as reported on each participating
3 6 hospital's fiscal year 2008 Medicare cost report shall be
3 7 the sole basis for the health care access assessment for the
3 8 duration of the program.

3 9 6. A participating hospital shall pay the assessment to
3 10 the department in equal amounts on a quarterly basis. A
3 11 participating hospital shall submit the assessment amount no
3 12 later than thirty days following the end of each calendar
3 13 quarter.

3 14 7. A participating hospital shall retain and preserve
3 15 the Medicare cost report and financial statements used to
3 16 prepare the cost report for a period of three years. All
3 17 information obtained by the department under this subsection is
3 18 confidential and does not constitute a public record.

3 19 8. The department shall collect the assessment imposed and
3 20 shall deposit all revenues collected in the hospital health
3 21 care access trust fund created in section 249M.4.

3 22 9. If the department determines that a participating
3 23 hospital has underpaid or overpaid the assessment, the
3 24 department shall notify the participating hospital of the
3 25 amount of the unpaid assessment or refund due. Such payment
3 26 or refund shall be due or refunded within thirty days of the
3 27 issuance of the notice.

3 28 10. a. A participating hospital that fails to pay the
3 29 assessment within the time frame specified in this section
3 30 shall pay, in addition to the outstanding assessment, a penalty
3 31 of one and five-tenths percent of the assessment amount owed
3 32 for each month or portion of each month that the payment is
3 33 overdue. However, if the department determines that good cause
3 34 is shown for failure to comply with payment of the assessment,
3 35 the department shall waive the penalty or a portion of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

4 1 penalty.

4 2 b. If an assessment is not received by the department by
4 3 the last day of the month in which the payment is due, the
4 4 department shall withhold an amount equal to the assessment and
4 5 penalty owed from any payment due such participating hospital
4 6 under the medical assistance program.

4 7 c. The assessment imposed under this chapter constitutes a
4 8 debt due the state and may be collected by civil action under
4 9 any method provided for by law.

4 10 d. Any penalty collected pursuant to this subsection shall
4 11 be credited to the hospital health care access trust fund
4 12 created in section 249M.4.

4 13 11. If the federal government fully funds Iowa's medical
4 14 assistance program, if federal law changes to negatively impact
4 15 the assessment program as determined by the department, or if
4 16 a federal audit determines the assessment program is invalid,
4 17 the department shall terminate the imposition of the assessment
4 18 and the program beginning on the date the federal statutory,
4 19 regulatory, or interpretive change takes effect.

4 20 Sec. 5. NEW SECTION. 249M.4 Hospital health care access
4 21 trust fund == board.

4 22 1. A hospital health care access trust fund is created
4 23 in the state treasury under the authority of the department.
4 24 Moneys received through the collection of the hospital health
4 25 care access assessment imposed under this chapter and any
4 26 other moneys specified for deposit in the trust fund shall be
4 27 deposited in the trust fund.

4 28 2. Moneys in the trust fund shall be used, subject to
4 29 their appropriation by the general assembly, by the department
4 30 to reimburse participating hospitals the medical assistance
4 31 program upper payment limit for inpatient and outpatient
4 32 hospital services as calculated in this section. Following
4 33 payment of such upper payment limit to participating hospitals,
4 34 any remaining funds in the trust fund on an annual basis may be
4 35 used for any of the following purposes:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

