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Senate File 296

H-1373

1 Amend Senate File 296, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I
HEALTHY IOWA PLAN

7 Section 1. **NEW SECTION. 249N.1 Title.**
8 This chapter shall be known and may be cited as the
9 "*Healthy Iowa Plan*".

10 Sec. 2. **NEW SECTION. 249N.2 Definitions.**
11 As used in this chapter, unless the context
12 otherwise requires:

13 1. "*Accountable care organization*" means a
14 risk-bearing, integrated health care organization
15 characterized by a payment and care delivery model that
16 ties provider reimbursement to quality metrics and
17 reductions in the total cost of care for an attributed
18 population of patients.

19 2. "*Affordable Care Act*" or "*federal Act*" means the
20 federal Patient Protection and Affordable Care Act,
21 Pub. L. No. 111-148 as amended by the federal Health
22 Care and Education Reconciliation Act of 2010, Pub. L.
23 No. 111-152.

24 3. "*Clean claim*" means a claim submitted by a
25 healthy Iowa plan provider that may be adjudicated as
26 paid or denied.

27 4. "*Covered benefits*" means reimbursable health
28 care services as specified in section 249N.6.

29 5. "*Department*" means the department of human
30 services.

31 6. "*Director*" means the director of human services.

32 7. "*Essential health benefits*" means essential
33 health benefits as defined in section 1302 of the
34 Affordable Care Act, that include at least the general
35 categories and the items and services covered within
36 the categories of ambulatory patient services;
37 emergency services; hospitalization; maternity and
38 newborn care; mental health and substance use disorder
39 services, including behavioral health treatment;
40 prescription drugs; rehabilitative and habilitative
41 services and devices; laboratory services; preventive
42 and wellness services and chronic disease management;
43 and pediatric services, including oral and vision care.

44 8. "*Federal approval*" means approval by the centers
45 for Medicare and Medicaid services of the United States
46 department of health and human services.

47 9. "*Federal poverty level*" means the most recently
48 revised poverty income guidelines published by the
49 United States department of health and human services.

50 10. "*Full benefits recipient*" means an adult who is

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1 eligible for full medical assistance benefits pursuant
2 to chapter 249A under any category of eligibility.
3 11. *"Healthy Iowa plan"* or *"plan"* means the healthy
4 Iowa plan established under this chapter.
5 12. *"Healthy Iowa plan provider"* means any provider
6 enrolled in the medical assistance program or any
7 participating accountable care organization.
8 13. *"Healthy Iowa plan provider network"* means the
9 health care delivery network approved by the department
10 for healthy Iowa plan members.
11 14. *"Medical assistance program"* or *"Medicaid"* means
12 the program paying all or part of the costs of care and
13 services provided to an individual pursuant to chapter
14 249A and Tit. XIX of the federal Social Security Act.
15 15. *"Medicare"* means the federal Medicare program
16 established pursuant to Tit. XVIII of the federal
17 Social Security Act.
18 16. *"Member"* means an individual who meets the
19 eligibility requirements of section 249N.5 and is
20 enrolled in the healthy Iowa plan.
21 17. *"My health rewards account"* means an account
22 established by the department pursuant to section
23 249N.9 on behalf of a member to contain contributions
24 from the member, financial incentives earned by the
25 member, and other payments made by the plan, to be used
26 by the member for payment of required contributions,
27 cost-sharing, and health improvements.
28 18. *"Participating accountable care organization"*
29 means an accountable care organization approved by the
30 department to participate in the healthy Iowa plan
31 provider network.
32 19. *"Preventive care services"* means care that is
33 provided to an individual to promote health, prevent
34 disease, or diagnose disease.
35 20. *"Primary medical provider"* means the primary
36 care provider chosen by a member or to whom a member
37 is assigned to provide and manage the member's primary
38 care and to provide referrals, as necessary and
39 required by the healthy Iowa plan, to other healthy
40 Iowa plan providers.
41 21. *"Value-based reimbursement"* means a payment
42 methodology that links provider reimbursement to
43 improved performance by health care providers by
44 holding health care providers accountable for both the
45 cost and quality of care provided.
46 **Sec. 3. NEW SECTION. 249N.3 Purpose —**
47 **establishment of healthy Iowa plan.**
48 1. The purpose of this chapter is to establish and
49 administer a healthy Iowa plan to promote increased
50 access to health care, quality health care outcomes,



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1 and the use of personal responsibility mechanisms that
 2 encourage individuals with incomes at or below one
 3 hundred percent of the federal poverty level to be
 4 cost-conscious consumers of health care and to exhibit
 5 healthy behaviors.

6 2. The healthy Iowa plan is established within the
 7 medical assistance program and shall be administered by
 8 the department. Except as otherwise specified in this
 9 chapter, the rules applicable to the medical assistance
 10 program pursuant to chapter 249A shall be applicable
 11 to the healthy Iowa plan.

12 3. The department may contract with a third-party
 13 administrator to provide eligibility determination
 14 support, and to administer enrollment, member
 15 outreach, my health rewards account services, and other
 16 components of the healthy Iowa plan.

17 **Sec. 4. NEW SECTION. 249N.4 Federal financial**
 18 **participation — limitations of program.**

19 1. This chapter shall be implemented only to the
 20 extent that federal matching funds are available for
 21 nonfederal expenditures under this chapter. Except as
 22 otherwise provided in section 249N.11, the department
 23 shall not expend funds under this chapter, including
 24 but not limited to expenditures for reimbursement of
 25 providers and program administration, if appropriated
 26 nonfederal funds are not matched by federal financial
 27 participation.

28 2. Enrollment in the healthy Iowa plan may be
 29 limited, closed, or reduced and the scope and duration
 30 of services provided under the healthy Iowa plan may
 31 be limited, reduced, or terminated if the department
 32 determines that federal financial participation or
 33 appropriated nonfederal funds will not be available to
 34 pay for existing or additional enrollment costs.

35 3. The provisions of this chapter shall not be
 36 construed, are not intended as, and shall not imply a
 37 grant of entitlement to services for individuals who
 38 are eligible for covered benefits under this chapter
 39 or for utilization of services that do not exist or
 40 are not otherwise available under this chapter. Any
 41 state obligation to provide covered benefits pursuant
 42 to this chapter is limited to the extent of the funds
 43 appropriated or distributed for the purposes of this
 44 chapter.

45 4. The provisions of this chapter shall not be
 46 construed and are not intended to affect the provision
 47 of services to medical assistance program recipients
 48 existing on January 1, 2014.

49 **Sec. 5. NEW SECTION. 249N.5 Healthy Iowa plan —**
 50 **eligibility.**

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1 1. Except as otherwise provided in this chapter,
2 an individual nineteen through sixty-four years of age
3 shall be eligible for covered benefits specified in
4 this chapter when provided through the healthy Iowa
5 plan provider network as described in this chapter, if
6 the individual meets all of the following conditions:
7 *a.* The individual meets the citizenship or alienage
8 requirements of the medical assistance program, is a
9 resident of Iowa, and provides a social security number
10 upon application for the plan.
11 *b.* The individual has household income at or below
12 one hundred percent of the federal poverty level.
13 Household income shall be determined using the modified
14 adjusted gross income methodology pursuant to section
15 2002 of the Affordable Care Act.
16 *c.* The individual fulfills all other conditions
17 of participation in the healthy Iowa plan, including
18 member financial participation pursuant to section
19 249N.8.
20 2. The following individuals are not eligible for
21 the healthy Iowa plan:
22 *a.* An individual eligible as a full benefits
23 recipient under the medical assistance program.
24 *b.* An individual who is entitled to or enrolled
25 for Medicare benefits under part A, or is enrolled for
26 Medicare benefits under part B, of Tit. XVIII of the
27 federal Social Security Act.
28 *c.* An individual who is pregnant and otherwise
29 eligible for the medical assistance program pursuant to
30 section 249A.3.
31 *d.* An individual who has access to affordable
32 employer-sponsored health care coverage, as defined by
33 rule of the department to align with rules adopted by
34 the federal internal revenue service under the federal
35 Affordable Care Act.
36 3. *a.* Each applicant for the healthy Iowa
37 plan shall provide to the department all insurance
38 information required by the health insurance premium
39 payment program in accordance with rules adopted by the
40 department.
41 *b.* The department may elect to pay the
42 cost of premiums for applicants with access
43 to employer-sponsored health care coverage if
44 the department determines such payment to be
45 cost-effective.
46 *c.* Eligibility for the healthy Iowa plan is a
47 qualifying event under the federal Health Insurance
48 Portability and Accountability Act of 1996, Pub. L. No.
49 104-191.
50 *d.* If premium payment is provided under this

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1 subsection for employer-sponsored health care coverage,
 2 the healthy Iowa plan shall supplement such coverage
 3 as necessary to provide the covered benefits specified
 4 under section 249N.6.

5 4. The department shall implement the healthy Iowa
 6 plan in a manner that ensures that the healthy Iowa
 7 plan is the payor of last resort.

8 5. A member is eligible for coverage effective
 9 the first day of the month following the month of
 10 application for enrollment.

11 6. Following initial enrollment, a member is
 12 eligible for covered benefits for twelve months,
 13 subject to program termination and other limitations
 14 otherwise specified in this chapter. The department
 15 shall review the member's eligibility on at least an
 16 annual basis.

17 **Sec. 6. NEW SECTION. 249N.6 Healthy Iowa plan —**
 18 **covered benefits.**

19 Members shall receive coverage for benefits pursuant
 20 to 42 U.S.C. § 1396u-7(b)(1)(B), adjusted as necessary
 21 to provide the essential health benefits required
 22 pursuant to section 1302 of the federal Act, and
 23 including habilitation services consistent with the
 24 state medical assistance program section 1915I waiver.

25 **Sec. 7. NEW SECTION. 249N.7 Healthy Iowa plan**
 26 **provider network.**

27 1. The department shall develop a regionalized
 28 healthy Iowa plan provider network statewide.

29 2. The healthy Iowa plan provider network shall
 30 include all providers enrolled in the medical
 31 assistance program and participating accountable care
 32 organizations. Reimbursement under this chapter shall
 33 only be made to such healthy Iowa plan providers for
 34 covered benefits.

35 3. *a.* Upon enrollment, a member shall choose a
 36 primary medical provider within the healthy Iowa plan
 37 provider network.

38 *b.* If the member does not choose a primary medical
 39 provider, the department shall assign the member to
 40 a primary medical provider in accordance with the
 41 mandatory enrollment provisions specified in rules
 42 adopted by the department pursuant to chapter 249A
 43 and in accordance with quality data available to the
 44 department.

45 *c.* The department shall develop a mechanism for
 46 primary medical providers and participating accountable
 47 care organizations within a region to jointly
 48 facilitate member care coordination.

49 4. *a.* The healthy Iowa plan provider network shall
 50 include at least one participating accountable care



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1 organization per region with which the department shall
2 contract to ensure the coordination and management
3 of the health of the members within the region, to
4 produce improved health care quality, and to control
5 overall cost. The department shall contract with the
6 acute care teaching hospital located in a county with
7 a population over three hundred fifty thousand to act
8 as a participating accountable care organization within
9 the region specified by the department.
10 *b.* The department shall establish the
11 qualifications, contracting processes, and
12 contract terms for a participating accountable care
13 organization. The department shall also establish
14 a methodology for attribution of a specified member
15 population to the participating accountable care
16 organization.
17 *c.* A participating accountable care organization
18 contract shall establish accountability based on
19 quality performance and total cost of care metrics for
20 the attributed population. The metrics shall include
21 but are not limited to risk sharing, including both
22 shared savings and shared costs, between the state and
23 the participating accountable care organization.
24 *d.* The department shall ensure that payments made
25 to participating accountable care organizations do not
26 exceed available funds in the healthy Iowa account
27 created in section 249N.11.
28 *e.* The participating accountable care organization
29 shall provide access by members to primary medical
30 providers within thirty miles or thirty minutes of a
31 member's residence, unless such access is technically
32 infeasible.
33 5. To the extent possible, members shall have
34 a choice of providers within the healthy Iowa plan
35 provider network, subject to the results of attribution
36 under this section and subject to all of the following:
37 *a.* Member choice may be limited by the
38 participating accountable care organization, with prior
39 approval of the department, if the member's health
40 condition would benefit from limiting the member's
41 choice of a healthy Iowa plan provider to ensure
42 coordination of services, or due to overutilization of
43 covered benefits. The participating accountable care
44 organization shall provide thirty days' notice to the
45 member prior to limitation of such choice.
46 *b.* The department may require that access to
47 services not provided through the participating
48 accountable care organization be subject to prior
49 authorization by the participating accountable care
50 organization, if such prior authorization is projected

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1 to improve health care delivery in the region.

2 6. a. A healthy Iowa plan provider shall submit
3 clean claims within twenty days of the date of
4 provision of a covered benefit to a member.

5 b. A healthy Iowa plan provider shall be reimbursed
6 for covered benefits under the healthy Iowa plan
7 utilizing the same reimbursement methodology as
8 that applicable to individuals eligible for medical
9 assistance under section 249A.3, subsection 1.

10 c. Notwithstanding paragraph "b", a participating
11 accountable care organization under contract with the
12 department shall be reimbursed utilizing a value-based
13 reimbursement methodology.

14 7. a. Healthy Iowa plan providers shall exchange
15 member health information as provided by rule to
16 facilitate coordination and management of care,
17 improved health outcomes, and reduction in costs.

18 b. The department shall provide the health care
19 claims data of attributed members to a member's
20 participating accountable care organization on a
21 timeframe established by rule of the department.

22 **Sec. 8. NEW SECTION. 249N.8 Member financial**
23 **participation.**

24 1. Membership in the healthy Iowa plan shall
25 require payment of a monthly contribution and
26 cost-sharing amounts, annually, that align with the
27 cost-sharing limitations requirements for American
28 health benefit exchanges under the Affordable Care
29 Act. Copayments under the healthy Iowa plan shall
30 be applicable only to nonemergency use of a hospital
31 emergency department. Contribution and cost-sharing
32 amounts, including an annual deductible, shall be
33 established by rule of the department.

34 2. a. Even though a member is eligible for
35 coverage effective the first day of the month following
36 the month of application for enrollment, claims for
37 covered benefits shall not be paid until the initial
38 monthly contribution payment is made by the member.
39 If the initial monthly contribution payment is made
40 within sixty days of the eligibility date, claims for
41 covered benefits are payable from the effective date
42 of eligibility.

43 b. Timely payment of monthly contributions,
44 within sixty days of the date the payment is due, is
45 a condition of membership. A member who does not
46 make such timely payment is subject to disenrollment
47 from the plan, following notice from the department.
48 Following such disenrollment, an individual is not
49 eligible for reapplication for membership in the plan
50 for twelve months from the date of disenrollment.

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1 *c.* A member may request a hardship exemption if
2 a hardship would accrue from imposing payment of the
3 monthly contribution. Information regarding the
4 contribution obligation and the hardship exemption,
5 including the process by which a prospective member may
6 apply for the hardship exemption, shall be provided to
7 a prospective member at the time of application for
8 enrollment.

9 3. Any required member contributions or
10 cost-sharing that are unpaid are a debt owed the state.

11 Sec. 9. NEW SECTION. 249N.9 My health rewards
12 accounts.

13 1. The department shall establish a my health
14 rewards account for each healthy Iowa plan member.

15 2. The plan shall deposit all of the following in a
16 member's health rewards account:

17 *a.* All member contributions collected under section
18 249N.8.

19 *b.* Financial incentive payments paid by the plan,
20 annually, for the member's completion of a health risk
21 assessment, completion of an annual physical, receipt
22 of preventive services specified by the plan, or the
23 entering into by a member of a health responsibility
24 and self-sufficiency agreement, as specified by rule of
25 the department.

26 *c.* A payment paid by the plan upon initial
27 enrollment and annually thereafter, of an amount that
28 is the difference between the sum of the required
29 contributions made by the member plus the financial
30 incentive amounts paid by the plan, and the total
31 annual deductible for the member as established by
32 rule.

33 3. The moneys in a member's account shall only be
34 distributed from the account and used to improve the
35 health of the member as specified by rule based on best
36 practices. Such uses may include but are not limited
37 to payment for smoking cessation services or nutrition
38 counseling, or payment of required contributions or
39 cost-sharing amounts, exclusive of copayments for
40 nonemergency use of a hospital emergency department.
41 A member's deductible amount under the plan shall be
42 debited against the member's account annually.

43 4. If a member demonstrates an established pattern
44 of failure to pay required contribution or cost-sharing
45 amounts, or a pattern of inappropriate use of emergency
46 department or covered benefits, the member may be
47 subject to forfeiture of the funds in the account,
48 following notice from the department.

49 5. Any funds remaining in a member's my health
50 rewards account annually at the end of a twelve-month

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1 enrollment period are subject to the following:
2 *a.* If the member renews enrollment, the funds
3 shall remain in the account to be used to defray the
4 costs of the member's contributions and cost-sharing
5 requirements in the subsequent enrollment period.
6 However, if the member did not complete the preventive
7 care services specified by the plan during the prior
8 enrollment period, any portion of the remaining amount
9 paid by the plan shall not be used to defray the
10 costs of the member's contributions or cost-sharing
11 requirements in the subsequent enrollment period.
12 *b.* If an individual is no longer eligible for
13 the plan, does not reenroll in the plan, or is
14 terminated from the plan for nonpayment of required
15 contributions or cost-sharing amounts, the plan shall
16 refund a prorated amount of the member's contributions
17 as determined by rule of the department, less any
18 outstanding contributions or cost-sharing owed by the
19 member, to the individual within sixty days of such
20 occurrence. Any portion of the remaining amount in the
21 account paid by the plan shall revert to the healthy
22 Iowa account.
23 Sec. 10. NEW SECTION. 249N.10 Funding — county
24 and county hospital contributions — certified public
25 expenditures.
26 1. Notwithstanding any provision to the contrary
27 relating to the taxes levied by a county pursuant to
28 section 331.424A for which the collection is performed
29 after January 1, 2014, the county treasurer of each
30 county shall distribute thirty-seven and eighty-four
31 hundredths percent of the maximum amount authorized to
32 be levied and collected pursuant to section 331.424A,
33 to the treasurer of state for deposit in the healthy
34 Iowa account created in section 249N.11. One-half
35 of the total amount specified under this subsection
36 shall be distributed by each county treasurer to the
37 treasurer of state by October 15, and one-half of the
38 total amount shall be distributed to the treasurer of
39 state by April 15, annually.
40 2. Notwithstanding any provision to the contrary,
41 for the collection of taxes levied under section 347.7,
42 for which the collection is performed after January
43 1, 2014, the county treasurer of a county with a
44 population over three hundred fifty thousand in which a
45 publicly owned acute care teaching hospital is located
46 shall distribute the proceeds collected pursuant to
47 section 347.7, in a total amount of forty-two million
48 dollars annually, which would otherwise be distributed
49 to the county hospital, to the treasurer of state for
50 deposit in the healthy Iowa account created in section



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1 249N.11 as follows:
2 *a.* The first nineteen million dollars in
3 collections pursuant to section 347.7, between July
4 1 and December 31 annually, shall be distributed to
5 the treasurer of state for deposit in the healthy Iowa
6 account and collections during this time period in
7 excess of nineteen million dollars shall be distributed
8 to the acute care teaching hospital identified in this
9 subsection. In addition, of the collections during
10 this time period in excess of nineteen million dollars
11 received by the acute care teaching hospital, two
12 million dollars shall be distributed by the acute care
13 teaching hospital to the treasurer of state for deposit
14 in the healthy Iowa account in the month of January
15 following the July 1 through December 31 period.
16 *b.* The first nineteen million dollars in
17 collections pursuant to section 347.7, between January
18 1 and June 30 annually, shall be distributed to the
19 treasurer of state for deposit in the healthy Iowa
20 account and collections during this time period in
21 excess of nineteen million dollars shall be distributed
22 to the acute care teaching hospital identified in
23 this subsection. In addition, of the collections
24 during this time period in excess of nineteen million
25 dollars received by the acute care teaching hospital,
26 two million dollars shall be distributed by the acute
27 care teaching hospital to the treasurer of state for
28 deposit in the healthy Iowa account in the month of
29 July following the January 1 through June 30 period.
30 3. In addition to the funding specified in this
31 section, the university of Iowa hospitals and clinics
32 shall certify public expenditures in an amount equal to
33 provide the nonfederal share of total expenditures not
34 to exceed thirty million dollars annually.
35 Sec. 11. NEW SECTION. 249N.11 **Healthy Iowa**
36 **account.**
37 1. A healthy Iowa account is created in the state
38 treasury under the authority of the department. Moneys
39 appropriated from the general fund of the state to the
40 account, proceeds distributed from county treasurers as
41 specified in section 249N.10, and moneys from any other
42 source credited to the account shall be deposited in
43 the account. Moneys deposited in or credited to the
44 account are appropriated to the department of human
45 services to be used for the purposes of the healthy
46 Iowa plan including administration of the plan and to
47 provide nonfederal matching funds for the healthy Iowa
48 plan, as specified in this chapter. An amount shall
49 be appropriated from the account to the county with a
50 population over three hundred fifty thousand in which a

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1 publicly owned acute care teaching hospital is located,
 2 annually, to offset any difference between the amount
 3 of proceeds required to be distributed by the county
 4 treasurer to the account and the actual amount received
 5 by the hospital in reimbursements through the healthy
 6 Iowa plan in the preceding fiscal year.

7 2. The account shall be separate from the general
 8 fund of the state and shall not be considered part
 9 of the general fund of the state. The moneys in
 10 the account shall not be considered revenue of the
 11 state, but rather shall be funds of the account.
 12 The moneys in the account are not subject to
 13 section 8.33 and shall not be transferred, used,
 14 obligated, appropriated, or otherwise encumbered,
 15 except to provide for the purposes of this chapter.
 16 Notwithstanding section 12C.7, subsection 2, interest
 17 or earnings on moneys deposited in the account shall
 18 be credited to the account.

19 3. The department shall adopt rules pursuant to
 20 chapter 17A to administer the account.

21 **Sec. 12. NEW SECTION. 249N.12 Adoption of rules —**
 22 **sole-source administration.**

23 1. The department shall adopt rules pursuant to
 24 chapter 17A as necessary to administer this chapter.
 25 The department may adopt emergency rules under section
 26 17A.4, subsection 3, and section 17A.5, subsection 2,
 27 paragraph "b", as necessary for the administration
 28 of this chapter and the rules shall become effective
 29 immediately upon filing or on a later effective date
 30 specified in the rules, unless the effective date is
 31 delayed by the administrative rules review committee.
 32 Any rules adopted in accordance with this section
 33 shall not take effect before the rules are reviewed
 34 by the administrative rules review committee. The
 35 delay authority provided to the administrative rules
 36 review committee under section 17A.4, subsection 7, and
 37 section 17A.8, subsection 9, shall be applicable to a
 38 delay imposed under this section, notwithstanding a
 39 provision in those sections making them inapplicable
 40 to section 17A.5, subsection 2, paragraph "b". Any
 41 rules adopted in accordance with the provisions of this
 42 section shall also be published as notice of intended
 43 action as provided in section 17A.4.

44 2. Notwithstanding section 8.47 or any other
 45 provision of law to the contrary, the department may
 46 utilize a sole-source approach to administer this
 47 chapter.

48 **Sec. 13. Section 249J.26, subsection 2, Code 2013,**
 49 **is amended to read as follows:**

50 2. This chapter is repealed ~~October~~ December 31,



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1 2013.

2 Sec. 14. HEALTHY IOWA ACCOUNT — APPROPRIATION FROM
 3 GENERAL FUND — FY 2013-2014. There is appropriated
 4 from the general fund of the state to the department of
 5 human services for the fiscal year beginning July 1,
 6 2013, and ending June 30, 2014, the following amount
 7 or so much thereof as is necessary for the purposes
 8 designated:

9 For deposit in the healthy Iowa account created in
 10 section 249N.11, as enacted in this division of this
 11 Act, to be used for the purposes of the account:
 12 \$ 23,000,000

13 Sec. 15. MEDICAL ASSISTANCE APPROPRIATION
 14 — TRANSFER TO THE HEALTHY IOWA ACCOUNT — FY
 15 2013-2014. Of the funds appropriated to the department
 16 of human services from the general fund of the state
 17 for the fiscal year beginning July 1, 2013, and ending
 18 June 30, 2014, for the medical assistance program,
 19 \$35,500,000 is transferred to the healthy Iowa account
 20 created in section 249N.11, as enacted in this division
 21 of this Act, for the purposes of the account.

22 Sec. 16. DIRECTIVE TO DEPARTMENT OF HUMAN
 23 SERVICES. Upon enactment of this division of this
 24 Act, the department of human services shall request
 25 federal approval of a medical assistance section 1115
 26 demonstration waiver to implement this division of this
 27 Act effective January 1, 2014.

28 Sec. 17. EFFECTIVE UPON ENACTMENT AND CONTINGENT
 29 IMPLEMENTATION.

30 1. This division of this Act, being deemed of
 31 immediate importance, takes effect upon enactment.
 32 However, the department of human services shall
 33 implement this division of this Act effective January
 34 1, 2014, contingent and only upon receipt of federal
 35 approval of the waiver request submitted under this
 36 division of this Act.

37 2. Notwithstanding subsection 1, if any portion
 38 of the waiver is denied or if federal approval or
 39 financial participation relative to any portion of the
 40 waiver is denied, the department shall only implement
 41 this division of this Act in accordance with both of
 42 the following:

43 a. To the extent that federal approval is received
 44 and federal financial participation is available.

45 b. To the extent federal approval is not required
 46 and federal participation is not applicable.

47 3. The distributions of taxes levied pursuant
 48 to section 331.424A and distributed by each county
 49 treasurer to the treasurer of state pursuant to
 50 section 249N.10 and the distribution of taxes levied



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1 pursuant to section 347.7 and distributed by the county
 2 treasurer of a county with a population over three
 3 hundred fifty thousand in which a publicly owned acute
 4 care teaching hospital is located to the treasurer
 5 of state pursuant to section 249N.10, shall not be
 6 distributed until the department of human services
 7 has received federal approval of the waiver request
 8 submitted under this division of this Act.

9 **DIVISION II**
 10 **MEDICAL MALPRACTICE ACTIONS**

11 Sec. 18. Section 147.139, Code 2013, is amended to
 12 read as follows:

13 **147.139 Expert witness testimony — standards.**

14 1. If the standard of care given by a physician
 15 and surgeon or an osteopathic physician and surgeon
 16 licensed pursuant to chapter 148, or a dentist licensed
 17 pursuant to chapter 153, is at issue, the court shall
 18 only allow a person to qualify as an expert witness and
 19 to testify on the issue of the appropriate standard of
 20 care if the person's medical or dental qualifications
 21 relate directly to the medical problem or problems at
 22 issue and the type of treatment administered in the
 23 case, breach of the standard of care, or proximate
 24 cause of any damages or injury as a result of said
 25 breach if all of the following qualifications of the
 26 person are established:

27 a. The person is licensed to practice medicine,
 28 osteopathic medicine, or dentistry and in the five
 29 years preceding the allegedly negligent act, was
 30 engaged in the active practice of medicine, osteopathic
 31 medicine, or dentistry, or was a qualified instructor
 32 at an accredited university of medicine and surgery,
 33 osteopathic medicine and surgery, or dentistry.

34 b. The person practices or provides university
 35 instruction in the same or substantially similar
 36 specialty as the defendant.

37 c. If the defendant is board-certified in a
 38 specialty, the person is also certified in that
 39 specialty by a board recognized by the American board
 40 of medical specialties or the American osteopathic
 41 association and is licensed and in good standing in
 42 each state of licensure, and has not had the person's
 43 license revoked or suspended in the past five years.

44 2. A person who is not licensed in this state who
 45 testifies pursuant to this section as an expert against
 46 a defendant, whether in contract or tort arising out
 47 of the provision of or failure to provide care, shall
 48 be deemed to hold a temporary license to practice in
 49 this state for the purpose of providing such testimony
 50 and shall be subject to the authority of the applicable



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1 licensing board in this state including but not limited
 2 to section 147.55.

3 **Sec. 19. NEW SECTION. 147.140 Malpractice review**
 4 **panels.**

5 1. For the purpose of this section, "*health care*
 6 *provider*" means a physician and surgeon, osteopathic
 7 physician and surgeon, dentist, podiatric physician,
 8 optometrist, pharmacist, chiropractor, physician
 9 assistant, advanced registered nurse practitioner, or
 10 nurse licensed pursuant to this chapter, a facility
 11 certified as an ambulatory surgical center under the
 12 federal Medicare program, a hospital licensed pursuant
 13 to chapter 135B, or a health care facility licensed
 14 pursuant to chapter 135C.

15 2. a. Immediately after the filing of any action
 16 for personal injury or wrongful death against any
 17 health care provider based upon the alleged negligence
 18 of the licensee in the practice of that profession
 19 or occupation, or upon the alleged negligence of a
 20 facility certified as an ambulatory surgical center
 21 under the federal Medicare program, hospital, or
 22 health care facility in patient care and the answer
 23 thereto by all named defendants, the chief judge of
 24 the judicial district within which the action is filed
 25 shall select a person pursuant to subsection 4 to serve
 26 as chairperson of a malpractice review panel to review
 27 the validity of the action.

28 b. Upon the selection of the chairperson, all legal
 29 proceedings in the malpractice action shall be stayed
 30 until thirty days after the malpractice review panel
 31 issues its findings under subsection 13.

32 3. a. The chairperson selected pursuant to
 33 subsection 2 shall serve as a nonvoting member of the
 34 malpractice review panel.

35 b. The chairperson shall select the members of the
 36 malpractice review panel pursuant to subsection 6.

37 4. a. All of the following persons shall be
 38 eligible to serve on a review panel:

39 (1) Retired judges, and senior judges and retired
 40 senior judges as defined in section 602.9202.

41 (2) Health care providers and attorneys recommended
 42 by their respective professions to serve on malpractice
 43 review panels pursuant to this section. As a condition
 44 of licensure as a health care provider or as an
 45 attorney in this state, a health care provider or
 46 attorney selected to serve on a malpractice review
 47 panel shall be required to serve if so selected.

48 (3) Residents of this state who are neither
 49 attorneys nor health care providers.

50 b. For purposes of selecting members of a



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1 malpractice review panel, the clerk of the supreme
2 court shall maintain a list of persons identified in
3 paragraph "a", subparagraphs (1) and (2). Persons
4 identified in paragraph "a", subparagraph (3), shall be
5 selected from a current jury pool.

6 5. a. The chairperson of the malpractice review
7 panel shall be compensated. If the chairperson is
8 receiving compensation for the chairperson's service
9 on the review panel pursuant to section 602.1612, the
10 chairperson shall not receive additional compensation
11 for serving on the review panel.

12 b. A resident of this state who is neither an
13 attorney nor a health care provider who is selected as
14 a member of a review panel shall receive fifty dollars
15 per day for participating in hearings and deliberations
16 relating to service on the review panel.

17 c. All members of a review panel shall be
18 reimbursed for travel expenses.

19 6. a. Within ten days of receipt of the
20 notification of selection as chairperson of the
21 malpractice review panel, the chairperson shall select
22 the following persons to serve as members of the
23 malpractice review panel for the particular malpractice
24 action as follows:

25 (1) An attorney licensed to practice law in this
26 state.

27 (2) A health care provider licensed in this state.

28 (3) A resident of this state who is neither an
29 attorney nor a health care provider.

30 b. A person who is not referred to in paragraph "a"
31 may be selected to serve on the review panel if agreed
32 to by all parties to the malpractice action.

33 7. a. Within thirty days of convening the
34 malpractice review panel, a party to the proceedings
35 shall produce to all other parties all medical and
36 health care provider records within the possession
37 or control of the party pertaining to the plaintiff
38 regardless of whether the party believes such records
39 are relevant to the proceedings.

40 b. The chairperson may permit reasonable discovery,
41 and if so allowed, shall determine a timetable for any
42 additional discovery prior to the hearing before the
43 malpractice review panel. Depositions of persons other
44 than the parties and experts designated by the parties
45 shall not be taken except for good cause shown by the
46 party requesting the deposition.

47 c. The chairperson shall have the power to issue
48 subpoenas for both discovery and compulsion of
49 testimony in the same manner and method as the district
50 court.

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1 *d.* The chairperson shall also determine a date by
2 which the plaintiff must submit a certificate-of-merit
3 affidavit as provided in subsection 8 for each
4 defendant the plaintiff intends to call as a witness to
5 testify with respect to the issues of the applicable
6 standard of care, breach of the applicable standard of
7 care, or causation.

8 *a.* A plaintiff shall submit a separate
9 certificate-of-merit affidavit for each defendant named
10 in the malpractice action. The affidavit submitted
11 for each defendant must be signed by an expert. The
12 affidavit must certify under the oath of the expert all
13 of the following:

14 (1) The expert's statement of familiarity with the
15 applicable standard of care.

16 (2) The expert's statement that the standard of
17 care was breached by the health care provider named as
18 the defendant.

19 (3) The expert's statement of the actions that the
20 health care provider failed to take or should have
21 taken to comply with the standard of care.

22 (4) The expert's statement of the manner by which
23 the breach of the standard of care was the cause of the
24 injury alleged in the petition.

25 *b.* A single expert need not certify all of the
26 elements in paragraph "*a*" in regard to one particular
27 defendant, however, each of the elements must be
28 certified by an expert in regard to each defendant.

29 *c.* If a plaintiff fails to submit a
30 certificate-of-merit affidavit within the time
31 period determined by the chairperson, the chairperson
32 shall file a motion with the district court to dismiss
33 the plaintiff's malpractice action with regard to the
34 defendant for which the certificate-of-merit affidavit
35 was not submitted. The district court shall then
36 dismiss with prejudice the plaintiff's malpractice
37 action against the defendant.

38 *9. a.* Within six months from the date all members
39 of the malpractice review panel were appointed, unless
40 the time period has been extended by the chairperson
41 for good cause shown by a requesting party, the
42 chairperson of the review panel shall hold a hearing of
43 the full review panel to review the plaintiff's claims
44 and the defendant's defenses. In no event shall any
45 extension cause the hearing to occur more than one year
46 after all review panel members were appointed.

47 *b.* Except as otherwise provided in this subsection,
48 one combined hearing or hearings shall be held for
49 all claims under this section arising out of the
50 same malpractice action. If the malpractice action

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1 includes more than one defendant, the parties may,
2 upon agreement of all parties, require that separate
3 hearings be held for each defendant or group of
4 defendants. The chairperson may, for good cause shown,
5 order separate hearings.

6 10. At the hearing before the malpractice review
7 panel, all parties who are natural persons shall be
8 personally present and all entity parties shall have
9 a representative present with responsibility for the
10 subject matter that is the subject of the malpractice
11 action. If a plaintiff fails to appear at the hearing,
12 the chairperson shall file a motion with the district
13 court to dismiss the plaintiff's action with prejudice,
14 and the court shall grant the motion. If the defendant
15 fails to appear at the hearing, the defendant shall
16 be precluded from presenting any evidence or making
17 any presentation before the malpractice review panel
18 or at any subsequent trial. The absence of a party
19 or an entity's representative may be excused by the
20 chairperson for good cause shown.

21 11. At the hearing before the malpractice review
22 panel, the plaintiff shall present the plaintiff's
23 case to the review panel and each defendant shall
24 present the defendant's case in response to the
25 plaintiff's presentation. Wide latitude shall be
26 afforded the parties in the conduct of the hearing
27 including but not limited to the right of examination
28 and cross-examination of witnesses by attorneys for
29 the parties. Depositions allowed to be taken under
30 subsection 7 shall be admissible regardless of whether
31 the person deposed is available at the hearing. The
32 Iowa rules of civil procedure shall not apply at
33 the hearing, and evidence may be admitted if such
34 evidence is evidence upon which reasonable persons are
35 accustomed to rely. The chairperson shall make all
36 procedural rulings and such rulings shall be binding
37 and final. The hearing shall be recorded either
38 electronically or by a court reporter. The cost of
39 recording the hearing shall be equally divided among
40 the parties. The record of the proceedings and all
41 documents presented as exhibits shall be confidential
42 except in the following circumstances:

43 a. Any testimony or writings made under oath may
44 be used in subsequent proceedings for purposes of
45 impeachment.

46 b. The party who made a statement or presented
47 evidence agrees to the submission, use, or disclosure
48 of the statement or evidence.

49 c. The parties unanimously agree upon disclosure of
50 any part of the record or proceedings.

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1 12. Upon the conclusion of the hearing, the
2 malpractice review panel may request from any party
3 additional evidence, records, or other information to
4 be submitted in writing or at a continuation of the
5 hearing. A continued hearing shall be held as soon as
6 possible. A continued hearing shall be attended by
7 the same review panel members and parties who attended
8 the initial hearing, unless otherwise agreed to by all
9 parties.

10 13. The malpractice review panel shall issue its
11 findings in writing within thirty days of submission of
12 all presentations and evidence.

13 a. The review panel's findings shall contain
14 answers to all of the following questions:

15 (1) Whether the acts or omissions complained of
16 constitute a deviation from the applicable standard
17 of care by the health care provider charged with such
18 care.

19 (2) If the acts or omissions complained of are
20 found to have constituted a deviation from the
21 applicable standard of care, whether the acts or
22 omissions complained of proximately caused the injury
23 complained of.

24 (3) If negligence on the part of a health care
25 provider is found, whether any negligence on the part
26 of the plaintiff was equal to or greater than the
27 negligence of the health care provider.

28 b. The review panel shall make any affirmative
29 finding by a preponderance of the evidence.

