

Senate File 2151 - Introduced

SENATE FILE 2151
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3171)

A BILL FOR

1 An Act relating to public funding and regulatory matters by
2 making and revising appropriations made for purposes of
3 health and human services and providing effective dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2008 Iowa Acts, chapter 1188, section 16, as
2 amended by 2009 Iowa Acts, chapter 182, section 84, is amended
3 to read as follows:

4 SEC. 16. MEDICAL ASSISTANCE, HAWK-I, AND HAWK-I EXPANSION
5 PROGRAMS — COVERING CHILDREN — APPROPRIATION. There
6 is appropriated from the general fund of the state to the
7 department of human services for the designated fiscal years,
8 the following amounts, or so much thereof as is necessary, for
9 the purpose designated:

10 To cover children as provided in this Act under the medical
11 assistance, hawk-i, and hawk-i expansion programs and outreach
12 under the current structure of the programs:

13	FY 2008-2009.....	\$ 4,800,000
14	FY 2009-2010.....	\$ 4,207,001
15		<u>10,049,532</u>
16	FY 2010-2011.....	\$ 24,800,000

17 The amendment to the amount of the appropriation made in this
18 section for FY 2009-2010 incorporates the amount of the uniform
19 reduction made pursuant to executive order number 19 issued
20 October 8, 2009. Of the funds appropriated for FY 2009-2010,
21 not more than \$510,249 shall be used for the supplemental
22 dental services under the hawk-i program.

23 Sec. 2. 2009 Iowa Acts, chapter 182, is amended by adding
24 the following new section:

25 NEW SECTION. SEC. 5A. EMERGENCY CONTINGENCY FUND FOR
26 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

27 1. There is appropriated from the federal recovery and
28 reinvestment fund created in section 8.41A to the department
29 of human services for the fiscal year beginning July 1, 2009,
30 and ending June 30, 2010, an amount sufficient to fully fund
31 the family investment program under chapter 239B for the fiscal
32 year.

33 2. The appropriation made in this section is from federal
34 funding available from the emergency contingency fund
35 for temporary assistance for needy families state program

1 established pursuant to the federal American Recovery and
2 Reinvestment Act of 2009, Pub. L. No. 111-5, § 2101. The
3 funding shall be expended only after the funding appropriated
4 for the family investment program in section 5 of this Act
5 has been exhausted. The appropriation shall be expended in
6 accordance with the federal law making the funding available
7 and chapter 239B, notwithstanding section 8.41, 2009 Iowa
8 Acts, chapter 183, section 58, or any other provision to the
9 contrary.

10 3. The department shall report quarterly to the legislative
11 services agency and the department of management concerning the
12 expenditure of the funding appropriated in this section during
13 the previous quarter.

14 Sec. 3. 2009 Iowa Acts, chapter 182, section 9, unnumbered
15 paragraph 2, as amended by 2009 Iowa Acts, chapter 179, section
16 84, is amended to read as follows:

17 For medical assistance reimbursement and associated costs
18 as specifically provided in the reimbursement methodologies
19 in effect on June 30, 2009, except as otherwise expressly
20 authorized by law, including reimbursement for abortion
21 services which shall be available under the medical assistance
22 program only for those abortions which are medically necessary:
23 \$681,949,840
24 590,459,096

25 The amendment to the amount of the appropriation made in this
26 section incorporates the amounts of the uniform reduction made
27 pursuant to executive order number 19 issued October 8, 2009,
28 and the transfers made to and from this appropriation pursuant
29 to the authority in section 8.39 and addressed in the notice of
30 appropriation transfer from the department of management dated
31 December 11, 2009.

32 Sec. 4. 2009 Iowa Acts, chapter 182, section 9, subsection
33 11, is amended to read as follows:

34 11. Of the funds appropriated to the medical assistance
35 program in this section 2009 Iowa Acts, chapter 183, section

1 61, subsection 8, paragraph "a", the following amounts shall be
2 transferred to appropriations made in this division of this Act
3 to the state mental health institutes:

- 4 a. Cherokee mental health institute..... \$ 9,098,425
- 5 b. Clarinda mental health institute..... \$ 1,977,305
- 6 c. Independence mental health institute..... \$ 9,045,894
- 7 d. Mount Pleasant mental health institute..... \$ 5,752,587

8 Sec. 5. 2009 Iowa Acts, chapter 182, section 9, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 23. Of the funds appropriated in this
11 section, \$6,000,000 is allocated for rebasing of nursing
12 facility reimbursement and \$237,173 for interpreter services
13 associated with 2009 Iowa Acts, chapter 118, section 29.

14 Sec. 6. 2009 Iowa Acts, chapter 182, section 16, subsection
15 1, unnumbered paragraph 2, is amended to read as follows:

16 For child and family services:

17 \$ ~~90,591,451~~
18 84,032,306

19 The amendment to the amount of the appropriation made in
20 this section incorporates the amounts of the uniform reduction
21 made pursuant to executive order number 19 issued October 8,
22 2009, and the transfer made to this appropriation pursuant to
23 the authority in section 8.39 and addressed in the notice of
24 appropriation transfer from the department of management dated
25 December 11, 2009.