- 5 1 a. To support medical assistance program utilization
5 2 shortfalls.
- 5 3 b. To maintain the state's capacity to provide access to and
5 4 delivery of services for vulnerable Iowans.
- 5 5 c. To support payments to nonparticipating hospitals under
5 6 the IowaCare program pursuant to chapter 249J.
- 5 7 d. To fund the health care workforce support initiative
5 8 created pursuant to section 135.175.
- 5 9 e. To support access to health care services for uninsured
5 10 Iowans.
- 5 11 f. To support Iowa hospital programs and services which
5 12 expand access to health care services for Iowans.
- 5 13 3. The trust fund shall be separate from the general fund
5 14 of the state and shall not be considered part of the general
5 15 fund. The moneys in the trust fund shall not be considered
5 16 revenue of the state, but rather shall be funds of the hospital
5 17 health care access assessment program. The moneys deposited
5 18 in the trust fund are not subject to section 8.33 and shall not
5 19 be transferred, used, obligated, appropriated, or otherwise
5 20 encumbered, except to provide for the purposes of this chapter.
5 21 Notwithstanding section 12C.7, subsection 2, interest or
5 22 earnings on moneys deposited in the trust fund shall be
5 23 credited to the trust fund.
- 5 24 4. The department shall adopt rules pursuant to chapter
5 25 17A to administer the trust fund and reimbursements and
5 26 expenditures as specified in this chapter made from the trust
5 27 fund.
- 5 28 5. a. Beginning July 1, 2010, or the implementation date
5 29 of the hospital health care access assessment program as
5 30 determined by receipt of approval from the centers for Medicare
5 31 and Medicaid services of the United States department of health
5 32 and human services, whichever is later, the department shall
5 33 increase the diagnostic related groups and ambulatory patient
5 34 classifications base rates to provide payments to participating
5 35 hospitals at the Medicare upper payment limit for the fiscal



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

Senate File 2388 - Introduced continued

6 1 year beginning July 1, 2010, calculated as of July 31, 2010.
6 2 Each participating hospital shall receive the same percentage
6 3 increase, but the percentage may differ depending on whether
6 4 the basis for the base rate increase is the diagnostic related
6 5 groups or ambulatory patient classifications.
6 6 b. The percentage increase shall be calculated by dividing
6 7 the amount calculated under subparagraph (1) by the amount
6 8 calculated under subparagraph (2) as follows:
6 9 (1) The amount under the Medicare upper payment limit for
6 10 the fiscal year beginning July 1, 2010, for participating
6 11 hospitals.
6 12 (2) The projected expenditures for participating hospitals
6 13 for the fiscal year beginning July 1, 2010, as determined by
6 14 the fiscal management division of the department, plus the
6 15 amount calculated under subparagraph (1).
6 16 6. For the fiscal year beginning July 1, 2011, and for
6 17 each fiscal year beginning July 1, thereafter, the payments to
6 18 participating hospitals shall continue to be calculated based
6 19 on the upper payment limit as calculated for the fiscal year
6 20 beginning July 1, 2010.
6 21 7. Reimbursement of participating hospitals shall
6 22 incorporate the rebasing process for inpatient and outpatient
6 23 services for state fiscal year 2012. However, the total amount
6 24 of increased funding available for reimbursement attributable
6 25 to rebasing shall not exceed four million five hundred thousand
6 26 dollars for state fiscal year 2012 and six million dollars for
6 27 state fiscal year 2013.
6 28 8. Any payments to participating hospitals under this
6 29 section shall result in budget neutrality to the general fund
6 30 of the state.
6 31 9. a. A hospital health care access trust fund board is
6 32 established consisting of the following members:
6 33 (1) The co-chairpersons and the ranking members of the
6 34 joint appropriations subcommittee on health and human services.
6 35 (2) The Iowa medical assistance program director.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

- 7 1 (3) Two hospital executives representing the two largest
7 2 private health care systems in the state.
- 7 3 (4) The president of the Iowa hospital association.
- 7 4 (5) A representative of a consumer advocacy group, involved
7 5 in both state and national initiatives, that provides data on
7 6 key indicators of well-being for children and families in order
7 7 to inform policymakers to help children and families succeed.
- 7 8 b. The board shall do all of the following:
- 7 9 (1) Provide oversight of the trust fund.
- 7 10 (2) Make recommendations regarding the hospital health care
7 11 access assessment program, including recommendations regarding
7 12 the assessment calculation, assessment amounts, payments to
7 13 participating hospitals, and use of the moneys in the trust
7 14 fund.
- 7 15 (3) Submit an annual report to the governor and the general
7 16 assembly regarding the use and expenditure of moneys deposited
7 17 in the trust fund.
- 7 18 c. The department shall provide administrative assistance
7 19 to the board.
- 7 20 Sec. 6. NEW SECTION. 249M.5 Future repeal.
7 21 This chapter is repealed June 30, 2013.
- 7 22 Sec. 7. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES. Upon
7 23 enactment of this Act, the department of human services shall
7 24 request any waivers or medical assistance state plan amendments
7 25 necessary to implement this Act from the United States
7 26 department of health and human services.
- 7 27 Sec. 8. CONTINGENCY PROVISIONS.
- 7 28 1. The hospital health care access assessment created in
7 29 this Act shall not be imposed retroactively prior to July 1,
7 30 2010.
- 7 31 2. The assessment shall not be collected until the
7 32 department of human services has received approval of the
7 33 assessment from the centers for Medicare and Medicaid services
7 34 of the United States department of health and human services.
- 7 35 Sec. 9. EFFECTIVE UPON ENACTMENT AND CONTINGENT