30 c. With regard to each question, the review
31 panel's findings with regard to each question shall be
32 determined by a majority of the panel members. The
33 determination of the answer to any question by any
34 individual review panel member shall be confidential
35 and shall not be disclosed to any party or other member
36 of the public. The findings shall reflect the number
37 of review panel members making a determination of an
38 answer in the affirmative and in making a determination
39 of an answer in the negative. The findings, including
40 the cumulative determinations in the affirmative and
41 the negative for each answer, shall be signed by all
42 review panel members, with each review panel member
43 attesting that the written findings accurately reflect
44 the determinations made.

45 d. The chairperson of the review panel shall serve
46 the findings upon the parties within seven days of
47 the date of the findings. The review panel's written
48 findings shall be preserved until thirty days after
49 final judgment or the action is finally resolved after
50 which time such findings shall be destroyed. All

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1 medical and health care provider records shall be
2 returned to the party providing them to the review
3 panel.
4 e. The deliberations and discussion of the review
5 panel shall be privileged and confidential and a review
6 panel member shall not be asked or compelled to testify
7 at a later proceeding concerning the deliberations,
8 discussions, or findings expressed during the review
9 panel's deliberations, except as such deliberation,
10 discussion, or findings may be required to prove an
11 allegation of intentional fraud. All review panel
12 members and the chairperson shall be immune from
13 liability as a result of participation in or serving
14 as a review panel member, except for instances of
15 intentional fraud by a panel member.
16 14. The effect of the malpractice review panel's
17 findings shall be as follows:
18 a. If the review panel's findings are unanimous and
19 unfavorable to the plaintiff in such a manner as would
20 not permit recovery by the plaintiff if the answers
21 were made at trial, all of the following shall apply:
22 (1) The review panel's findings are admissible
23 in any subsequent court action for professional
24 negligence against the health care provider accused of
25 professional negligence by the claimant based upon the
26 same set of facts which were considered reviewed by the
27 review panel.
28 (2) If the malpractice action proceeds and results
29 in a verdict and judgment for the defendant, the
30 plaintiff shall be required to pay all expert witness
31 fees and court costs incurred by the defendant.
32 (3) If the malpractice action proceeds and results
33 in a verdict and judgment for the plaintiff, any
34 noneconomic damages awarded to the plaintiff shall not
35 exceed two hundred fifty thousand dollars.
36 b. If the review panel's findings are unanimous and
37 unfavorable to the defendant, in such a manner as would
38 permit the plaintiff to recover if the defendant's
39 answers were made at trial, all of the following shall
40 apply:
41 (1) The review panel's findings are admissible
42 in any subsequent court action for professional
43 negligence against the health care provider accused of
44 professional negligence by the claimant based upon the
45 same set of facts which were considered reviewed by the
46 review panel.
47 (2) The defendant shall promptly admit liability or
48 enter into negotiations to pay the plaintiff's claim
49 for damages.
50 (3) If liability is admitted, the claim may be

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1 resubmitted to the review panel upon agreement of the
2 plaintiff and the defendant for a determination of
3 damages. Any determination of damages by the review
4 panel shall be admissible in any subsequent malpractice
5 action.

6 (4) If liability is not admitted and the parties
7 are not able to resolve the claim through settlement
8 negotiations within thirty days after service of the
9 review panel's findings, the plaintiff may proceed with
10 the malpractice action. If the plaintiff obtains a
11 verdict or judgment in excess of the plaintiff's last
12 formal demand in the settlement negotiations following
13 the review panel's findings, the defendant shall be
14 required to pay all expert witness fees and court costs
15 incurred by the plaintiff.

16 15. a. Upon the selection of all members of the
17 malpractice review panel, each party shall pay to the
18 clerk of the district court a filing fee of two hundred
19 fifty dollars.

20 b. Any party may apply to the chairperson of the
21 malpractice review panel for a waiver of the filing
22 fee. The chairperson shall grant the waiver if the
23 party is indigent.

24 c. Any party who is or was an employee of another
25 party at the time of the claimed injury and was acting
26 in the course and scope of employment with such other
27 party shall not be required to pay a filing fee.

28 Sec. 20. NEW SECTION. 622.31A Evidence-based
29 medical practice guidelines — affirmative defense.

30 1. For purposes of this section:

31 a. "Evidence-based medical practice guidelines"
32 means voluntary medical practice parameters or
33 protocols established and released through a recognized
34 physician consensus-building organization approved
35 by the United States department of health and human
36 services, through the American medical association's
37 physician consortium for performance improvement or
38 similar activity, or through a recognized national
39 medical specialty society.

40 b. "Health care provider" means a physician and
41 surgeon, osteopathic physician and surgeon, physician
42 assistant, or advanced registered nurse practitioner.

43 2. In any action for personal injury or wrongful
44 death against any health care provider based upon the
45 alleged negligence of the health care provider in
46 patient care, the health care provider may assert,
47 as an affirmative defense, that the health care
48 provider complied with evidence-based medical practice
49 guidelines in the diagnosis and treatment of a patient.

50 3. A judge may admit evidence-based medical

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1 practice guidelines into evidence if introduced only by
 2 a health care provider or by the health care provider's
 3 employer and if the health care provider or the health
 4 care provider's employer establishes foundational
 5 evidence in support of the evidence-based medical
 6 practice guidelines as well as evidence that the health
 7 care provider complied with the guidelines. Evidence
 8 of departure from an evidence-based medical practice
 9 guideline is admissible only on the issue of whether
 10 the health care provider is entitled to assert an
 11 affirmative defense.

12 4. This section shall not apply to any of the
 13 following:

14 a. A mistaken determination by the health care
 15 provider that the evidence-based medical practice
 16 guideline applied to a particular patient where
 17 such mistake is caused by the health care provider's
 18 negligence or intentional misconduct.

19 b. The health care provider's failure to properly
 20 follow the evidence-based medical practice guideline
 21 where such failure is caused by the health care
 22 provider's negligence or intentional misconduct. There
 23 shall be no presumption of negligence if a health care
 24 provider does not adhere to an evidence-based medical
 25 practice guideline.>

26 2. Title page, by striking lines 1 through 5
 27 and inserting <An Act relating to health care by
 28 establishing the healthy Iowa plan, affecting medical
 29 malpractice actions, making appropriations, providing
 30 remedies, and including effective date provisions.>

COMMITTEE ON APPROPRIATIONS
 SODERBERG of Plymouth, Chairperson



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House File 642

H-1374

1 Amend House File 642 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 423B.1, subsection 1, Code
4 2013, is amended to read as follows:

5 1. A city or county may impose by ordinance of the
6 governing body of the city or the board of supervisors
7 local option taxes authorized by this chapter, subject
8 to this section and subject to the exception provided
9 in subsection 2.

10 Sec. ____ . Section 423B.1, subsection 2, Code 2013,
11 is amended by striking the subsection.

12 Sec. ____ . Section 423B.1, subsection 3, Code 2013,
13 is amended to read as follows:

14 3. A local option tax shall be imposed only after
15 an election at which a majority of those voting on the
16 question favors imposition and shall then be imposed
17 until repealed as provided in subsection 6, paragraph
18 "a". If the tax is a local vehicle tax imposed by
19 a county, it shall apply to all incorporated and
20 unincorporated areas of the county. If the tax is
21 a local sales and services tax imposed by a county,
22 it shall only apply to ~~those incorporated areas and~~
23 ~~the unincorporated area of that county in which if a~~
24 majority of those voting in the unincorporated area
25 on the tax favors its imposition and if the tax is
26 a local sales and services tax imposed by a city it
27 shall only apply to the city if a majority of those
28 voting in the city on the tax favors its imposition.
29 ~~For purposes of the local sales and services tax, all~~
30 ~~cities contiguous to each other shall be treated as~~
31 ~~part of one incorporated area and the tax would be~~
32 ~~imposed in each of those contiguous cities only if the~~
33 ~~majority of those voting in the total area covered~~
34 ~~by the contiguous cities favors its imposition. In~~
35 ~~the case of a local sales and services tax submitted~~
36 ~~to the registered voters of two or more contiguous~~
37 ~~counties as provided in subsection 4, paragraph "c",~~
38 ~~all cities contiguous to each other shall be treated as~~
39 ~~part of one incorporated area, even if the corporate~~
40 ~~boundaries of one or more of the cities include areas~~
41 ~~of more than one county, and the tax shall be imposed~~
42 ~~in each of those contiguous cities only if a majority~~
43 ~~of those voting on the tax in the total area covered~~
44 ~~by the contiguous cities favored its imposition. For~~
45 ~~purposes of the local sales and services tax, a city is~~
46 ~~not contiguous to another city if the only road access~~
47 ~~between the two cities is through another state.>~~

48 2. Page 2, after line 8 by inserting:

49 <Sec. ____ . Section 423B.1, subsection 4, paragraph
50 c, Code 2013, is amended by striking the paragraph and

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1 inserting in lieu thereof the following:

2 *c.* A city is considered to be located in a county
3 if over half of the population of the city is located
4 in that county.

5 Sec. _____. Section 423B.1, subsection 5, Code 2013,
6 is amended to read as follows:

7 5. The county commissioner of elections shall
8 submit the question of imposition of a local option
9 tax at an election held on a date specified in section
10 39.2, subsection 4, paragraph "a". The election shall
11 not be held sooner than sixty days after publication
12 of notice of the ballot proposition. The ballot
13 proposition shall specify the type and rate of tax and,
14 in the case of a vehicle tax, the classes that will be
15 exempt and, in the case of a local sales and services
16 tax, the date it will be imposed which date shall not
17 be earlier than ninety days following the election.
18 The ballot proposition shall also specify the
19 approximate amount of local option tax revenues that
20 will be used for property tax relief and shall contain
21 a statement as to the specific purpose or purposes for
22 which the revenues shall otherwise be expended. If
23 the county board of supervisors or city council, as
24 applicable, decides under subsection 6 to specify a
25 date on which the local option sales and services tax
26 shall automatically be repealed, the date of the repeal
27 shall also be specified on the ballot. The rate of the
28 vehicle tax shall be in increments of one dollar per
29 vehicle as set by the petition seeking to impose the
30 tax. The rate of a local sales and services tax shall
31 not be more than one percent as set by the governing
32 body. The state commissioner of elections shall
33 establish by rule the form for the ballot proposition
34 which form shall be uniform throughout the state.

35 Sec. _____. Section 423B.1, subsection 6, paragraph
36 a, Code 2013, is amended to read as follows:

37 *a.* (1) If a majority of those voting on the
38 question of imposition of a local option vehicle
39 tax favors imposition of a local option the tax, the
40 governing body of that the county shall impose the
41 tax at the rate specified for an unlimited period.
42 However, in the case of a local sales and services tax,
43 the county shall not impose the tax in any incorporated
44 area or the unincorporated area if the majority of
45 those voting on the tax in that area did not favor
46 its imposition. For purposes of the local sales and
47 services tax, all cities contiguous to each other shall
48 be treated as part of one incorporated area and the tax
49 shall be imposed in each of those contiguous cities
50 only if the majority of those voting on the tax in the



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1 ~~total area covered by the contiguous cities favored~~
 2 ~~its imposition. In the case of a local sales and~~
 3 ~~services tax submitted to the registered voters of two~~
 4 ~~or more contiguous counties as provided in subsection~~
 5 ~~4, paragraph "c", all cities contiguous to each other~~
 6 ~~shall be treated as part of one incorporated area,~~
 7 ~~even if the corporate boundaries of one or more of~~
 8 ~~the cities include areas of more than one county, and~~
 9 ~~the tax shall be imposed in each of those contiguous~~
 10 ~~cities only if a majority of those voting on the tax~~
 11 ~~in the total area covered by the contiguous cities~~
 12 ~~avored its imposition. If a majority of those voting~~
 13 on the question of imposition of a local option sales
 14 and services tax in a city favors imposition of the
 15 tax, the governing body of the city shall impose by
 16 ordinance the tax at the rate of one percent. If a
 17 majority of those voting on the question of imposition
 18 of a local option sales and services tax in the
 19 unincorporated area of the county favors imposition of
 20 the tax, the governing body of the county shall impose
 21 by ordinance the tax in the unincorporated area of the
 22 county at the rate of one percent.

23 (2) The local option tax may be repealed or the
 24 rate of the local vehicle tax increased or decreased
 25 or the use thereof of a local option tax changed after
 26 an election at which a majority of those voting on the
 27 question of repeal or rate or use change favored the
 28 repeal or rate or use change. The date on which the
 29 repeal, rate, or use change is to take effect shall not
 30 be earlier than ninety days following the election.
 31 The election at which the question of repeal or rate
 32 or use change is offered shall be called and held
 33 in the same manner and under the same conditions as
 34 provided in subsections 4 and 5 for the election on the
 35 imposition of the local option tax. However, in the
 36 case of a local sales and services tax where the tax
 37 has not been imposed countywide, the question of repeal
 38 or imposition or rate or use change shall be voted
 39 on only by the registered voters of the areas of the
 40 county where the tax has been imposed or has not been
 41 imposed, as appropriate. However, the governing body
 42 of the ~~incorporated area city~~ or unincorporated area
 43 where the local sales and services tax is imposed may,
 44 upon its own motion, request the county commissioner of
 45 elections to hold an election in the ~~incorporated city~~
 46 or unincorporated area, as appropriate, on the question
 47 of the change in use of local sales and services tax
 48 revenues. The election may be held at any time but
 49 not sooner than sixty days following publication of
 50 the ballot proposition. If a majority of those voting

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1 in the ~~incorporated~~ city or unincorporated area on the
 2 change in use favors the change, the governing body of
 3 that city or area shall change the use to which the
 4 revenues shall be used. The ballot proposition shall
 5 list the present use of the revenues, the proposed use,
 6 and the date after which revenues received will be used
 7 for the new use.

8 (3) When submitting the question of the imposition
 9 of a local sales and services tax, the county board
 10 of supervisors or the governing body of the city
 11 may direct that the question contain a provision for
 12 the repeal, without election, of the local sales and
 13 services tax on a specific date, which date shall be as
 14 provided in section 423B.6, subsection 1.

15 Sec. _____. Section 423B.1, Code 2013, is amended by
 16 adding the following new subsection:

17 NEW SUBSECTION. 6A. If a proposition for the
 18 imposition of a local sales and services tax submitted
 19 to the voters of a city or unincorporated area of a
 20 county under this section fails to gain approval, the
 21 proposition shall not be resubmitted to the voters
 22 of that jurisdiction in substantially the same form
 23 for a period of three years following the date of the
 24 election and may only be resubmitted to the voters on a
 25 date specified in section 39.2, subsection 4, paragraph
 26 "a".

27 Sec. _____. Section 423B.1, subsection 7, paragraph
 28 b, Code 2013, is amended to read as follows:

29 b. Costs of local option tax elections shall be
 30 apportioned among jurisdictions within the county
 31 voting on the question at the same election on a pro
 32 rata basis in proportion to the number of registered
 33 voters in each taxing jurisdiction voting on the
 34 question and the total number of registered voters in
 35 all of the taxing jurisdictions voting on the question.

36 Sec. _____. Section 423B.1, subsections 8 through 10,
 37 Code 2013, are amended to read as follows:

38 8. Local option taxes authorized to be imposed
 39 as provided in this chapter are a local sales and
 40 services tax and a local vehicle tax. The rate of the
 41 tax shall be in increments of one dollar per vehicle
 42 for a vehicle tax as set on the petition seeking to
 43 impose the vehicle tax. The rate of a local sales and
 44 services tax shall ~~not be more than one percent as set~~
 45 ~~by the governing body.~~

46 9. a. In a county that has imposed a local
 47 ~~option sales and services tax~~ in the unincorporated
 48 area of the county, the board of supervisors shall,
 49 notwithstanding any contrary provision of this chapter,
 50 repeal the local ~~option~~ sales and services tax in the



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1 unincorporated areas ~~or in an incorporated city area in~~
 2 ~~which the tax has been imposed~~ area upon adoption of
 3 its own motion for repeal ~~in the unincorporated areas~~
 4 ~~or upon receipt of a motion adopted by the governing~~
 5 ~~body of that incorporated city area requesting repeal.~~
 6 The board of supervisors shall repeal the local option
 7 sales and services tax effective on the later of
 8 the date of the adoption of the repeal motion or the
 9 earliest date specified in section 423B.6, subsection
 10 1. ~~For purposes of this subsection, incorporated city~~
 11 ~~area includes an incorporated city which is contiguous~~
 12 ~~to another incorporated city.~~

13 b. In a city that has imposed a local sales and
 14 services tax, the governing body of the city shall,
 15 notwithstanding any contrary provision of this chapter,
 16 repeal the local sales and services tax in the city
 17 upon adoption of its own motion for repeal. The
 18 governing body of the city shall repeal the local sales
 19 and services tax effective on the later of the date of
 20 the adoption of the repeal motion or the earliest date
 21 specified in section 423B.6, subsection 1.

22 10. Notwithstanding subsection 9 or any other
 23 contrary provision of this chapter, a local option
 24 sales and services tax shall not be repealed ~~or reduced~~
 25 ~~in rate~~ if obligations are outstanding which are
 26 payable as provided in section 423B.9, unless funds
 27 sufficient to pay the principal, interest, and premium,
 28 if any, on the outstanding obligations at and prior to
 29 maturity have been properly set aside and pledged for
 30 that purpose.

31 Sec. ____ . Section 423B.5, unnumbered paragraph 1,
 32 Code 2013, is amended to read as follows:

33 A local sales and services tax at the rate of ~~not~~
 34 ~~more than~~ one percent may be imposed by a city or
 35 county on the sales price taxed by the state under
 36 chapter 423, subchapter II. A local sales and services
 37 tax shall be imposed on the same basis as the state
 38 sales and services tax or in the case of the use of
 39 natural gas, natural gas service, electricity, or
 40 electric service on the same basis as the state use tax
 41 and shall not be imposed on the sale of any property or
 42 on any service not taxed by the state, except the tax
 43 shall not be imposed on the sales price from the sale
 44 of motor fuel or special fuel as defined in chapter
 45 452A which is consumed for highway use or in watercraft
 46 or aircraft if the fuel tax is paid on the transaction
 47 and a refund has not or will not be allowed, on the
 48 sales price from the sale of equipment by the state
 49 department of transportation, or on the sales price
 50 from the sale or use of natural gas, natural gas



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1 service, electricity, or electric service in a city or
 2 county where the sales price from the sale of natural
 3 gas or electric energy is subject to a franchise fee or
 4 user fee during the period the franchise or user fee is
 5 imposed. A local sales and services tax is applicable
 6 to transactions within ~~those incorporated and the city~~
 7 ~~or unincorporated areas~~ area of the county where it is
 8 imposed and shall be collected by all persons required
 9 to collect state sales taxes. ~~All cities contiguous to~~
 10 ~~each other shall be treated as part of one incorporated~~
 11 ~~area and the tax would be imposed in each of those~~
 12 ~~contiguous cities only if the majority of those voting~~
 13 ~~in the total area covered by the contiguous cities~~
 14 ~~favours its imposition. In the case of a local sales~~
 15 ~~and services tax submitted to the registered voters~~
 16 ~~of two or more contiguous counties as provided in~~
 17 ~~section 423B.1, subsection 4, paragraph "c", all cities~~
 18 ~~contiguous to each other shall be treated as part of~~
 19 ~~one incorporated area, even if the corporate boundaries~~
 20 ~~of one or more of the cities include areas of more than~~
 21 ~~one county, and the tax shall be imposed in each of~~
 22 ~~those contiguous cities only if a majority of those~~
 23 ~~voting on the tax in the total area covered by the~~
 24 ~~contiguous cities favored its imposition.~~

25 Sec. _____. Section 423B.5, unnumbered paragraph 4,
 26 Code 2013, is amended to read as follows:

27 If a local sales and services tax is imposed by
 28 a city or county pursuant to this chapter, a local
 29 excise tax at the same rate shall be imposed by
 30 the city or county on the purchase price of natural
 31 gas, natural gas service, electricity, or electric
 32 service subject to tax under chapter 423, subchapter
 33 III, and not exempted from tax by any provision of
 34 chapter 423, subchapter III. The local excise tax is
 35 applicable only to the use of natural gas, natural gas
 36 service, electricity, or electric service within those
 37 incorporated and unincorporated areas of the county
 38 where it is imposed and, except as otherwise provided
 39 in this chapter, shall be collected and administered in
 40 the same manner as the local sales and services tax.
 41 For purposes of this chapter, "*local sales and services*
 42 *tax*" shall also include the local excise tax.

43 Sec. _____. Section 423B.6, subsection 1, paragraphs
 44 b and c, Code 2013, are amended to read as follows:

45 *b.* A local sales and services tax shall be repealed
 46 only on June 30 or December 31 but not sooner than
 47 ninety days following the favorable election if one is
 48 held. However, a local sales and services tax shall
 49 not be repealed before the tax has been in effect for
 50 one year. At least forty days before the imposition or



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1 repeal of the tax, a the city or county, as applicable,
 2 shall provide notice of the action by certified mail
 3 to the director of revenue.

4 *c.* The imposition of ~~or a rate change for a~~
 5 local sales and services tax shall not be applied to
 6 purchases from a printed catalog wherein a purchaser
 7 computes the local tax based on rates published in the
 8 catalog unless a minimum of one hundred twenty days'
 9 notice of the imposition ~~or rate change~~ has been given
 10 to the seller from the catalog and the first day of
 11 a calendar quarter has occurred on or after the one
 12 hundred twentieth day.

13 *Sec. ____.* Section 423B.6, subsection 2, paragraph
 14 b, Code 2013, is amended to read as follows:

15 *b.* The ordinance of a governing body of a city or
 16 county board of supervisors imposing a local sales and
 17 services tax shall adopt by reference the applicable
 18 provisions of the appropriate sections of chapter
 19 423. All powers and requirements of the director
 20 to administer the state sales tax law and use tax
 21 law are applicable to the administration of a local
 22 sales and services tax law and the local excise tax,
 23 including but not limited to the provisions of section
 24 422.25, subsection 4, sections 422.30, 422.67, and
 25 422.68, section 422.69, subsection 1, sections 422.70
 26 through 422.75, section 423.14, subsection 1 and
 27 subsection 2, paragraphs "b" through "e", and sections
 28 423.15, 423.23, 423.24, 423.25, 423.31 through 423.35,
 29 423.37 through 423.42, 423.46, and 423.47. Local
 30 officials shall confer with the director of revenue
 31 for assistance in drafting the ordinance imposing a
 32 local sales and services tax. A certified copy of the
 33 ordinance shall be filed with the director as soon as
 34 possible after passage.

35 *Sec. ____.* Section 423B.6, subsection 3, paragraph
 36 b, Code 2013, is amended to read as follows:

37 *b.* All local tax moneys and interest and penalties
 38 received or refunded one hundred eighty days or more
 39 after the date on which the city or county repeals its
 40 local sales and services tax shall be deposited in or
 41 withdrawn from the state general fund.

42 *Sec. ____.* Section 423B.7, subsection 1, paragraph
 43 a, Code 2013, is amended to read as follows:

44 *a.* Except as provided in paragraph "b", the
 45 director shall credit the local sales and services
 46 tax receipts and interest and penalties from a
 47 county-imposed tax or a city-imposed tax to the
 48 county's account in the local sales and services tax
 49 fund ~~and from a city-imposed tax under section 423B.1,~~
 50 ~~subsection 2, to the city's account in the local sales~~



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1 ~~and services tax fund~~ for the county in which the tax
 2 was collected. If the director is unable to determine
 3 from which county any of the receipts were collected,
 4 those receipts shall be allocated among the possible
 5 counties based on allocation rules adopted by the
 6 director.

7 Sec. ____ . Section 423B.7, subsection 5, Code 2013,
 8 is amended by striking the subsection.

9 Sec. ____ . Section 423B.8, subsection 1, paragraph
 10 a, Code 2013, is amended to read as follows:

11 a. The goods, wares, or merchandise are
 12 incorporated into an improvement to real estate in
 13 fulfillment of a written contract fully executed prior
 14 to the date of the imposition ~~or increase in rate~~ of a
 15 local sales and services tax under this chapter. The
 16 refund shall not apply to equipment transferred in
 17 fulfillment of a mixed construction contract.

18 Sec. ____ . Section 423B.10, subsection 1, paragraph
 19 b, Code 2013, is amended to read as follows:

20 b. "*Eligible city*" means a city in which a local
 21 sales and services tax imposed by the city or county
 22 applies or a city described in section 423B.1,
 23 subsection 2, paragraph "a", Code 2013, and in which an
 24 urban renewal area has been designated.

25 Sec. ____ . EFFECT OF ACT — CURRENT LOCAL OPTION
 26 TAXES. This Act shall not affect the imposition and
 27 collection of a local option tax imposed, or that will
 28 take effect, as the result of a petition received or
 29 a motion approved under chapter 423B prior to July 1,
 30 2013.

31 Sec. ____ . APPLICABILITY.

32 1. This Act applies to petitions received pursuant
 33 to section 423B.1, subsection 4, paragraph "a", on or
 34 after July 1, 2013.

35 2. This Act applies to motions adopted pursuant
 36 to section 423B.1, subsection 4, paragraph "b", on or
 37 after July 1, 2013.>

38 3. Title page, by striking lines 1 through 4
 39 and inserting <An Act relating to the approval
 40 and imposition of local option taxes and including
 41 applicability provisions.>

42 4. By renumbering as necessary.

WATTS of Dallas



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Senate File 442

H-1375

- 1 Amend the amendment, H-1306, to Senate File 442, as
2 passed by the Senate, as follows:
3 1. Page 4, line 14, by striking <139,909,462> and
4 inserting <82,299,684>
5 2. Page 4, line 20, by striking <2,635,000> and
6 inserting <1,550,000>

WORTHAN of Buena Vista



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House File 640

H-1376

1 Amend House File 640 as follows:

2 1. Page 1, line 29, by striking <for use in an
3 engine>

4 2. By striking page 1, line 31, through page 2,
5 line 6.

6 3. Page 3, line 5, after <fuel> by inserting <that
7 is>

8 4. By renumbering, redesignating, and correcting
9 internal references as necessary.

KLEIN of Washington



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Senate File 296

H-1377

- 1 Amend the amendment, H-1373, to Senate File 296,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 10, after line 34 by inserting:
5 <4. The distribution of county hospital funds to
6 the treasurer of state required under this section
7 shall not be the basis for an increase in the amount
8 levied and a county hospital shall not thereby increase
9 the amount levied pursuant to section 347.7.>
10 2. By renumbering as necessary.

BALTIMORE of Boone



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Senate File 446

H-1378

1 Amend Senate File 446, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT ON AGING — FY 2013-2014

5
6 Section 1. DEPARTMENT ON AGING. There is
7 appropriated from the general fund of the state to
8 the department on aging for the fiscal year beginning
9 July 1, 2013, and ending June 30, 2014, the following
10 amount, or so much thereof as is necessary, to be used
11 for the purposes designated:
12

13 For aging programs for the department on aging and
14 area agencies on aging to provide citizens of Iowa who
15 are 60 years of age and older with case management for
16 frail elders, Iowa's aging and disabilities resource
17 center, and other services which may include but are
18 not limited to adult day services, respite care, chore
19 services, information and assistance, and material aid,
20 for information and options counseling for persons with
21 disabilities who are 18 years of age or older, and
22 for salaries, support, administration, maintenance,
23 and miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:

25	\$ 10,442,086
26	FTEs 35.00

27 1. Funds appropriated in this section may be used
28 to supplement federal funds under federal regulations.
29 To receive funds appropriated in this section, a local
30 area agency on aging shall match the funds with moneys
31 from other sources according to rules adopted by the
32 department. Funds appropriated in this section may be
33 used for elderly services not specifically enumerated
34 in this section only if approved by an area agency on
35 aging for provision of the service within the area.

36 2. Of the funds appropriated in this section,
37 \$279,946 is transferred to the economic development
38 authority for the Iowa commission on volunteer services
39 to be used for the retired and senior volunteer
40 program.

41 3. a. The department on aging shall establish and
42 enforce procedures relating to expenditure of state and
43 federal funds by area agencies on aging that require
44 compliance with both state and federal laws, rules, and
45 regulations, including but not limited to all of the
46 following:

47 (1) Requiring that expenditures are incurred only
48 for goods or services received or performed prior to
49 the end of the fiscal period designated for use of the
50 funds.

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1 (2) Prohibiting prepayment for goods or services
2 not received or performed prior to the end of the
3 fiscal period designated for use of the funds.
4 (3) Prohibiting the prepayment for goods or
5 services not defined specifically by good or service,
6 time period, or recipient.
7 (4) Prohibiting the establishment of accounts from
8 which future goods or services which are not defined
9 specifically by good or service, time period, or
10 recipient, may be purchased.
11 b. The procedures shall provide that if any funds
12 are expended in a manner that is not in compliance with
13 the procedures and applicable federal and state laws,
14 rules, and regulations, and are subsequently subject
15 to repayment, the area agency on aging expending such
16 funds in contravention of such procedures, laws, rules
17 and regulations, not the state, shall be liable for
18 such repayment.
19 4. Of the funds appropriated in this section,
20 \$100,000 shall be used to provide for a local long-term
21 care resident's advocate to administer the certified
22 volunteer long-term care resident's advocate program
23 pursuant to section 231.45.

24 DIVISION II

25 DEPARTMENT OF PUBLIC HEALTH — FY 2013-2014

26 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
27 appropriated from the general fund of the state to
28 the department of public health for the fiscal year
29 beginning July 1, 2013, and ending June 30, 2014, the
30 following amounts, or so much thereof as is necessary,
31 to be used for the purposes designated:

32 1. ADDICTIVE DISORDERS

33 For reducing the prevalence of use of tobacco,
34 alcohol, and other drugs, and treating individuals
35 affected by addictive behaviors, including gambling,
36 and for not more than the following full-time
37 equivalent positions:

38	\$ 23,863,690
39	FTEs 13.00

40 a. (1) Of the funds appropriated in this
41 subsection, \$3,648,361 shall be used for the tobacco
42 use prevention and control initiative, including
43 efforts at the state and local levels, as provided
44 in chapter 142A. The commission on tobacco use
45 prevention and control established pursuant to section
46 142A.3 shall advise the director of public health in
47 prioritizing funding needs and the allocation of moneys
48 appropriated for the programs and activities of the
49 initiative under this subparagraph (1) and shall make
50 recommendations to the director in the development of



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1 budget requests relating to the initiative.

2 (2) (a) Of the funds allocated in this paragraph
3 "a", \$453,067 is transferred to the alcoholic beverages
4 division of the department of commerce for enforcement
5 of tobacco laws, regulations, and ordinances and to
6 engage in tobacco control activities approved by the
7 division of tobacco use prevention and control as
8 specified in the memorandum of understanding entered
9 into between the divisions.

10 (b) For the fiscal year beginning July 1, 2013, and
11 ending June 30, 2014, the terms of the memorandum of
12 understanding, entered into between the division of
13 tobacco use prevention and control of the department
14 of public health and the alcoholic beverages division
15 of the department of commerce, governing compliance
16 checks conducted to ensure licensed retail tobacco
17 outlet conformity with tobacco laws, regulations, and
18 ordinances relating to persons under eighteen years of
19 age, shall restrict the number of such checks to one
20 check per retail outlet, and one additional check for
21 any retail outlet found to be in violation during the
22 first check.

23 b. Of the funds appropriated in this subsection,
24 \$20,215,329 shall be used for problem gambling and
25 substance-related disorder prevention, treatment, and
26 recovery services, including a 24-hour helpline, public
27 information resources, professional training, and
28 program evaluation.

29 (1) Of the funds allocated in this paragraph
30 "b", \$17,103,715 shall be used for substance-related
31 disorder prevention and treatment.

32 (a) Of the funds allocated in this subparagraph
33 (1), \$899,300 shall be used for the public purpose of
34 a grant program to provide substance-related disorder
35 prevention programming for children.

36 (i) Of the funds allocated in this subparagraph
37 division (a), \$427,539 shall be used for grant funding
38 for organizations that provide programming for
39 children by utilizing mentors. Programs approved for
40 such grants shall be certified or will be certified
41 within six months of receiving the grant award by the
42 Iowa commission on volunteer services as utilizing
43 the standards for effective practice for mentoring
44 programs.

45 (ii) Of the funds allocated in this subparagraph
46 division (a), \$426,839 shall be used for grant
47 funding for organizations that provide programming
48 that includes youth development and leadership. The
49 programs shall also be recognized as being programs
50 that are scientifically based with evidence of their

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1 effectiveness in reducing substance-related disorders
2 in children.
3 (iii) The department of public health shall utilize
4 a request for proposals process to implement the grant
5 program.
6 (iv) All grant recipients shall participate in a
7 program evaluation as a requirement for receiving grant
8 funds.
9 (v) Of the funds allocated in this subparagraph
10 division (a), up to \$44,922 may be used to administer
11 substance-related disorder prevention grants and for
12 program evaluations.
13 (b) Of the funds allocated in this subparagraph
14 (1), \$272,603 shall be used for culturally competent
15 substance-related disorder treatment pilot projects.
16 (i) The department shall utilize the amount
17 allocated in this subparagraph division (b) for at
18 least three pilot projects to provide culturally
19 competent substance-related disorder treatment in
20 various areas of the state. Each pilot project shall
21 target a particular ethnic minority population. The
22 populations targeted shall include but are not limited
23 to African American, Asian, and Latino.
24 (ii) The pilot project requirements shall provide
25 for documentation or other means to ensure access
26 to the cultural competence approach used by a pilot
27 project so that such approach can be replicated and
28 improved upon in successor programs.
29 (2) Of the funds allocated in this paragraph "b",
30 up to \$3,111,614 may be used for problem gambling
31 prevention, treatment, and recovery services.
32 (a) Of the funds allocated in this subparagraph
33 (2), \$2,573,762 shall be used for problem gambling
34 prevention and treatment.
35 (b) Of the funds allocated in this subparagraph
36 (2), up to \$437,852 may be used for a 24-hour helpline,
37 public information resources, professional training,
38 and program evaluation.
39 (c) Of the funds allocated in this subparagraph
40 (2), up to \$100,000 may be used for the licensing of
41 problem gambling treatment programs.
42 (3) It is the intent of the general assembly that
43 from the moneys allocated in this paragraph "b",
44 persons with a dual diagnosis of substance-related
45 disorder and gambling addiction shall be given priority
46 in treatment services.
47 c. Notwithstanding any provision of law to the
48 contrary, to standardize the availability, delivery,
49 cost of delivery, and accountability of problem
50 gambling and substance-related disorder treatment

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1 services statewide, the department shall continue
 2 implementation of a process to create a system for
 3 delivery of treatment services in accordance with the
 4 requirements specified in 2008 Iowa Acts, chapter
 5 1187, section 3, subsection 4. To ensure the system
 6 provides a continuum of treatment services that best
 7 meets the needs of Iowans, the problem gambling and
 8 substance-related disorder treatment services in any
 9 area may be provided either by a single agency or by
 10 separate agencies submitting a joint proposal.

11 (1) The system for delivery of substance-related
 12 disorder and problem gambling treatment shall include
 13 problem gambling prevention.

14 (2) The system for delivery of substance-related
 15 disorder and problem gambling treatment shall include
 16 substance-related disorder prevention by July 1, 2014.

17 (3) Of the funds allocated in paragraph "b", the
 18 department may use up to \$100,000 for administrative
 19 costs to continue developing and implementing the
 20 process in accordance with this paragraph "c".

21 d. The requirement of section 123.53, subsection
 22 5, is met by the appropriations and allocations made
 23 in this Act for purposes of substance-related disorder
 24 treatment and addictive disorders for the fiscal year
 25 beginning July 1, 2013.

26 e. The department of public health shall work with
 27 all other departments that fund substance-related
 28 disorder prevention and treatment services and all
 29 such departments shall, to the extent necessary,
 30 collectively meet the state maintenance of effort
 31 requirements for expenditures for substance-related
 32 disorder services as required under the federal
 33 substance-related disorder prevention and treatment
 34 block grant.

35 **2. HEALTHY CHILDREN AND FAMILIES**

36 For promoting the optimum health status for
 37 children, adolescents from birth through 21 years of
 38 age, and families, and for not more than the following
 39 full-time equivalent positions:

40 \$ 2,653,559
 41 FTEs 10.00

42 a. Of the funds appropriated in this subsection,
 43 not more than \$734,841 shall be used for the healthy
 44 opportunities to experience success (HOPES)-healthy
 45 families Iowa (HFI) program established pursuant to
 46 section 135.106. The funding shall be distributed to
 47 renew the grants that were provided to the grantees
 48 that operated the program during the fiscal year ending
 49 June 30, 2013.

50 b. In order to implement the legislative intent



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1 stated in sections 135.106 and 256I.9, that priority
 2 for home visitation program funding be given to
 3 programs using evidence-based or promising models
 4 for home visitation, it is the intent of the general
 5 assembly to phase-in the funding priority in accordance
 6 with 2012 Iowa Acts, chapter 129, section 2, subsection
 7 2, paragraph 0b.

8 c. Of the funds appropriated in this subsection,
 9 \$327,887 shall be used to continue to address the
 10 healthy mental development of children from birth
 11 through five years of age through local evidence-based
 12 strategies that engage both the public and private
 13 sectors in promoting healthy development, prevention,
 14 and treatment for children.

15 d. Of the funds appropriated in this subsection,
 16 \$31,597 shall be distributed to a statewide dental
 17 carrier to provide funds to continue the donated dental
 18 services program patterned after the projects developed
 19 by the lifeline network to provide dental services to
 20 indigent elderly and disabled individuals.

21 e. Of the funds appropriated in this subsection,
 22 \$111,995 shall be used for childhood obesity
 23 prevention.