26 Sec. 7. 2009 Iowa Acts, chapter 182, section 16, subsection
27 7, is amended to read as follows:

28 7. Notwithstanding section 234.35 or any other provision of
29 law to the contrary, state funding for shelter care shall be
30 limited to ~~\$7,686,460~~ \$8,186,460. The department may continue
31 or amend shelter care provider contracts to include the child
32 welfare emergency services for children who might otherwise be
33 served in shelter care that were implemented pursuant to 2008
34 Iowa Acts, chapter 1187, section 16, subsection 7.

35 Sec. 8. 2009 Iowa Acts, chapter 182, section 24, subsection

1 1, unnumbered paragraph 2, is amended to read as follows:

2 For distribution to counties for state case services
3 for persons with mental illness, mental retardation, and
4 developmental disabilities in accordance with section 331.440:
5 \$ ~~11,446,288~~
6 10,008,418

7 The amendment to the amount of the appropriation made in this
8 section incorporates the amount of the uniform reduction made
9 pursuant to executive order number 19 issued October 8, 2009.

10 Sec. 9. 2009 Iowa Acts, chapter 182, section 27, unnumbered
11 paragraph 2, is amended to read as follows:

12 For field operations, including salaries, support,
13 maintenance, and miscellaneous purposes, and for not more than
14 the following full-time equivalent positions:
15 \$ ~~63,032,831~~
16 57,410,144
17 FTEs 2,000.13

18 The amendment to the amount of the appropriation made in
19 this section incorporates the amounts of the uniform reduction
20 made pursuant to executive order number 19 issued October 8,
21 2009, and the transfer made from this appropriation pursuant to
22 the authority in section 8.39 and addressed in the notice of
23 appropriation transfer from the department of management dated
24 December 23, 2009.

25 Sec. 10. 2009 Iowa Acts, chapter 182, section 48, is amended
26 by adding the following new subsection:

27 NEW SUBSECTION. 4. There is appropriated from the IowaCare
28 account created in section 249J.24 to the department of human
29 services for the fiscal year beginning July 1, 2009, and ending
30 June 30, 2010, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 For distribution to a publicly owned acute care teaching
33 hospital located in a county with a population over 350,000:
34 \$ 2,500,000

35 Sec. 11. 2009 Iowa Acts, chapter 183, section 61, subsection

1 8, is amended to read as follows:

2 8. From funding designated for government stabilization,
3 for the department of human services:

4 a. For the medical assistance program:

5 \$ 6,237,173
6 25,874,211

7 ~~Of the funds appropriated in this lettered paragraph,~~
8 ~~\$6,000,000 is allocated for rebasing of nursing facility~~
9 ~~reimbursement and \$237,173 for interpreter services associated~~
10 ~~with 2009 Iowa Acts, Senate File 389, if enacted.~~

11 b. For coverage of children under the medical assistance
12 and hawk-i programs and for additional coverage provisions for
13 children under 2009 Iowa Acts, Senate File 389, if enacted:

14 \$ 6,263,231
15 0

16 ~~Of the funds appropriated in this lettered paragraph,~~
17 ~~\$510,249 is allocated for supplemental dental services under~~
18 ~~the hawk-i program.~~

19 c. For transfer to the department of public health to be
20 used for 0.25 full-time equivalent position and other costs
21 associated with the volunteer health care provider program:

22 \$ 20,000

23 d. For the property tax relief fund in lieu of an equal
24 amount of the appropriation made from the general fund of the
25 state in section 426B.1, subsection 2:

26 \$ 10,480,000
27 0

28 Notwithstanding section 426B.1, subsection 2, for the fiscal
29 year beginning July 1, 2009, the amount of the appropriation
30 made from the general fund of the state in section 426B.1,
31 subsection 2, shall be reduced by ~~\$2,964,543~~ \$3,328,089 and the
32 appropriation made from the property tax relief fund and for
33 the fiscal year to supplement the medical assistance program
34 in section 426B.1, subsection 3, shall be reduced by the same
35 amount.

1 e. For the risk pool created in the property tax relief fund
2 in accordance with section 426B.5:

3 \$ 10,000,000

4 f. For a demonstration project providing health care
5 coverage premium assistance for direct care workers to
6 implement recommendations developed pursuant to 2008 Iowa Acts,
7 chapter 1188, section 72:

8 \$ 400,000

9 g. For the department's field operations, if 2009 Iowa Acts,
10 ~~Senate File 389~~, chapter 118, is enacted:

11 \$ 680,596

12 0

13 The funds appropriated in this lettered paragraph shall be
14 used for 17.00 additional full-time equivalent positions for
15 implementation costs associated with 2009 Iowa Acts, ~~Senate~~
16 ~~File 389~~, ~~if enacted~~ chapter 118.