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

8 1 IMPLEMENTATION. This Act, being deemed of immediate
8 2 importance, takes effect upon enactment. However, the
8 3 department of human services shall only implement this Act if
8 4 the department receives approval of the requests relating to
8 5 waivers and medical assistance state plan amendments necessary
8 6 to implement this Act.

8 7 EXPLANATION

8 8 This bill establishes the hospital health care access
8 9 assessment program. The bill provides definitions, including
8 10 for "participating hospital", which means a nonstate owned
8 11 licensed hospital that is paid on a prospective payment
8 12 system basis by Medicare and Medicaid. The bill provides that
8 13 a participating hospital in the state shall be assessed a
8 14 hospital health care access assessment to be used in promoting
8 15 access to health care services for Iowans, including those
8 16 served by the medical assistance program. The bill establishes
8 17 the methods for calculating the assessment and reimbursement
8 18 to the participating hospitals. The bill specifies the
8 19 process for a participating hospital to pay the assessment to
8 20 the department of human services (DHS) on a quarterly basis.
8 21 Revenues collected are to be deposited in the hospital health
8 22 care access trust fund created in the bill. The bill provides
8 23 for repayment of overpaid assessments as well as for payment of
8 24 unpaid assessments, penalties for nonpayment of the assessment,
8 25 and withholding of medical assistance payments as a means of
8 26 collecting unpaid assessments. Any penalties collected are to
8 27 be credited to the hospital health care access trust fund.
8 28 The bill provides that if the federal government fully funds
8 29 Iowa's medical assistance program, if federal law changes to
8 30 negatively impact the assessment program as determined by DHS,
8 31 or if a federal audit determines the assessment program is
8 32 invalid, DHS shall terminate the imposition of the assessment
8 33 and the program beginning on the date the federal statutory,
8 34 regulatory, or interpretive change takes effect.
8 35 The bill establishes the hospital health care access trust



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate File 2388 - Introduced continued

9 1 fund and provides for the use of the moneys in the trust fund,
9 2 subject to their appropriation by the general assembly to
9 3 DHS, to reimburse participating hospitals for inpatient and
9 4 outpatient hospital services. Following this payment the
9 5 remaining moneys, on an annual basis, may be used for: support
9 6 of medical assistance program utilization shortfalls; to
9 7 maintain the state's capacity to provide access to and delivery
9 8 of services for vulnerable Iowans; payments to nonparticipating
9 9 hospitals under the IowaCare program; funding of the health
9 10 care workforce support initiative created pursuant to Code
9 11 section 135.175; supporting access to health care services
9 12 for uninsured Iowans; or supporting Iowa hospital programs
9 13 and services which expand access to health care services
9 14 for Iowans. The department is directed to adopt rules to
9 15 administer the trust fund and reimbursements and expenditures
9 16 made from the trust fund.

9 17 The bill also establishes a hospital health care access
9 18 trust fund board and specifies the board membership and duties.

9 19 The Code chapter is repealed June 30, 2013.

9 20 The bill includes directives to DHS to request any waivers
9 21 or medical assistance state plan amendments necessary to
9 22 implement the bill and provides that the bill takes effect
9 23 upon enactment, but shall only be implemented if DHS receives
9 24 approval of the requests relating to waivers and medical
9 25 assistance state plan amendments necessary to implement the
9 26 bill. Additionally, the bill prohibits the assessment from
9 27 being imposed retroactively prior to July 1, 2010, and from
9 28 being collected until DHS has received necessary federal
9 29 approval.