24 f. Of the funds appropriated in this subsection,
 25 \$162,768 shall be used to provide audiological services
 26 and hearing aids for children. The department may
 27 enter into a contract to administer this paragraph.

28 g. Of the funds appropriated in this subsection,
 29 \$25,000 is transferred to the university of Iowa
 30 college of dentistry for provision of primary dental
 31 services to children. State funds shall be matched
 32 on a dollar-for-dollar basis. The university of Iowa
 33 college of dentistry shall coordinate efforts with the
 34 department of public health, bureau of oral and health
 35 delivery systems, to provide dental care to underserved
 36 populations throughout the state.

37 h. Of the funds appropriated in this subsection,
 38 \$50,000 shall be used to address youth suicide
 39 prevention.

40 3. CHRONIC CONDITIONS

41 For serving individuals identified as having chronic
 42 conditions or special health care needs, and for not
 43 more than the following full-time equivalent positions:

44	\$ 4,155,429
45	FTEs 4.00

46 a. Of the funds appropriated in this subsection,
 47 \$159,932 shall be used for grants to individual
 48 patients who have phenylketonuria (PKU) to assist with
 49 the costs of necessary special foods.

50 b. Of the funds appropriated in this subsection,

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1 \$481,644 is allocated for continuation of the contracts
2 for resource facilitator services in accordance with
3 section 135.22B, subsection 9, and for brain injury
4 training services and recruiting of service providers
5 to increase the capacity within this state to address
6 the needs of individuals with brain injuries and such
7 individuals' families.
8 c. Of the funds appropriated in this subsection,
9 \$547,982 shall be used as additional funding to
10 leverage federal funding through the federal Ryan
11 White Care Act, Tit. II, AIDS drug assistance program
12 supplemental drug treatment grants.
13 d. Of the funds appropriated in this subsection,
14 \$99,823 shall be used for the public purpose of
15 providing a grant to an existing national-affiliated
16 organization to provide education, client-centered
17 programs, and client and family support for people
18 living with epilepsy and their families.
19 e. Of the funds appropriated in this subsection,
20 \$785,114 shall be used for child health specialty
21 clinics.
22 f. Of the funds appropriated in this subsection,
23 \$200,000 shall be used by the regional autism
24 assistance program established pursuant to section
25 256.35, and administered by the child health specialty
26 clinic located at the university of Iowa hospitals
27 and clinics. The funds shall be used to enhance
28 interagency collaboration and coordination of
29 educational, medical, and other human services for
30 persons with autism, their families, and providers of
31 services, including delivering regionalized services of
32 care coordination, family navigation, and integration
33 of services through the statewide system of regional
34 child health specialty clinics and fulfilling other
35 requirements as specified in chapter 225D, creating the
36 autism support program, as enacted in this Act. The
37 university of Iowa shall not receive funds allocated
38 under this paragraph for indirect costs associated with
39 the regional autism assistance program.
40 g. Of the funds appropriated in this subsection,
41 \$470,993 shall be used for the comprehensive cancer
42 control program to reduce the burden of cancer in
43 Iowa through prevention, early detection, effective
44 treatment, and ensuring quality of life. Of the funds
45 allocated in this lettered paragraph, \$150,000 shall
46 be used to support a melanoma research symposium,
47 a melanoma biorepository and registry, basic and
48 translational melanoma research, and clinical trials.
49 h. Of the funds appropriated in this subsection,
50 \$126,450 shall be used for cervical and colon cancer

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1 screening, and \$500,000 shall be used to enhance the
 2 capacity of the cervical cancer screening program to
 3 include provision of recommended prevention and early
 4 detection measures to a broader range of low-income
 5 women.

6 i. Of the funds appropriated in this subsection,
 7 \$526,695 shall be used for the center for congenital
 8 and inherited disorders.

9 j. Of the funds appropriated in this subsection,
 10 \$129,411 shall be used for the prescription drug
 11 donation repository program created in chapter 135M.

12 **4. COMMUNITY CAPACITY**

13 For strengthening the health care delivery system at
 14 the local level, and for not more than the following
 15 full-time equivalent positions:

16	\$ 4,685,154
17	FTEs 14.00

18 a. Of the funds appropriated in this subsection,
 19 \$99,414 is allocated for a child vision screening
 20 program implemented through the university of Iowa
 21 hospitals and clinics in collaboration with early
 22 childhood Iowa areas. The program shall submit a
 23 report to the individuals identified in this Act
 24 for submission of reports regarding the use of funds
 25 allocated under this paragraph "a". The report shall
 26 include the objectives and results for the year of
 27 the program's implementation including the target
 28 population and how the funds allocated assisted the
 29 program in meeting the objectives; the number, age, and
 30 location within the state of individuals served; the
 31 type of services provided to the individuals served;
 32 the distribution of funds based on service provided;
 33 and the continuing needs of the program.

34 b. Of the funds appropriated in this subsection,
 35 \$110,656 is allocated for continuation of an initiative
 36 implemented at the university of Iowa and \$99,904 is
 37 allocated for continuation of an initiative at the
 38 state mental health institute at Cherokee to expand
 39 and improve the workforce engaged in mental health
 40 treatment and services. The initiatives shall receive
 41 input from the university of Iowa, the department of
 42 human services, the department of public health, and
 43 the mental health and disability services commission to
 44 address the focus of the initiatives.

45 c. Of the funds appropriated in this subsection,
 46 \$1,164,628 shall be used for essential public health
 47 services that promote healthy aging throughout the
 48 lifespan, contracted through a formula for local boards
 49 of health, to enhance health promotion and disease
 50 prevention services.



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1 d. Of the funds appropriated in this section,
 2 \$99,286 shall be deposited in the governmental public
 3 health system fund created in section 135A.8 to be used
 4 for the purposes of the fund.

5 e. Of the funds appropriated in this subsection,
 6 \$105,448 shall be used for the mental health
 7 professional shortage area program implemented pursuant
 8 to section 135.180.

9 f. Of the funds appropriated in this subsection,
 10 \$50,000 shall be used for a grant to a statewide
 11 association of psychologists that is affiliated
 12 with the American psychological association to be
 13 used for continuation of a program to rotate intern
 14 psychologists in placements in urban and rural mental
 15 health professional shortage areas, as defined in
 16 section 135.180.

17 g. Of the funds appropriated in this subsection,
 18 the following amounts shall be allocated to the Iowa
 19 collaborative safety net provider network established
 20 pursuant to section 135.153 to be used for the purposes
 21 designated. The following amounts allocated under
 22 this lettered paragraph shall be distributed to
 23 the specified provider and shall not be reduced for
 24 administrative or other costs prior to distribution:

25 (1) For distribution to the Iowa primary care
 26 association to be used to establish a grant program
 27 for training sexual assault response team (SART)
 28 members, including representatives of law enforcement,
 29 victim advocates, prosecutors, and certified medical
 30 personnel:

31 \$ 50,000

32 (2) For distribution to federally qualified health
 33 centers for necessary infrastructure, statewide
 34 coordination, provider recruitment, service delivery,
 35 and provision of assistance to patients in determining
 36 an appropriate medical home:

37 \$ 75,000

38 (3) For distribution to the local boards of health
 39 that provide direct services for pilot programs in
 40 three counties to assist patients in determining an
 41 appropriate medical home:

42 \$ 77,153

43 (4) For distribution to maternal and child health
 44 centers for pilot programs in three counties to assist
 45 patients in determining an appropriate medical home:

46 \$ 95,126

47 (5) For distribution to free clinics for necessary
 48 infrastructure, statewide coordination, provider
 49 recruitment, service delivery, and provision of
 50 assistance to patients in determining an appropriate



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1 medical home:
2 \$ 273,322
3 (6) For distribution to rural health clinics for
4 necessary infrastructure, statewide coordination,
5 provider recruitment, service delivery, and provision
6 of assistance to patients in determining an appropriate
7 medical home:
8 \$ 141,544
9 (7) For continuation of the safety net provider
10 patient access to specialty health care initiative as
11 described in 2007 Iowa Acts, chapter 218, section 109:
12 \$ 308,474
13 (8) For continuation of the pharmaceutical
14 infrastructure for safety net providers as described in
15 2007 Iowa Acts, chapter 218, section 108:
16 \$ 318,415
17 The Iowa collaborative safety net provider network
18 may continue to distribute funds allocated pursuant to
19 this lettered paragraph through existing contracts or
20 renewal of existing contracts.
21 h. Of the funds appropriated in this subsection,
22 \$222,025 is transferred to the department of
23 workforce development to continue to implement the
24 recommendations in the final report submitted to the
25 governor and the general assembly in March 2012, by
26 the direct care worker advisory council established
27 pursuant to 2008 Iowa Acts, chapter 1188, section 69,
28 and the direct care worker advisory council shall be
29 eliminated effective June 30, 2013.
30 i. Of the funds appropriated in this subsection,
31 the department may use up to \$58,175 for up to one
32 full-time equivalent position to administer the
33 volunteer health care provider program pursuant to
34 section 135.24.
35 j. Of the funds appropriated in this subsection,
36 \$49,707 shall be used for a matching dental education
37 loan repayment program to be allocated to a dental
38 nonprofit health service corporation to develop the
39 criteria and implement the loan repayment program.
40 k. Of the funds appropriated in this subsection,
41 \$105,823 is transferred to the college student aid
42 commission for deposit in the rural Iowa primary care
43 trust fund created in section 261.113 to be used for
44 the purposes of the fund.
45 l. Of the funds appropriated in this subsection,
46 \$50,000 shall be used for the purposes of the Iowa
47 donor registry as specified in section 142C.18.
48 m. Of the funds appropriated in this subsection,
49 \$100,000 shall be used for continuation of a grant to a
50 nationally affiliated volunteer eye organization that

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1 has an established program for children and adults
 2 and that is solely dedicated to preserving sight and
 3 preventing blindness through education, nationally
 4 certified vision screening and training, and community
 5 and patient service programs. The organization shall
 6 submit a report to the individuals identified in this
 7 Act for submission of reports regarding the use of
 8 funds allocated under this paragraph "m". The report
 9 shall include the objectives and results for the year
 10 of the program's implementation including the target
 11 population and how the funds allocated assisted the
 12 program in meeting the objectives; the number, age, and
 13 location within the state of individuals served; the
 14 type of services provided to the individuals served;
 15 the distribution of funds based on service provided;
 16 and the continuing needs of the program.

17 n. Of the funds appropriated in this section,
 18 \$50,000 shall be distributed to a statewide nonprofit
 19 organization to be used for the public purpose of
 20 supporting a partnership between medical providers and
 21 parents through community health centers to promote
 22 reading and encourage literacy skills so children enter
 23 school prepared for success in reading.

24 o. A portion of the funds appropriated in this
 25 subsection that are not allocated, used, obligated,
 26 or otherwise encumbered may be used to administer the
 27 vision screening program created pursuant to section
 28 135.39D, as enacted by 2013 Iowa Acts, Senate File 419.

29 **5. HEALTHY AGING**

30 To provide public health services that reduce risks
 31 and invest in promoting and protecting good health over
 32 the course of a lifetime with a priority given to older
 33 Iowans and vulnerable populations:

34 \$ 7,297,142

35 a. Of the funds appropriated in this subsection,
 36 \$2,009,187 shall be used for local public health
 37 nursing services.

38 b. Of the funds appropriated in this subsection,
 39 \$5,287,955 shall be used for home care aide services.

40 **6. ENVIRONMENTAL HAZARDS**

41 For reducing the public's exposure to hazards in the
 42 environment, primarily chemical hazards, and for not
 43 more than the following full-time equivalent positions:

44 \$ 803,870

45 FTEs 4.00

46 Of the funds appropriated in this subsection,
 47 \$537,750 shall be used for childhood lead poisoning
 48 provisions.

49 **7. INFECTIOUS DISEASES**

50 For reducing the incidence and prevalence of



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1 communicable diseases, and for not more than the
2 following full-time equivalent positions:
3 \$ 1,335,155
4 FTEs 4.00
5 8. PUBLIC PROTECTION
6 For protecting the health and safety of the
7 public through establishing standards and enforcing
8 regulations, and for not more than the following
9 full-time equivalent positions:
10 \$ 3,203,771
11 FTEs 131.00
12 a. Of the funds appropriated in this subsection,
13 not more than \$454,700 shall be credited to the
14 emergency medical services fund created in section
15 135.25. Moneys in the emergency medical services fund
16 are appropriated to the department to be used for the
17 purposes of the fund.
18 b. Of the funds appropriated in this subsection,
19 \$203,032 shall be used for sexual violence prevention
20 programming through a statewide organization
21 representing programs serving victims of sexual
22 violence through the department's sexual violence
23 prevention program. The amount allocated in this
24 lettered paragraph shall not be used to supplant
25 funding administered for other sexual violence
26 prevention or victims assistance programs.
27 c. Of the funds appropriated in this subsection,
28 not more than \$523,751 shall be used for the state
29 poison control center.
30 d. Of the funds appropriated in this section,
31 \$368,000 shall be used for maintenance of environmental
32 health programs to ensure public safety.
33 e. Of the funds appropriated in this section,
34 \$28,000 shall be used as one-time funding to transition
35 the licensing of orthotists, prosthetists, and
36 pedorthists to a fee-supported licensing model. The
37 fee-supported model shall provide for repayment of the
38 funds allocated under this paragraph to the general
39 fund of the state by June 30, 2015.
40 f. Of the funds appropriated in this section,
41 \$28,644 shall be used for the costs of the emergency
42 medical services task force as enacted in this Act.
43 9. RESOURCE MANAGEMENT
44 For establishing and sustaining the overall
45 ability of the department to deliver services to the
46 public, and for not more than the following full-time
47 equivalent positions:
48 \$ 804,054
49 FTEs 5.00
50 The university of Iowa hospitals and clinics under

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1 the control of the state board of regents shall not
 2 receive indirect costs from the funds appropriated in
 3 this section. The university of Iowa hospitals and
 4 clinics billings to the department shall be on at least
 5 a quarterly basis.

6 **DIVISION III**

7 **DEPARTMENT OF VETERANS AFFAIRS — FY 2013-2014**

8 **Sec. 3. DEPARTMENT OF VETERANS AFFAIRS.** There is
 9 appropriated from the general fund of the state to the
 10 department of veterans affairs for the fiscal year
 11 beginning July 1, 2013, and ending June 30, 2014, the
 12 following amounts, or so much thereof as is necessary,
 13 to be used for the purposes designated:

14 1. **DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION**
 15 For salaries, support, maintenance, and
 16 miscellaneous purposes, including the war orphans
 17 educational assistance fund created in section 35.8,
 18 or a successor funding provision for war orphans
 19 educational assistance, if enacted, and for not more
 20 than the following full-time equivalent positions:
 21 \$ 1,093,508
 22 FTEs 13.00

23 2. **IOWA VETERANS HOME**
 24 For salaries, support, maintenance, and
 25 miscellaneous purposes:
 26 \$ 7,525,714

27 a. The Iowa veterans home billings involving the
 28 department of human services shall be submitted to the
 29 department on at least a monthly basis.

30 b. If there is a change in the employer of
 31 employees providing services at the Iowa veterans home
 32 under a collective bargaining agreement, such employees
 33 and the agreement shall be continued by the successor
 34 employer as though there had not been a change in
 35 employer.

36 c. Within available resources and in conformance
 37 with associated state and federal program eligibility
 38 requirements, the Iowa veterans home may implement
 39 measures to provide financial assistance to or
 40 on behalf of veterans or their spouses who are
 41 participating in the community reentry program.

42 d. The Iowa veterans home expenditure report
 43 shall be submitted monthly to the legislative services
 44 agency.

45 3. **HOME OWNERSHIP ASSISTANCE PROGRAM**
 46 For transfer to the Iowa finance authority for the
 47 continuation of the home ownership assistance program
 48 for persons who are or were eligible members of the
 49 armed forces of the United States, pursuant to section
 50 16.54:

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1 \$ 1,600,000
2 Sec. 4. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
3 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding
4 the standing appropriation in the following designated
5 section for the fiscal year beginning July 1, 2013, and
6 ending June 30, 2014, the amounts appropriated from the
7 general fund of the state pursuant to that section for
8 the following designated purposes shall not exceed the
9 following amount:
10 For the county commissions of veteran affairs fund
11 under section 35A.16:
12 \$ 990,000
13 DIVISION IV
14 DEPARTMENT OF HUMAN SERVICES — FY 2013-2014
15 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
16 BLOCK GRANT. There is appropriated from the fund
17 created in section 8.41 to the department of human
18 services for the fiscal year beginning July 1, 2013,
19 and ending June 30, 2014, from moneys received under
20 the federal temporary assistance for needy families
21 (TANF) block grant pursuant to the federal Personal
22 Responsibility and Work Opportunity Reconciliation
23 Act of 1996, Pub. L. No. 104-193, and successor
24 legislation, the following amounts, or so much
25 thereof as is necessary, to be used for the purposes
26 designated:
27 1. To be credited to the family investment program
28 account and used for assistance under the family
29 investment program under chapter 239B:
30 \$ 18,116,948
31 2. To be credited to the family investment program
32 account and used for the job opportunities and
33 basic skills (JOBS) program and implementing family
34 investment agreements in accordance with chapter 239B:
35 \$ 11,866,439
36 3. To be used for the family development and
37 self-sufficiency grant program in accordance with
38 section 216A.107:
39 \$ 2,898,980
40 Notwithstanding section 8.33, moneys appropriated in
41 this subsection that remain unencumbered or unobligated
42 at the close of the fiscal year shall not revert but
43 shall remain available for expenditure for the purposes
44 designated until the close of the succeeding fiscal
45 year. However, unless such moneys are encumbered or
46 obligated on or before September 30, 2014, the moneys
47 shall revert.
48 4. For field operations:
49 \$ 31,296,232
50 5. For general administration:

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1 \$ 3,744,000
2 6. For state child care assistance:
3 \$ 25,732,687
4 The funds appropriated in this subsection are
5 transferred to the child care and development block
6 grant appropriation made by the Eighty-fifth General
7 Assembly, 2013 Session, for the federal fiscal year
8 beginning October 1, 2013, and ending September 30,
9 2014. Of this amount, \$200,000 shall be used for
10 provision of educational opportunities to registered
11 child care home providers in order to improve services
12 and programs offered by this category of providers and
13 to increase the number of providers. The department
14 may contract with institutions of higher education or
15 child care resource and referral centers to provide the
16 educational opportunities. Allowable administrative
17 costs under the contracts shall not exceed 5 percent.
18 The application for a grant shall not exceed two pages
19 in length.
20 7. For distribution to counties or regions for
21 services for persons with mental illness or an
22 intellectual disability:
23 \$ 4,894,052
24 8. For child and family services:
25 \$ 32,084,430
26 9. For child abuse prevention grants:
27 \$ 125,000
28 10. For pregnancy prevention grants on the
29 condition that family planning services are funded:
30 \$ 1,930,067
31 Pregnancy prevention grants shall be awarded to
32 programs in existence on or before July 1, 2013, if the
33 programs have demonstrated positive outcomes. Grants
34 shall be awarded to pregnancy prevention programs
35 which are developed after July 1, 2013, if the programs
36 are based on existing models that have demonstrated
37 positive outcomes. Grants shall comply with the
38 requirements provided in 1997 Iowa Acts, chapter
39 208, section 14, subsections 1 and 2, including the
40 requirement that grant programs must emphasize sexual
41 abstinence. Priority in the awarding of grants shall
42 be given to programs that serve areas of the state
43 which demonstrate the highest percentage of unplanned
44 pregnancies of females of childbearing age within the
45 geographic area to be served by the grant.
46 11. For technology needs and other resources
47 necessary to meet federal welfare reform reporting,
48 tracking, and case management requirements:
49 \$ 1,037,186
50 12. For the family investment program share of

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1 the costs to develop and maintain a new, integrated
2 eligibility determination system:
3 \$ 5,050,451
4 13. a. Notwithstanding any provision to the
5 contrary, including but not limited to requirements
6 in section 8.41 or provisions in 2012 or 2013 Iowa
7 Acts regarding the receipt and appropriation of
8 federal block grants, federal funds from the temporary
9 assistance for needy families block grant received by
10 the state not otherwise appropriated in this section
11 and remaining available for the fiscal year beginning
12 July 1, 2013, are appropriated to the department of
13 human services to the extent as may be necessary to
14 be used in the following priority order: the family
15 investment program, for state child care assistance
16 program payments for individuals enrolled in the
17 family investment program who are employed, and
18 for the family investment program share of costs to
19 develop and maintain a new, integrated eligibility
20 determination system. The federal funds appropriated
21 in this paragraph "a" shall be expended only after
22 all other funds appropriated in subsection 1 for
23 the assistance under the family investment program,
24 in subsection 6 for child care assistance, or in
25 subsection 12 for the family investment program share
26 of the costs to develop and maintain a new, integrated
27 eligibility determination system, as applicable, have
28 been expended.
29 b. The department shall, on a quarterly basis,
30 advise the legislative services agency and department
31 of management of the amount of funds appropriated in
32 this subsection that was expended in the prior quarter.
33 14. Of the amounts appropriated in this section,
34 \$12,962,008 for the fiscal year beginning July 1, 2013,
35 is transferred to the appropriation of the federal
36 social services block grant made to the department of
37 human services for that fiscal year.
38 15. For continuation of the program providing
39 categorical eligibility for the food assistance program
40 as specified for the program in the section of this
41 division relating to the family investment program
42 account:
43 \$ 25,000
44 16. The department may transfer funds allocated
45 in this section to the appropriations made in this
46 division of this Act for the same fiscal year for
47 general administration and field operations for
48 resources necessary to implement and operate the
49 services referred to in this section and those funded
50 in the appropriation made in this division of this Act

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1 for the same fiscal year for the family investment
 2 program from the general fund of the state.

3 **Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.**

4 1. Moneys credited to the family investment program
 5 (FIP) account for the fiscal year beginning July
 6 1, 2013, and ending June 30, 2014, shall be used to
 7 provide assistance in accordance with chapter 239B.

8 2. The department may use a portion of the moneys
 9 credited to the FIP account under this section as
 10 necessary for salaries, support, maintenance, and
 11 miscellaneous purposes.

12 3. The department may transfer funds allocated
 13 in this section to the appropriations made in this
 14 division of this Act for the same fiscal year for
 15 general administration and field operations for
 16 resources necessary to implement and operate the
 17 services referred to in this section and those funded
 18 in the appropriation made in this division of this Act
 19 for the same fiscal year for the family investment
 20 program from the general fund of the state.

21 4. Moneys appropriated in this division of this Act
 22 and credited to the FIP account for the fiscal year
 23 beginning July 1, 2013, and ending June 30, 2014, are
 24 allocated as follows:

25 a. To be retained by the department of human
 26 services to be used for coordinating with the
 27 department of human rights to more effectively serve
 28 participants in the FIP program and other shared
 29 clients and to meet federal reporting requirements
 30 under the federal temporary assistance for needy
 31 families block grant:

32 \$ 20,000

33 b. To the department of human rights for staffing,
 34 administration, and implementation of the family
 35 development and self-sufficiency grant program in
 36 accordance with section 216A.107:

37 \$ 5,542,834

38 (1) Of the funds allocated for the family
 39 development and self-sufficiency grant program in this
 40 lettered paragraph, not more than 5 percent of the
 41 funds shall be used for the administration of the grant
 42 program.

43 (2) The department of human rights may continue to
 44 implement the family development and self-sufficiency
 45 grant program statewide during fiscal year 2013-2014.

46 c. For the diversion subaccount of the FIP account:
 47 \$ 1,698,400

48 A portion of the moneys allocated for the subaccount
 49 may be used for field operations salaries, data
 50 management system development, and implementation



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1 costs and support deemed necessary by the director
2 of human services in order to administer the FIP
3 diversion program. To the extent moneys allocated
4 in this lettered paragraph are not deemed by the
5 department to be necessary to support diversion
6 activities, such moneys may be used for other efforts
7 intended to increase engagement by family investment
8 program participants in work, education, or training
9 activities.

10 d. For the food assistance employment and training
11 program:
12 \$ 66,588

13 (1) The department shall amend the federal
14 supplemental nutrition assistance program (SNAP)
15 employment and training state plan in order to maximize
16 to the fullest extent permitted by federal law the
17 use of the 50-50 match provisions for the claiming
18 of allowable federal matching funds from the United
19 States department of agriculture pursuant to the
20 federal SNAP employment and training program for
21 providing education, employment, and training services
22 for eligible food assistance program participants,
23 including but not limited to related dependent care and
24 transportation expenses.

25 (2) The department shall continue the categorical
26 federal food assistance program eligibility at 160
27 percent of the federal poverty level and continue to
28 eliminate the asset test from eligibility requirements,
29 consistent with federal food assistance program
30 requirements. The department shall include as many
31 food assistance households as is allowed by federal
32 law. The eligibility provisions shall conform to all
33 federal requirements including requirements addressing
34 individuals who are incarcerated or otherwise
35 ineligible.

36 e. For the JOBS program:
37 \$ 19,690,816

38 5. Of the child support collections assigned under
39 FIP, an amount equal to the federal share of support
40 collections shall be credited to the child support
41 recovery appropriation made in this division of this
42 Act. Of the remainder of the assigned child support
43 collections received by the child support recovery
44 unit, a portion shall be credited to the FIP account,
45 a portion may be used to increase recoveries, and a
46 portion may be used to sustain cash flow in the child
47 support payments account. If as a consequence of the
48 appropriations and allocations made in this section
49 the resulting amounts are insufficient to sustain
50 cash assistance payments and meet federal maintenance

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1 of effort requirements, the department shall seek
 2 supplemental funding. If child support collections
 3 assigned under FIP are greater than estimated or are
 4 otherwise determined not to be required for maintenance
 5 of effort, the state share of either amount may be
 6 transferred to or retained in the child support payment
 7 account.

8 6. The department may adopt emergency rules for the
 9 family investment, JOBS, food assistance, and medical
 10 assistance programs if necessary to comply with federal
 11 requirements.

12 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL
 13 FUND. There is appropriated from the general fund of
 14 the state to the department of human services for the
 15 fiscal year beginning July 1, 2013, and ending June 30,
 16 2014, the following amount, or so much thereof as is
 17 necessary, to be used for the purpose designated:

18 To be credited to the family investment program
 19 (FIP) account and used for family investment program
 20 assistance under chapter 239B:

21 \$ 47,897,214

22 1. Of the funds appropriated in this section,
 23 \$7,824,377 is allocated for the JOBS program.

24 2. Of the funds appropriated in this section,
 25 \$2,663,854 is allocated for the family development and
 26 self-sufficiency grant program.

27 3. Notwithstanding section 8.39, for the fiscal
 28 year beginning July 1, 2013, if necessary to meet
 29 federal maintenance of effort requirements or to
 30 transfer federal temporary assistance for needy
 31 families block grant funding to be used for purposes
 32 of the federal social services block grant or to meet
 33 cash flow needs resulting from delays in receiving
 34 federal funding or to implement, in accordance with
 35 this division of this Act, activities currently funded
 36 with juvenile court services, county, or community
 37 moneys and state moneys used in combination with such
 38 moneys, the department of human services may transfer
 39 funds within or between any of the appropriations made
 40 in this division of this Act and appropriations in law
 41 for the federal social services block grant to the
 42 department for the following purposes, provided that
 43 the combined amount of state and federal temporary
 44 assistance for needy families block grant funding for
 45 each appropriation remains the same before and after
 46 the transfer:

- 47 a. For the family investment program.
- 48 b. For child care assistance.
- 49 c. For child and family services.
- 50 d. For field operations.

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1 e. For general administration.

2 f. For distribution to counties or regions
3 for services to persons with mental illness or an
4 intellectual disability.

5 This subsection shall not be construed to prohibit
6 the use of existing state transfer authority for other
7 purposes. The department shall report any transfers
8 made pursuant to this subsection to the legislative
9 services agency.

10 4. Of the funds appropriated in this section,
11 \$195,678 shall be used for continuation of a grant to
12 an Iowa-based nonprofit organization with a history
13 of providing tax preparation assistance to low-income
14 Iowans in order to expand the usage of the earned
15 income tax credit. The purpose of the grant is to
16 supply this assistance to underserved areas of the
17 state.

18 5. The department may transfer funds appropriated
19 in this section to the appropriations made in this
20 division of this Act for general administration and
21 field operations as necessary to administer this
22 section and the overall family investment program.

23 Sec. 8. CHILD SUPPORT RECOVERY. There is
24 appropriated from the general fund of the state to
25 the department of human services for the fiscal year
26 beginning July 1, 2013, and ending June 30, 2014, the
27 following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 For child support recovery, including salaries,
30 support, maintenance, and miscellaneous purposes, and
31 for not more than the following full-time equivalent
32 positions:

33 \$ 14,173,770
34 FTEs 464.00

35 1. The department shall expend up to \$24,329,
36 including federal financial participation, for the
37 fiscal year beginning July 1, 2013, for a child support
38 public awareness campaign. The department and the
39 office of the attorney general shall cooperate in
40 continuation of the campaign. The public awareness
41 campaign shall emphasize, through a variety of media
42 activities, the importance of maximum involvement of
43 both parents in the lives of their children as well as
44 the importance of payment of child support obligations.

45 2. Federal access and visitation grant moneys shall
46 be issued directly to private not-for-profit agencies
47 that provide services designed to increase compliance
48 with the child access provisions of court orders,
49 including but not limited to neutral visitation sites
50 and mediation services.

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1 3. The appropriation made to the department for
2 child support recovery may be used throughout the
3 fiscal year in the manner necessary for purposes of
4 cash flow management, and for cash flow management
5 purposes the department may temporarily draw more
6 than the amount appropriated, provided the amount
7 appropriated is not exceeded at the close of the fiscal
8 year.

9 4. With the exception of the funding amount
10 specified, the requirements established under 2001
11 Iowa Acts, chapter 191, section 3, subsection 5,
12 paragraph "c", subparagraph (3), shall be applicable
13 to parental obligation pilot projects for the fiscal
14 year beginning July 1, 2013, and ending June 30,
15 2014. Notwithstanding 441 IAC 100.8, providing for
16 termination of rules relating to the pilot projects,
17 the rules shall remain in effect until June 30, 2014.

18 Sec. 9. HEALTH CARE TRUST FUND — MEDICAL
19 ASSISTANCE — FY 2013-2014. Any funds remaining in the
20 health care trust fund created in section 453A.35A for
21 the fiscal year beginning July 1, 2013, and ending June
22 30, 2014, are appropriated to the department of human
23 services to supplement the medical assistance program
24 appropriations made in this division of this Act, for
25 medical assistance reimbursement and associated costs,
26 including program administration and costs associated
27 with program implementation.

28 Sec. 10. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE
29 — FY 2013-2014. Any funds remaining in the Medicaid
30 fraud fund created in section 249A.7 for the fiscal
31 year beginning July 1, 2013, and ending June 30, 2014,
32 are appropriated to the department of human services to
33 supplement the medical assistance appropriations made
34 in this division of this Act, for medical assistance
35 reimbursement and associated costs, including program
36 administration and costs associated with program
37 implementation.

38 Sec. 11. MEDICAL ASSISTANCE. There is appropriated
39 from the general fund of the state to the department of
40 human services for the fiscal year beginning July 1,
41 2013, and ending June 30, 2014, the following amount,
42 or so much thereof as is necessary, to be used for the
43 purpose designated:

44 For medical assistance program reimbursement and
45 associated costs as specifically provided in the
46 reimbursement methodologies in effect on June 30, 2013,
47 except as otherwise expressly authorized by law:
48 \$ 1,126,161,962

49 1. a. Funds appropriated in this section that
50 are distributed to a hospital, as defined in section



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1 135B.1, or to a person, as defined in section 4.1, who
 2 receives funding from the IowaCare account created in
 3 section 249J.24, shall not be used for the willful
 4 termination of human life.

5 b. With the exception of the distributions in
 6 paragraph "a", funds appropriated under this section
 7 shall not be distributed to any person, as defined
 8 in section 4.1, who participates in the willful
 9 termination of human life.

10 2. The department shall utilize not more than
 11 \$60,000 of the funds appropriated in this section
 12 to continue the AIDS/HIV health insurance premium
 13 payment program as established in 1992 Iowa Acts,
 14 Second Extraordinary Session, chapter 1001, section
 15 409, subsection 6. Of the funds allocated in this
 16 subsection, not more than \$5,000 may be expended for
 17 administrative purposes.

18 3. Of the funds appropriated in this Act to the
 19 department of public health for addictive disorders,
 20 \$950,000 for the fiscal year beginning July 1, 2013, is
 21 transferred to the department of human services for an
 22 integrated substance abuse managed care system. The
 23 department shall not assume management of the substance
 24 abuse system in place of the managed care contractor
 25 unless such a change in approach is specifically
 26 authorized in law. The departments of human services
 27 and public health shall work together to maintain the
 28 level of mental health and substance-related disorder
 29 treatment services provided by the managed care
 30 contractor through the Iowa plan for behavioral health.
 31 Each department shall take the steps necessary to
 32 continue the federal waivers as necessary to maintain
 33 the level of services.

34 4. a. The department shall aggressively pursue
 35 options for providing medical assistance or other
 36 assistance to individuals with special needs who become
 37 ineligible to continue receiving services under the
 38 early and periodic screening, diagnostic, and treatment
 39 program under the medical assistance program due
 40 to becoming 21 years of age who have been approved
 41 for additional assistance through the department's
 42 exception to policy provisions, but who have health
 43 care needs in excess of the funding available through
 44 the exception to policy provisions.

45 b. Of the funds appropriated in this section,
 46 \$100,000 shall be used for participation in one or more
 47 pilot projects operated by a private provider to allow
 48 the individual or individuals to receive service in the
 49 community in accordance with principles established in
 50 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose

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1 of providing medical assistance or other assistance to
2 individuals with special needs who become ineligible
3 to continue receiving services under the early and
4 periodic screening, diagnosis, and treatment program
5 under the medical assistance program due to becoming
6 21 years of age who have been approved for additional
7 assistance through the department's exception to policy
8 provisions, but who have health care needs in excess
9 of the funding available through the exception to the
10 policy provisions.

11 5. Of the funds appropriated in this section, up to
12 \$3,050,082 may be transferred to the field operations
13 or general administration appropriations in this Act
14 for operational costs associated with Part D of the
15 federal Medicare Prescription Drug Improvement and
16 Modernization Act of 2003, Pub. L. No. 108-173.

17 6. Of the funds appropriated in this section, up
18 to \$442,100 may be transferred to the appropriation
19 in this division of this Act for medical contracts
20 to be used for clinical assessment services and prior
21 authorization of services.

22 7. A portion of the funds appropriated in this
23 section may be transferred to the appropriations in
24 this division of this Act for general administration,
25 medical contracts, the children's health insurance
26 program, or field operations to be used for the
27 state match cost to comply with the payment error
28 rate measurement (PERM) program for both the medical
29 assistance and children's health insurance programs
30 as developed by the centers for Medicare and Medicaid
31 services of the United States department of health and
32 human services to comply with the federal Improper
33 Payments Information Act of 2002, Pub. L. No. 107-300.

34 8. It is the intent of the general assembly
35 that the department continue to implement the
36 recommendations of the assuring better child health
37 and development initiative II (ABCDII) clinical panel
38 to the Iowa early and periodic screening, diagnostic,
39 and treatment services healthy mental development
40 collaborative board regarding changes to billing
41 procedures, codes, and eligible service providers.

42 9. Of the funds appropriated in this section,
43 a sufficient amount is allocated to supplement
44 the incomes of residents of nursing facilities,
45 intermediate care facilities for persons with mental
46 illness, and intermediate care facilities for persons
47 with an intellectual disability, with incomes of less
48 than \$50 in the amount necessary for the residents to
49 receive a personal needs allowance of \$50 per month
50 pursuant to section 249A.30A.

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1 10. Of the funds appropriated in this section, the
2 following amounts are transferred to the appropriations
3 made in this division of this Act for the state mental
4 health institutes:
5 a. Cherokee mental health institute... \$ 9,098,425
6 b. Clarinda mental health institute... \$ 1,977,305
7 c. Independence mental health
8 institute \$ 9,045,894
9 d. Mount Pleasant mental health
10 institute..... \$ 5,752,587
11 11. a. Of the funds appropriated in this section,
12 \$7,969,074 is allocated for the state match for a
13 disproportionate share hospital payment of \$19,133,430
14 to hospitals that meet both of the conditions specified
15 in subparagraphs (1) and (2). In addition, the
16 hospitals that meet the conditions specified shall
17 either certify public expenditures or transfer to
18 the medical assistance program an amount equal to
19 provide the nonfederal share for a disproportionate
20 share hospital payment of \$7,500,000. The hospitals
21 that meet the conditions specified shall receive and
22 retain 100 percent of the total disproportionate share
23 hospital payment of \$26,633,430.
24 (1) The hospital qualifies for disproportionate
25 share and graduate medical education payments.
26 (2) The hospital is an Iowa state-owned hospital
27 with more than 500 beds and eight or more distinct
28 residency specialty or subspecialty programs recognized
29 by the American college of graduate medical education.
30 b. Distribution of the disproportionate share
31 payments shall be made on a monthly basis. The total
32 amount of disproportionate share payments including
33 graduate medical education, enhanced disproportionate
34 share, and Iowa state-owned teaching hospital payments
35 shall not exceed the amount of the state's allotment
36 under Pub. L. No. 102-234. In addition, the total
37 amount of all disproportionate share payments shall not
38 exceed the hospital-specific disproportionate share
39 limits under Pub. L. No. 103-66.
40 12. The university of Iowa hospitals and clinics
41 shall either certify public expenditures or transfer to
42 the medical assistance appropriation an amount equal
43 to provide the nonfederal share for increased medical
44 assistance payments for inpatient and outpatient
45 hospital services of \$9,900,000. The university of
46 Iowa hospitals and clinics shall receive and retain 100
47 percent of the total increase in medical assistance
48 payments.
49 13. Of the funds appropriated in this section,
50 up to \$11,921,225 may be transferred to the IowaCare

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1 account created in section 249J.24.