17 h. For child and family services:

18 \$ 2,500,000

19 0

20 ~~Of the amount appropriated in this lettered paragraph,~~
21 ~~\$500,000 shall be used for additional funding of shelter care.~~

22 i. For distribution to counties for state case services
23 for persons with mental illness, mental retardation, and
24 developmental disabilities in accordance with section 331.440,
25 to supplement the amount appropriated in 2009 Iowa Acts,
26 chapter 182, section 24:

27 \$ 286,789

28 Sec. 12. RISK POOL — STATE CASE SERVICES. For the fiscal
29 year beginning July 1, 2009, the moneys available in the risk
30 pool created in section 426B.5 that remain unencumbered or
31 unobligated on or after the effective date of this division
32 of this Act and are attributed to appropriations made for the
33 fiscal year beginning July 1, 2009, or a previous fiscal year
34 shall be transferred to the appropriation made in 2009 Iowa
35 Acts, chapter 182, section 24, to be used by the department

1 of human services for distribution to counties for state case
2 services for persons with mental illness, mental retardation,
3 and developmental disabilities for the fiscal year beginning
4 July 1, 2009, and ending June 30, 2010.

5 Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being deemed
6 of immediate importance, takes effect upon enactment.

7

EXPLANATION

8 This bill relates to public funding and regulatory matters
9 and makes and revises appropriations made for health and
10 human services for the fiscal year beginning July 1, 2009, by
11 switching the funding sources for various appropriations, as
12 adjusted for the governor's uniform reduction in appropriations
13 made in executive order number 19.

14 The FY 2009-2010 appropriation in a multiyear appropriation
15 from the general fund made in 2008 Iowa Acts, chapter 1188,
16 for health coverage for children under the medical assistance
17 (Medicaid), hawk-i, and hawk-i expansion programs is increased.
18 The bill states that the changed amount incorporates the
19 uniform reduction made by the governor in executive order
20 number 19 and includes an allocation for supplemental dental
21 services under the hawk-i program.

22 A new Iowa Acts section of 2009 Iowa Acts, chapter 182,
23 providing appropriation for health and human services,
24 appropriates certain emergency contingency federal funding to
25 the department of human services for the family investment
26 program for FY 2009-2010. The source of the federal funding is
27 from the emergency contingency fund for temporary assistance
28 for needy families state program established pursuant to the
29 federal American Recovery and Reinvestment Act (ARRA) of 2009,
30 Pub. L. No. 111-5, § 2101. The appropriation is only to be
31 expended in the event that other federal funding appropriated
32 in the Act being amended for purposes of the family investment
33 program has been exhausted and is limited to the amount
34 necessary to fully fund the program for the fiscal year.

35 The appropriation from the general fund for the Medicaid

1 program is reduced. The bill states that the changed amount
2 incorporates the uniform reduction made by the governor in
3 executive order number 19 and transfers made to and from this
4 appropriation. The language providing for transfer of Medicaid
5 funding to the state mental health institutes is amended to
6 clarify that the appropriation made from the ARRA funding for
7 the Medicaid program, as increased by the bill, is the funding
8 source for the transferred funding.

9 The appropriation from the general fund for child and
10 family services is reduced. The bill states that the changed
11 amount incorporates the uniform reduction made by the governor
12 in executive order number 19 and the transfer from this
13 appropriation. The allocation made for shelter care services
14 is increased to reflect the shift in the allocation of ARRA
15 funding.

16 The appropriation from the general fund for state
17 case services for mental health, mental retardation, and
18 developmental disabilities (MH/MR/DD) is reduced. The bill
19 states that the changed amount incorporates the uniform
20 reduction made by the governor in executive order number 19.
21 The bill includes several other provisions providing funding
22 for state case services.

23 The appropriation from the general fund for the field
24 operations of the department of human services is reduced. The
25 bill states that the changed amount incorporates the uniform
26 reduction made by the governor in executive order number 19 and
27 the transfer from this appropriation.

28 The section of 2009 Iowa Acts, chapter 182, making
29 appropriations from the IowaCare account, is amended to provide
30 an additional appropriation of \$2.5 million for distribution to
31 a publicly owned hospital in a county with a population over
32 350,000 for treatment of indigent patients and other services.

33 Various appropriations in 2009 Iowa Acts, chapter 183,
34 section 61, of ARRA funding for the department of human
35 services are amended. The appropriation for the Medicaid

1 program is increased and the appropriations for coverage of
2 children under the Medicaid and hawk-i programs, for the
3 property tax relief fund, and for child and family services are
4 eliminated. The ARRA appropriations that were eliminated are
5 replaced, as adjusted for the governor's uniform appropriations
6 reduction, earlier in the bill with appropriations from the
7 general fund of the state.

8 An additional appropriation is made from ARRA funds to the
9 department of human services for state case services. Other
10 funding is provided for state case services by providing that
11 available moneys in the MH/MR/DD servicesrisk pool for fiscal
12 year 2009-2010 are transferred to be used for state case
13 services.

14 The bill takes effect upon enactment.