LSB 6248SV (1) 83

pf/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257

SENATE FILE

BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act establishing a hospital health care access assessment
2 program, providing penalties, providing a future repeal,
3 and including effective date and contingent implementation
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 6248XC (9) 83
pf/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

PAG LIN

1 1 Section 1. INTENT OF THE GENERAL ASSEMBLY. It is the intent
1 2 of the general assembly that the hospital health care access
1 3 assessment program created in this Act be implemented as a
1 4 three-year pilot program to determine its efficacy in providing
1 5 adequate reimbursement to hospitals in the state, reducing the
1 6 level of uncompensated care and cost-shifting, enhancing the
1 7 health care workforce, and expanding access to quality health
1 8 care for low-income and uninsured Iowans. It is the intent of
1 9 the general assembly that the pilot program be evaluated for
1 10 such efficacy prior to the program's repeal or continuation.

1 11 Sec. 2. NEW SECTION. 249M.1 Title.

1 12 This chapter shall be known as the "Hospital Health Care
1 13 Access Assessment Program".

1 14 Sec. 3. NEW SECTION. 249M.2 Definitions.

1 15 As used in this chapter, unless the context otherwise
1 16 requires:

1 17 1. "Assessment" means the hospital health care access
1 18 assessment imposed pursuant to this chapter.

1 19 2. "Department" means the department of human services.

1 20 3. "Net patient revenue" means all revenue reported by a
1 21 hospital on the hospital's 2008 Medicare cost report for acute
1 22 patient care and services, but does not include contractual
1 23 adjustments, charity care, bad debt, Medicare revenue, or other
1 24 revenue derived from sources other than hospital operations
1 25 including but not limited to nonoperating revenue, other
1 26 operating revenue, skilled nursing facility revenue, physician
1 27 revenue, and long-term care revenue.

1 28 4. "Nonoperating revenue" means income from activities not
1 29 relating directly to the day-to-day operations of a hospital
1 30 such as gains from disposal of a hospital's assets, dividends
1 31 and interests from security investments, gifts, grants, and
1 32 endowments.

1 33 5. "Other operating revenue" means income from nonpatient
1 34 care services including but not limited to tax levy receipts,
1 35 laundry services, gift shop operations, meal services



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

2 1 to individuals other than patients, and vending machine
2 2 commissions.
2 3 6. "Participating hospital" means a nonstate-owned hospital
2 4 licensed under chapter 135B that is paid on a prospective
2 5 payment system basis by Medicare and the medical assistance
2 6 program for inpatient and outpatient services.
2 7 7. "Program" means the hospital health care access
2 8 assessment program created in this chapter.
2 9 8. "Trust fund" means the hospital health care access trust
2 10 fund created in section 249M.4.
2 11 9. "Upper payment limit" means the maximum ceiling imposed
2 12 by federal regulation on a participating hospital's medical
2 13 assistance program reimbursement for inpatient services under
2 14 42 C.F.R. { 447.272 and outpatient services under 42 C.F.R.
2 15 { 447.321, calculated separately for hospital inpatient and
2 16 outpatient services, and excluding from the calculation medical
2 17 assistance program disproportionate share hospital payments.
2 18 Sec. 4. NEW SECTION. 249M.3 Hospital health care access
2 19 assessment program == termination of program.
2 20 1. A hospital health care access assessment is imposed on
2 21 each participating hospital in this state to be used to promote
2 22 access to health care services for Iowans, including those
2 23 served by the medical assistance program.
2 24 2. The assessment rate for a participating hospital shall be
2 25 calculated as one and twenty-six one hundredths percent of net
2 26 patient revenue as specified in the hospital's fiscal year 2008
2 27 Medicare cost report.
2 28 3. If a participating hospital's fiscal year 2008 Medicare
2 29 cost report is not contained in the file of the centers
2 30 for Medicare and Medicaid services health care cost report
2 31 information system dated June 30, 2009, the hospital shall
2 32 submit a copy of the hospital's 2008 Medicare cost report
2 33 to the department to allow the department to determine the
2 34 hospital's net patient revenue for fiscal year 2008.
2 35 4. A participating hospital paid under the prospective