2 14. One hundred percent of the nonfederal share of
3 payments to area education agencies that are medical
4 assistance providers for medical assistance-covered
5 services provided to medical assistance-covered
6 children, shall be made from the appropriation made in
7 this section.

8 15. Any new or renewed contract entered into by the
9 department with a third party to administer behavioral
10 health services under the medical assistance program
11 shall provide that any interest earned on payments
12 from the state during the state fiscal year shall be
13 remitted to the department and treated as recoveries to
14 offset the costs of the medical assistance program.

15 16. The department shall continue to implement the
16 provisions in 2007 Iowa Acts, chapter 218, section
17 124 and section 126, as amended by 2008 Iowa Acts,
18 chapter 1188, section 55, relating to eligibility for
19 certain persons with disabilities under the medical
20 assistance program in accordance with the federal
21 Family Opportunity Act.

22 17. A portion of the funds appropriated in this
23 section may be transferred to the appropriation in this
24 division of this Act for medical contracts to be used
25 for administrative activities associated with the money
26 follows the person demonstration project.

27 18. Of the funds appropriated in this section,
28 \$349,011 shall be used for the administration of the
29 health insurance premium payment program, including
30 salaries, support, maintenance, and miscellaneous
31 purposes.

32 19. a. The department shall implement the
33 following cost containment strategies for the medical
34 assistance program and shall adopt emergency rules for
35 such implementation:

36 (1) Notwithstanding any provision of law to the
37 contrary, the department shall integrate medical
38 assistance program habilitation services into the Iowa
39 plan contract for the fiscal year beginning July 1,
40 2013.

41 (2) The department shall require prior
42 authorization for provision of any home health services
43 for adults in excess of one hundred visits per year.

44 (3) The department shall prohibit coverage for
45 elective, nonmedically necessary cesarean sections.

46 (4) The department shall require prior
47 authorization based on specified criteria before
48 providing reimbursement for hospital swing bed
49 placements and continued stays.

50 (5) The department shall align payment

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1 methodologies and rates between medical and nonmedical
2 transportation services through the transportation
3 brokerage provider.

4 (6) The department shall require that all fees for
5 employee records checks shall be paid by the medical
6 assistance home and community-based waiver services
7 consumer-directed attendant care or consumer choices
8 option provider, with the exception of one initial
9 state records check per employee which shall be paid by
10 the Iowa Medicaid enterprise.

11 (7) The department shall require transition of the
12 provision by individual providers of personal care
13 under the consumer-directed attendant care option to
14 agency-provided personal care services and shall retain
15 the consumer choice option for those individuals able
16 and desiring to self-direct services.

17 (8) The department shall require that persons with
18 an intellectual disability receiving services under
19 the medical assistance program receive a functional
20 assessment utilizing the supports intensity scale tool.
21 The department shall contract with an independent
22 entity to perform the functional assessments. The
23 department shall implement a tiered resource allocation
24 methodology for service plans under the medical
25 assistance home and community-based services waiver for
26 persons with an intellectual disability.

27 (9) The department shall develop a new
28 reimbursement methodology for medical assistance
29 targeted case management that applies appropriate cost
30 limits.

31 (10) The department shall implement an integrated
32 health home approach under the medical assistance
33 program for persons with chronic mental illness. The
34 approach shall integrate the functions of medical
35 assistance targeted case management.

36 (11) The department shall expand the categories of
37 diabetic supplies for which a rebate may be received.

38 (12) The department shall limit initial
39 authorizations for institutional-based care to 30 days
40 for members following discharge from a hospital if the
41 member previously lived in a community-based setting.

42 b. The department shall not implement the cost
43 containment strategy to require a primary care referral
44 for the provision of chiropractic services.

45 c. The department may increase the amounts
46 allocated for salaries, support, maintenance, and
47 miscellaneous purposes associated with the medical
48 assistance program, as necessary, to implement the cost
49 containment strategies. The department shall report
50 any such increase to the legislative services agency

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1 and the department of management.

2 d. If the savings to the medical assistance program
3 exceed the cost for the fiscal year, the department may
4 transfer any savings generated for the fiscal year due
5 to medical assistance program cost containment efforts
6 to the appropriation made in this division of this Act
7 for medical contracts or general administration to
8 defray the increased contract costs associated with
9 implementing such efforts.

10 e. The department shall report the implementation
11 of any cost containment strategies under this
12 subsection to the individuals specified in this
13 division of this Act for submission of reports on a
14 quarterly basis.

15 20. a. Of the funds appropriated in this section,
16 \$900,000 shall be used to implement the children's
17 mental health home project proposed by the department
18 of human services and reported to the general
19 assembly's mental health and disability services study
20 committee in December 2011. Of this amount, up to
21 \$50,000 may be transferred by the department to the
22 appropriation made in this division of this Act to
23 the department for the same fiscal year for general
24 administration to be used for associated administrative
25 expenses and for not more than one full-time equivalent
26 position, in addition to those authorized for the
27 same fiscal year, to be assigned to implementing the
28 project.

29 b. Of the funds appropriated in this section, up to
30 \$400,000 may be transferred by the department to the
31 appropriation made to the department in this division
32 of this Act for the same fiscal year for general
33 administration to support the redesign of mental
34 health and disability services and the state balancing
35 incentive payments program planning and implementation
36 activities. The funds may be used for contracts or for
37 personnel in addition to the amounts appropriated for
38 and the positions authorized for general administration
39 for the same fiscal year.

40 c. Of the funds appropriated in this section, up
41 to \$3,000,000 may be transferred by the department
42 to the appropriations made to the department in this
43 division of this Act for the same fiscal year for
44 general administration or medical contracts to be
45 used to support the development and implementation of
46 standardized assessment tools for persons with mental
47 illness, an intellectual disability, a developmental
48 disability, or a brain injury.

49 d. For the fiscal year beginning July 1, 2013, and
50 ending June 30, 2014, the replacement generation tax

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1 revenues required to be deposited in the property tax
 2 relief fund pursuant to section 437A.8, subsection
 3 4, paragraph "d", and section 437A.15, subsection
 4 3, paragraph "f", shall instead be credited to and
 5 supplement the appropriation made in this section and
 6 used for the allocations made in this subsection.

7 e. The moneys reimbursed and credited to the risk
 8 pool in the property tax relief fund pursuant to 2012
 9 Iowa Acts, chapter 1128, section 6, subsection 5, as
 10 amended by 2012 Iowa Acts, chapter 1133, section 67,
 11 are appropriated to the department of human services
 12 for the fiscal year beginning July 1, 2013, and
 13 ending June 30, 2014, to be used to supplement the
 14 appropriation made in this section for the medical
 15 assistance program.

16 21. Of the funds appropriated in this section,
 17 \$250,000 shall be used for lodging expenses associated
 18 with care provided at the university of Iowa hospitals
 19 and clinics under chapter 249J for patients with
 20 cancer whose travel distance is 30 miles or more
 21 from the university of Iowa hospitals and clinics.
 22 The department of human services shall establish the
 23 maximum number of overnight stays and the maximum rate
 24 reimbursed for overnight lodging, which may be based on
 25 the state employee rate established by the department
 26 of administrative services. The funds allocated in
 27 this subsection shall not be used as nonfederal share
 28 matching funds.

29 22. The department shall continue to administer the
 30 state balancing incentive payments program as specified
 31 in 2012 Iowa Acts, chapter 1133, section 14.

32 23. Of the funds appropriated in this section,
 33 \$2,000,000 shall be used for the autism support program
 34 created in chapter 225D, as enacted in this Act,
 35 beginning January 1, 2014.

36 Sec. 12. MEDICAL CONTRACTS. There is appropriated
 37 from the general fund of the state to the department of
 38 human services for the fiscal year beginning July 1,
 39 2013, and ending June 30, 2014, the following amount,
 40 or so much thereof as is necessary, to be used for the
 41 purpose designated:

42 For medical contracts:
 43 \$ 8,520,749

44 1. The department of inspections and appeals
 45 shall provide all state matching funds for survey and
 46 certification activities performed by the department
 47 of inspections and appeals. The department of human
 48 services is solely responsible for distributing the
 49 federal matching funds for such activities.

50 2. Of the funds appropriated in this section,



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1 \$50,000 shall be used for continuation of home and
 2 community-based services waiver quality assurance
 3 programs, including the review and streamlining of
 4 processes and policies related to oversight and quality
 5 management to meet state and federal requirements.
 6 3. Of the amount appropriated in this section, up
 7 to \$200,000 may be transferred to the appropriation for
 8 general administration in this division of this Act to
 9 be used for additional full-time equivalent positions
 10 in the development of key health initiatives such as
 11 cost containment, development and oversight of managed
 12 care programs, and development of health strategies
 13 targeted toward improved quality and reduced costs in
 14 the Medicaid program.
 15 4. Of the funds appropriated in this section,
 16 \$64,398 shall be used for provision of the IowaCare
 17 program nurse helpline for the expansion population as
 18 provided in section 249J.6.
 19 5. Of the funds appropriated in this section,
 20 \$80,000 shall be used for costs related to audits,
 21 performance evaluations, and studies required pursuant
 22 to chapter 249J.
 23 6. Of the funds appropriated in this section,
 24 \$194,654 shall be used for administrative costs
 25 associated with chapter 249J.
 26 7. Of the funds appropriated in this section,
 27 \$1,000,000 shall be used for planning and development,
 28 in cooperation with the department of public health,
 29 of a phased-in program to provide a dental home for
 30 children in accordance with section 249J.14.
 31 8. Of the funds appropriated in this section,
 32 \$270,000 shall be used for payment to the publicly
 33 owned acute care teaching hospital located in a
 34 county with a population of over 350,000 that is a
 35 participating provider pursuant to chapter 249J.
 36 Disbursements under this subsection shall be made
 37 monthly. The hospital shall submit a report following
 38 the close of the fiscal year regarding use of the funds
 39 allocated in this subsection to the persons specified
 40 in this Act to receive reports.
 41 9. Of the funds appropriated in this section,
 42 \$75,000 shall be used for continued implementation of a
 43 uniform cost report.
 44 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.
 45 1. There is appropriated from the general fund of
 46 the state to the department of human services for the
 47 fiscal year beginning July 1, 2013, and ending June 30,
 48 2014, the following amount, or so much thereof as is
 49 necessary, to be used for the purpose designated:
 50 For the state supplementary assistance program:

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1 \$ 16,512,174
2 2. The department shall increase the personal needs
3 allowance for residents of residential care facilities
4 by the same percentage and at the same time as federal
5 supplemental security income and federal social
6 security benefits are increased due to a recognized
7 increase in the cost of living. The department may
8 adopt emergency rules to implement this subsection.
9 3. If during the fiscal year beginning July 1,
10 2013, the department projects that state supplementary
11 assistance expenditures for a calendar year will not
12 meet the federal pass-through requirement specified
13 in Tit. XVI of the federal Social Security Act,
14 section 1618, as codified in 42 U.S.C. § 1382g,
15 the department may take actions including but not
16 limited to increasing the personal needs allowance
17 for residential care facility residents and making
18 programmatic adjustments or upward adjustments of the
19 residential care facility or in-home health-related
20 care reimbursement rates prescribed in this division of
21 this Act to ensure that federal requirements are met.
22 In addition, the department may make other programmatic
23 and rate adjustments necessary to remain within the
24 amount appropriated in this section while ensuring
25 compliance with federal requirements. The department
26 may adopt emergency rules to implement the provisions
27 of this subsection.
28 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM.
29 1. There is appropriated from the general fund of
30 the state to the department of human services for the
31 fiscal year beginning July 1, 2013, and ending June 30,
32 2014, the following amount, or so much thereof as is
33 necessary, to be used for the purpose designated:
34 For maintenance of the healthy and well kids in Iowa
35 (hawk-i) program pursuant to chapter 514I, including
36 supplemental dental services, for receipt of federal
37 financial participation under Tit. XXI of the federal
38 Social Security Act, which creates the children's
39 health insurance program:
40 \$ 36,806,102
41 2. Of the funds appropriated in this section,
42 \$141,450 is allocated for continuation of the contract
43 for outreach with the department of public health.
44 Sec. 15. CHILD CARE ASSISTANCE. There is
45 appropriated from the general fund of the state to
46 the department of human services for the fiscal year
47 beginning July 1, 2013, and ending June 30, 2014, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purpose designated:
50 For child care programs:

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1 \$ 59,264,342
2 1. Of the funds appropriated in this section,
3 \$51,409,737 shall be used for state child care
4 assistance in accordance with section 237A.13.
5 2. Nothing in this section shall be construed or
6 is intended as or shall imply a grant of entitlement
7 for services to persons who are eligible for assistance
8 due to an income level consistent with the waiting
9 list requirements of section 237A.13. Any state
10 obligation to provide services pursuant to this section
11 is limited to the extent of the funds appropriated in
12 this section.
13 3. Of the funds appropriated in this section,
14 \$432,453 is allocated for the statewide program for
15 child care resource and referral services under section
16 237A.26. A list of the registered and licensed child
17 care facilities operating in the area served by a
18 child care resource and referral service shall be made
19 available to the families receiving state child care
20 assistance in that area.
21 4. Of the funds appropriated in this section,
22 \$936,974 is allocated for child care quality
23 improvement initiatives including but not limited to
24 the voluntary quality rating system in accordance with
25 section 237A.30.
26 5. Of the funds appropriated in this section,
27 \$135,178 shall be used to conduct fingerprint-based
28 national criminal history record checks of home-based
29 child care providers pursuant to section 237A.5,
30 subsection 2, through the United States department of
31 justice, federal bureau of investigation.
32 6. Of the funds appropriated in this section,
33 \$6,350,000 shall be credited to the school ready
34 children grants account in the early childhood Iowa
35 fund. The moneys credited to the account pursuant
36 to this subsection shall be distributed by the early
37 childhood Iowa board by applying the formula for
38 distribution of moneys from the account.
39 7. The department may use any of the funds
40 appropriated in this section as a match to obtain
41 federal funds for use in expanding child care
42 assistance and related programs. For the purpose of
43 expenditures of state and federal child care funding,
44 funds shall be considered obligated at the time
45 expenditures are projected or are allocated to the
46 department's service areas. Projections shall be based
47 on current and projected caseload growth, current and
48 projected provider rates, staffing requirements for
49 eligibility determination and management of program
50 requirements including data systems management,

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1 staffing requirements for administration of the
 2 program, contractual and grant obligations and any
 3 transfers to other state agencies, and obligations for
 4 decategorization or innovation projects.

5 8. A portion of the state match for the federal
 6 child care and development block grant shall be
 7 provided as necessary to meet federal matching
 8 funds requirements through the state general fund
 9 appropriation made for child development grants and
 10 other programs for at-risk children in section 279.51.

11 9. If a uniform reduction ordered by the governor
 12 under section 8.31 or other operation of law,
 13 transfer, or federal funding reduction reduces the
 14 appropriation made in this section for the fiscal year,
 15 the percentage reduction in the amount paid out to or
 16 on behalf of the families participating in the state
 17 child care assistance program shall be equal to or
 18 less than the percentage reduction made for any other
 19 purpose payable from the appropriation made in this
 20 section and the federal funding relating to it. The
 21 percentage reduction to the other allocations made in
 22 this section shall be the same as the uniform reduction
 23 ordered by the governor or the percentage change of the
 24 federal funding reduction, as applicable. If there is
 25 an unanticipated increase in federal funding provided
 26 for state child care assistance, the entire amount
 27 of the increase shall be used for state child care
 28 assistance payments. If the appropriations made for
 29 purposes of the state child care assistance program for
 30 the fiscal year are determined to be insufficient, it
 31 is the intent of the general assembly to appropriate
 32 sufficient funding for the fiscal year in order to
 33 avoid establishment of waiting list requirements.

34 10. Notwithstanding section 8.33, moneys advanced
 35 for purposes of the programs developed by early
 36 childhood Iowa areas, advanced for purposes of
 37 wraparound child care, or received from the federal
 38 appropriations made for the purposes of this section
 39 that remain unencumbered or unobligated at the close
 40 of the fiscal year shall not revert to any fund but
 41 shall remain available for expenditure for the purposes
 42 designated until the close of the succeeding fiscal
 43 year.

44 Sec. 16. JUVENILE INSTITUTIONS. There is
 45 appropriated from the general fund of the state to
 46 the department of human services for the fiscal year
 47 beginning July 1, 2013, and ending June 30, 2014, the
 48 following amounts, or so much thereof as is necessary,
 49 to be used for the purposes designated:

50 1. For operation of the Iowa juvenile home at



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1 Toledo and for salaries, support, maintenance, and
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:
 4 \$ 8,859,355
 5 FTEs 114.00
 6 2. For operation of the state training school at
 7 Eldora and for salaries, support, maintenance, and
 8 miscellaneous purposes, and for not more than the
 9 following full-time equivalent positions:
 10 \$ 11,256,969
 11 FTEs 164.30
 12 Of the funds appropriated in this subsection,
 13 \$91,150 shall be used for distribution to licensed
 14 classroom teachers at this and other institutions under
 15 the control of the department of human services based
 16 upon the average student yearly enrollment at each
 17 institution as determined by the department.
 18 3. A portion of the moneys appropriated in this
 19 section shall be used by the state training school and
 20 by the Iowa juvenile home for grants for adolescent
 21 pregnancy prevention activities at the institutions in
 22 the fiscal year beginning July 1, 2013.
 23 Sec. 17. CHILD AND FAMILY SERVICES.
 24 1. There is appropriated from the general fund of
 25 the state to the department of human services for the
 26 fiscal year beginning July 1, 2013, and ending June 30,
 27 2014, the following amount, or so much thereof as is
 28 necessary, to be used for the purpose designated:
 29 For child and family services:
 30 \$ 81,274,946
 31 2. Up to \$5,200,000 of the amount of federal
 32 temporary assistance for needy families block grant
 33 funding appropriated in this division of this Act for
 34 child and family services shall be made available for
 35 purposes of juvenile delinquent graduated sanction
 36 services.
 37 3. The department may transfer funds appropriated
 38 in this section as necessary to pay the nonfederal
 39 costs of services reimbursed under the medical
 40 assistance program, state child care assistance
 41 program, or the family investment program which are
 42 provided to children who would otherwise receive
 43 services paid under the appropriation in this section.
 44 The department may transfer funds appropriated in this
 45 section to the appropriations made in this division
 46 of this Act for general administration and for field
 47 operations for resources necessary to implement and
 48 operate the services funded in this section.
 49 4. a. Of the funds appropriated in this section,
 50 up to \$30,837,098 is allocated as the statewide

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1 expenditure target under section 232.143 for group
2 foster care maintenance and services. If the
3 department projects that such expenditures for the
4 fiscal year will be less than the target amount
5 allocated in this lettered paragraph, the department
6 may reallocate the excess to provide additional
7 funding for shelter care or the child welfare emergency
8 services addressed with the allocation for shelter
9 care.

10 b. If at any time after September 30, 2013,
11 annualization of a service area's current expenditures
12 indicates a service area is at risk of exceeding its
13 group foster care expenditure target under section
14 232.143 by more than 5 percent, the department and
15 juvenile court services shall examine all group
16 foster care placements in that service area in order
17 to identify those which might be appropriate for
18 termination. In addition, any aftercare services
19 believed to be needed for the children whose
20 placements may be terminated shall be identified. The
21 department and juvenile court services shall initiate
22 action to set dispositional review hearings for the
23 placements identified. In such a dispositional review
24 hearing, the juvenile court shall determine whether
25 needed aftercare services are available and whether
26 termination of the placement is in the best interest of
27 the child and the community.

28 5. In accordance with the provisions of section
29 232.188, the department shall continue the child
30 welfare and juvenile justice funding initiative during
31 fiscal year 2013-2014. Of the funds appropriated in
32 this section, \$1,717,753 is allocated specifically
33 for expenditure for fiscal year 2013-2014 through the
34 decategorization service funding pools and governance
35 boards established pursuant to section 232.188.

36 6. A portion of the funds appropriated in this
37 section may be used for emergency family assistance
38 to provide other resources required for a family
39 participating in a family preservation or reunification
40 project or successor project to stay together or to be
41 reunified.

42 7. Notwithstanding section 234.35 or any other
43 provision of law to the contrary, state funding for
44 shelter care and the child welfare emergency services
45 contracting implemented to provide for or prevent the
46 need for shelter care shall be limited to \$6,431,868.

47 8. Federal funds received by the state during
48 the fiscal year beginning July 1, 2013, as the
49 result of the expenditure of state funds appropriated
50 during a previous state fiscal year for a service or

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1 activity funded under this section are appropriated
2 to the department to be used as additional funding
3 for services and purposes provided for under this
4 section. Notwithstanding section 8.33, moneys
5 received in accordance with this subsection that remain
6 unencumbered or unobligated at the close of the fiscal
7 year shall not revert to any fund but shall remain
8 available for the purposes designated until the close
9 of the succeeding fiscal year.

10 9. a. Of the funds appropriated in this section,
11 up to \$2,062,488 is allocated for the payment of
12 the expenses of court-ordered services provided to
13 juveniles who are under the supervision of juvenile
14 court services, which expenses are a charge upon the
15 state pursuant to section 232.141, subsection 4. Of
16 the amount allocated in this lettered paragraph,
17 up to \$1,556,287 shall be made available to provide
18 school-based supervision of children adjudicated under
19 chapter 232, of which not more than \$15,000 may be used
20 for the purpose of training. A portion of the cost of
21 each school-based liaison officer shall be paid by the
22 school district or other funding source as approved by
23 the chief juvenile court officer.

24 b. Of the funds appropriated in this section, up to
25 \$748,985 is allocated for the payment of the expenses
26 of court-ordered services provided to children who are
27 under the supervision of the department, which expenses
28 are a charge upon the state pursuant to section
29 232.141, subsection 4.

30 c. Notwithstanding section 232.141 or any other
31 provision of law to the contrary, the amounts allocated
32 in this subsection shall be distributed to the
33 judicial districts as determined by the state court
34 administrator and to the department's service areas as
35 determined by the administrator of the department's
36 division of child and family services. The state court
37 administrator and the division administrator shall make
38 the determination of the distribution amounts on or
39 before June 15, 2013.

40 d. Notwithstanding chapter 232 or any other
41 provision of law to the contrary, a district or
42 juvenile court shall not order any service which is
43 a charge upon the state pursuant to section 232.141
44 if there are insufficient court-ordered services
45 funds available in the district court or departmental
46 service area distribution amounts to pay for the
47 service. The chief juvenile court officer and the
48 departmental service area manager shall encourage use
49 of the funds allocated in this subsection such that
50 there are sufficient funds to pay for all court-related

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1 services during the entire year. The chief juvenile
2 court officers and departmental service area managers
3 shall attempt to anticipate potential surpluses and
4 shortfalls in the distribution amounts and shall
5 cooperatively request the state court administrator
6 or division administrator to transfer funds between
7 the judicial districts' or departmental service areas'
8 distribution amounts as prudent.

9 e. Notwithstanding any provision of law to the
10 contrary, a district or juvenile court shall not order
11 a county to pay for any service provided to a juvenile
12 pursuant to an order entered under chapter 232 which
13 is a charge upon the state under section 232.141,
14 subsection 4.

15 f. Of the funds allocated in this subsection, not
16 more than \$83,000 may be used by the judicial branch
17 for administration of the requirements under this
18 subsection.

19 g. Of the funds allocated in this subsection,
20 \$17,000 shall be used by the department of human
21 services to support the interstate commission for
22 juveniles in accordance with the interstate compact for
23 juveniles as provided in section 232.173.

24 10. Of the funds appropriated in this section,
25 \$6,022,602 is allocated for juvenile delinquent
26 graduated sanctions services. Any state funds saved as
27 a result of efforts by juvenile court services to earn
28 federal Tit. IV-E match for juvenile court services
29 administration may be used for the juvenile delinquent
30 graduated sanctions services.

31 11. Of the funds appropriated in this section,
32 \$1,288,285 is transferred to the department of public
33 health to be used for the child protection center
34 grant program in accordance with section 135.118. The
35 grant amounts under the program shall be equalized so
36 that each center receives a uniform amount of at least
37 \$245,000.

38 12. If the department receives federal approval
39 to implement a waiver under Tit. IV-E of the federal
40 Social Security Act to enable providers to serve
41 children who remain in the children's families and
42 communities, for purposes of eligibility under the
43 medical assistance program, children who participate in
44 the waiver shall be considered to be placed in foster
45 care.

46 13. Of the funds appropriated in this section,
47 \$3,092,375 is allocated for the preparation for adult
48 living program pursuant to section 234.46.

49 14. Of the funds appropriated in this section,
50 \$520,150 shall be used for juvenile drug courts.

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1 The amount allocated in this subsection shall be
2 distributed as follows:
3 To the judicial branch for salaries to assist with
4 the operation of juvenile drug court programs operated
5 in the following jurisdictions:
6 a. Marshall county:
7 \$ 62,708
8 b. Woodbury county:
9 \$ 125,682
10 c. Polk county:
11 \$ 195,892
12 d. The third judicial district:
13 \$ 67,934
14 e. The eighth judicial district:
15 \$ 67,934
16 15. Of the funds appropriated in this section,
17 \$227,337 shall be used for the public purpose of
18 continuing a grant to a nonprofit human services
19 organization providing services to individuals and
20 families in multiple locations in southwest Iowa and
21 Nebraska for support of a project providing immediate,
22 sensitive support and forensic interviews, medical
23 exams, needs assessments, and referrals for victims of
24 child abuse and their nonoffending family members.
25 16. Of the funds appropriated in this section,
26 \$200,590 is allocated for the foster care youth council
27 approach of providing a support network to children
28 placed in foster care.
29 17. Of the funds appropriated in this section,
30 \$202,000 is allocated for use pursuant to section
31 235A.1 for continuation of the initiative to address
32 child sexual abuse implemented pursuant to 2007 Iowa
33 Acts, chapter 218, section 18, subsection 21.
34 18. Of the funds appropriated in this section,
35 \$630,240 is allocated for the community partnership for
36 child protection sites.
37 19. Of the funds appropriated in this section,
38 \$371,250 is allocated for the department's minority
39 youth and family projects under the redesign of the
40 child welfare system.
41 20. Of the funds appropriated in this section,
42 \$1,436,595 is allocated for funding of the community
43 circle of care collaboration for children and youth in
44 northeast Iowa.
45 21. Of the funds appropriated in this section, at
46 least \$147,158 shall be used for the child welfare
47 training academy.
48 22. Of the funds appropriated in this section,
49 \$25,000 shall be used for the public purpose of
50 continuation of a grant to a child welfare services

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1 provider headquartered in a county with a population
2 between 205,000 and 215,000 in the latest certified
3 federal census that provides multiple services
4 including but not limited to a psychiatric medical
5 institution for children, shelter, residential
6 treatment, after school programs, school-based
7 programming, and an Asperger's syndrome program, to
8 be used for support services for children with autism
9 spectrum disorder and their families.

10 23. Of the funds appropriated in this section,
11 \$25,000 shall be used for the public purpose of
12 continuing a grant to a hospital-based provider
13 headquartered in a county with a population between
14 90,000 and 95,000 in the latest certified federal
15 census that provides multiple services including but
16 not limited to diagnostic, therapeutic, and behavioral
17 services to individuals with autism spectrum disorder
18 across the lifespan. The grant recipient shall utilize
19 the funds to continue the pilot project to determine
20 the necessary support services for children with autism
21 spectrum disorder and their families to be included in
22 the children's disabilities services system. The grant
23 recipient shall submit findings and recommendations
24 based upon the results of the pilot project to the
25 individuals specified in this division of this Act for
26 submission of reports by December 31, 2013.

27 24. Of the funds appropriated in this section,
28 \$327,947 shall be used for continuation of the central
29 Iowa system of care program grant through June 30,
30 2014.

31 25. Of the funds appropriated in this section,
32 \$160,000 shall be used for the public purpose of the
33 continuation of a system of care grant implemented in
34 Cerro Gordo and Linn counties.

35 26. Of the funds appropriated in this section,
36 at least \$25,000 shall be used to continue and to
37 expand the foster care respite pilot program in which
38 postsecondary students in social work and other human
39 services-related programs receive experience by
40 assisting family foster care providers with respite and
41 other support.

42 Sec. 18. ADOPTION SUBSIDY.

43 1. There is appropriated from the general fund of
44 the state to the department of human services for the
45 fiscal year beginning July 1, 2013, and ending June 30,
46 2014, the following amount, or so much thereof as is
47 necessary, to be used for the purpose designated:
48 For adoption subsidy payments and services:
49 \$ 39,156,832

50 2. The department may transfer funds appropriated



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1 in this section to the appropriation made in this
 2 division of this Act for general administration for
 3 costs paid from the appropriation relating to adoption
 4 subsidy.

5 3. Federal funds received by the state during the
 6 fiscal year beginning July 1, 2013, as the result of
 7 the expenditure of state funds during a previous state
 8 fiscal year for a service or activity funded under
 9 this section are appropriated to the department to
 10 be used as additional funding for the services and
 11 activities funded under this section. Notwithstanding
 12 section 8.33, moneys received in accordance with this
 13 subsection that remain unencumbered or unobligated at
 14 the close of the fiscal year shall not revert to any
 15 fund but shall remain available for expenditure for the
 16 purposes designated until the close of the succeeding
 17 fiscal year.

18 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys
 19 deposited in the juvenile detention home fund
 20 created in section 232.142 during the fiscal year
 21 beginning July 1, 2013, and ending June 30, 2014, are
 22 appropriated to the department of human services for
 23 the fiscal year beginning July 1, 2013, and ending
 24 June 30, 2014, for distribution of an amount equal
 25 to a percentage of the costs of the establishment,
 26 improvement, operation, and maintenance of county or
 27 multicounty juvenile detention homes in the fiscal
 28 year beginning July 1, 2012. Moneys appropriated for
 29 distribution in accordance with this section shall be
 30 allocated among eligible detention homes, prorated on
 31 the basis of an eligible detention home's proportion
 32 of the costs of all eligible detention homes in the
 33 fiscal year beginning July 1, 2012. The percentage
 34 figure shall be determined by the department based on
 35 the amount available for distribution for the fund.
 36 Notwithstanding section 232.142, subsection 3, the
 37 financial aid payable by the state under that provision
 38 for the fiscal year beginning July 1, 2013, shall be
 39 limited to the amount appropriated for the purposes of
 40 this section.

41 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.

42 1. There is appropriated from the general fund of
 43 the state to the department of human services for the
 44 fiscal year beginning July 1, 2013, and ending June 30,
 45 2014, the following amount, or so much thereof as is
 46 necessary, to be used for the purpose designated:

47 For the family support subsidy program subject
 48 to the enrollment restrictions in section 225C.37,
 49 subsection 3:
 50 \$ 994,955

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1 2. The department shall use at least \$385,500 of
2 the moneys appropriated in this section for the family
3 support center component of the comprehensive family
4 support program under section 225C.47. Not more than
5 \$25,000 of the amount allocated in this subsection
6 shall be used for administrative costs.

7 3. If at any time during the fiscal year, the
8 amount of funding available for the family support
9 subsidy program is reduced from the amount initially
10 used to establish the figure for the number of family
11 members for whom a subsidy is to be provided at any one
12 time during the fiscal year, notwithstanding section
13 225C.38, subsection 2, the department shall revise the
14 figure as necessary to conform to the amount of funding
15 available.

16 Sec. 21. CONNER DECREE. There is appropriated from
17 the general fund of the state to the department of
18 human services for the fiscal year beginning July 1,
19 2013, and ending June 30, 2014, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For building community capacity through the
23 coordination and provision of training opportunities
24 in accordance with the consent decree of Conner v.
25 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
26 \$ 33,622

27 Sec. 22. MENTAL HEALTH INSTITUTES. There is
28 appropriated from the general fund of the state to
29 the department of human services for the fiscal year
30 beginning July 1, 2013, and ending June 30, 2014, the
31 following amounts, or so much thereof as is necessary,
32 to be used for the purposes designated:

33 1. For the state mental health institute at
34 Cherokee for salaries, support, maintenance, and
35 miscellaneous purposes, and for not more than the
36 following full-time equivalent positions:
37 \$ 5,975,057
38 FTEs 168.50

39 If recommended by the superintendent, the department
40 may sell or transfer ownership of unused facilities at
41 the state mental health institute to the city in which
42 the institute is located.

43 2. For the state mental health institute at
44 Clarinda for salaries, support, maintenance, and
45 miscellaneous purposes, and for not more than the
46 following full-time equivalent positions:
47 \$ 6,772,460
48 FTEs 86.10

49 3. For the state mental health institute at
50 Independence for salaries, support, maintenance, and



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1 miscellaneous purposes, and for not more than the
2 following full-time equivalent positions:
3 \$ 10,339,371
4 FTEs 233.00
5 4. For the state mental health institute at Mount
6 Pleasant for salaries, support, maintenance, and
7 miscellaneous purposes, and for not more than the
8 following full-time equivalent positions:
9 \$ 1,387,278
10 FTEs 97.92
11 Sec. 23. STATE RESOURCE CENTERS.
12 1. There is appropriated from the general fund of
13 the state to the department of human services for the
14 fiscal year beginning July 1, 2013, and ending June 30,
15 2014, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:
17 a. For the state resource center at Glenwood for
18 salaries, support, maintenance, and miscellaneous
19 purposes:
20 \$ 20,046,519
21 b. For the state resource center at Woodward for
22 salaries, support, maintenance, and miscellaneous
23 purposes:
24 \$ 13,809,566
25 2. The department may continue to bill for state
26 resource center services utilizing a scope of services
27 approach used for private providers of ICFID services,
28 in a manner which does not shift costs between the
29 medical assistance program, counties, or other sources
30 of funding for the state resource centers.
31 3. The state resource centers may expand the
32 time-limited assessment and respite services during the
33 fiscal year.
34 4. If the department's administration and the
35 department of management concur with a finding by a
36 state resource center's superintendent that projected
37 revenues can reasonably be expected to pay the salary
38 and support costs for a new employee position, or
39 that such costs for adding a particular number of new
40 positions for the fiscal year would be less than the
41 overtime costs if new positions would not be added, the
42 superintendent may add the new position or positions.
43 If the vacant positions available to a resource center
44 do not include the position classification desired to
45 be filled, the state resource center's superintendent
46 may reclassify any vacant position as necessary to
47 fill the desired position. The superintendents of the
48 state resource centers may, by mutual agreement, pool
49 vacant positions and position classifications during
50 the course of the fiscal year in order to assist one

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1 another in filling necessary positions.
 2 5. If existing capacity limitations are reached
 3 in operating units, a waiting list is in effect
 4 for a service or a special need for which a payment
 5 source or other funding is available for the service
 6 or to address the special need, and facilities for
 7 the service or to address the special need can be
 8 provided within the available payment source or other
 9 funding, the superintendent of a state resource center
 10 may authorize opening not more than two units or
 11 other facilities and begin implementing the service
 12 or addressing the special need during fiscal year
 13 2013-2014.

14 Sec. 24. SEXUALLY VIOLENT PREDATORS.

15 1. There is appropriated from the general fund of
 16 the state to the department of human services for the
 17 fiscal year beginning July 1, 2013, and ending June 30,
 18 2014, the following amount, or so much thereof as is
 19 necessary, to be used for the purpose designated:

20 For costs associated with the commitment and
 21 treatment of sexually violent predators in the unit
 22 located at the state mental health institute at
 23 Cherokee, including costs of legal services and
 24 other associated costs, including salaries, support,
 25 maintenance, and miscellaneous purposes, and for not
 26 more than the following full-time equivalent positions:
 27 \$ 10,961,969
 28 FTEs 124.50

29 2. Unless specifically prohibited by law, if the
 30 amount charged provides for recoupment of at least
 31 the entire amount of direct and indirect costs, the
 32 department of human services may contract with other
 33 states to provide care and treatment of persons placed
 34 by the other states at the unit for sexually violent
 35 predators at Cherokee. The moneys received under such
 36 a contract shall be considered to be repayment receipts
 37 and used for the purposes of the appropriation made in
 38 this section.

39 Sec. 25. FIELD OPERATIONS. There is appropriated
 40 from the general fund of the state to the department of
 41 human services for the fiscal year beginning July 1,
 42 2013, and ending June 30, 2014, the following amount,
 43 or so much thereof as is necessary, to be used for the
 44 purposes designated:

45 For field operations, including salaries, support,
 46 maintenance, and miscellaneous purposes, and for not
 47 more than the following full-time equivalent positions:
 48 \$ 62,731,674
 49 FTEs 1,781.00

50 Priority in filling full-time equivalent positions



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1 shall be given to those positions related to child
 2 protection services and eligibility determination for
 3 low-income families.

4 Sec. 26. GENERAL ADMINISTRATION. There is
 5 appropriated from the general fund of the state to
 6 the department of human services for the fiscal year
 7 beginning July 1, 2013, and ending June 30, 2014, the
 8 following amount, or so much thereof as is necessary,
 9 to be used for the purpose designated:

10 For general administration, including salaries,
 11 support, maintenance, and miscellaneous purposes, and
 12 for not more than the following full-time equivalent
 13 positions:

14	\$ 15,300,045
15	FTEs 307.00

16 1. Of the funds appropriated in this section,
 17 \$63,543 is allocated for the prevention of disabilities
 18 policy council established in section 225B.3. Of the
 19 amount allocated in this subsection, \$25,000 shall be
 20 passed through to the council for the costs involved
 21 with holding a summit meeting of the multiple entities
 22 providing services to persons with disabilities. The
 23 focus of the summit meeting shall be to review existing
 24 disability prevention activities in order to identify
 25 cost effective public policy options for reaching the
 26 greatest number of children and adults in order to
 27 eliminate the risk of disabilities. The review shall
 28 also address options for health care services available
 29 to youth transitioning to the adult system of health
 30 care. The council shall report to the individuals
 31 identified in this Act for submission of reports within
 32 30 calendar days of completing the summit meeting
 33 concerning the review, policy options identified, and
 34 recommendations made.