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

Senate Study Bill 3257 continued

3 1 payment system by Medicare and the medical assistance program
3 2 that was not in existence prior to fiscal year 2008, shall
3 3 submit a prospective Medicare cost report to the department to
3 4 determine anticipated net patient revenue.
3 5 5. Net patient revenue as reported on each participating
3 6 hospital's fiscal year 2008 Medicare cost report shall be
3 7 the sole basis for the health care access assessment for the
3 8 duration of the program.
3 9 6. A participating hospital shall pay the assessment to
3 10 the department in equal amounts on a quarterly basis. A
3 11 participating hospital shall submit the assessment amount no
3 12 later than thirty days following the end of each calendar
3 13 quarter.
3 14 7. A participating hospital shall retain and preserve
3 15 the Medicare cost report and financial statements used to
3 16 prepare the cost report for a period of three years. All
3 17 information obtained by the department under this subsection is
3 18 confidential and does not constitute a public record.
3 19 8. The department shall collect the assessment imposed and
3 20 shall deposit all revenues collected in the hospital health
3 21 care access trust fund created in section 249M.4.
3 22 9. If the department determines that a participating
3 23 hospital has underpaid or overpaid the assessment, the
3 24 department shall notify the participating hospital of the
3 25 amount of the unpaid assessment or refund due. Such payment
3 26 or refund shall be due or refunded within thirty days of the
3 27 issuance of the notice.
3 28 10. a. A participating hospital that fails to pay the
3 29 assessment within the time frame specified in this section
3 30 shall pay, in addition to the outstanding assessment, a penalty
3 31 of one and five-tenths percent of the assessment amount owed
3 32 for each month or portion of each month that the payment is
3 33 overdue. However, if the department determines that good cause
3 34 is shown for failure to comply with payment of the assessment,
3 35 the department shall waive the penalty or a portion of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

4 1 penalty.

4 2 b. If an assessment is not received by the department by
4 3 the last day of the month in which the payment is due, the
4 4 department shall withhold an amount equal to the assessment and
4 5 penalty owed from any payment due such participating hospital
4 6 under the medical assistance program.

4 7 c. The assessment imposed under this chapter constitutes a
4 8 debt due the state and may be collected by civil action under
4 9 any method provided for by law.

4 10 d. Any penalty collected pursuant to this subsection shall
4 11 be credited to the hospital health care access trust fund
4 12 created in section 249M.4.

4 13 11. If the federal government fully funds Iowa's medical
4 14 assistance program, if federal law changes to negatively impact
4 15 the assessment program as determined by the department, or if
4 16 a federal audit determines the assessment program is invalid,
4 17 the department shall terminate the imposition of the assessment
4 18 and the program beginning on the date the federal statutory,
4 19 regulatory, or interpretive change takes effect.

4 20 Sec. 5. NEW SECTION. 249M.4 Hospital health care access
4 21 trust fund == board.

4 22 1. A hospital health care access trust fund is created
4 23 in the state treasury under the authority of the department.
4 24 Moneys received through the collection of the hospital health
4 25 care access assessment imposed under this chapter and any
4 26 other moneys specified for deposit in the trust fund shall be
4 27 deposited in the trust fund.

4 28 2. Moneys in the trust fund shall be used, subject to
4 29 their appropriation by the general assembly, by the department
4 30 to reimburse participating hospitals the medical assistance
4 31 program upper payment limit for inpatient and outpatient
4 32 hospital services as calculated in this section. Following
4 33 payment of such upper payment limit to participating hospitals,
4 34 any remaining funds in the trust fund on an annual basis may be
4 35 used for any of the following purposes:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

5 1 a. To support medical assistance program utilization
5 2 shortfalls.

5 3 b. To maintain the state's capacity to provide access to and
5 4 delivery of services for vulnerable Iowans.

5 5 c. To support payments to nonparticipating hospitals under
5 6 the IowaCare program pursuant to chapter 249J.

5 7 d. To fund the health care workforce support initiative
5 8 created pursuant to section 135.175.

5 9 e. To support access to health care services for uninsured
5 10 Iowans.

5 11 f. To support Iowa hospital programs and services which
5 12 expand access to health care services for Iowans.