35 2. The department shall report at least monthly
 36 to the legislative services agency concerning the
 37 department's operational and program expenditures.

38 3. Of the funds appropriated in this section,
 39 \$50,000 is transferred to the Iowa finance authority
 40 to be used for administrative support of the council
 41 on homelessness established in section 16.100A and for
 42 the council to fulfill its duties in addressing and
 43 reducing homelessness in the state.

44 Sec. 27. VOLUNTEERS. There is appropriated from
 45 the general fund of the state to the department of
 46 human services for the fiscal year beginning July 1,
 47 2013, and ending June 30, 2014, the following amount,
 48 or so much thereof as is necessary, to be used for the
 49 purpose designated:

50 For development and coordination of volunteer



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1 services:

2 \$ 84,660

3 Sec. 28. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
 5 UNDER THE DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) For the fiscal year beginning July 1,
 7 2013, the total state funding amount for the nursing
 8 facility budget shall not exceed \$267,712,511.

9 (2) For the fiscal year beginning July 1, 2013,
 10 the department shall rebase case-mix nursing facility
 11 rates effective July 1, 2013. However, total nursing
 12 facility budget expenditures, including both case-mix
 13 and noncase-mix shall not exceed the amount specified
 14 in subparagraph (1). When calculating case-mix per
 15 diem cost and the patient-day-weighted medians used in
 16 rate-setting for nursing facilities effective July 1,
 17 2013, the inflation factor applied from the midpoint
 18 of the cost report period to the first day of the
 19 state fiscal year rate period shall be adjusted to
 20 maintain state funding within the amount specified in
 21 subparagraph (1).

22 (3) The department, in cooperation with nursing
 23 facility representatives, shall review projections for
 24 state funding expenditures for reimbursement of nursing
 25 facilities on a quarterly basis and the department
 26 shall determine if an adjustment to the medical
 27 assistance reimbursement rate is necessary in order to
 28 provide reimbursement within the state funding amount
 29 for the fiscal year. Notwithstanding 2001 Iowa Acts,
 30 chapter 192, section 4, subsection 2, paragraph "c",
 31 and subsection 3, paragraph "a", subparagraph (2), if
 32 the state funding expenditures for the nursing facility
 33 budget for the fiscal year is projected to exceed the
 34 amount specified in subparagraph (1), the department
 35 shall adjust the reimbursement for nursing facilities
 36 reimbursed under the case-mix reimbursement system to
 37 maintain expenditures of the nursing facility budget
 38 within the specified amount for the fiscal year.

39 (4) For the fiscal year beginning July 1, 2013,
 40 special population nursing facilities shall be
 41 reimbursed in accordance with the methodology in effect
 42 on June 30, 2013.

43 b. (1) For the fiscal year beginning July 1, 2013,
 44 the department shall establish the pharmacy dispensing
 45 fee reimbursement at \$10.17 per prescription. The
 46 actual dispensing fee shall be determined by a cost
 47 of dispensing survey performed by the department and
 48 required to be completed by all medical assistance
 49 program participating pharmacies every two years
 50 beginning in FY 2014-2015.

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1 (2) The department shall utilize an average
2 acquisition cost reimbursement methodology for all
3 drugs covered under the medical assistance program in
4 accordance with 2012 Iowa Acts, chapter 1133, section
5 33.

6 c. (1) For the fiscal year beginning July 1, 2013,
7 reimbursement rates for outpatient hospital services
8 shall remain at the rates in effect on June 30, 2013.

9 (2) For the fiscal year beginning July 1, 2013,
10 reimbursement rates for inpatient hospital services
11 shall remain at the rates in effect on June 30, 2013.

12 (3) For the fiscal year beginning July 1, 2013,
13 the graduate medical education and disproportionate
14 share hospital fund shall remain at the amount in
15 effect on June 30, 2013, except that the portion of
16 the fund attributable to graduate medical education
17 shall be reduced in an amount that reflects the
18 elimination of graduate medical education payments made
19 to out-of-state hospitals.

20 (4) In order to ensure the efficient use of limited
21 state funds in procuring health care services for
22 low-income Iowans, funds appropriated in this Act for
23 hospital services shall not be used for activities
24 which would be excluded from a determination of
25 reasonable costs under the federal Medicare program
26 pursuant to 42 U.S.C. § 1395X(v)(1)(N).

27 d. For the fiscal year beginning July 1, 2013,
28 reimbursement rates for rural health clinics, hospices,
29 and acute mental hospitals shall be increased in
30 accordance with increases under the federal Medicare
31 program or as supported by their Medicare audited
32 costs.

33 e. For the fiscal year beginning July 1, 2013,
34 independent laboratories and rehabilitation agencies
35 shall be reimbursed using the same methodology in
36 effect on June 30, 2013.

37 f. For the fiscal year beginning July 1, 2013,
38 reimbursement rates for home health agencies shall
39 remain at the rates in effect on June 30, 2013, not to
40 exceed a home health agency's actual allowable cost.

41 g. For the fiscal year beginning July 1, 2013,
42 federally qualified health centers shall receive
43 cost-based reimbursement for 100 percent of the
44 reasonable costs for the provision of services to
45 recipients of medical assistance.

46 h. For the fiscal year beginning July 1, 2013, the
47 reimbursement rates for dental services shall remain at
48 the rates in effect on June 30, 2013.

49 i. (1) For the fiscal year beginning July 1,
50 2013, state-owned psychiatric medical institutions

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1 for children shall receive cost-based reimbursement
2 for 100 percent of the actual and allowable costs for
3 the provision of services to recipients of medical
4 assistance.

5 (2) For the nonstate-owned psychiatric medical
6 institutions for children, reimbursement rates shall be
7 based on the reimbursement methodology developed by the
8 department as required for federal compliance.

9 (3) As a condition of participation in the medical
10 assistance program, enrolled providers shall accept the
11 medical assistance reimbursement rate for any covered
12 goods or services provided to recipients of medical
13 assistance who are children under the custody of a
14 psychiatric medical institution for children.

15 j. For the fiscal year beginning July 1,
16 2013, unless otherwise specified in this Act,
17 all noninstitutional medical assistance provider
18 reimbursement rates shall remain at the rates in effect
19 on June 30, 2013, except for area education agencies,
20 local education agencies, infant and toddler services
21 providers, and those providers whose rates are required
22 to be determined pursuant to section 249A.20.

23 k. Notwithstanding any provision to the contrary,
24 for the fiscal year beginning July 1, 2013, the
25 reimbursement rate for anesthesiologists shall remain
26 at the rate in effect on June 30, 2013.

27 l. For the fiscal year beginning July 1, 2013, the
28 average reimbursement rate for health care providers
29 eligible for use of the federal Medicare resource-based
30 relative value scale reimbursement methodology under
31 section 249A.20 shall remain at the rate in effect on
32 June 30, 2013; however, this rate shall not exceed the
33 maximum level authorized by the federal government.

34 m. For the fiscal year beginning July 1, 2013, the
35 reimbursement rate for residential care facilities
36 shall not be less than the minimum payment level as
37 established by the federal government to meet the
38 federally mandated maintenance of effort requirement.
39 The flat reimbursement rate for facilities electing not
40 to file annual cost reports shall not be less than the
41 minimum payment level as established by the federal
42 government to meet the federally mandated maintenance
43 of effort requirement.

44 n. For the fiscal year beginning July 1, 2013,
45 inpatient mental health services provided at hospitals
46 shall remain at the rates in effect on June 30,
47 2013, subject to Medicaid program upper payment
48 limit rules; community mental health centers and
49 providers of mental health services to county residents
50 pursuant to a waiver approved under section 225C.7,

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1 subsection 3, shall be reimbursed at 100 percent of
 2 the reasonable costs for the provision of services to
 3 recipients of medical assistance; and psychiatrists
 4 shall be reimbursed at the medical assistance program
 5 fee-for-service rate.

6 o. For the fiscal year beginning July 1, 2013, the
 7 reimbursement rate for consumer-directed attendant care
 8 shall remain at the rates in effect on June 30, 2013.

9 p. For the fiscal year beginning July 1, 2013, the
 10 reimbursement rate for providers of family planning
 11 services that are eligible to receive a 90 percent
 12 federal match shall remain at the rates in effect on
 13 June 30, 2013.

14 q. For the fiscal year beginning July 1, 2013, the
 15 upper limits on reimbursement rates for providers of
 16 home and community-based services waiver services shall
 17 be the limits in effect on June 30, 2013, pursuant
 18 to 441 IAC 79.1(2), based on federal Medicare rates,
 19 federal veterans administration rates, or the dollar
 20 amount specified in rule, regardless of the providers'
 21 previous Medicaid program rate.

22 2. For the fiscal year beginning July 1, 2013, the
 23 reimbursement rate for providers reimbursed under the
 24 in-home-related care program shall not be less than the
 25 minimum payment level as established by the federal
 26 government to meet the federally mandated maintenance
 27 of effort requirement.

28 3. Unless otherwise directed in this section, when
 29 the department's reimbursement methodology for any
 30 provider reimbursed in accordance with this section
 31 includes an inflation factor, this factor shall not
 32 exceed the amount by which the consumer price index for
 33 all urban consumers increased during the calendar year
 34 ending December 31, 2002.

35 4. For the fiscal year beginning July 1, 2013,
 36 the foster family basic daily maintenance rate and
 37 the maximum adoption subsidy rate for children ages 0
 38 through 5 years shall be \$15.98, the rate for children
 39 ages 6 through 11 years shall be \$16.62, the rate for
 40 children ages 12 through 15 years shall be \$18.19,
 41 and the rate for children and young adults ages 16
 42 and older shall be \$18.43. The maximum supervised
 43 apartment living foster care reimbursement rate shall
 44 be \$25.00 per day. For youth ages 18 to 21 who have
 45 exited foster care, the maximum preparation for adult
 46 living program maintenance rate shall be \$574.00 per
 47 month. The payment for adoption subsidy nonrecurring
 48 expenses shall be limited to \$500 and the disallowance
 49 of additional amounts for court costs and other related
 50 legal expenses implemented pursuant to 2010 Iowa Acts,

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1 chapter 1031, section 408 shall be continued.

2 5. For the fiscal year beginning July 1, 2013,
3 the maximum reimbursement rates under the supervised
4 apartment living program and for social services
5 providers under contract shall remain at the rates
6 in effect on June 30, 2013, or the provider's actual
7 and allowable cost plus inflation for each service,
8 whichever is less. However, if a new service or
9 service provider is added after June 30, 2013, the
10 initial reimbursement rate for the service or provider
11 shall be based upon a weighted average of provider
12 rates for similar services.

13 6. For the fiscal year beginning July 1, 2013,
14 the reimbursement rates for family-centered service
15 providers, family foster care service providers, group
16 foster care service providers, and the resource family
17 recruitment and retention contractor shall remain at
18 the rates in effect on June 30, 2013.

19 7. The group foster care reimbursement rates
20 paid for placement of children out of state shall
21 be calculated according to the same rate-setting
22 principles as those used for in-state providers,
23 unless the director of human services or the director's
24 designee determines that appropriate care cannot be
25 provided within the state. The payment of the daily
26 rate shall be based on the number of days in the
27 calendar month in which service is provided.

28 8. a. For the fiscal year beginning July 1, 2013,
29 the reimbursement rate paid for shelter care and
30 the child welfare emergency services implemented to
31 provide or prevent the need for shelter care shall be
32 established by contract.

33 b. For the fiscal year beginning July 1, 2013,
34 the combined service and maintenance components of
35 the reimbursement rate paid for shelter care services
36 shall be based on the financial and statistical report
37 submitted to the department. The maximum reimbursement
38 rate shall be \$92.36 per day. The department shall
39 reimburse a shelter care provider at the provider's
40 actual and allowable unit cost, plus inflation, not to
41 exceed the maximum reimbursement rate.

42 c. For the fiscal year beginning July 1, 2013,
43 the amount of the statewide average of the actual and
44 allowable rates for reimbursement of juvenile shelter
45 care homes that is utilized for the limitation on
46 recovery of unpaid costs shall remain at the amount in
47 effect for this purpose in the fiscal year beginning
48 July 1, 2012.

49 9. For the fiscal year beginning July 1, 2013,
50 the department shall calculate reimbursement rates

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1 for intermediate care facilities for persons with
 2 intellectual disabilities at the 80th percentile.
 3 Beginning July 1, 2013, the rate calculation
 4 methodology shall utilize the consumer price index
 5 inflation factor applicable to the fiscal year
 6 beginning July 1, 2013.
 7 10. For the fiscal year beginning July 1, 2013,
 8 for child care providers reimbursed under the state
 9 child care assistance program, the department shall
 10 set provider reimbursement rates based on the rate
 11 reimbursement survey completed in December 2004.
 12 Effective July 1, 2013, the child care provider
 13 reimbursement rates shall remain at the rates in effect
 14 on June 30, 2013. The department shall set rates in a
 15 manner so as to provide incentives for a nonregistered
 16 provider to become registered by applying any increase
 17 only to registered and licensed providers.
 18 11. The department may adopt emergency rules to
 19 implement this section.
 20 Sec. 29. EMERGENCY RULES.
 21 1. If specifically authorized by a provision
 22 of this division of this Act for the fiscal year
 23 beginning July 1, 2013, the department of human
 24 services or the mental health, and disability services
 25 commission may adopt administrative rules under section
 26 17A.4, subsection 3, and section 17A.5, subsection
 27 2, paragraph "b", to implement the provisions and
 28 the rules shall become effective immediately upon
 29 filing or on a later effective date specified in the
 30 rules, unless the effective date is delayed by the
 31 administrative rules review committee. Any rules
 32 adopted in accordance with this section shall not
 33 take effect before the rules are reviewed by the
 34 administrative rules review committee. The delay
 35 authority provided to the administrative rules review
 36 committee under section 17A.4, subsection 7, and
 37 section 17A.8, subsection 9, shall be applicable to a
 38 delay imposed under this section, notwithstanding a
 39 provision in those sections making them inapplicable
 40 to section 17A.5, subsection 2, paragraph "b". Any
 41 rules adopted in accordance with the provisions of this
 42 section shall also be published as notice of intended
 43 action as provided in section 17A.4.
 44 2. If during the fiscal year beginning July 1,
 45 2013, the department of human services is adopting
 46 rules in accordance with this section or as otherwise
 47 directed or authorized by state law, and the rules will
 48 result in an expenditure increase beyond the amount
 49 anticipated in the budget process or if the expenditure
 50 was not addressed in the budget process for the

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1 fiscal year, the department shall notify the persons
 2 designated by this division of this Act for submission
 3 of reports, the chairpersons and ranking members of
 4 the committees on appropriations, and the department
 5 of management concerning the rules and the expenditure
 6 increase. The notification shall be provided at least
 7 30 calendar days prior to the date notice of the rules
 8 is submitted to the administrative rules coordinator
 9 and the administrative code editor.

10 Sec. 30. REPORTS. Any reports or other information
 11 required to be compiled and submitted under this Act
 12 during the fiscal year beginning July 1, 2013, shall
 13 be submitted to the chairpersons and ranking members
 14 of the joint appropriations subcommittee on health and
 15 human services, the legislative services agency, and
 16 the legislative caucus staffs on or before the dates
 17 specified for submission of the reports or information.

DIVISION V

HEALTH CARE ACCOUNTS AND FUNDS — FY 2013-2014

19 Sec. 31. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
 20 is appropriated from the pharmaceutical settlement
 21 account created in section 249A.33 to the department of
 22 human services for the fiscal year beginning July 1,
 23 2013, and ending June 30, 2014, the following amount,
 24 or so much thereof as is necessary, to be used for the
 25 purpose designated:
 26

27 Notwithstanding any provision of law to the
 28 contrary, to supplement the appropriations made in this
 29 Act for medical contracts under the medical assistance
 30 program for the fiscal year beginning July 1, 2013, and
 31 ending June 30, 2014:

32 \$ 6,650,000

33 Sec. 32. APPROPRIATIONS FROM IOWACARE ACCOUNT.

34 1. There is appropriated from the IowaCare account
 35 created in section 249J.24 to the state board of
 36 regents for distribution to the university of Iowa
 37 hospitals and clinics for the fiscal year beginning
 38 July 1, 2013, and ending June 30, 2014, for the program
 39 period beginning July 1, 2013, and ending December 31,
 40 2013, the following amount, or so much thereof as is
 41 necessary, to be used for the purposes designated:

42 For salaries, support, maintenance, equipment, and
 43 miscellaneous purposes, for the provision of medical
 44 and surgical treatment of indigent patients, for
 45 provision of services to members of the expansion
 46 population pursuant to chapter 249J, and for medical
 47 education:

48 \$ 13,642,292

49 a. Funds appropriated in this section shall not be
 50 used for the willful termination of human life.



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1 b. Notwithstanding any provision of law to the
2 contrary, the amount appropriated in this subsection
3 shall be distributed based on claims submitted,
4 adjudicated, and paid by the Iowa Medicaid enterprise.

5 c. The university of Iowa hospitals and clinics
6 shall certify public expenditures in an amount equal
7 to provide the nonfederal share on total expenditures
8 not to exceed \$10,000,000.

9 2. There is appropriated from the IowaCare account
10 created in section 249J.24 to the state board of
11 regents for distribution to the university of Iowa
12 hospitals and clinics for the fiscal year beginning
13 July 1, 2013, and ending June 30, 2014, for the program
14 period beginning July 1, 2013, and ending December 31,
15 2013, the following amount, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For salaries, support, maintenance, equipment, and
18 miscellaneous purposes, for the provision of medical
19 and surgical treatment of indigent patients, for
20 provision of services to members of the expansion
21 population pursuant to chapter 249J, and for medical
22 education:
23 \$ 26,284,600

24 Notwithstanding any provision of law to the
25 contrary, the amount appropriated in this subsection
26 shall be distributed based on claims submitted,
27 adjudicated, and paid by the Iowa Medicaid enterprise.

28 3. There is appropriated from the IowaCare
29 account created in section 249J.24 to the state
30 board of regents for distribution to university of
31 Iowa physicians for the fiscal year beginning July
32 1, 2013, and ending June 30, 2014, for the program
33 period beginning July 1, 2013, and ending December 31,
34 2013, the following amount, or so much thereof as is
35 necessary to be used for the purposes designated:

36 For salaries, support, maintenance, equipment, and
37 miscellaneous purposes for the provision of medical and
38 surgical treatment of indigent patients, for provision
39 of services to members of the expansion population
40 pursuant to chapter 249J, and for medical education:
41 \$ 9,903,183

42 Notwithstanding any provision of law to the
43 contrary, the amount appropriated in this subsection
44 shall be distributed based on claims submitted,
45 adjudicated, and paid by the Iowa Medicaid enterprise.
46 Once the entire amount appropriated in this subsection
47 has been distributed, claims shall continue to
48 be submitted and adjudicated by the Iowa Medicaid
49 enterprise; however, no payment shall be made based
50 upon such claims.

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1 4. There is appropriated from the IowaCare account
2 created in section 249J.24 to the department of
3 human services for the fiscal year beginning July
4 1, 2013, and ending June 30, 2014, for the program
5 period beginning July 1, 2013, and ending December 31,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used for the purposes designated:
8 For distribution to a publicly owned acute care
9 teaching hospital located in a county with a population
10 over 350,000 for the provision of medical and surgical
11 treatment of indigent patients, for provision of
12 services to members of the expansion population
13 pursuant to chapter 249J, and for medical education:
14 \$ 33,750,000
15 a. Notwithstanding any provision of law to the
16 contrary, the amount appropriated in this subsection
17 shall be distributed based on claims submitted,
18 adjudicated, and paid by the Iowa Medicaid enterprise
19 plus a monthly disproportionate share hospital payment.
20 Any amount appropriated in this subsection in excess
21 of \$32,000,000 shall be distributed only if the sum of
22 the expansion population claims adjudicated and paid
23 by the Iowa Medicaid enterprise plus the estimated
24 disproportionate share hospital payments exceeds
25 \$32,000,000. The amount paid in excess of \$32,000,000
26 shall not adjust the original monthly payment amount
27 but shall be distributed monthly based on actual
28 claims adjudicated and paid by the Iowa Medicaid
29 enterprise plus the estimated disproportionate share
30 hospital amount. Any amount appropriated in this
31 subsection in excess of \$32,000,000 shall be allocated
32 only if federal funds are available to match the
33 amount allocated. Pursuant to paragraph "b", of the
34 amount appropriated in this subsection, not more than
35 \$2,000,000 shall be distributed for prescription drugs,
36 podiatry services, optometric services, and durable
37 medical equipment.
38 b. Notwithstanding any provision of law to the
39 contrary, the hospital identified in this subsection
40 shall be reimbursed for outpatient prescription
41 drugs, podiatry services, optometric services, and
42 durable medical equipment provided to members of the
43 expansion population pursuant to all applicable medical
44 assistance program rules, in an amount not to exceed
45 \$2,000,000.
46 c. Notwithstanding the total amount of proceeds
47 distributed pursuant to section 249J.24, subsection 4,
48 paragraph "a", unnumbered paragraph 1, for the fiscal
49 year beginning July 1, 2013, and ending June 30, 2014,
50 the county treasurer of a county with a population

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1 of over 350,000 in which a publicly owned acute care
 2 teaching hospital is located shall distribute the
 3 proceeds collected pursuant to section 347.7 between
 4 July 1, 2013, and December 31, 2013, in a total amount
 5 of \$19,000,000, which would otherwise be distributed
 6 to the county hospital, to the treasurer of state for
 7 deposit in the IowaCare account.

8 d. Notwithstanding the amount collected and
 9 distributed for deposit in the IowaCare account
 10 pursuant to section 249J.24, subsection 4, paragraph
 11 "a", subparagraph (1), the first \$19,000,000 in
 12 proceeds collected pursuant to section 347.7 between
 13 July 1, 2013, and December 31, 2013, shall be
 14 distributed to the treasurer of state for deposit in
 15 the IowaCare account and collections during this time
 16 period in excess of \$19,000,000 shall be distributed
 17 to the acute care teaching hospital identified in
 18 this subsection. Of the collections in excess of
 19 the \$19,000,000 received by the acute care teaching
 20 hospital under this paragraph "d", \$2,000,000 shall be
 21 distributed by the acute care teaching hospital to the
 22 treasurer of state for deposit in the IowaCare account
 23 in the month of January 2014, following the July 1
 24 through December 31, 2013, period.

25 5. There is appropriated from the IowaCare account
 26 created in section 249J.24 to the department of
 27 human services for the fiscal year beginning July
 28 1, 2013, and ending June 30, 2014, for the program
 29 period beginning July 1, 2013, and ending December 31,
 30 2013, the following amount, or so much thereof as is
 31 necessary to be used for the purpose designated:

32 For payment to the regional provider network
 33 specified by the department pursuant to section 249J.7
 34 for provision of covered services to members of the
 35 expansion population pursuant to chapter 249J:
 36 \$ 2,993,183

37 Notwithstanding any provision of law to the
 38 contrary, the amount appropriated in this subsection
 39 shall be distributed based on claims submitted,
 40 adjudicated, and paid by the Iowa Medicaid enterprise.
 41 Once the entire amount appropriated in this subsection
 42 has been distributed, claims shall continue to
 43 be submitted and adjudicated by the Iowa Medicaid
 44 enterprise; however, no payment shall be made based
 45 upon such claims.

46 6. There is appropriated from the IowaCare account
 47 created in section 249J.24 to the department of
 48 human services for the fiscal year beginning July
 49 1, 2013, and ending June 30, 2014, for the program
 50 period beginning July 1, 2013, and ending December 31,



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1 2013, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:
3 For a care coordination pool to pay the expansion
4 population providers consisting of the university of
5 Iowa hospitals and clinics, the publicly owned acute
6 care teaching hospital as specified in section 249J.7,
7 and current medical assistance program providers that
8 are not expansion population network providers pursuant
9 to section 249J.7, for services covered by the full
10 benefit medical assistance program but not under the
11 IowaCare program pursuant to section 249J.6, that are
12 provided to expansion population members:
13 \$ 1,500,000
14 a. Notwithstanding sections 249J.6 and 249J.7,
15 the amount appropriated in this subsection is
16 intended to provide payment for medically necessary
17 services provided to expansion population members for
18 continuation of care provided by the university of
19 Iowa hospitals and clinics or the publicly owned acute
20 care teaching hospital as specified in section 249J.7.
21 Payment may only be made for services that are not
22 otherwise covered under section 249J.6, and which are
23 follow-up services to covered services provided by the
24 hospitals specified in this paragraph "a".
25 b. The funds appropriated in this subsection are
26 intended to provide limited payment for continuity
27 of care services for an expansion population member,
28 and are intended to cover the costs of services
29 to expansion population members, regardless of
30 the member's county of residence or medical home
31 assignment, if the care is related to specialty or
32 hospital services provided by the hospitals specified
33 in paragraph "a".
34 c. The funds appropriated in this subsection are
35 not intended to provide for expanded coverage under
36 the IowaCare program, and shall not be used to cover
37 emergency transportation services.
38 d. The department shall adopt administrative
39 rules pursuant to chapter 17A to establish a prior
40 authorization process and to identify covered services
41 for reimbursement under this subsection.
42 7. There is appropriated from the IowaCare account
43 created in section 249J.24 to the department of
44 human services for the fiscal year beginning July
45 1, 2013, and ending June 30, 2014, for the program
46 period beginning July 1, 2013, and ending December 31,
47 2013, the following amount, or so much thereof as is
48 necessary, for the purposes designated:
49 For transfer to the medical contracts appropriation
50 in this division of this Act to be used for

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1 administrative costs associated with chapter 249J
2 including eligibility determinations:
3 \$ 371,552
4 8. For the fiscal year beginning July 1, 2013, and
5 ending June 30, 2014, for the program period beginning
6 July 1, 2013, and ending December 31, 2013, the
7 state board of regents shall transfer \$637,789 to the
8 IowaCare account created in section 249J.24, to provide
9 the nonfederal share for distribution to university
10 of Iowa physicians under the IowaCare program. The
11 university of Iowa hospitals and clinics shall receive
12 and retain 100 percent of the total increase in
13 IowaCare program payments.
14 Sec. 33. APPROPRIATIONS FROM NONPARTICIPATING
15 PROVIDER REIMBURSEMENT FUND — DEPARTMENT OF HUMAN
16 SERVICES. Notwithstanding any provision to the
17 contrary, and subject to the availability of funds,
18 there is appropriated from the nonparticipating
19 provider reimbursement fund created in section 249J.24A
20 to the department of human services for the fiscal year
21 beginning July 1, 2013, and ending June 30, 2014, for
22 the program period beginning July 1, 2013, and ending
23 December 31, 2013, the following amount, or so much
24 thereof as is necessary, for the purposes designated:
25 To reimburse nonparticipating providers in
26 accordance with section 249J.24A:
27 \$ 1,000,000
28 Sec. 34. QUALITY ASSURANCE TRUST FUND — DEPARTMENT
29 OF HUMAN SERVICES. Notwithstanding any provision to
30 the contrary and subject to the availability of funds,
31 there is appropriated from the quality assurance trust
32 fund created in section 249L.4 to the department of
33 human services for the fiscal year beginning July 1,
34 2013, and ending June 30, 2014, the following amounts,
35 or so much thereof as is necessary, for the purposes
36 designated:
37 To supplement the appropriation made in this Act
38 from the general fund of the state to the department
39 of human services for medical assistance for the same
40 fiscal year:
41 \$ 28,788,917
42 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND
43 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
44 any provision to the contrary and subject to the
45 availability of funds, there is appropriated from
46 the hospital health care access trust fund created in
47 section 249M.4 to the department of human services for
48 the fiscal year beginning July 1, 2013, and ending June
49 30, 2014, the following amounts, or so much thereof as
50 is necessary, for the purposes designated:

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1 1. To supplement the appropriation made in this Act
2 from the general fund of the state to the department
3 of human services for medical assistance for the same
4 fiscal year:

5 \$ 34,288,000

6 2. For deposit in the nonparticipating provider
7 reimbursement fund created in section 249J.24A to be
8 used for the purposes of the fund:

9 \$ 412,000

10 Sec. 36. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
11 FOR FY 2013-2014. Notwithstanding section 8.33,
12 if moneys appropriated for purposes of the medical
13 assistance program for the fiscal year beginning
14 July 1, 2013, and ending June 30, 2014, from the
15 general fund of the state, the quality assurance
16 trust fund and the hospital health care access trust
17 fund, are in excess of actual expenditures for the
18 medical assistance program and remain unencumbered or
19 unobligated at the close of the fiscal year, the excess
20 moneys shall not revert but shall remain available for
21 expenditure for the purposes of the medical assistance
22 program until the close of the succeeding fiscal year.

DIVISION VI

PRIOR YEAR APPROPRIATIONS

RESPITE

26 Sec. 37. 2011 Iowa Acts, chapter 129, section 128,
27 as amended by 2012 Iowa Acts, chapter 1133, section 22,
28 subsection 26, is amended to read as follows:

29 26. Of the funds appropriated in this section,
30 at least \$25,000 shall be used to continue and to
31 expand the foster care respite pilot program in which
32 postsecondary students in social work and other human
33 services-related programs receive experience by
34 assisting family foster care providers with respite and
35 other support. Notwithstanding section 8.33, moneys
36 allocated in this subsection that remain unencumbered
37 or unobligated at the close of the fiscal year shall
38 not revert but shall remain available for expenditure
39 for the purposes designated until the close of the
40 succeeding fiscal year.

MEDICAL ASSISTANCE — GENERAL FUND

42 Sec. 38. 2011 Iowa Acts, chapter 129, section 122,
43 unnumbered paragraph 2, is amended to read as follows:

44 For medical assistance program reimbursement and
45 associated costs as specifically provided in the
46 reimbursement methodologies in effect on June 30,
47 2012, except as otherwise expressly authorized by
48 law, and consistent with options under federal law and
49 regulations:

50 \$914,993,421



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1 975,993,421
2 Sec. 39. 2011 Iowa Acts, chapter 129, section 122,
3 subsection 1, is amended by striking the subsection and
4 inserting in lieu thereof the following:
5 1. a. Funds appropriated in this section that
6 are distributed to a hospital, as defined in section
7 135B.1, or to a person, as defined in section 4.1, who
8 receives funding from the IowaCare account created in
9 section 249J.24, shall not be used for the willful
10 termination of human life.
11 b. With the exception of the distributions in
12 paragraph "a", funds appropriated under this section
13 shall not be distributed to any person, as defined
14 in section 4.1, who participates in the willful
15 termination of human life.
16 ADOPTION SUBSIDY — GENERAL FUND
17 Sec. 40. 2011 Iowa Acts, chapter 129, section 129,
18 as amended by 2012 Iowa Acts, chapter 1133, section 23,
19 subsection 1, is amended to read as follows:
20 1. There is appropriated from the general fund of
21 the state to the department of human services for the
22 fiscal year beginning July 1, 2012, and ending June 30,
23 2013, the following amount, or so much thereof as is
24 necessary, to be used for the purpose designated:
25 For adoption subsidy payments and services:
26 \$ ~~36,788,576~~
27 37,743,429
28 NURSING FACILITY REIMBURSEMENT
29 Sec. 41. 2011 Iowa Acts, chapter 129, section 141,
30 subsection 1, paragraph a, subparagraph (1), as amended
31 by 2012 Iowa Acts, chapter 1133, section 32, is amended
32 to read as follows:
33 (1) For the fiscal year beginning July 1, 2012, the
34 total state funding amount for the nursing facility
35 budget shall not exceed ~~\$237,226,901~~ \$239,226,901.
36 Sec. 42. 2012 Iowa Acts, chapter 1133, section 55,
37 is amended to read as follows:
38 SEC. 55. REPLACEMENT GENERATION TAX REVENUES —
39 LEVY RATES FOR FY 2011-2012 AND FY 2012-2013.
40 1. a. For the fiscal year beginning July 1, 2011,
41 and ending June 30, 2012, and for the fiscal year
42 beginning July 1, 2012, and ending June 30, 2013, the
43 replacement generation tax revenues required to be
44 deposited in the property tax relief fund pursuant
45 to section 437A.8, subsection 4, paragraph "d", and
46 section 437A.15, subsection 3, paragraph "f", shall
47 instead be credited to the mental health and disability
48 services redesign fund created in this division of this
49 Act.
50 b. If this section of this division of this Act is

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1 enacted after the department of management has reduced
2 county certified budgets and revised rates of taxation
3 pursuant to section 426B.2, subsection 3, paragraph
4 "b", to reflect anticipated replacement generation tax
5 revenues, and the enactment date is during the period
6 beginning May 1, 2012, and ending June 30, 2012, the
7 reductions and revisions shall be rescinded and the
8 department of management shall expeditiously report
9 that fact to the county auditors.

10 2. Except as otherwise provided in subsection 1
11 for department of management reductions of certified
12 budgets and revisions of tax rates and rescinding
13 of those reductions and revisions, the budgets and
14 tax rates certified for a county services fund under
15 section 331.424A, for the fiscal year beginning July 1,
16 2012, shall remain in effect, notwithstanding section
17 426B.3, subsection 1, the property tax relief fund
18 payment and other services fund financing changes
19 made in this division of this Act, or other statutory
20 amendments affecting county services funds for the
21 fiscal year to the contrary.

22 Sec. 43. EFFECTIVE UPON ENACTMENT. This division
23 of this Act, being deemed of immediate importance,
24 takes effect upon enactment.

25 Sec. 44. RETROACTIVE APPLICABILITY. The following
26 provision of this Act applies retroactively to July 1,
27 2011:

28 1. The section amending 2012 Iowa Acts, chapter
29 1133, section 55.

30 DIVISION VII
31 AGING

32 Sec. 45. Section 231.33, subsection 21, Code 2013,
33 if enacted by 2013 Iowa Acts, Senate File 184, section
34 22, is amended to read as follows:

35 21. Comply with all applicable requirements of the
36 Iowa public employees' retirement system established
37 pursuant to chapter 97B. Notwithstanding any provision
38 to the contrary, an employee of an area agency on aging
39 that was enrolled in an alternative qualified plan
40 prior to July 1, 2012, may continue participation in
41 that alternative qualified plan in lieu of mandatory
42 participation in the Iowa public employees' retirement
43 system.

44 Sec. 46. Section 231.42, subsection 7, paragraph a,
45 Code 2013, is amended to read as follows:

46 a. An officer, owner, director, or employee of a
47 long-term care facility, assisted living program, or
48 elder group home who intentionally prevents, interferes
49 with, or attempts to impede the work of the state or a
50 local long-term care resident's advocate is subject to



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1 a penalty imposed by the director of not more than one
 2 thousand five hundred dollars for each violation. If
 3 the director imposes a penalty for a violation under
 4 this paragraph, no other state agency shall impose
 5 a penalty for the same interference violation. Any
 6 moneys collected pursuant to this subsection shall be
 7 deposited in the general fund of the state and are
 8 appropriated to the office of long-term care resident's
 9 advocate to be used for administration and the duties
 10 of the office.

11 Sec. 47. EFFECTIVE UPON ENACTMENT. The section
 12 of this division of this Act amending section 231.33,
 13 subsection 21, if enacted by 2013 Iowa Acts, Senate
 14 File 184, being deemed of immediate importance, takes
 15 effect upon enactment.

16 Sec. 48. RETROACTIVE APPLICABILITY. The section
 17 of this division of this Act amending section 231.33,
 18 subsection 21, if enacted by 2013 Iowa Acts, Senate
 19 File 184, applies retroactively to July 1, 2012.

DIVISION VIII
 EMS TASK FORCE

22 Sec. 49. EMERGENCY MEDICAL SERVICES TASK FORCE AND
 23 REPORT.

24 1. The department of public health shall establish
 25 a task force to ensure the future availability of
 26 quality emergency medical services for the state.

27 2. The members of the task force shall be appointed
 28 by the director of the department of public health, or
 29 the director's designee, as follows:

30 a. A manager of a rural volunteer emergency medical
 31 transport service.

32 b. A manager of a rural paid emergency medical
 33 transport service.

34 c. A manager of an urban emergency medical
 35 transport service.

36 d. A manager of a nontransport emergency medical
 37 service.

38 e. A representative of a fire department-based
 39 emergency medical service.

40 f. A representative of a hospital-based emergency
 41 medical service.

42 g. A representative of a private, for-profit
 43 emergency medical transport service.

44 h. A representative of a not-for-profit emergency
 45 medical transport service.

46 i. A representative of the Iowa emergency medical
 47 services association board of directors.

48 j. A representative of an emergency medical
 49 services training agency.

50 k. An urban emergency department physician.



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- 1 l. A rural emergency department physician.
- 2 m. A representative of the Iowa emergency nurses
- 3 association.
- 4 n. A representative of the Iowa alliance in home
- 5 care.
- 6 o. A representative of an emergency medical service
- 7 air ambulance.
- 8 p. A representative of the Iowa hospital
- 9 association.
- 10 q. A representative of the private insurance
- 11 industry.
- 12 r. A representative of the Iowa Medicaid enterprise
- 13 division of the department of human services.
- 14 s. A representative of city government.
- 15 t. A representative of county government.
- 16 u. A representative of the nursing facility
- 17 industry.
- 18 v. A representative of the Iowa behavioral health
- 19 association.
- 20 w. A consumer of emergency medical services.
- 21 x. An advanced registered nurse practitioner.
- 22 3. The task force shall discuss the current
- 23 state of emergency medical services in Iowa and make
- 24 recommendations for enhancement of Iowa's emergency
- 25 medical services system. The recommendations shall
- 26 address issues facing volunteer and paid rural
- 27 emergency medical services, cost projections including
- 28 administration costs for all recommendations, the
- 29 Medicaid reimbursement fee schedule for ambulance
- 30 services, and the nature and scope of any recommended
- 31 changes in regulations governing emergency medical
- 32 services.
- 33 4. The task force shall, by April 30, 2014, submit
- 34 a final report of its findings and recommendations to
- 35 the governor, the general assembly, the department
- 36 of public health, and the emergency medical services
- 37 advisory council. The emergency medical services
- 38 advisory council shall review the report and make
- 39 recommendations related to implementation of the
- 40 report's recommendations to the director of the
- 41 department of public health.

DIVISION IX
HOSPITAL PROVIDER TAX

44 Sec. 50. Section 249M.5, Code 2013, is amended to
45 read as follows:
46 **249M.5 Future repeal.**
47 This chapter is repealed June 30, ~~2013~~ 2016.
48 Sec. 51. EFFECTIVE UPON ENACTMENT. The section of
49 this division of this Act relating to the future repeal
50 of the hospital health care access assessment program



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1 chapter, being deemed of immediate importance, takes
 2 effect upon enactment.

3 DIVISION X
 4 ILL AND HANDICAPPED WAIVER NAME CHANGE
 5 Sec. 52. Section 423.3, subsection 18, paragraph
 6 f, subparagraph (1), Code 2013, is amended to read as
 7 follows:

8 (1) ~~Ill and handicapped~~ Health and disability
 9 waiver service providers, described in 441 IAC 77.30.

10 DIVISION XI
 11 AUTISM SUPPORT PROGRAM
 12 Sec. 53. NEW SECTION. 225D.1 Definitions.
 13 As used in this chapter unless the context otherwise
 14 requires:

15 1. "*Applied behavioral analysis*" means the design,
 16 implementation, and evaluation of environmental
 17 modifications, using behavioral stimuli and
 18 consequences, to produce socially significant
 19 improvement in human behavior or to prevent loss of
 20 attained skill or function, including the use of direct
 21 observation, measurement, and functional analysis of
 22 the relations between environment and behavior.

23 2. "*Autism*" means autism spectrum disorders as
 24 defined in section 514C.28.

25 3. "*Autism service provider*" means a person
 26 providing applied behavioral analysis, who meets all
 27 of the following criteria:

28 a. Is certified as a behavior analyst by the
 29 behavior analyst certification board or is a health
 30 professional licensed under chapter 147.

31 b. Is approved as a member of the provider network
 32 by the department.

33 4. "*Autism support fund*" or "*fund*" means the autism
 34 support fund created in section 225D.2.

35 5. "*Clinically relevant*" means medically necessary
 36 and resulting in the development, maintenance, or
 37 restoration, to the maximum extent practicable, of the
 38 functioning of an individual.

39 6. "*Department*" means the department of human
 40 services.

41 7. "*Diagnostic assessment of autism*" means medically
 42 necessary assessment, evaluations, or tests performed
 43 by a licensed child psychiatrist, developmental
 44 pediatrician, or clinical psychologist.

45 8. "*Eligible individual*" means a child less than
 46 nine years of age who has been diagnosed with autism
 47 based on a diagnostic assessment of autism, is not
 48 otherwise eligible for coverage for applied behavioral
 49 analysis treatment under the medical assistance
 50 program, section 514C.28, or private insurance

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1 coverage, and whose household income does not exceed
 2 four hundred percent of the federal poverty level.

3 9. *"Federal poverty level"* means the most recently
 4 revised poverty income guidelines published by the
 5 United States department of health and human services.

6 10. *"Household income"* means household income as
 7 determined using the modified adjusted gross income
 8 methodology pursuant to section 2002 of the federal
 9 Patient Protection and Affordable Care Act, Pub. L. No.
 10 111-148.

11 11. *"Medical assistance"* or *"Medicaid"* means
 12 assistance provided under the medical assistance
 13 program pursuant to chapter 249A.

14 12. *"Regional autism assistance program"* means the
 15 regional autism assistance program created in section
 16 256.35.

17 13. *"Treatment plan"* means a plan for the treatment
 18 of autism developed by a licensed physician or licensed
 19 psychologist pursuant to a comprehensive evaluation or
 20 reevaluation performed in consultation with the patient
 21 and the patient's representative.

22 **Sec. 54. NEW SECTION. 225D.2 Autism support**
 23 **program — fund.**

24 1. The department shall implement an autism support
 25 program beginning January 1, 2014, to provide payment
 26 for the provision of applied behavioral analysis
 27 treatment for eligible individuals. The department
 28 shall adopt rules, including standards and guidelines
 29 pursuant to chapter 17A to implement and administer
 30 the program. In adopting the rules, standards, and
 31 guidelines for the program, the department shall
 32 consult with and incorporate the recommendations
 33 of an expert panel convened by the regional autism
 34 assistance program to provide expert opinion on
 35 clinically relevant practices and guidance on program
 36 implementation and administration. The expert panel
 37 shall consist of families of individuals with autism;
 38 educational, medical, and human services specialists,
 39 professionals, and providers; and others with interest
 40 in or expertise related to autism. The program shall
 41 be implemented and administered in a manner so that
 42 payment for services is available throughout the state,
 43 including in rural and under-resourced areas.

44 2. At a minimum, the rules, standards, and
 45 guidelines for the program shall address all of the
 46 following:

47 a. A maximum annual benefit amount for an eligible
 48 individual of thirty-six thousand dollars.

49 b. A maximum of twenty-four months of applied
 50 behavioral analysis treatment.

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1 *c.* Notwithstanding the age limitation for an
2 eligible individual, a provision that if an eligible
3 individual reaches nine years of age prior to
4 completion of the maximum applied behavioral analysis
5 treatment period specified in paragraph “*b*”, the
6 individual may complete such treatment in accordance
7 with the individual’s treatment plan, not to exceed the
8 maximum treatment period.

9 *d.* A graduated schedule for cost-sharing by an
10 eligible individual based on a percentage of the total
11 benefit amount expended for the eligible individual,
12 annually. Cost-sharing shall be applicable to eligible
13 individuals with household incomes at or above two
14 hundred percent of the federal poverty level in
15 incrementally increased amounts up to a maximum of ten
16 percent. The rules shall provide a financial hardship
17 exemption from payment of the cost-sharing based on
18 criteria established by rule of the department.

19 *e.* Application, approval, compliance, and appeal
20 processes for eligible individuals as necessary to
21 operate and manage the program.

22 *f.* Enrollment, renewal, and reimbursement of claims
23 provisions for autism service providers participating
24 in the program.

25 *g.* A requirement of family engagement and
26 participation as part of the eligible individual’s
27 treatment plan.

28 *h.* A requirement that the autism service provider
29 coordinate interventions with the school in which the
30 eligible individual is enrolled.

31 *i.* A requirement that the administrator of the
32 program utilize the regional autism assistance
33 program to coordinate interventions between eligible
34 individuals and their families receiving support
35 through the autism support program with appropriate
36 medical, educational, and treatment providers,
37 including integrated health homes. The regional
38 autism assistance program shall provide for family
39 navigation and coordination and integration of services
40 through the statewide system of regional child health
41 specialty clinics, utilizing the community child
42 health team model. As necessitated by the availability
43 of resources in the community where services are
44 delivered, telehealth may be used in delivering and
45 coordinating interventions with appropriate providers.
46 To the extent available and accessible to an eligible
47 individual, the eligible individual shall be enrolled
48 in an integrated health home that is an approved
49 provider enrolled in the medical assistance program.
50 Health home services that are covered services under

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1 the medical assistance program shall be reimbursed
2 under the autism support program at rates consistent
3 with those established under the medical assistance
4 program.

5 *j.* Requirements related to review of treatment
6 plans, which may require review once every six months,
7 subject to utilization review requirements established
8 by rule. A more or less frequent review may be agreed
9 upon by the eligible individual and the licensed
10 physician or licensed psychologist developing the
11 treatment plan.

12 *k.* Recognition of the results of a diagnostic
13 assessment of autism as valid for a period of not less
14 than twelve months, unless a licensed physician or
15 licensed psychologist determines that a more frequent
16 assessment is necessary.

17 3. Moneys in the autism support fund created under
18 subsection 5 shall be expended only for eligible
19 individuals who are not eligible for coverage for
20 applied behavioral analysis treatment under the
21 medical assistance program, section 514C.28, or
22 private insurance. Payment for applied behavioral
23 analysis treatment through the fund shall be limited
24 to only applied behavioral analysis treatment that is
25 clinically relevant and only to the extent approved
26 under the guidelines established by rule of the
27 department.

28 4. This section shall not be construed as granting
29 an entitlement for any program, service, or other
30 support for eligible individuals. Any state obligation
31 to provide a program, service, or other support
32 pursuant to this section is limited to the extent
33 of the funds appropriated for the purposes of the
34 program. The department may establish a waiting list
35 or terminate participation of eligible individuals if
36 the department determines that moneys in the autism
37 support fund are insufficient to cover future claims
38 for reimbursement beyond ninety days.

39 5. *a.* An autism support fund is created in the
40 state treasury under the authority of the department.
41 Moneys appropriated to and all other moneys specified
42 for deposit in the fund shall be deposited in the fund
43 and used for the purposes of the program.

44 *b.* The fund shall be separate from the general
45 fund of the state and shall not be considered part
46 of the general fund of the state. The moneys in the
47 fund shall not be considered revenue of the state, but
48 rather shall be funds of the autism support program.
49 The moneys deposited in the fund are not subject
50 to section 8.33 and shall not be transferred, used,

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1 obligated, appropriated, or otherwise encumbered,
 2 except to provide for the purposes of this section.
 3 Notwithstanding section 12C.7, subsection 2, interest
 4 or earnings on moneys deposited in the fund shall be
 5 credited to the fund.

6 *c.* The department shall adopt rules pursuant to
 7 chapter 17A to administer the fund and reimbursements
 8 made from the fund.

9 *d.* Moneys in the fund are appropriated to the
 10 department and shall be used by the department for the
 11 purposes of the autism support program. The department
 12 shall be the administrator of the fund for auditing
 13 purposes.

14 *e.* The department shall submit an annual report to
 15 the governor and the general assembly no later than
 16 January 1 of each year that includes but is not limited
 17 to all of the following:

18 (1) The total number of applications received under
 19 the program for the immediately preceding fiscal year.

20 (2) The number of applications approved and the
 21 total amount of funding expended for reimbursements
 22 under the program in the immediately preceding fiscal
 23 year.

24 (3) The cost of administering the program in the
 25 immediately preceding fiscal year.

26 (4) The number of eligible individuals on a waiting
 27 list, if any, and the amount of funding necessary to
 28 reduce the existing waiting list.

29 (5) Recommendations for any changes to the program.

30 **Sec. 55. IMPLEMENTATION.**

31 1. The department of human services shall implement
 32 the autism support program beginning January 1, 2014,
 33 subject to available funding.

34 2. Notwithstanding section 8.47 or any other
 35 provision of law to the contrary, the department may
 36 utilize a sole-source contract and utilize the managed
 37 care entity under contract with the department to
 38 manage behavioral health services under the medical
 39 assistance program to administer the program. Total
 40 administrative costs of the program shall not exceed
 41 ten percent of the funds expended through the program,
 42 annually.

43 **Sec. 56. EFFECTIVE UPON ENACTMENT.** This division
 44 of this Act, being deemed of immediate importance,
 45 takes effect upon enactment.

46 **DIVISION XII**

47 **DEPARTMENT OF HUMAN SERVICES — CHILD, ADULT, AND**
 48 **FAMILY SERVICES**

49 **Sec. 57.** Section 225C.38, subsection 1, paragraph
 50 *c*, Code 2013, is amended to read as follows:

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1 *c.* Except as provided in section 225C.41, a family
2 support subsidy for a fiscal year shall be in an amount
3 determined by the department ~~in consultation with the~~
4 ~~comprehensive family support council created in section~~
5 ~~225C.48.~~ The parent or legal guardian receiving a
6 family support subsidy may elect to receive a payment
7 amount which is less than the amount determined in
8 accordance with this paragraph.

9 Sec. 58. Section 225C.42, subsection 1, Code 2013,
10 is amended to read as follows:

11 1. The department shall conduct an annual
12 evaluation of the family support subsidy program ~~in~~
13 ~~conjunction with the comprehensive family support~~
14 ~~council~~ and shall submit the evaluation report with
15 recommendations to the governor and general assembly.
16 The report shall be submitted on or before October
17 30 and provide an evaluation of the latest completed
18 fiscal year.

19 Sec. 59. Section 225C.47, subsection 5, unnumbered
20 paragraph 1, Code 2013, is amended to read as follows:

21 The department shall design the program ~~in~~
22 ~~consultation with the comprehensive family support~~
23 ~~council created in section 225C.48.~~ The department
24 shall adopt rules to implement the program which
25 provide for all of the following:

26 Sec. 60. Section 225C.49, subsection 4, Code 2013,
27 is amended to read as follows:

28 4. The department shall designate one individual
29 whose sole duties are to provide central coordination
30 of the programs under sections 225C.36 and 225C.47 and
31 ~~to work with the comprehensive family support council~~
32 to oversee development and implementation of the
33 programs.

34 Sec. 61. Section 239B.5, Code 2013, is amended by
35 adding the following new subsection:

36 NEW SUBSECTION. 4. *a.* The department shall
37 implement policies and procedures as necessary to
38 comply with provisions of the federal Middle Class
39 Tax Relief and Job Creation Act of 2012, Pub. L. No.
40 112-96, to prevent assistance provided under this
41 chapter from being used in any electronic benefit
42 transfer transaction in any liquor store; any casino,
43 gambling casino, or gaming establishment; or any
44 retail establishment which provides adult-oriented
45 entertainment in which performers disrobe or perform in
46 an unclothed state for entertainment. For purposes of
47 this paragraph, the definitions found in the federal
48 Middle Class Tax Relief and Job Creation Act and
49 related rules and statutes apply.

50 *b.* Unless otherwise precluded by federal law



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1 or regulation, policies and procedures implemented
2 under this subsection shall at a minimum impose the
3 prohibition described in paragraph "a" as a condition
4 for continued eligibility for assistance under this
5 chapter.
6 c. The department may implement additional measures
7 as may be necessary to comply with federal regulations
8 in implementing paragraph "a".
9 d. The department shall adopt rules as necessary to
10 implement this subsection.
11 Sec. 62. Section 239B.14, subsection 1, Code 2013,
12 is amended to read as follows:
13 1. a. An individual who obtains, or attempts to
14 obtain, or aids or abets an individual to obtain, by
15 means of a willfully false statement or representation,
16 by knowingly failing to disclose a material fact, or by
17 impersonation, or any fraudulent device, any assistance
18 or other benefits under this chapter to which the
19 individual is not entitled, commits a fraudulent
20 practice.
21 b. An individual who accesses benefits provided
22 under this chapter in violation of any prohibition
23 imposed by the department pursuant to section 239B.5,
24 subsection 4, commits a fraudulent practice.
25 Sec. 63. Section 249A.3, subsection 1, Code 2013,
26 is amended by adding the following new paragraph:
27 NEW PARAGRAPH. v. Beginning January 1, 2014, is an
28 individual who meets all of the following requirements:
29 (1) Is under twenty-six years of age.
30 (2) Was in foster care under the responsibility
31 of the state on the date of attaining eighteen years
32 of age or such higher age to which foster care is
33 provided.
34 (3) Was enrolled in the medical assistance program
35 under this chapter while in such foster care.
36 Sec. 64. Section 249A.3, subsection 2, paragraph
37 a, subparagraph (9), Code 2013, is amended by striking
38 the subparagraph.
39 Sec. 65. Section 249J.26, subsection 2, Code 2013,
40 is amended to read as follows:
41 2. This chapter is repealed ~~October~~ December 31,
42 2013.
43 Sec. 66. Section 514I.4, subsection 5, paragraph a,
44 Code 2013, is amended by striking the paragraph.
45 Sec. 67. Section 514I.5, subsection 7, paragraph f,
46 Code 2013, is amended to read as follows:
47 f. Review, in consultation with the department,
48 and take necessary steps to improve interaction
49 between the program and other public and private
50 programs which provide services to the population of



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1 eligible children. ~~The board, in consultation with the~~
2 ~~department, shall also develop and implement a plan to~~
3 ~~improve the medical assistance program in coordination~~
4 ~~with the hawk-i program, including but not limited~~
5 ~~to a provision to coordinate eligibility between the~~
6 ~~medical assistance program and the hawk-i program, and~~
7 ~~to provide for common processes and procedures under~~
8 ~~both programs to reduce duplication and bureaucracy.~~

9 Sec. 68. Section 514I.5, subsection 8, paragraphs
10 b and f, Code 2013, are amended by striking the
11 paragraphs.

12 Sec. 69. Section 514I.7, subsection 2, paragraphs a
13 and g, Code 2013, are amended to read as follows:

14 a. Determine individual eligibility for program
15 enrollment based upon review of completed applications
16 and supporting documentation as prescribed by federal
17 law and regulation, using policies and procedures
18 adopted by rule of the department pursuant to chapter
19 17A. The administrative contractor shall not enroll a
20 child who has group health coverage, unless expressly
21 authorized by such rules.

22 g. Create and Utilize the department's eligibility
23 system to maintain eligibility files that are
24 compatible with the data system of the department
25 with pertinent eligibility determination and ongoing
26 enrollment information including, but not limited
27 to, data regarding beneficiaries, enrollment dates,
28 disenrollments, and annual financial redeterminations.

29 Sec. 70. Section 514I.7, subsection 2, paragraphs
30 c, d, e, f, and k, Code 2013, are amended by striking
31 the paragraphs.

32 Sec. 71. Section 514I.8, subsection 1, Code 2013,
33 is amended to read as follows:

34 1. a. Effective July 1, 1998, and notwithstanding
35 any medical assistance program eligibility criteria
36 to the contrary, medical assistance shall be provided
37 to, or on behalf of, an eligible child under the age
38 of nineteen whose family income does not exceed one
39 hundred thirty-three percent of the federal poverty
40 level, as defined by the most recently revised poverty
41 income guidelines published by the United States
42 department of health and human services.

43 b. Additionally, effective Effective July 1,
44 2000, and notwithstanding any medical assistance
45 program eligibility criteria to the contrary, medical
46 assistance shall be provided to, or on behalf of, an
47 eligible infant whose family income does not exceed
48 two hundred percent of the federal poverty level, as
49 defined by the most recently revised poverty income
50 guidelines published by the United States department of



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1 health and human services.
 2 c. Effective July 1, 2009, and notwithstanding any
 3 medical assistance program eligibility criteria to the
 4 contrary, medical assistance shall be provided to, or
 5 on behalf of, a pregnant woman or an eligible child who
 6 is an infant and whose family income is at or below
 7 three hundred percent of the federal poverty level, as
 8 defined by the most recently revised poverty income
 9 guidelines published by the United States department of
 10 health and human services.

11 Sec. 72. Section 514I.8, subsection 2, paragraph c,
 12 Code 2013, is amended to read as follows:

13 c. Is a member of a family whose income does not
 14 exceed three hundred percent of the federal poverty
 15 level, as defined in 42 U.S.C. § 9902(2), including any
 16 revision required by such section, and in accordance
 17 with the federal Children’s Health Insurance Program
 18 Reauthorization Act of 2009, Pub. L. No. 111-3. The
 19 modified adjusted gross income methodology prescribed
 20 in section 2101 of the federal Patient Protection and
 21 Affordable Care Act, Pub. L. No. 111-148, to determine
 22 family income under this paragraph.

23 Sec. 73. Section 514I.8, subsections 3 and 4, Code
 24 2013, are amended to read as follows:

25 3. In accordance with the rules adopted by the
 26 board, a child may be determined to be presumptively
 27 eligible for the program pending a final eligibility
 28 determination. Following final determination of
 29 eligibility ~~by the administrative contractor,~~ a child
 30 shall be eligible for a twelve-month period. At the
 31 end of the twelve-month period, ~~the administrative~~
 32 ~~contractor shall conduct~~ a review of the circumstances
 33 of the eligible child’s family shall be conducted
 34 to establish eligibility and cost sharing for the
 35 subsequent twelve-month period.

36 4. Once an eligible child is enrolled in a plan,
 37 ~~the eligible child shall remain enrolled in the plan~~
 38 ~~unless a determination is made, according to criteria~~
 39 ~~established by the board, that the eligible child~~
 40 ~~should be allowed to enroll in another qualified child~~
 41 ~~health plan or should be disenrolled. An enrollee may~~
 42 request to change plans within ninety days of initial
 43 enrollment for any reason and at any time for cause,
 44 as defined in 42 C.F.R. § 438.56(d)(2). Otherwise, an
 45 enrollee may change plan enrollment once a year on the
 46 enrollee’s anniversary date.

47 Sec. 74. Section 514I.8, subsections 5 and 6, Code
 48 2013, are amended by striking the subsections.

49 Sec. 75. Section 514I.9, Code 2013, is amended to
 50 read as follows:



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1 **514I.9 Program benefits.**

2 1. ~~Until June 30, 1999, the benefits provided under~~
3 ~~the program shall be those benefits established by rule~~
4 ~~of the board and in compliance with Tit. XXI of the~~
5 ~~federal Social Security Act.~~

6 2. ~~On or before June 30, 1999, the hawk-i board~~
7 ~~shall adopt rules to amend the benefits package based~~
8 ~~upon review of the results of the initial benefits~~
9 ~~package used.~~

10 3. ~~Subsequent to June 30, 1999, the~~ The hawk-i
11 board shall review the benefits package annually and
12 shall determine additions to or deletions from the
13 benefits package offered. The hawk-i board shall
14 submit the recommendations to the general assembly for
15 any amendment to the benefits package.

16 4. ~~2.~~ Benefits, in addition to those required
17 by rule, may be provided to eligible children by a
18 participating insurer if the benefits are provided at
19 no additional cost to the state.

20 Sec. 76. REPEAL. Section 225C.48, Code 2013, is
21 repealed.

22 Sec. 77. EFFECTIVE DATE. The following provision
23 or provisions of this Act take effect December 31,
24 2013:

25 1. The section of this Act amending section 249A.3,
26 subsection 2, paragraph "a", subparagraph (9).

27 DIVISION XIII

28 MEDICAID COST CONTAINMENT

29 Sec. 78. 2011 Iowa Acts, chapter 129, section
30 122, subsection 26, as enacted by 2012 Iowa Acts,
31 chapter 1133, section 12, is amended by striking the
32 subsection.

33 DIVISION XIV

34 CIGARETTE AND TOBACCO TAX PROCEEDS — HEALTH CARE TRUST
35 FUND

36 Sec. 79. Section 453A.35, Code 2013, is amended to
37 read as follows:

38 **453A.35 Tax and fees Proceeds paid to general fund**
39 **— standing appropriation to health care trust fund.**

40 1. a. With the exception of revenues credited to
41 the health care trust fund pursuant to paragraph "b",
42 the proceeds derived from the sale of stamps and the
43 payment of taxes, fees, and penalties provided for
44 under this chapter, and the permit fees received from
45 all permits issued by the department, shall be credited
46 to the general fund of the state.

47 b. ~~Of the~~ The revenues generated from the tax on
48 cigarettes pursuant to section 453A.6, subsection 1,
49 and from the tax on tobacco products as specified in
50 section 453A.43, subsections 1, 2, 3, and 4, ~~the first~~



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1 ~~one hundred six million sixteen thousand four hundred~~
 2 ~~dollars~~ shall be credited to the health care trust fund
 3 created in section 453A.35A.

4 2. All permit fees provided for in this chapter and
 5 collected by cities in the issuance of permits granted
 6 by the cities shall be paid to the treasurer of the
 7 city where the permit is effective, or to another city
 8 officer as designated by the council, and credited to
 9 the general fund of the city. Permit fees so collected
 10 by counties shall be paid to the county treasurer.

11 DIVISION XV

12 IOWACARE — ACCOUNT FOR HEALTH CARE TRANSFORMATION

13 Sec. 80. Section 249J.8, subsection 1, paragraph k,
 14 Code 2013, is amended to read as follows:

15 k. Premiums collected under this subsection shall
 16 be deposited in the ~~premiums subaccount of the IowaCare~~
 17 ~~account for health care transformation~~ created pursuant
 18 to section ~~249J.23~~ 249J.24.

19 Sec. 81. Section 249J.23, subsection 1, Code 2013,
 20 is amended to read as follows:

21 1. An account for health care transformation is
 22 created in the state treasury under the authority of
 23 the department. Moneys received from sources including
 24 but not limited to appropriations from the general
 25 fund of the state, grants, and contributions shall be
 26 deposited in the account. ~~The account shall include~~
 27 ~~a separate premiums subaccount. Revenue generated~~
 28 ~~through payment of premiums by expansion population~~
 29 ~~members as required pursuant to section 249J.8 shall be~~
 30 ~~deposited in the separate premiums subaccount within~~
 31 ~~the account.~~

32 Sec. 82. Section 249J.24, subsection 1, Code 2013,
 33 is amended to read as follows:

34 1. An IowaCare account is created in the state
 35 treasury under the authority of the department of human
 36 services. Moneys appropriated from the general fund of
 37 the state to the account, moneys received as federal
 38 financial participation funds under the expansion
 39 population provisions of this chapter and credited to
 40 the account, moneys received for disproportionate share
 41 hospitals and credited to the account, moneys received
 42 for graduate medical education and credited to the
 43 account, proceeds distributed from the county treasurer
 44 as specified in subsection 4, revenue generated through
 45 payment of premiums pursuant to section 249J.8, and
 46 moneys from any other source credited to the account
 47 shall be deposited in the account. Moneys deposited
 48 in or credited to the account shall be used only as
 49 provided in appropriations or distributions from the
 50 account for the purposes specified in the appropriation



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1 or distribution. Moneys in the account shall be
 2 appropriated to the university of Iowa hospitals and
 3 clinics and to a publicly owned acute care teaching
 4 hospital located in a county with a population over
 5 three hundred fifty thousand for the purposes provided
 6 in the federal law making the funds available or as
 7 specified in the state appropriation and shall be
 8 distributed as determined by the department.

9 DIVISION XVI
 10 DEPARTMENT ON AGING — FY 2014-2015

11 Sec. 83. DEPARTMENT ON AGING. There is
 12 appropriated from the general fund of the state to
 13 the department on aging for the fiscal year beginning
 14 July 1, 2014, and ending June 30, 2015, the following
 15 amount, or so much thereof as is necessary, to be used
 16 for the purposes designated:

17 For aging programs for the department on aging and
 18 area agencies on aging to provide citizens of Iowa who
 19 are 60 years of age and older with case management for
 20 frail elders, Iowa's aging and disabilities resource
 21 center, and other services which may include but are
 22 not limited to adult day services, respite care, chore
 23 services, information and assistance, and material aid,
 24 for information and options counseling for persons with
 25 disabilities who are 18 years of age or older, and
 26 for salaries, support, administration, maintenance,
 27 and miscellaneous purposes, and for not more than the
 28 following full-time equivalent positions:

29	\$	5,221,043
30	FTEs	35.00

31 1. Funds appropriated in this section may be used
 32 to supplement federal funds under federal regulations.
 33 To receive funds appropriated in this section, a local
 34 area agency on aging shall match the funds with moneys
 35 from other sources according to rules adopted by the
 36 department. Funds appropriated in this section may be
 37 used for elderly services not specifically enumerated
 38 in this section only if approved by an area agency on
 39 aging for provision of the service within the area.

40 2. Of the funds appropriated in this section,
 41 \$139,973 is transferred to the economic development
 42 authority for the Iowa commission on volunteer services
 43 to be used for the retired and senior volunteer
 44 program.

45 3. a. The department on aging shall establish and
 46 enforce procedures relating to expenditure of state and
 47 federal funds by area agencies on aging that require
 48 compliance with both state and federal laws, rules, and
 49 regulations, including but not limited to all of the
 50 following:

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1 (1) Requiring that expenditures are incurred only
2 for goods or services received or performed prior to
3 the end of the fiscal period designated for use of the
4 funds.

5 (2) Prohibiting prepayment for goods or services
6 not received or performed prior to the end of the
7 fiscal period designated for use of the funds.

8 (3) Prohibiting the prepayment for goods or
9 services not defined specifically by good or service,
10 time period, or recipient.

11 (4) Prohibiting the establishment of accounts from
12 which future goods or services which are not defined
13 specifically by good or service, time period, or
14 recipient, may be purchased.

15 b. The procedures shall provide that if any funds
16 are expended in a manner that is not in compliance with
17 the procedures and applicable federal and state laws,
18 rules, and regulations, and are subsequently subject
19 to repayment, the area agency on aging expending such
20 funds in contravention of such procedures, laws, rules
21 and regulations, not the state, shall be liable for
22 such repayment.

23 4. Of the funds appropriated in this section,
24 \$50,000 shall be used to provide for a local long-term
25 care resident's advocate to administer the certified
26 volunteer long-term care resident's advocate program
27 pursuant to section 231.45.

28 DIVISION XVII

29 DEPARTMENT OF PUBLIC HEALTH — FY 2014-2015

30 Sec. 84. DEPARTMENT OF PUBLIC HEALTH. There is
31 appropriated from the general fund of the state to
32 the department of public health for the fiscal year
33 beginning July 1, 2014, and ending June 30, 2015, the
34 following amounts, or so much thereof as is necessary,
35 to be used for the purposes designated:

36 1. ADDICTIVE DISORDERS

37 For reducing the prevalence of use of tobacco,
38 alcohol, and other drugs, and treating individuals
39 affected by addictive behaviors, including gambling,
40 and for not more than the following full-time
41 equivalent positions:

42 \$ 11,931,845
43 FTEs 13.00

44 a. (1) Of the funds appropriated in this
45 subsection, \$1,824,181 shall be used for the tobacco
46 use prevention and control initiative, including
47 efforts at the state and local levels, as provided
48 in chapter 142A. The commission on tobacco use
49 prevention and control established pursuant to section
50 142A.3 shall advise the director of public health in



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1 prioritizing funding needs and the allocation of moneys
2 appropriated for the programs and activities of the
3 initiative under this subparagraph (1) and shall make
4 recommendations to the director in the development of
5 budget requests relating to the initiative.

6 (2) (a) Of the funds allocated in this paragraph
7 "a", \$226,534 is transferred to the alcoholic beverages
8 division of the department of commerce for enforcement
9 of tobacco laws, regulations, and ordinances and to
10 engage in tobacco control activities approved by the
11 division of tobacco use prevention and control as
12 specified in the memorandum of understanding entered
13 into between the divisions.

14 (b) For the fiscal year beginning July 1, 2014, and
15 ending June 30, 2015, the terms of the memorandum of
16 understanding, entered into between the division of
17 tobacco use prevention and control of the department
18 of public health and the alcoholic beverages division
19 of the department of commerce, governing compliance
20 checks conducted to ensure licensed retail tobacco
21 outlet conformity with tobacco laws, regulations, and
22 ordinances relating to persons under eighteen years of
23 age, shall restrict the number of such checks to one
24 check per retail outlet, and one additional check for
25 any retail outlet found to be in violation during the
26 first check.

27 b. Of the funds appropriated in this subsection,
28 \$10,107,665 shall be used for problem gambling and
29 substance-related disorder prevention, treatment, and
30 recovery services, including a 24-hour helpline, public
31 information resources, professional training, and
32 program evaluation.

33 (1) Of the funds allocated in this paragraph "b",
34 \$8,551,858 shall be used for substance-related disorder
35 prevention and treatment.

36 (a) Of the funds allocated in this subparagraph
37 (1), \$449,650 shall be used for the public purpose of
38 a grant program to provide substance-related disorder
39 prevention programming for children.

40 (i) Of the funds allocated in this subparagraph
41 division (a), \$213,770 shall be used for grant funding
42 for organizations that provide programming for
43 children by utilizing mentors. Programs approved for
44 such grants shall be certified or will be certified
45 within six months of receiving the grant award by the
46 Iowa commission on volunteer services as utilizing
47 the standards for effective practice for mentoring
48 programs.

49 (ii) Of the funds allocated in this subparagraph
50 division (a), \$213,420 shall be used for grant

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1 funding for organizations that provide programming
2 that includes youth development and leadership. The
3 programs shall also be recognized as being programs
4 that are scientifically based with evidence of their
5 effectiveness in reducing substance-related disorders
6 in children.

7 (iii) The department of public health shall utilize
8 a request for proposals process to implement the grant
9 program.

10 (iv) All grant recipients shall participate in a
11 program evaluation as a requirement for receiving grant
12 funds.

13 (v) Of the funds allocated in this subparagraph
14 division (a), up to \$22,461 may be used to administer
15 substance-related disorder prevention grants and for
16 program evaluations.

17 (b) Of the funds allocated in this subparagraph
18 (1), \$136,302 shall be used for culturally competent
19 substance-related disorder treatment pilot projects.

20 (i) The department shall utilize the amount
21 allocated in this subparagraph division (b) for at
22 least three pilot projects to provide culturally
23 competent substance-related disorder treatment in
24 various areas of the state. Each pilot project shall
25 target a particular ethnic minority population. The
26 populations targeted shall include but are not limited
27 to African American, Asian, and Latino.

28 (ii) The pilot project requirements shall provide
29 for documentation or other means to ensure access
30 to the cultural competence approach used by a pilot
31 project so that such approach can be replicated and
32 improved upon in successor programs.

33 (2) Of the funds allocated in this paragraph "b",
34 up to \$1,555,807 may be used for problem gambling
35 prevention, treatment, and recovery services.

36 (a) Of the funds allocated in this subparagraph
37 (2), \$1,286,881 shall be used for problem gambling
38 prevention and treatment.

39 (b) Of the funds allocated in this subparagraph
40 (2), up to \$218,926 may be used for a 24-hour helpline,
41 public information resources, professional training,
42 and program evaluation.

43 (c) Of the funds allocated in this subparagraph
44 (2), up to \$50,000 may be used for the licensing of
45 problem gambling treatment programs.

46 (3) It is the intent of the general assembly that
47 from the moneys allocated in this paragraph "b",
48 persons with a dual diagnosis of substance-related
49 disorder and gambling addiction shall be given priority
50 in treatment services.

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1 c. Notwithstanding any provision of law to the
2 contrary, to standardize the availability, delivery,
3 cost of delivery, and accountability of problem
4 gambling and substance-related disorder treatment
5 services statewide, the department shall continue
6 implementation of a process to create a system for
7 delivery of treatment services in accordance with the
8 requirements specified in 2008 Iowa Acts, chapter
9 1187, section 3, subsection 4. To ensure the system
10 provides a continuum of treatment services that best
11 meets the needs of Iowans, the problem gambling and
12 substance-related disorder treatment services in any
13 area may be provided either by a single agency or by
14 separate agencies submitting a joint proposal.

15 (1) The system for delivery of substance-related
16 disorder and problem gambling treatment shall include
17 problem gambling prevention.

18 (2) The system for delivery of substance-related
19 disorder and problem gambling treatment shall include
20 substance-related disorder prevention by July 1, 2015.

21 (3) Of the funds allocated in paragraph "b", the
22 department may use up to \$50,000 for administrative
23 costs to continue developing and implementing the
24 process in accordance with this paragraph "c".

25 d. The requirement of section 123.53, subsection
26 5, is met by the appropriations and allocations made
27 in this Act for purposes of substance-related disorder
28 treatment and addictive disorders for the fiscal year
29 beginning July 1, 2014.

30 e. The department of public health shall work with
31 all other departments that fund substance-related
32 disorder prevention and treatment services and all
33 such departments shall, to the extent necessary,
34 collectively meet the state maintenance of effort
35 requirements for expenditures for substance-related
36 disorder services as required under the federal
37 substance-related disorder prevention and treatment
38 block grant.

39 **2. HEALTHY CHILDREN AND FAMILIES**

40 For promoting the optimum health status for
41 children, adolescents from birth through 21 years of
42 age, and families, and for not more than the following
43 full-time equivalent positions:

44	\$ 1,326,780
45	FTEs 10.00

46 a. Of the funds appropriated in this subsection,
47 not more than \$367,421 shall be used for the healthy
48 opportunities to experience success-healthy families
49 Iowa (HOPES-HFI) program established pursuant to
50 section 135.106. The funding shall be distributed to



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1 renew the grants that were provided to the grantees
 2 that operated the program during the fiscal year ending
 3 June 30, 2014.

4 b. In order to implement the legislative intent
 5 stated in sections 135.106 and 256I.9, that priority
 6 for home visitation program funding be given to
 7 programs using evidence-based or promising models
 8 for home visitation, it is the intent of the general
 9 assembly to phase-in the funding priority in accordance
 10 with 2012 Iowa Acts, chapter 129, section 2, subsection
 11 2, paragraph 0b.

12 c. Of the funds appropriated in this subsection,
 13 \$163,944 shall be used to continue to address the
 14 healthy mental development of children from birth
 15 through five years of age through local evidence-based
 16 strategies that engage both the public and private
 17 sectors in promoting healthy development, prevention,
 18 and treatment for children.

19 d. Of the funds appropriated in this subsection,
 20 \$15,799 shall be distributed to a statewide dental
 21 carrier to provide funds to continue the donated dental
 22 services program patterned after the projects developed
 23 by the lifeline network to provide dental services to
 24 indigent elderly and disabled individuals.