5 13 3. The trust fund shall be separate from the general fund
5 14 of the state and shall not be considered part of the general
5 15 fund. The moneys in the trust fund shall not be considered
5 16 revenue of the state, but rather shall be funds of the hospital
5 17 health care access assessment program. The moneys deposited
5 18 in the trust fund are not subject to section 8.33 and shall not
5 19 be transferred, used, obligated, appropriated, or otherwise
5 20 encumbered, except to provide for the purposes of this chapter.
5 21 Notwithstanding section 12C.7, subsection 2, interest or
5 22 earnings on moneys deposited in the trust fund shall be
5 23 credited to the trust fund.

5 24 4. The department shall adopt rules pursuant to chapter
5 25 17A to administer the trust fund and reimbursements and
5 26 expenditures as specified in this chapter made from the trust
5 27 fund.

5 28 5. a. Beginning July 1, 2010, or the implementation date
5 29 of the hospital health care access assessment program as
5 30 determined by receipt of approval from the centers for Medicare
5 31 and Medicaid services of the United States department of health
5 32 and human services, whichever is later, the department shall
5 33 increase the diagnostic related groups and ambulatory patient
5 34 classifications base rates to provide payments to participating
5 35 hospitals at the Medicare upper payment limit for the fiscal



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

Senate Study Bill 3257 continued

6 1 year beginning July 1, 2010, calculated as of July 31, 2010.
6 2 Each participating hospital shall receive the same percentage
6 3 increase, but the percentage may differ depending on whether
6 4 the basis for the base rate increase is the diagnostic related
6 5 groups or ambulatory patient classifications.
6 6 b. The percentage increase shall be calculated by dividing
6 7 the amount calculated under subparagraph (1) by the amount
6 8 calculated under subparagraph (2) as follows:
6 9 (1) The amount under the Medicare upper payment limit for
6 10 the fiscal year beginning July 1, 2010, for participating
6 11 hospitals.
6 12 (2) The projected expenditures for participating hospitals
6 13 for the fiscal year beginning July 1, 2010, as determined by
6 14 the fiscal management division of the department, plus the
6 15 amount calculated under subparagraph (1).
6 16 6. For the fiscal year beginning July 1, 2011, and for
6 17 each fiscal year beginning July 1, thereafter, the payments to
6 18 participating hospitals shall continue to be calculated based
6 19 on the upper payment limit as calculated for the fiscal year
6 20 beginning July 1, 2010.
6 21 7. Reimbursement of participating hospitals shall
6 22 incorporate the rebasing process for inpatient and outpatient
6 23 services for state fiscal year 2012. However, the total amount
6 24 of increased funding available for reimbursement attributable
6 25 to rebasing shall not exceed four million five hundred thousand
6 26 dollars for state fiscal year 2012 and six million dollars for
6 27 state fiscal year 2013.
6 28 8. Any payments to participating hospitals under this
6 29 section shall result in budget neutrality to the general fund
6 30 of the state.
6 31 9. a. A hospital health care access trust fund board is
6 32 established consisting of the following members:
6 33 (1) The co-chairpersons and the ranking members of the
6 34 joint appropriations subcommittee on health and human services.
6 35 (2) The Iowa medical assistance program director.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

- 7 1 (3) Two hospital executives representing the two largest
7 2 private health care systems in the state.
- 7 3 (4) The president of the Iowa hospital association.
- 7 4 (5) A representative of a consumer advocacy group, involved
7 5 in both state and national initiatives, that provides data on
7 6 key indicators of well-being for children and families in order
7 7 to inform policymakers to help children and families succeed.
- 7 8 b. The board shall do all of the following:
- 7 9 (1) Provide oversight of the trust fund.
- 7 10 (2) Make recommendations regarding the hospital health care
7 11 access assessment program, including recommendations regarding
7 12 the assessment calculation, assessment amounts, payments to
7 13 participating hospitals, and use of the moneys in the trust
7 14 fund.
- 7 15 (3) Submit an annual report to the governor and the general
7 16 assembly regarding the use and expenditure of moneys deposited
7 17 in the trust fund.
- 7 18 c. The department shall provide administrative assistance
7 19 to the board.
- 7 20 Sec. 6. NEW SECTION. 249M.5 Future repeal.
7 21 This chapter is repealed June 30, 2013.
- 7 22 Sec. 7. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES. Upon
7 23 enactment of this Act, the department of human services shall
7 24 request any waivers or medical assistance state plan amendments
7 25 necessary to implement this Act from the United States
7 26 department of health and human services.
- 7 27 Sec. 8. CONTINGENCY PROVISIONS.
- 7 28 1. The hospital health care access assessment created in
7 29 this Act shall not be imposed retroactively prior to July 1,
7 30 2010.
- 7 31 2. The assessment shall not be collected until the
7 32 department of human services has received approval of the
7 33 assessment from the centers for Medicare and Medicaid services
7 34 of the United States department of health and human services.
- 7 35 Sec. 9. EFFECTIVE UPON ENACTMENT AND CONTINGENT