25 e. Of the funds appropriated in this subsection,
 26 \$55,998 shall be used for childhood obesity prevention.

27 f. Of the funds appropriated in this subsection,
 28 \$81,384 shall be used to provide audiological services
 29 and hearing aids for children. The department may
 30 enter into a contract to administer this paragraph.

31 g. Of the funds appropriated in this subsection,
 32 \$12,500 is transferred to the university of Iowa
 33 college of dentistry for provision of primary dental
 34 services to children. State funds shall be matched
 35 on a dollar-for-dollar basis. The university of Iowa
 36 college of dentistry shall coordinate efforts with the
 37 department of public health, bureau of oral health,
 38 to provide dental care to underserved populations
 39 throughout the state.

40 h. Of the funds appropriated in this subsection,
 41 \$25,000 shall be used to address youth suicide
 42 prevention.

43 3. CHRONIC CONDITIONS

44 For serving individuals identified as having chronic
 45 conditions or special health care needs, and for not
 46 more than the following full-time equivalent positions:

47	\$ 2,077,715
48	FTEs 4.00

49 a. Of the funds appropriated in this subsection,
 50 \$79,966 shall be used for grants to individual patients



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1 who have phenylketonuria (PKU) to assist with the costs
2 of necessary special foods.
3 b. Of the funds appropriated in this subsection,
4 \$240,822 is allocated for continuation of the contracts
5 for resource facilitator services in accordance with
6 section 135.22B, subsection 9, and for brain injury
7 training services and recruiting of service providers
8 to increase the capacity within this state to address
9 the needs of individuals with brain injuries and such
10 individuals' families.
11 c. Of the funds appropriated in this subsection,
12 \$273,991 shall be used as additional funding to
13 leverage federal funding through the federal Ryan
14 White Care Act, Tit. II, AIDS drug assistance program
15 supplemental drug treatment grants.
16 d. Of the funds appropriated in this subsection,
17 \$24,912 shall be used for the public purpose of
18 providing a grant to an existing national-affiliated
19 organization to provide education, client-centered
20 programs, and client and family support for people
21 living with epilepsy and their families.
22 e. Of the funds appropriated in this subsection,
23 \$392,557 shall be used for child health specialty
24 clinics.
25 f. Of the funds appropriated in this subsection,
26 \$100,000 shall be used by the regional autism
27 assistance program established pursuant to section
28 256.35, and administered by the child health specialty
29 clinic located at the university of Iowa hospitals
30 and clinics. The funds shall be used to enhance
31 interagency collaboration and coordination of
32 educational, medical, and other human services for
33 persons with autism, their families, and providers of
34 services, including delivering regionalized services of
35 care coordination, family navigation, and integration
36 of services through the statewide system of regional
37 child health specialty clinics and fulfilling other
38 requirements as specified in chapter 225D, creating the
39 autism support program, as enacted in this Act. The
40 university of Iowa shall not receive funds allocated
41 under this paragraph for indirect costs associated with
42 the regional autism assistance program.
43 g. Of the funds appropriated in this subsection,
44 \$235,497 shall be used for the comprehensive cancer
45 control program to reduce the burden of cancer in
46 Iowa through prevention, early detection, effective
47 treatment, and ensuring quality of life. Of the funds
48 allocated in this lettered paragraph, \$75,000 shall
49 be used to support a melanoma research symposium,
50 a melanoma biorepository and registry, basic and

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1 translational melanoma research, and clinical trials.
 2 h. Of the funds appropriated in this subsection,
 3 \$63,225 shall be used for cervical and colon cancer
 4 screening, and \$250,000 shall be used to enhance the
 5 capacity of the cervical cancer screening program to
 6 include provision of recommended prevention and early
 7 detection measures to a broader range of low-income
 8 women.

9 i. Of the funds appropriated in this subsection,
 10 \$263,348 shall be used for the center for congenital
 11 and inherited disorders.

12 j. Of the funds appropriated in this subsection,
 13 \$64,706 shall be used for the prescription drug
 14 donation repository program created in chapter 135M.

15 **4. COMMUNITY CAPACITY**

16 For strengthening the health care delivery system at
 17 the local level, and for not more than the following
 18 full-time equivalent positions:

19 \$ 2,342,577
 20 FTEs 14.00

21 a. Of the funds appropriated in this subsection,
 22 \$49,707 is allocated for a child vision screening
 23 program implemented through the university of Iowa
 24 hospitals and clinics in collaboration with early
 25 childhood Iowa areas. The program shall submit a
 26 report to the individuals identified in this Act
 27 for submission of reports regarding the use of funds
 28 allocated under this paragraph "a". The report shall
 29 include the objectives and results for the year of
 30 the program's implementation including the target
 31 population and how the funds allocated assisted the
 32 program in meeting the objectives; the number, age, and
 33 location within the state of individuals served; the
 34 type of services provided to the individuals served;
 35 the distribution of funds based on service provided;
 36 and the continuing needs of the program.

37 b. Of the funds appropriated in this subsection,
 38 \$55,328 is allocated for continuation of an initiative
 39 implemented at the university of Iowa and \$49,952 is
 40 allocated for continuation of an initiative at the
 41 state mental health institute at Cherokee to expand
 42 and improve the workforce engaged in mental health
 43 treatment and services. The initiatives shall receive
 44 input from the university of Iowa, the department of
 45 human services, the department of public health, and
 46 the mental health and disability services commission to
 47 address the focus of the initiatives.

48 c. Of the funds appropriated in this subsection,
 49 \$582,314 shall be used for essential public health
 50 services that promote healthy aging throughout the



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1 lifespan, contracted through a formula for local boards
 2 of health, to enhance health promotion and disease
 3 prevention services.

4 d. Of the funds appropriated in this section,
 5 \$49,643 shall be deposited in the governmental public
 6 health system fund created in section 135A.8 to be used
 7 for the purposes of the fund.

8 e. Of the funds appropriated in this subsection,
 9 \$52,724 shall be used for the mental health
 10 professional shortage area program implemented pursuant
 11 to section 135.180.

12 f. Of the funds appropriated in this subsection,
 13 \$25,000 shall be used for a grant to a statewide
 14 association of psychologists that is affiliated
 15 with the American psychological association to be
 16 used for continuation of a program to rotate intern
 17 psychologists in placements in urban and rural mental
 18 health professional shortage areas, as defined in
 19 section 135.180.

20 g. Of the funds appropriated in this subsection,
 21 the following amounts shall be allocated to the Iowa
 22 collaborative safety net provider network established
 23 pursuant to section 135.153 to be used for the purposes
 24 designated. The following amounts allocated under
 25 this lettered paragraph shall be distributed to
 26 the specified provider and shall not be reduced for
 27 administrative or other costs prior to distribution:

28 (1) For distribution to the Iowa primary care
 29 association to be used to establish a grant program
 30 for training sexual assault response team (SART)
 31 members, including representatives of law enforcement,
 32 victim advocates, prosecutors, and certified medical
 33 personnel:

34 \$ 25,000

35 (2) For distribution to federally qualified health
 36 centers for necessary infrastructure, statewide
 37 coordination, provider recruitment, service delivery,
 38 and provision of assistance to patients in determining
 39 an appropriate medical home:

40 \$ 37,500

41 (3) For distribution to the local boards of health
 42 that provide direct services for pilot programs in
 43 three counties to assist patients in determining an
 44 appropriate medical home:

45 \$ 38,577

46 (4) For distribution to maternal and child health
 47 centers for pilot programs in three counties to assist
 48 patients in determining an appropriate medical home:

49 \$ 47,563

50 (5) For distribution to free clinics for necessary



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1 infrastructure, statewide coordination, provider
2 recruitment, service delivery, and provision of
3 assistance to patients in determining an appropriate
4 medical home:
5 \$ 136,661
6 (6) For distribution to rural health clinics for
7 necessary infrastructure, statewide coordination,
8 provider recruitment, service delivery, and provision
9 of assistance to patients in determining an appropriate
10 medical home:
11 \$ 70,772
12 (7) For continuation of the safety net provider
13 patient access to specialty health care initiative as
14 described in 2007 Iowa Acts, chapter 218, section 109:
15 \$ 154,237
16 (8) For continuation of the pharmaceutical
17 infrastructure for safety net providers as described in
18 2007 Iowa Acts, chapter 218, section 108:
19 \$ 159,208
20 The Iowa collaborative safety net provider network
21 may continue to distribute funds allocated pursuant to
22 this lettered paragraph through existing contracts or
23 renewal of existing contracts.
24 h. Of the funds appropriated in this subsection,
25 \$111,013 is transferred to the department of
26 workforce development to continue to implement the
27 recommendations in the final report submitted to the
28 governor and the general assembly in March 2012, by
29 the direct care worker advisory council established
30 pursuant to 2008 Iowa Acts, chapter 1188, section 69.
31 i. Of the funds appropriated in this subsection,
32 the department may use up to \$29,088 for up to one
33 full-time equivalent position to administer the
34 volunteer health care provider program pursuant to
35 section 135.24.
36 j. Of the funds appropriated in this subsection,
37 \$24,854 shall be used for a matching dental education
38 loan repayment program to be allocated to a dental
39 nonprofit health service corporation to develop the
40 criteria and implement the loan repayment program.
41 k. Of the funds appropriated in this subsection,
42 \$52,912 is transferred to the college student aid
43 commission for deposit in the rural Iowa primary care
44 trust fund created in section 261.113 to be used for
45 the purposes of the fund.
46 l. Of the funds appropriated in this subsection,
47 \$25,000 shall be used for the purposes of the Iowa
48 donor registry as specified in section 142C.18.
49 m. Of the funds appropriated in this subsection,
50 \$50,000 shall be used for continuation of a grant to a

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1 nationally affiliated volunteer eye organization that
 2 has an established program for children and adults
 3 and that is solely dedicated to preserving sight and
 4 preventing blindness through education, nationally
 5 certified vision screening and training, and community
 6 and patient service programs. The organization shall
 7 submit a report to the individuals identified in this
 8 Act for submission of reports regarding the use of
 9 funds allocated under this paragraph "m". The report
 10 shall include the objectives and results for the year
 11 of the program's implementation including the target
 12 population and how the funds allocated assisted the
 13 program in meeting the objectives; the number, age, and
 14 location within the state of individuals served; the
 15 type of services provided to the individuals served;
 16 the distribution of funds based on service provided;
 17 and the continuing needs of the program.

18 n. Of the funds appropriated in this section,
 19 \$25,000 shall be distributed to a statewide nonprofit
 20 organization to be used for the public purpose of
 21 supporting a partnership between medical providers and
 22 parents through community health centers to promote
 23 reading and encourage literacy skills so children enter
 24 school prepared for success in reading.

25 o. A portion of the funds appropriated in this
 26 subsection that are not allocated, used, obligated,
 27 or otherwise encumbered may be used to administer the
 28 vision screening program created pursuant to section
 29 135.39D, as enacted by 2013 Iowa Acts, Senate File 419.

30 5. HEALTHY AGING

31 To provide public health services that reduce risks
 32 and invest in promoting and protecting good health over
 33 the course of a lifetime with a priority given to older
 34 Iowans and vulnerable populations:

35 \$ 3,648,571

36 a. Of the funds appropriated in this subsection,
 37 \$1,004,594 shall be used for local public health
 38 nursing services.

39 b. Of the funds appropriated in this subsection,
 40 \$2,643,978 shall be used for home care aide services.

41 6. ENVIRONMENTAL HAZARDS

42 For reducing the public's exposure to hazards in the
 43 environment, primarily chemical hazards, and for not
 44 more than the following full-time equivalent positions:

45 \$ 401,935

46 FTEs 4.00

47 Of the funds appropriated in this subsection,
 48 \$268,875 shall be used for childhood lead poisoning
 49 provisions.

50 7. INFECTIOUS DISEASES

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1 For reducing the incidence and prevalence of
 2 communicable diseases, and for not more than the
 3 following full-time equivalent positions:
 4 \$ 667,578
 5 FTEs 4.00

6 8. PUBLIC PROTECTION
 7 For protecting the health and safety of the
 8 public through establishing standards and enforcing
 9 regulations, and for not more than the following
 10 full-time equivalent positions:
 11 \$ 1,601,886
 12 FTEs 131.00

13 a. Of the funds appropriated in this subsection,
 14 not more than \$227,350 shall be credited to the
 15 emergency medical services fund created in section
 16 135.25. Moneys in the emergency medical services fund
 17 are appropriated to the department to be used for the
 18 purposes of the fund.

19 b. Of the funds appropriated in this subsection,
 20 \$101,516 shall be used for sexual violence prevention
 21 programming through a statewide organization
 22 representing programs serving victims of sexual
 23 violence through the department's sexual violence
 24 prevention program. The amount allocated in this
 25 lettered paragraph shall not be used to supplant
 26 funding administered for other sexual violence
 27 prevention or victims assistance programs.

28 c. Of the funds appropriated in this subsection,
 29 not more than \$261,876 shall be used for the state
 30 poison control center.

31 9. RESOURCE MANAGEMENT
 32 For establishing and sustaining the overall
 33 ability of the department to deliver services to the
 34 public, and for not more than the following full-time
 35 equivalent positions:

36 \$ 402,027
 37 FTEs 5.00

38 The university of Iowa hospitals and clinics under
 39 the control of the state board of regents shall not
 40 receive indirect costs from the funds appropriated in
 41 this section. The university of Iowa hospitals and
 42 clinics billings to the department shall be on at least
 43 a quarterly basis.

44 DIVISION XVIII
 45 DEPARTMENT OF VETERANS AFFAIRS — FY 2014-2015
 46 Sec. 85. DEPARTMENT OF VETERANS AFFAIRS. There
 47 is appropriated from the general fund of the state to
 48 the department of veterans affairs for the fiscal year
 49 beginning July 1, 2014, and ending June 30, 2015, the
 50 following amounts, or so much thereof as is necessary,



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1 to be used for the purposes designated:
2 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
3 For salaries, support, maintenance, and
4 miscellaneous purposes, including the war orphans
5 educational assistance fund created in section 35.8,
6 or a successor funding provision for war orphans
7 educational assistance, if enacted, and for not more
8 than the following full-time equivalent positions:
9 \$ 546,754
10 FTEs 13.00
11 2. IOWA VETERANS HOME
12 For salaries, support, maintenance, and
13 miscellaneous purposes:
14 \$ 3,762,857
15 a. The Iowa veterans home billings involving the
16 department of human services shall be submitted to the
17 department on at least a monthly basis.
18 b. If there is a change in the employer of
19 employees providing services at the Iowa veterans home
20 under a collective bargaining agreement, such employees
21 and the agreement shall be continued by the successor
22 employer as though there had not been a change in
23 employer.
24 c. Within available resources and in conformance
25 with associated state and federal program eligibility
26 requirements, the Iowa veterans home may implement
27 measures to provide financial assistance to or
28 on behalf of veterans or their spouses who are
29 participating in the community reentry program.
30 d. The Iowa veterans home expenditure report
31 shall be submitted monthly to the legislative services
32 agency.
33 4. HOME OWNERSHIP ASSISTANCE PROGRAM
34 For transfer to the Iowa finance authority for the
35 continuation of the home ownership assistance program
36 for persons who are or were eligible members of the
37 armed forces of the United States, pursuant to section
38 16.54:
39 \$ 800,000
40 Sec. 86. LIMITATION OF COUNTY
41 COMMISSIONS OF VETERAN AFFAIRS FUND STANDING
42 APPROPRIATIONS. Notwithstanding the standing
43 appropriation in the following designated section for
44 the fiscal year beginning July 1, 2014, and ending June
45 30, 2015, the amounts appropriated from the general
46 fund of the state pursuant to that section for the
47 following designated purposes shall not exceed the
48 following amount:
49 For the county commissions of veteran affairs fund
50 under section 35A.16:

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1 \$ 495,000
2 DIVISION XIX
3 DEPARTMENT OF HUMAN SERVICES — FY 2014-2015
4 Sec. 87. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
5 BLOCK GRANT. There is appropriated from the fund
6 created in section 8.41 to the department of human
7 services for the fiscal year beginning July 1, 2014,
8 and ending June 30, 2015, from moneys received under
9 the federal temporary assistance for needy families
10 (TANF) block grant pursuant to the federal Personal
11 Responsibility and Work Opportunity Reconciliation
12 Act of 1996, Pub. L. No. 104-193, and successor
13 legislation, the following amounts, or so much
14 thereof as is necessary, to be used for the purposes
15 designated:
16 1. To be credited to the family investment program
17 account and used for assistance under the family
18 investment program under chapter 239B:
19 \$ 9,058,474
20 2. To be credited to the family investment program
21 account and used for the job opportunities and
22 basic skills (JOBS) program and implementing family
23 investment agreements in accordance with chapter 239B:
24 \$ 5,733,220
25 3. To be used for the family development and
26 self-sufficiency grant program in accordance with
27 section 216A.107:
28 \$ 1,449,490
29 Notwithstanding section 8.33, moneys appropriated in
30 this subsection that remain unencumbered or unobligated
31 at the close of the fiscal year shall not revert but
32 shall remain available for expenditure for the purposes
33 designated until the close of the succeeding fiscal
34 year. However, unless such moneys are encumbered or
35 obligated on or before September 30, 2015, the moneys
36 shall revert.
37 4. For field operations:
38 \$ 15,648,116
39 5. For general administration:
40 \$ 1,872,000
41 6. For state child care assistance:
42 \$ 12,866,344
43 The funds appropriated in this subsection are
44 transferred to the child care and development block
45 grant appropriation made by the Eighty-fifth General
46 Assembly, 2013 Session, for the federal fiscal year
47 beginning October 1, 2014, and ending September 30,
48 2015. Of this amount, \$100,000 shall be used for
49 provision of educational opportunities to registered
50 child care home providers in order to improve services

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1 and programs offered by this category of providers and
 2 to increase the number of providers. The department
 3 may contract with institutions of higher education or
 4 child care resource and referral centers to provide the
 5 educational opportunities. Allowable administrative
 6 costs under the contracts shall not exceed 5 percent.
 7 The application for a grant shall not exceed two pages
 8 in length.

9 7. For distribution to counties or regions for
 10 services for persons with mental illness or an
 11 intellectual disability:

12 \$ 2,447,026

13 8. For child and family services:

14 \$ 16,042,215

15 9. For child abuse prevention grants:

16 \$ 64,500

17 10. For pregnancy prevention grants on the
 18 condition that family planning services are funded:

19 \$ 965,034

20 Pregnancy prevention grants shall be awarded to
 21 programs in existence on or before July 1, 2014, if the
 22 programs have demonstrated positive outcomes. Grants
 23 shall be awarded to pregnancy prevention programs
 24 which are developed after July 1, 2014, if the programs
 25 are based on existing models that have demonstrated
 26 positive outcomes. Grants shall comply with the
 27 requirements provided in 1997 Iowa Acts, chapter
 28 208, section 14, subsections 1 and 2, including the
 29 requirement that grant programs must emphasize sexual
 30 abstinence. Priority in the awarding of grants shall
 31 be given to programs that serve areas of the state
 32 which demonstrate the highest percentage of unplanned
 33 pregnancies of females of childbearing age within the
 34 geographic area to be served by the grant.

35 11. For technology needs and other resources
 36 necessary to meet federal welfare reform reporting,
 37 tracking, and case management requirements:

38 \$ 518,593

39 12. For the family investment program share of
 40 the costs to develop and maintain a new, integrated
 41 eligibility determination system:

42 \$ 2,525,226

43 13. a. Notwithstanding any provision to the
 44 contrary, including but not limited to requirements
 45 in section 8.41 or provisions in 2013 or 2014 Iowa
 46 Acts regarding the receipt and appropriation of
 47 federal block grants, federal funds from the temporary
 48 assistance for needy families block grant received by
 49 the state not otherwise appropriated in this section
 50 and remaining available for the fiscal year beginning



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1 July 1, 2013, are appropriated to the department of
 2 human services to the extent as may be necessary to
 3 be used in the following priority order: the family
 4 investment program, for state child care assistance
 5 program payments for individuals enrolled in the
 6 family investment program who are employed, and
 7 for the family investment program share of costs to
 8 develop and maintain a new, integrated eligibility
 9 determination system. The federal funds appropriated
 10 in this paragraph "a" shall be expended only after
 11 all other funds appropriated in subsection 1 for
 12 the assistance under the family investment program,
 13 in subsection 6 for child care assistance, or in
 14 subsection 13 for the family investment program share
 15 of the costs to develop and maintain a new, integrated
 16 eligibility determination system, as applicable, have
 17 been expended.

18 b. The department shall, on a quarterly basis,
 19 advise the legislative services agency and department
 20 of management of the amount of funds appropriated in
 21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,
 23 \$6,481,004 for the fiscal year beginning July 1, 2014,
 24 is transferred to the appropriation of the federal
 25 social services block grant made to the department of
 26 human services for that fiscal year.

27 15. For continuation of the program providing
 28 categorical eligibility for the food assistance program
 29 as specified for the program in the section of this
 30 division relating to the family investment program
 31 account:

32 \$ 12,500

33 16. The department may transfer funds allocated
 34 in this section to the appropriations made in this
 35 division of this Act for the same fiscal year for
 36 general administration and field operations for
 37 resources necessary to implement and operate the
 38 services referred to in this section and those funded
 39 in the appropriation made in this division of this Act
 40 for the same fiscal year for the family investment
 41 program from the general fund of the state.

42 **Sec. 88. FAMILY INVESTMENT PROGRAM ACCOUNT.**

43 1. Moneys credited to the family investment program
 44 (FIP) account for the fiscal year beginning July
 45 1, 2014, and ending June 30, 2015, shall be used to
 46 provide assistance in accordance with chapter 239B.

47 2. The department may use a portion of the moneys
 48 credited to the FIP account under this section as
 49 necessary for salaries, support, maintenance, and
 50 miscellaneous purposes.



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1 3. The department may transfer funds allocated
2 in this section to the appropriations made in this
3 division of this Act for the same fiscal year for
4 general administration and field operations for
5 resources necessary to implement and operate the
6 services referred to in this section and those funded
7 in the appropriation made in this division of this Act
8 for the same fiscal year for the family investment
9 program from the general fund of the state.

10 4. Moneys appropriated in this division of this Act
11 and credited to the FIP account for the fiscal year
12 beginning July 1, 2014, and ending June 30, 2015, are
13 allocated as follows:

14 a. To be retained by the department of human
15 services to be used for coordinating with the
16 department of human rights to more effectively serve
17 participants in the FIP program and other shared
18 clients and to meet federal reporting requirements
19 under the federal temporary assistance for needy
20 families block grant:
21 \$ 10,000

22 b. To the department of human rights for staffing,
23 administration, and implementation of the family
24 development and self-sufficiency grant program in
25 accordance with section 216A.107:
26 \$ 2,771,417

27 (1) Of the funds allocated for the family
28 development and self-sufficiency grant program in this
29 lettered paragraph, not more than 5 percent of the
30 funds shall be used for the administration of the grant
31 program.

32 (2) The department of human rights may continue to
33 implement the family development and self-sufficiency
34 grant program statewide during fiscal year 2014-2015.

35 c. For the diversion subaccount of the FIP account:
36 \$ 849,200

37 A portion of the moneys allocated for the subaccount
38 may be used for field operations salaries, data
39 management system development, and implementation
40 costs and support deemed necessary by the director
41 of human services in order to administer the FIP
42 diversion program. To the extent moneys allocated
43 in this lettered paragraph are not deemed by the
44 department to be necessary to support diversion
45 activities, such moneys may be used for other efforts
46 intended to increase engagement by family investment
47 program participants in work, education, or training
48 activities.

49 d. For the food assistance employment and training
50 program:

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1 \$ 33,294
2 (1) The department shall amend the federal
3 supplemental nutrition assistance program (SNAP)
4 employment and training state plan in order to maximize
5 to the fullest extent permitted by federal law the
6 use of the 50-50 match provisions for the claiming
7 of allowable federal matching funds from the United
8 States department of agriculture pursuant to the
9 federal SNAP employment and training program for
10 providing education, employment, and training services
11 for eligible food assistance program participants,
12 including but not limited to related dependent care and
13 transportation expenses.
14 (2) The department shall continue the categorical
15 federal food assistance program eligibility at 160
16 percent of the federal poverty level and continue to
17 eliminate the asset test from eligibility requirements,
18 consistent with federal food assistance program
19 requirements. The department shall include as many
20 food assistance households as is allowed by federal
21 law. The eligibility provisions shall conform to all
22 federal requirements including requirements addressing
23 individuals who are incarcerated or otherwise
24 ineligible.
25 e. For the JOBS program:
26 \$ 9,845,408
27 5. Of the child support collections assigned under
28 FIP, an amount equal to the federal share of support
29 collections shall be credited to the child support
30 recovery appropriation made in this division of this
31 Act. Of the remainder of the assigned child support
32 collections received by the child support recovery
33 unit, a portion shall be credited to the FIP account,
34 a portion may be used to increase recoveries, and a
35 portion may be used to sustain cash flow in the child
36 support payments account. If as a consequence of the
37 appropriations and allocations made in this section
38 the resulting amounts are insufficient to sustain
39 cash assistance payments and meet federal maintenance
40 of effort requirements, the department shall seek
41 supplemental funding. If child support collections
42 assigned under FIP are greater than estimated or are
43 otherwise determined not to be required for maintenance
44 of effort, the state share of either amount may be
45 transferred to or retained in the child support payment
46 account.
47 6. The department may adopt emergency rules for the
48 family investment, JOBS, food assistance, and medical
49 assistance programs if necessary to comply with federal
50 requirements.

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1 Sec. 89. FAMILY INVESTMENT PROGRAM GENERAL
2 FUND. There is appropriated from the general fund of
3 the state to the department of human services for the
4 fiscal year beginning July 1, 2014, and ending June 30,
5 2015, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:
7 To be credited to the family investment program
8 (FIP) account and used for family investment program
9 assistance under chapter 239B:
10 \$ 23,948,607
11 1. Of the funds appropriated in this section,
12 \$3,912,189 is allocated for the JOBS program.
13 2. Of the funds appropriated in this section,
14 \$1,331,927 is allocated for the family development and
15 self-sufficiency grant program.
16 3. Notwithstanding section 8.39, for the fiscal
17 year beginning July 1, 2014, if necessary to meet
18 federal maintenance of effort requirements or to
19 transfer federal temporary assistance for needy
20 families block grant funding to be used for purposes
21 of the federal social services block grant or to meet
22 cash flow needs resulting from delays in receiving
23 federal funding or to implement, in accordance with
24 this division of this Act, activities currently funded
25 with juvenile court services, county, or community
26 moneys and state moneys used in combination with such
27 moneys, the department of human services may transfer
28 funds within or between any of the appropriations made
29 in this division of this Act and appropriations in law
30 for the federal social services block grant to the
31 department for the following purposes, provided that
32 the combined amount of state and federal temporary
33 assistance for needy families block grant funding for
34 each appropriation remains the same before and after
35 the transfer:
36 a. For the family investment program.
37 b. For child care assistance.
38 c. For child and family services.
39 d. For field operations.
40 e. For general administration.
41 f. For distribution to counties or regions
42 for services to persons with mental illness or an
43 intellectual disability.
44 This subsection shall not be construed to prohibit
45 the use of existing state transfer authority for other
46 purposes. The department shall report any transfers
47 made pursuant to this subsection to the legislative
48 services agency.
49 4. Of the funds appropriated in this section,
50 \$97,839 shall be used for continuation of a grant to

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1 an Iowa-based nonprofit organization with a history
 2 of providing tax preparation assistance to low-income
 3 Iowans in order to expand the usage of the earned
 4 income tax credit. The purpose of the grant is to
 5 supply this assistance to underserved areas of the
 6 state.

7 5. The department may transfer funds appropriated
 8 in this section to the appropriations made in this
 9 division of this Act for general administration and
 10 field operations as necessary to administer this
 11 section and the overall family investment program.

12 Sec. 90. CHILD SUPPORT RECOVERY. There is
 13 appropriated from the general fund of the state to
 14 the department of human services for the fiscal year
 15 beginning July 1, 2014, and ending June 30, 2015, the
 16 following amount, or so much thereof as is necessary,
 17 to be used for the purposes designated:

18 For child support recovery, including salaries,
 19 support, maintenance, and miscellaneous purposes, and
 20 for not more than the following full-time equivalent
 21 positions:

22	\$ 7,086,885
23	FTEs 464.00

24 1. The department shall expend up to \$12,165,
 25 including federal financial participation, for the
 26 fiscal year beginning July 1, 2014, for a child support
 27 public awareness campaign. The department and the
 28 office of the attorney general shall cooperate in
 29 continuation of the campaign. The public awareness
 30 campaign shall emphasize, through a variety of media
 31 activities, the importance of maximum involvement of
 32 both parents in the lives of their children as well as
 33 the importance of payment of child support obligations.

34 2. Federal access and visitation grant moneys shall
 35 be issued directly to private not-for-profit agencies
 36 that provide services designed to increase compliance
 37 with the child access provisions of court orders,
 38 including but not limited to neutral visitation sites
 39 and mediation services.

40 3. The appropriation made to the department for
 41 child support recovery may be used throughout the
 42 fiscal year in the manner necessary for purposes of
 43 cash flow management, and for cash flow management
 44 purposes the department may temporarily draw more
 45 than the amount appropriated, provided the amount
 46 appropriated is not exceeded at the close of the fiscal
 47 year.

48 4. With the exception of the funding amount
 49 specified, the requirements established under 2001
 50 Iowa Acts, chapter 191, section 3, subsection 5,



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1 paragraph "c", subparagraph (3), shall be applicable
 2 to parental obligation pilot projects for the fiscal
 3 year beginning July 1, 2014, and ending June 30,
 4 2015. Notwithstanding 441 IAC 100.8, providing for
 5 termination of rules relating to the pilot projects,
 6 the rules shall remain in effect until June 30, 2015.

7 Sec. 91. HEALTH CARE TRUST FUND — MEDICAL
 8 ASSISTANCE — FY 2014-2015. Any funds remaining in the
 9 health care trust fund created in section 453A.35A for
 10 the fiscal year beginning July 1, 2014, and ending June
 11 30, 2015, are appropriated to the department of human
 12 services to supplement the medical assistance program
 13 appropriations made in this division of this Act, for
 14 medical assistance reimbursement and associated costs,
 15 including program administration and costs associated
 16 with program implementation.

17 Sec. 92. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE
 18 — FY 2014-2015. Any funds remaining in the Medicaid
 19 fraud fund created in section 249A.7 for the fiscal
 20 year beginning July 1, 2014, and ending June 30, 2015,
 21 are appropriated to the department of human services to
 22 supplement the medical assistance appropriations made
 23 in this division of this Act, for medical assistance
 24 reimbursement and associated costs, including program
 25 administration and costs associated with program
 26 implementation.

27 Sec. 93. MEDICAL ASSISTANCE. There is appropriated
 28 from the general fund of the state to the department of
 29 human services for the fiscal year beginning July 1,
 30 2014, and ending June 30, 2015, the following amount,
 31 or so much thereof as is necessary, to be used for the
 32 purpose designated:

33 For medical assistance program reimbursement and
 34 associated costs as specifically provided in the
 35 reimbursement methodologies in effect on June 30, 2014,
 36 except as otherwise expressly authorized by law:
 37 \$ 1,126,161,962

38 1. a. Funds appropriated in this section that
 39 are distributed to a hospital, as defined in section
 40 135B.1, or to a person, as defined in section 4.1, who
 41 received funding from the IowaCare account created in
 42 section 249J.24, Code 2013, shall not be used for the
 43 willful termination of human life.

44 b. With the exception of the distributions in
 45 paragraph "a", funds appropriated under this section
 46 shall not be distributed to any person, as defined
 47 in section 4.1, who participates in the willful
 48 termination of human life.

49 2. The department shall utilize not more than
 50 \$60,000 of the funds appropriated in this section



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1 to continue the AIDS/HIV health insurance premium
2 payment program as established in 1992 Iowa Acts,
3 Second Extraordinary Session, chapter 1001, section
4 409, subsection 6. Of the funds allocated in this
5 subsection, not more than \$5,000 may be expended for
6 administrative purposes.

7 3. Of the funds appropriated in this Act to the
8 department of public health for addictive disorders,
9 \$950,000 for the fiscal year beginning July 1, 2014, is
10 transferred to the department of human services for an
11 integrated substance abuse managed care system. The
12 department shall not assume management of the substance
13 abuse system in place of the managed care contractor
14 unless such a change in approach is specifically
15 authorized in law. The departments of human services
16 and public health shall work together to maintain the
17 level of mental health and substance-related disorder
18 treatment services provided by the managed care
19 contractor through the Iowa plan for behavioral health.
20 Each department shall take the steps necessary to
21 continue the federal waivers as necessary to maintain
22 the level of services.

23 4. a. The department shall aggressively pursue
24 options for providing medical assistance or other
25 assistance to individuals with special needs who become
26 ineligible to continue receiving services under the
27 early and periodic screening, diagnostic, and treatment
28 program under the medical assistance program due
29 to becoming 21 years of age who have been approved
30 for additional assistance through the department's
31 exception to policy provisions, but who have health
32 care needs in excess of the funding available through
33 the exception to policy provisions.

34 b. Of the funds appropriated in this section,
35 \$100,000 shall be used for participation in one or more
36 pilot projects operated by a private provider to allow
37 the individual or individuals to receive service in the
38 community in accordance with principles established in
39 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
40 of providing medical assistance or other assistance to
41 individuals with special needs who become ineligible
42 to continue receiving services under the early and
43 periodic screening, diagnosis, and treatment program
44 under the medical assistance program due to becoming
45 21 years of age who have been approved for additional
46 assistance through the department's exception to policy
47 provisions, but who have health care needs in excess
48 of the funding available through the exception to the
49 policy provisions.

50 5. Of the funds appropriated in this section, up to

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1 \$3,050,082 may be transferred to the field operations
2 or general administration appropriations in this Act
3 for operational costs associated with Part D of the
4 federal Medicare Prescription Drug Improvement and
5 Modernization Act of 2003, Pub. L. No. 108-173.

6 6. Of the funds appropriated in this section, up
7 to \$442,100 may be transferred to the appropriation
8 in this division of this Act for medical contracts
9 to be used for clinical assessment services and prior
10 authorization of services.

11 7. A portion of the funds appropriated in this
12 section may be transferred to the appropriations in
13 this division of this Act for general administration,
14 medical contracts, the children's health insurance
15 program, or field operations to be used for the
16 state match cost to comply with the payment error
17 rate measurement (PERM) program for both the medical
18 assistance and children's health insurance programs
19 as developed by the centers for Medicare and Medicaid
20 services of the United States department of health and
21 human services to comply with the federal Improper
22 Payments Information Act of 2002, Pub. L. No. 107-300.

23 8. It is the intent of the general assembly
24 that the department continue to implement the
25 recommendations of the assuring better child health
26 and development initiative II (ABCDII) clinical panel
27 to the Iowa early and periodic screening, diagnostic,
28 and treatment services healthy mental development
29 collaborative board regarding changes to billing
30 procedures, codes, and eligible service providers.

31 9. Of the funds appropriated in this section,
32 a sufficient amount is allocated to supplement
33 the incomes of residents of nursing facilities,
34 intermediate care facilities for persons with mental
35 illness, and intermediate care facilities for persons
36 with an intellectual disability, with incomes of less
37 than \$50 in the amount necessary for the residents to
38 receive a personal needs allowance of \$50 per month
39 pursuant to section 249A.30A.

40 10. Of the funds appropriated in this section, the
41 following amounts are transferred to the appropriations
42 made in this division of this Act for the state mental
43 health institutes:

- 44 a. Cherokee mental health institute... \$ 9,098,425
- 45 b. Clarinda mental health institute... \$ 1,977,305
- 46 c. Independence mental health
- 47 institute \$ 9,045,894
- 48 d. Mount Pleasant mental health
- 49 institute..... \$ 5,752,587

50 11. a. Of the funds appropriated in this section,

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1 \$7,969,074 is allocated for the state match for a
2 disproportionate share hospital payment of \$19,133,430
3 to hospitals that meet both of the conditions specified
4 in subparagraphs (1) and (2). In addition, the
5 hospitals that meet the conditions specified shall
6 either certify public expenditures or transfer to
7 the medical assistance program an amount equal to
8 provide the nonfederal share for a disproportionate
9 share hospital payment of \$7,500,000. The hospitals
10 that meet the conditions specified shall receive and
11 retain 100 percent of the total disproportionate share
12 hospital payment of \$26,633,430.

13 (1) The hospital qualifies for disproportionate
14 share and graduate medical education payments.

15 (2) The hospital is an Iowa state-owned hospital
16 with more than 500 beds and eight or more distinct
17 residency specialty or subspecialty programs recognized
18 by the American college of graduate medical education.

19 b. Distribution of the disproportionate share
20 payments shall be made on a monthly basis. The total
21 amount of disproportionate share payments including
22 graduate medical education, enhanced disproportionate
23 share, and Iowa state-owned teaching hospital payments
24 shall not exceed the amount of the state's allotment
25 under Pub. L. No. 102-234. In addition, the total
26 amount of all disproportionate share payments shall not
27 exceed the hospital-specific disproportionate share
28 limits under Pub. L. No. 103-66.

29 12. The university of Iowa hospitals and clinics
30 shall either certify public expenditures or transfer to
31 the medical assistance appropriation an amount equal
32 to provide the nonfederal share for increased medical
33 assistance payments for inpatient and outpatient
34 hospital services of \$9,900,000. The university of
35 Iowa hospitals and clinics shall receive and retain 100
36 percent of the total increase in medical assistance
37 payments.