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010**

Senate Study Bill 3257 continued

8 1 IMPLEMENTATION. This Act, being deemed of immediate
8 2 importance, takes effect upon enactment. However, the
8 3 department of human services shall only implement this Act if
8 4 the department receives approval of the requests relating to
8 5 waivers and medical assistance state plan amendments necessary
8 6 to implement this Act.

8 7 EXPLANATION

8 8 This bill establishes the hospital health care access
8 9 assessment program. The bill provides definitions, including
8 10 for "participating hospital", which means a nonstate owned
8 11 licensed hospital that is paid on a prospective payment
8 12 system basis by Medicare and Medicaid. The bill provides that
8 13 a participating hospital in the state shall be assessed a
8 14 hospital health care access assessment to be used in promoting
8 15 access to health care services for Iowans, including those
8 16 served by the medical assistance program. The bill establishes
8 17 the methods for calculating the assessment and reimbursement
8 18 to the participating hospitals. The bill specifies the
8 19 process for a participating hospital to pay the assessment to
8 20 the department of human services (DHS) on a quarterly basis.
8 21 Revenues collected are to be deposited in the hospital health
8 22 care access trust fund created in the bill. The bill provides
8 23 for repayment of overpaid assessments as well as for payment of
8 24 unpaid assessments, penalties for nonpayment of the assessment,
8 25 and withholding of medical assistance payments as a means of
8 26 collecting unpaid assessments. Any penalties collected are to
8 27 be credited to the hospital health care access trust fund.
8 28 The bill provides that if the federal government fully funds
8 29 Iowa's medical assistance program, if federal law changes to
8 30 negatively impact the assessment program as determined by DHS,
8 31 or if a federal audit determines the assessment program is
8 32 invalid, DHS shall terminate the imposition of the assessment
8 33 and the program beginning on the date the federal statutory,
8 34 regulatory, or interpretive change takes effect.
8 35 The bill establishes the hospital health care access trust



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2010

Senate Study Bill 3257 continued

9 1 fund and provides for the use of the moneys in the trust fund,
9 2 subject to their appropriation by the general assembly to
9 3 DHS, to reimburse participating hospitals for inpatient and
9 4 outpatient hospital services. Following this payment the
9 5 remaining moneys, on an annual basis, may be used for: support
9 6 of medical assistance program utilization shortfalls; to
9 7 maintain the state's capacity to provide access to and delivery
9 8 of services for vulnerable Iowans; payments to nonparticipating
9 9 hospitals under the IowaCare program; funding of the health
9 10 care workforce support initiative created pursuant to Code
9 11 section 135.175; supporting access to health care services
9 12 for uninsured Iowans; or supporting Iowa hospital programs
9 13 and services which expand access to health care services
9 14 for Iowans. The department is directed to adopt rules to
9 15 administer the trust fund and reimbursements and expenditures
9 16 made from the trust fund.

9 17 The bill also establishes a hospital health care access
9 18 trust fund board and specifies the board membership and duties.

9 19 The Code chapter is repealed June 30, 2013.

9 20 The bill includes directives to DHS to request any waivers
9 21 or medical assistance state plan amendments necessary to
9 22 implement the bill and provides that the bill takes effect
9 23 upon enactment, but shall only be implemented if DHS receives
9 24 approval of the requests relating to waivers and medical
9 25 assistance state plan amendments necessary to implement the
9 26 bill. Additionally, the bill prohibits the assessment from
9 27 being imposed retroactively prior to July 1, 2010, and from
9 28 being collected until DHS has received necessary federal
9 29 approval.

LSB 6248XC (9) 83

pf/nh