38 13. One hundred percent of the nonfederal share of
39 payments to area education agencies that are medical
40 assistance providers for medical assistance-covered
41 services provided to medical assistance-covered
42 children, shall be made from the appropriation made in
43 this section.

44 14. Any new or renewed contract entered into by the
45 department with a third party to administer behavioral
46 health services under the medical assistance program
47 shall provide that any interest earned on payments
48 from the state during the state fiscal year shall be
49 remitted to the department and treated as recoveries to
50 offset the costs of the medical assistance program.

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1 15. The department shall continue to implement the
2 provisions in 2007 Iowa Acts, chapter 218, section
3 124 and section 126, as amended by 2008 Iowa Acts,
4 chapter 1188, section 55, relating to eligibility for
5 certain persons with disabilities under the medical
6 assistance program in accordance with the federal
7 Family Opportunity Act.
8 16. A portion of the funds appropriated in this
9 section may be transferred to the appropriation in this
10 division of this Act for medical contracts to be used
11 for administrative activities associated with the money
12 follows the person demonstration project.
13 17. Of the funds appropriated in this section,
14 \$349,011 shall be used for the administration of the
15 health insurance premium payment program, including
16 salaries, support, maintenance, and miscellaneous
17 purposes.
18 18. a. The department may continue to implement
19 cost containment strategies in the fiscal year
20 beginning July 1, 2014, that were recommended by the
21 governor for the fiscal year beginning July 1, 2013, as
22 specified in this Act and may adopt emergency rules for
23 such implementation.
24 b. The department may increase the amounts
25 allocated for salaries, support, maintenance, and
26 miscellaneous purposes associated with the medical
27 assistance program, as necessary, to implement the cost
28 containment strategies. The department shall report
29 any such increase to the legislative services agency
30 and the department of management.
31 c. If the savings to the medical assistance program
32 exceed the cost for the fiscal year beginning July 1
33 2014, the department may transfer any savings generated
34 for the fiscal year due to medical assistance program
35 cost containment efforts to the appropriation made in
36 this division of this Act for medical contracts or
37 general administration to defray the increased contract
38 costs associated with implementing such efforts.
39 d. The department shall report the implementation
40 of any cost containment strategies under this
41 subsection to the individuals specified in this
42 division of this Act for submission of reports on a
43 quarterly basis.
44 19. a. Of the funds appropriated in this section,
45 \$900,000 shall be used to continue implementation of
46 the children's mental health home project proposed
47 by the department of human services and reported to
48 the general assembly's mental health and disability
49 services study committee in December 2011. Of this
50 amount, up to \$50,000 may be transferred by the

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1 department to the appropriation made in this division
 2 of this Act to the department for the same fiscal year
 3 for general administration to be used for associated
 4 administrative expenses and for not more than one
 5 full-time equivalent position, in addition to those
 6 authorized for the same fiscal year, to be assigned to
 7 implementing the project.

8 b. Of the funds appropriated in this section, up to
 9 \$400,000 may be transferred by the department to the
 10 appropriation made to the department in this division
 11 of this Act for the same fiscal year for general
 12 administration to support the redesign of mental
 13 health and disability services and the state balancing
 14 incentive payments program planning and implementation
 15 activities. The funds may be used for contracts or for
 16 personnel in addition to the amounts appropriated for
 17 and the positions authorized for general administration
 18 for the same fiscal year.

19 c. Of the funds appropriated in this section, up to
 20 \$3,000,000 may be transferred by the department to the
 21 appropriations made to the department in this division
 22 of this Act for the same fiscal year for general
 23 administration or medical contracts to be used to
 24 support the continued development and implementation of
 25 standardized assessment tools for persons with mental
 26 illness, an intellectual disability, a developmental
 27 disability, or a brain injury.

28 d. For the fiscal year beginning July 1, 2014, and
 29 ending June 30, 2015, the replacement generation tax
 30 revenues required to be deposited in the property tax
 31 relief fund pursuant to section 437A.8, subsection
 32 4, paragraph "d", and section 437A.15, subsection
 33 3, paragraph "f", shall instead be credited to and
 34 supplement the appropriation made in this section and
 35 used for the allocations made in this subsection.

36 20. The department shall continue to administer
 37 to the state balancing incentive payments program as
 38 specified in 2012 Iowa Acts, chapter 1133, section 14.

39 21. Of the funds appropriated in this section,
 40 \$1,000,000 shall be used for the autism support program
 41 created in chapter 225D, as enacted in this Act.

42 Sec. 94. MEDICAL CONTRACTS. There is appropriated
 43 from the general fund of the state to the department of
 44 human services for the fiscal year beginning July 1,
 45 2014, and ending June 30, 2015, the following amount,
 46 or so much thereof as is necessary, to be used for the
 47 purpose designated:

48 For medical contracts:
 49 \$ 4,260,375
 50 1. The department of inspections and appeals



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1 shall provide all state matching funds for survey and
2 certification activities performed by the department
3 of inspections and appeals. The department of human
4 services is solely responsible for distributing the
5 federal matching funds for such activities.
6 2. Of the funds appropriated in this section,
7 \$25,000 shall be used for continuation of home and
8 community-based services waiver quality assurance
9 programs, including the review and streamlining of
10 processes and policies related to oversight and quality
11 management to meet state and federal requirements.
12 3. Of the amount appropriated in this section, up
13 to \$100,000 may be transferred to the appropriation for
14 general administration in this division of this Act to
15 be used for additional full-time equivalent positions
16 in the development of key health initiatives such as
17 cost containment, development and oversight of managed
18 care programs, and development of health strategies
19 targeted toward improved quality and reduced costs in
20 the Medicaid program.
21 4. Of the funds appropriated in this section,
22 \$37,500 shall be used for continued implementation of a
23 uniform cost report.
24 5. Of the funds appropriated in this section,
25 \$500,000 shall be used for planning and development, in
26 cooperation with the department of public health, of a
27 phased-in program to provide a dental home for children
28 in accordance with section 249J.14.
29 Sec. 95. STATE SUPPLEMENTARY ASSISTANCE.
30 1. There is appropriated from the general fund of
31 the state to the department of human services for the
32 fiscal year beginning July 1, 2014, and ending June 30,
33 2015, the following amount, or so much thereof as is
34 necessary, to be used for the purpose designated:
35 For the state supplementary assistance program:
36 \$ 8,256,087
37 2. The department shall increase the personal needs
38 allowance for residents of residential care facilities
39 by the same percentage and at the same time as federal
40 supplemental security income and federal social
41 security benefits are increased due to a recognized
42 increase in the cost of living. The department may
43 adopt emergency rules to implement this subsection.
44 3. If during the fiscal year beginning July 1,
45 2013, the department projects that state supplementary
46 assistance expenditures for a calendar year will not
47 meet the federal pass-through requirement specified
48 in Tit. XVI of the federal Social Security Act,
49 section 1618, as codified in 42 U.S.C. § 1382g,
50 the department may take actions including but not

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1 limited to increasing the personal needs allowance
 2 for residential care facility residents and making
 3 programmatic adjustments or upward adjustments of the
 4 residential care facility or in-home health-related
 5 care reimbursement rates prescribed in this division of
 6 this Act to ensure that federal requirements are met.
 7 In addition, the department may make other programmatic
 8 and rate adjustments necessary to remain within the
 9 amount appropriated in this section while ensuring
 10 compliance with federal requirements. The department
 11 may adopt emergency rules to implement the provisions
 12 of this subsection.

13 Sec. 96. CHILDREN'S HEALTH INSURANCE PROGRAM.

14 1. There is appropriated from the general fund of
 15 the state to the department of human services for the
 16 fiscal year beginning July 1, 2014, and ending June 30,
 17 2015, the following amount, or so much thereof as is
 18 necessary, to be used for the purpose designated:

19 For maintenance of the healthy and well kids in Iowa
 20 (hawk-i) program pursuant to chapter 514I, including
 21 supplemental dental services, for receipt of federal
 22 financial participation under Tit. XXI of the federal
 23 Social Security Act, which creates the children's
 24 health insurance program:

25 \$ 18,403,051

26 2. Of the funds appropriated in this section,
 27 \$70,725 is allocated for continuation of the contract
 28 for outreach with the department of public health.

29 Sec. 97. CHILD CARE ASSISTANCE. There is
 30 appropriated from the general fund of the state to
 31 the department of human services for the fiscal year
 32 beginning July 1, 2014, and ending June 30, 2015, the
 33 following amount, or so much thereof as is necessary,
 34 to be used for the purpose designated:

35 For child care programs:

36 \$ 29,632,171

37 1. Of the funds appropriated in this section,
 38 \$25,704,869 shall be used for state child care
 39 assistance in accordance with section 237A.13.

40 2. Nothing in this section shall be construed or
 41 is intended as or shall imply a grant of entitlement
 42 for services to persons who are eligible for assistance
 43 due to an income level consistent with the waiting
 44 list requirements of section 237A.13. Any state
 45 obligation to provide services pursuant to this section
 46 is limited to the extent of the funds appropriated in
 47 this section.

48 3. Of the funds appropriated in this section,
 49 \$216,227 is allocated for the statewide program for
 50 child care resource and referral services under section



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1 237A.26. A list of the registered and licensed child
2 care facilities operating in the area served by a
3 child care resource and referral service shall be made
4 available to the families receiving state child care
5 assistance in that area.
6 4. Of the funds appropriated in this section,
7 \$468,487 is allocated for child care quality
8 improvement initiatives including but not limited to
9 the voluntary quality rating system in accordance with
10 section 237A.30.
11 5. Of the funds appropriated in this section,
12 \$67,589 shall be used to conduct fingerprint-based
13 national criminal history record checks of home-based
14 child care providers pursuant to section 237A.5,
15 subsection 2, through the United States department of
16 justice, federal bureau of investigation.
17 6. Of the funds appropriated in this section,
18 \$3,175,000 shall be credited to the school ready
19 children grants account in the early childhood Iowa
20 fund. The moneys credited to the account pursuant
21 to this subsection shall be distributed by the early
22 childhood Iowa board by applying the formula for
23 distribution of moneys from the account.
24 7. The department may use any of the funds
25 appropriated in this section as a match to obtain
26 federal funds for use in expanding child care
27 assistance and related programs. For the purpose of
28 expenditures of state and federal child care funding,
29 funds shall be considered obligated at the time
30 expenditures are projected or are allocated to the
31 department's service areas. Projections shall be based
32 on current and projected caseload growth, current and
33 projected provider rates, staffing requirements for
34 eligibility determination and management of program
35 requirements including data systems management,
36 staffing requirements for administration of the
37 program, contractual and grant obligations and any
38 transfers to other state agencies, and obligations for
39 decategorization or innovation projects.
40 8. A portion of the state match for the federal
41 child care and development block grant shall be
42 provided as necessary to meet federal matching
43 funds requirements through the state general fund
44 appropriation made for child development grants and
45 other programs for at-risk children in section 279.51.
46 9. If a uniform reduction ordered by the governor
47 under section 8.31 or other operation of law,
48 transfer, or federal funding reduction reduces the
49 appropriation made in this section for the fiscal year,
50 the percentage reduction in the amount paid out to or

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1 on behalf of the families participating in the state
 2 child care assistance program shall be equal to or
 3 less than the percentage reduction made for any other
 4 purpose payable from the appropriation made in this
 5 section and the federal funding relating to it. The
 6 percentage reduction to the other allocations made in
 7 this section shall be the same as the uniform reduction
 8 ordered by the governor or the percentage change of the
 9 federal funding reduction, as applicable. If there is
 10 an unanticipated increase in federal funding provided
 11 for state child care assistance, the entire amount
 12 of the increase shall be used for state child care
 13 assistance payments. If the appropriations made for
 14 purposes of the state child care assistance program for
 15 the fiscal year are determined to be insufficient, it
 16 is the intent of the general assembly to appropriate
 17 sufficient funding for the fiscal year in order to
 18 avoid establishment of waiting list requirements.

19 10. Notwithstanding section 8.33, moneys advanced
 20 for purposes of the programs developed by early
 21 childhood Iowa areas, advanced for purposes of
 22 wraparound child care, or received from the federal
 23 appropriations made for the purposes of this section
 24 that remain unencumbered or unobligated at the close
 25 of the fiscal year shall not revert to any fund but
 26 shall remain available for expenditure for the purposes
 27 designated until the close of the succeeding fiscal
 28 year.

29 Sec. 98. JUVENILE INSTITUTIONS. There is
 30 appropriated from the general fund of the state to
 31 the department of human services for the fiscal year
 32 beginning July 1, 2014, and ending June 30, 2015, the
 33 following amounts, or so much thereof as is necessary,
 34 to be used for the purposes designated:

35 1. For operation of the Iowa juvenile home at
 36 Toledo and for salaries, support, maintenance, and
 37 miscellaneous purposes, and for not more than the
 38 following full-time equivalent positions:

39 \$ 4,429,678
 40 FTEs 114.00

41 2. For operation of the state training school at
 42 Eldora and for salaries, support, maintenance, and
 43 miscellaneous purposes, and for not more than the
 44 following full-time equivalent positions:

45 \$ 5,628,485
 46 FTEs 164.30

47 Of the funds appropriated in this subsection,
 48 \$45,575 shall be used for distribution to licensed
 49 classroom teachers at this and other institutions under
 50 the control of the department of human services based

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1 upon the average student yearly enrollment at each
 2 institution as determined by the department.

3 3. A portion of the moneys appropriated in this
 4 section shall be used by the state training school and
 5 by the Iowa juvenile home for grants for adolescent
 6 pregnancy prevention activities at the institutions in
 7 the fiscal year beginning July 1, 2014.

8 Sec. 99. CHILD AND FAMILY SERVICES.

9 1. There is appropriated from the general fund of
 10 the state to the department of human services for the
 11 fiscal year beginning July 1, 2014, and ending June 30,
 12 2015, the following amount, or so much thereof as is
 13 necessary, to be used for the purpose designated:

14 For child and family services:
 15 \$ 40,637,473

16 2. Up to \$2,600,000 of the amount of federal
 17 temporary assistance for needy families block grant
 18 funding appropriated in this division of this Act for
 19 child and family services shall be made available for
 20 purposes of juvenile delinquent graduated sanction
 21 services.

22 3. The department may transfer funds appropriated
 23 in this section as necessary to pay the nonfederal
 24 costs of services reimbursed under the medical
 25 assistance program, state child care assistance
 26 program, or the family investment program which are
 27 provided to children who would otherwise receive
 28 services paid under the appropriation in this section.
 29 The department may transfer funds appropriated in this
 30 section to the appropriations made in this division
 31 of this Act for general administration and for field
 32 operations for resources necessary to implement and
 33 operate the services funded in this section.

34 4. a. Of the funds appropriated in this section,
 35 up to \$15,418,549 is allocated as the statewide
 36 expenditure target under section 232.143 for group
 37 foster care maintenance and services. If the
 38 department projects that such expenditures for the
 39 fiscal year will be less than the target amount
 40 allocated in this lettered paragraph, the department
 41 may reallocate the excess to provide additional
 42 funding for shelter care or the child welfare emergency
 43 services addressed with the allocation for shelter
 44 care.

45 b. If at any time after September 30, 2014,
 46 annualization of a service area's current expenditures
 47 indicates a service area is at risk of exceeding its
 48 group foster care expenditure target under section
 49 232.143 by more than 5 percent, the department and
 50 juvenile court services shall examine all group

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1 foster care placements in that service area in order
2 to identify those which might be appropriate for
3 termination. In addition, any aftercare services
4 believed to be needed for the children whose
5 placements may be terminated shall be identified. The
6 department and juvenile court services shall initiate
7 action to set dispositional review hearings for the
8 placements identified. In such a dispositional review
9 hearing, the juvenile court shall determine whether
10 needed aftercare services are available and whether
11 termination of the placement is in the best interest of
12 the child and the community.

13 5. In accordance with the provisions of section
14 232.188, the department shall continue the child
15 welfare and juvenile justice funding initiative during
16 fiscal year 2014-2015. Of the funds appropriated in
17 this section, \$858,877 is allocated specifically for
18 expenditure for fiscal year 2014-2015 through the
19 decategorization service funding pools and governance
20 boards established pursuant to section 232.188.

21 6. A portion of the funds appropriated in this
22 section may be used for emergency family assistance
23 to provide other resources required for a family
24 participating in a family preservation or reunification
25 project or successor project to stay together or to be
26 reunified.

27 7. Notwithstanding section 234.35 or any other
28 provision of law to the contrary, state funding for
29 shelter care and the child welfare emergency services
30 contracting implemented to provide for or prevent the
31 need for shelter care shall be limited to \$3,215,934.

32 8. Federal funds received by the state during
33 the fiscal year beginning July 1, 2013, as the
34 result of the expenditure of state funds appropriated
35 during a previous state fiscal year for a service or
36 activity funded under this section are appropriated
37 to the department to be used as additional funding
38 for services and purposes provided for under this
39 section. Notwithstanding section 8.33, moneys
40 received in accordance with this subsection that remain
41 unencumbered or unobligated at the close of the fiscal
42 year shall not revert to any fund but shall remain
43 available for the purposes designated until the close
44 of the succeeding fiscal year.

45 9. a. Of the funds appropriated in this section,
46 up to \$1,031,244 is allocated for the payment of
47 the expenses of court-ordered services provided to
48 juveniles who are under the supervision of juvenile
49 court services, which expenses are a charge upon the
50 state pursuant to section 232.141, subsection 4. Of

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1 the amount allocated in this lettered paragraph,
2 up to \$778,144 shall be made available to provide
3 school-based supervision of children adjudicated under
4 chapter 232, of which not more than \$7,500 may be used
5 for the purpose of training. A portion of the cost of
6 each school-based liaison officer shall be paid by the
7 school district or other funding source as approved by
8 the chief juvenile court officer.

9 b. Of the funds appropriated in this section, up to
10 \$374,493 is allocated for the payment of the expenses
11 of court-ordered services provided to children who are
12 under the supervision of the department, which expenses
13 are a charge upon the state pursuant to section
14 232.141, subsection 4.

15 c. Notwithstanding section 232.141 or any other
16 provision of law to the contrary, the amounts allocated
17 in this subsection shall be distributed to the
18 judicial districts as determined by the state court
19 administrator and to the department's service areas as
20 determined by the administrator of the department's
21 division of child and family services. The state court
22 administrator and the division administrator shall make
23 the determination of the distribution amounts on or
24 before June 15, 2014.

25 d. Notwithstanding chapter 232 or any other
26 provision of law to the contrary, a district or
27 juvenile court shall not order any service which is
28 a charge upon the state pursuant to section 232.141
29 if there are insufficient court-ordered services
30 funds available in the district court or departmental
31 service area distribution amounts to pay for the
32 service. The chief juvenile court officer and the
33 departmental service area manager shall encourage use
34 of the funds allocated in this subsection such that
35 there are sufficient funds to pay for all court-related
36 services during the entire year. The chief juvenile
37 court officers and departmental service area managers
38 shall attempt to anticipate potential surpluses and
39 shortfalls in the distribution amounts and shall
40 cooperatively request the state court administrator
41 or division administrator to transfer funds between
42 the judicial districts' or departmental service areas'
43 distribution amounts as prudent.

44 e. Notwithstanding any provision of law to the
45 contrary, a district or juvenile court shall not order
46 a county to pay for any service provided to a juvenile
47 pursuant to an order entered under chapter 232 which
48 is a charge upon the state under section 232.141,
49 subsection 4.

50 f. Of the funds allocated in this subsection, not

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1 more than \$41,500 may be used by the judicial branch
 2 for administration of the requirements under this
 3 subsection.

4 g. Of the funds allocated in this subsection,
 5 \$8,500 shall be used by the department of human
 6 services to support the interstate commission for
 7 juveniles in accordance with the interstate compact for
 8 juveniles as provided in section 232.173.

9 10. Of the funds appropriated in this section,
 10 \$3,011,301 is allocated for juvenile delinquent
 11 graduated sanctions services. Any state funds saved as
 12 a result of efforts by juvenile court services to earn
 13 federal Tit. IV-E match for juvenile court services
 14 administration may be used for the juvenile delinquent
 15 graduated sanctions services.

16 11. Of the funds appropriated in this section,
 17 \$644,143 is transferred to the department of public
 18 health to be used for the child protection center
 19 grant program in accordance with section 135.118. The
 20 grant amounts under the program shall be equalized so
 21 that each center receives a uniform amount of at least
 22 \$122,500.

23 12. If the department receives federal approval
 24 to implement a waiver under Tit. IV-E of the federal
 25 Social Security Act to enable providers to serve
 26 children who remain in the children's families and
 27 communities, for purposes of eligibility under the
 28 medical assistance program, children who participate in
 29 the waiver shall be considered to be placed in foster
 30 care.

31 13. Of the funds appropriated in this section,
 32 \$1,546,188 is allocated for the preparation for adult
 33 living program pursuant to section 234.46.

34 14. Of the funds appropriated in this section,
 35 \$260,075 shall be used for juvenile drug courts.
 36 The amount allocated in this subsection shall be
 37 distributed as follows:

38 To the judicial branch for salaries to assist with
 39 the operation of juvenile drug court programs operated
 40 in the following jurisdictions:

41 a. Marshall county:		
42	\$	31,354
43 b. Woodbury county:		
44	\$	62,841
45 c. Polk county:		
46	\$	97,946
47 d. The third judicial district:		
48	\$	33,967
49 e. The eighth judicial district:		
50	\$	33,967

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- 1 15. Of the funds appropriated in this section,
2 \$113,669 shall be used for the public purpose of
3 continuing a grant to a nonprofit human services
4 organization providing services to individuals and
5 families in multiple locations in southwest Iowa and
6 Nebraska for support of a project providing immediate,
7 sensitive support and forensic interviews, medical
8 exams, needs assessments, and referrals for victims of
9 child abuse and their nonoffending family members.
- 10 16. Of the funds appropriated in this section,
11 \$100,295 is allocated for the foster care youth council
12 approach of providing a support network to children
13 placed in foster care.
- 14 17. Of the funds appropriated in this section,
15 \$101,000 is allocated for use pursuant to section
16 235A.1 for continuation of the initiative to address
17 child sexual abuse implemented pursuant to 2007 Iowa
18 Acts, chapter 218, section 18, subsection 21.
- 19 18. Of the funds appropriated in this section,
20 \$315,120 is allocated for the community partnership for
21 child protection sites.
- 22 19. Of the funds appropriated in this section,
23 \$185,625 is allocated for the department's minority
24 youth and family projects under the redesign of the
25 child welfare system.
- 26 20. Of the funds appropriated in this section,
27 \$718,298 is allocated for funding of the community
28 circle of care collaboration for children and youth in
29 northeast Iowa.
- 30 21. Of the funds appropriated in this section,
31 at least \$73,579 shall be used for the child welfare
32 training academy.
- 33 22. Of the funds appropriated in this section,
34 \$12,500 shall be used for the public purpose of
35 continuation of a grant to a child welfare services
36 provider headquartered in a county with a population
37 between 205,000 and 215,000 in the latest certified
38 federal census that provides multiple services
39 including but not limited to a psychiatric medical
40 institution for children, shelter, residential
41 treatment, after school programs, school-based
42 programming, and an Asperger's syndrome program, to
43 be used for support services for children with autism
44 spectrum disorder and their families.
- 45 23. Of the funds appropriated in this section,
46 \$12,500 shall be used for the public purpose of
47 continuing a grant to a hospital-based provider
48 headquartered in a county with a population between
49 90,000 and 95,000 in the latest certified federal
50 census that provides multiple services including but

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1 not limited to diagnostic, therapeutic, and behavioral
 2 services to individuals with autism spectrum disorder
 3 across the lifespan. The grant recipient shall utilize
 4 the funds to continue the pilot project to determine
 5 the necessary support services for children with autism
 6 spectrum disorder and their families to be included in
 7 the children's disabilities services system. The grant
 8 recipient shall submit findings and recommendations
 9 based upon the results of the pilot project to the
 10 individuals specified in this division of this Act for
 11 submission of reports by December 31, 2013.

12 24. Of the funds appropriated in this section,
 13 \$163,974 shall be used for continuation of the central
 14 Iowa system of care program grant through June 30,
 15 2015.

16 25. Of the funds appropriated in this section,
 17 \$80,000 shall be used for the public purpose of the
 18 continuation of a system of care grant implemented in
 19 Cerro Gordo and Linn counties.

20 26. Of the funds appropriated in this section,
 21 at least \$12,500 shall be used to continue and to
 22 expand the foster care respite pilot program in which
 23 postsecondary students in social work and other human
 24 services-related programs receive experience by
 25 assisting family foster care providers with respite and
 26 other support.

27 Sec. 100. ADOPTION SUBSIDY.

28 1. There is appropriated from the general fund of
 29 the state to the department of human services for the
 30 fiscal year beginning July 1, 2014, and ending June 30,
 31 2015, the following amount, or so much thereof as is
 32 necessary, to be used for the purpose designated:

33 For adoption subsidy payments and services:
 34 \$ 19,578,416

35 2. The department may transfer funds appropriated
 36 in this section to the appropriation made in this
 37 division of this Act for general administration for
 38 costs paid from the appropriation relating to adoption
 39 subsidy.

40 3. Federal funds received by the state during the
 41 fiscal year beginning July 1, 2014, as the result of
 42 the expenditure of state funds during a previous state
 43 fiscal year for a service or activity funded under
 44 this section are appropriated to the department to
 45 be used as additional funding for the services and
 46 activities funded under this section. Notwithstanding
 47 section 8.33, moneys received in accordance with this
 48 subsection that remain unencumbered or unobligated at
 49 the close of the fiscal year shall not revert to any
 50 fund but shall remain available for expenditure for the

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1 purposes designated until the close of the succeeding
2 fiscal year.

3 Sec. 101. JUVENILE DETENTION HOME FUND. Moneys
4 deposited in the juvenile detention home fund
5 created in section 232.142 during the fiscal year
6 beginning July 1, 2014, and ending June 30, 2015, are
7 appropriated to the department of human services for
8 the fiscal year beginning July 1, 2014, and ending
9 June 30, 2015, for distribution of an amount equal
10 to a percentage of the costs of the establishment,
11 improvement, operation, and maintenance of county or
12 multicounty juvenile detention homes in the fiscal
13 year beginning July 1, 2013. Moneys appropriated for
14 distribution in accordance with this section shall be
15 allocated among eligible detention homes, prorated on
16 the basis of an eligible detention home's proportion
17 of the costs of all eligible detention homes in the
18 fiscal year beginning July 1, 2013. The percentage
19 figure shall be determined by the department based on
20 the amount available for distribution for the fund.
21 Notwithstanding section 232.142, subsection 3, the
22 financial aid payable by the state under that provision
23 for the fiscal year beginning July 1, 2014, shall be
24 limited to the amount appropriated for the purposes of
25 this section.

26 Sec. 102. FAMILY SUPPORT SUBSIDY PROGRAM.

27 1. There is appropriated from the general fund of
28 the state to the department of human services for the
29 fiscal year beginning July 1, 2014, and ending June 30,
30 2015, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:
32 For the family support subsidy program subject
33 to the enrollment restrictions in section 225C.37,
34 subsection 3:
35 \$ 497,478

36 2. The department shall use at least \$192,750 of
37 the moneys appropriated in this section for the family
38 support center component of the comprehensive family
39 support program under section 225C.47. Not more than
40 \$12,500 of the amount allocated in this subsection
41 shall be used for administrative costs.

42 3. If at any time during the fiscal year, the
43 amount of funding available for the family support
44 subsidy program is reduced from the amount initially
45 used to establish the figure for the number of family
46 members for whom a subsidy is to be provided at any one
47 time during the fiscal year, notwithstanding section
48 225C.38, subsection 2, the department shall revise the
49 figure as necessary to conform to the amount of funding
50 available.



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1 Sec. 103. CONNER DECREE. There is appropriated
2 from the general fund of the state to the department of
3 human services for the fiscal year beginning July 1,
4 2014, and ending June 30, 2015, the following amount,
5 or so much thereof as is necessary, to be used for the
6 purpose designated:
7 For building community capacity through the
8 coordination and provision of training opportunities
9 in accordance with the consent decree of Conner v.
10 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
11 \$ 16,811
12 Sec. 104. MENTAL HEALTH INSTITUTES. There is
13 appropriated from the general fund of the state to
14 the department of human services for the fiscal year
15 beginning July 1, 2014, and ending June 30, 2015, the
16 following amounts, or so much thereof as is necessary,
17 to be used for the purposes designated:
18 1. For the state mental health institute at
19 Cherokee for salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:
22 \$ 2,987,529
23 FTEs 163.50
24 2. For the state mental health institute at
25 Clarinda for salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:
28 \$ 3,386,230
29 FTEs 86.10
30 3. For the state mental health institute at
31 Independence for salaries, support, maintenance, and
32 miscellaneous purposes, and for not more than the
33 following full-time equivalent positions:
34 \$ 5,169,686
35 FTEs 232.00
36 4. For the state mental health institute at Mount
37 Pleasant for salaries, support, maintenance, and
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:
40 \$ 693,639
41 FTEs 97.92
42 Sec. 105. STATE RESOURCE CENTERS.
43 1. There is appropriated from the general fund of
44 the state to the department of human services for the
45 fiscal year beginning July 1, 2014, and ending June 30,
46 2015, the following amounts, or so much thereof as is
47 necessary, to be used for the purposes designated:
48 a. For the state resource center at Glenwood for
49 salaries, support, maintenance, and miscellaneous
50 purposes:



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1 \$ 10,023,260
2 b. For the state resource center at Woodward for
3 salaries, support, maintenance, and miscellaneous
4 purposes:
5 \$ 6,904,783
6 2. The department may continue to bill for state
7 resource center services utilizing a scope of services
8 approach used for private providers of ICFID services,
9 in a manner which does not shift costs between the
10 medical assistance program, counties, or other sources
11 of funding for the state resource centers.
12 3. The state resource centers may expand the
13 time-limited assessment and respite services during the
14 fiscal year.
15 4. If the department's administration and the
16 department of management concur with a finding by a
17 state resource center's superintendent that projected
18 revenues can reasonably be expected to pay the salary
19 and support costs for a new employee position, or
20 that such costs for adding a particular number of new
21 positions for the fiscal year would be less than the
22 overtime costs if new positions would not be added, the
23 superintendent may add the new position or positions.
24 If the vacant positions available to a resource center
25 do not include the position classification desired to
26 be filled, the state resource center's superintendent
27 may reclassify any vacant position as necessary to
28 fill the desired position. The superintendents of the
29 state resource centers may, by mutual agreement, pool
30 vacant positions and position classifications during
31 the course of the fiscal year in order to assist one
32 another in filling necessary positions.
33 5. If existing capacity limitations are reached
34 in operating units, a waiting list is in effect
35 for a service or a special need for which a payment
36 source or other funding is available for the service
37 or to address the special need, and facilities for
38 the service or to address the special need can be
39 provided within the available payment source or other
40 funding, the superintendent of a state resource center
41 may authorize opening not more than two units or
42 other facilities and begin implementing the service
43 or addressing the special need during fiscal year
44 2014-2015.
45 Sec. 106. SEXUALLY VIOLENT PREDATORS.
46 1. There is appropriated from the general fund of
47 the state to the department of human services for the
48 fiscal year beginning July 1, 2014, and ending June 30,
49 2015, the following amount, or so much thereof as is
50 necessary, to be used for the purpose designated:



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1 For costs associated with the commitment and
 2 treatment of sexually violent predators in the unit
 3 located at the state mental health institute at
 4 Cherokee, including costs of legal services and
 5 other associated costs, including salaries, support,
 6 maintenance, and miscellaneous purposes, and for not
 7 more than the following full-time equivalent positions:
 8 \$ 5,458,485
 9 FTEs 124.50

10 2. Unless specifically prohibited by law, if the
 11 amount charged provides for recoupment of at least
 12 the entire amount of direct and indirect costs, the
 13 department of human services may contract with other
 14 states to provide care and treatment of persons placed
 15 by the other states at the unit for sexually violent
 16 predators at Cherokee. The moneys received under such
 17 a contract shall be considered to be repayment receipts
 18 and used for the purposes of the appropriation made in
 19 this section.

20 Sec. 107. FIELD OPERATIONS. There is appropriated
 21 from the general fund of the state to the department of
 22 human services for the fiscal year beginning July 1,
 23 2014, and ending June 30, 2015, the following amount,
 24 or so much thereof as is necessary, to be used for the
 25 purposes designated:

26 For field operations, including salaries, support,
 27 maintenance, and miscellaneous purposes, and for not
 28 more than the following full-time equivalent positions:
 29 \$ 31,365,837
 30 FTEs 1,781.00

31 Priority in filling full-time equivalent positions
 32 shall be given to those positions related to child
 33 protection services and eligibility determination for
 34 low-income families.

35 Sec. 108. GENERAL ADMINISTRATION. There is
 36 appropriated from the general fund of the state to
 37 the department of human services for the fiscal year
 38 beginning July 1, 2014, and ending June 30, 2015, the
 39 following amount, or so much thereof as is necessary,
 40 to be used for the purpose designated:

41 For general administration, including salaries,
 42 support, maintenance, and miscellaneous purposes, and
 43 for not more than the following full-time equivalent
 44 positions:
 45 \$ 7,650,023
 46 FTEs 307.00

47 1. Of the funds appropriated in this section,
 48 \$19,272 allocated for the prevention of disabilities
 49 policy council established in section 225B.3.

50 2. The department shall report at least monthly



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1 to the legislative services agency concerning the
2 department's operational and program expenditures.
3 3. Of the funds appropriated in this section,
4 \$25,000 shall be transferred to the Iowa finance
5 authority to be used for administrative support of the
6 council on homelessness established in section 16.100A
7 and for the council to fulfill its duties in addressing
8 and reducing homelessness in the state.
9 Sec. 109. VOLUNTEERS. There is appropriated from
10 the general fund of the state to the department of
11 human services for the fiscal year beginning July 1,
12 2014, and ending June 30, 2015, the following amount,
13 or so much thereof as is necessary, to be used for the
14 purpose designated:
15 For development and coordination of volunteer
16 services:
17 \$ 42,330
18 Sec. 110. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
20 UNDER THE DEPARTMENT OF HUMAN SERVICES.
21 1. a. (1) For the fiscal year beginning July 1,
22 2014, the total state funding amount for the nursing
23 facility budget shall not exceed \$267,712,511.
24 (2) The department, in cooperation with nursing
25 facility representatives, shall review projections for
26 state funding expenditures for reimbursement of nursing
27 facilities on a quarterly basis and the department
28 shall determine if an adjustment to the medical
29 assistance reimbursement rate is necessary in order to
30 provide reimbursement within the state funding amount
31 for the fiscal year. Notwithstanding 2001 Iowa Acts,
32 chapter 192, section 4, subsection 2, paragraph "c",
33 and subsection 3, paragraph "a", subparagraph (2), if
34 the state funding expenditures for the nursing facility
35 budget for the fiscal year is projected to exceed the
36 amount specified in subparagraph (1), the department
37 shall adjust the reimbursement for nursing facilities
38 reimbursed under the case-mix reimbursement system to
39 maintain expenditures of the nursing facility budget
40 within the specified amount for the fiscal year.
41 (3) For the fiscal year beginning July 1, 2014,
42 special population nursing facilities shall be
43 reimbursed in accordance with the methodology in effect
44 on June 30, 2014.
45 b. (1) For the fiscal year beginning July 1, 2014,
46 the department shall continue the pharmacy dispensing
47 fee reimbursement at \$10.02 per prescription. The
48 actual dispensing fee shall be determined by a cost
49 of dispensing survey performed by the department and
50 required to be completed by all medical assistance

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1 program participating pharmacies every two years
2 beginning in FY 2014-2015.
3 (2) The department shall utilize an average
4 acquisition cost reimbursement methodology for all
5 drugs covered under the medical assistance program in
6 accordance with 2012 Iowa Acts, chapter 1133, section
7 33.
8 c. (1) For the fiscal year beginning July 1, 2014,
9 reimbursement rates for outpatient hospital services
10 shall remain at the rates in effect on June 30, 2014.
11 (2) For the fiscal year beginning July 1, 2014,
12 reimbursement rates for inpatient hospital services
13 shall remain at the rates in effect on June 30, 2014.
14 (3) For the fiscal year beginning July 1, 2014,
15 the graduate medical education and disproportionate
16 share hospital fund shall remain at the amount in
17 effect on June 30, 2014, except that the portion of
18 the fund attributable to graduate medical education
19 shall be reduced in an amount that reflects the
20 elimination of graduate medical education payments made
21 to out-of-state hospitals.
22 (4) In order to ensure the efficient use of limited
23 state funds in procuring health care services for
24 low-income Iowans, funds appropriated in this Act for
25 hospital services shall not be used for activities
26 which would be excluded from a determination of
27 reasonable costs under the federal Medicare program
28 pursuant to 42 U.S.C. § 1395X(v)(1)(N).
29 d. For the fiscal year beginning July 1, 2014,
30 reimbursement rates for rural health clinics, hospices,
31 and acute mental hospitals shall be increased in
32 accordance with increases under the federal Medicare
33 program or as supported by their Medicare audited
34 costs.
35 e. For the fiscal year beginning July 1, 2014,
36 independent laboratories and rehabilitation agencies
37 shall be reimbursed using the same methodology in
38 effect on June 30, 2014.
39 f. For the fiscal year beginning July 1, 2014,
40 reimbursement rates for home health agencies shall
41 remain at the rates in effect on June 30, 2014, not to
42 exceed a home health agency's actual allowable cost.
43 g. For the fiscal year beginning July 1, 2014,
44 federally qualified health centers shall receive
45 cost-based reimbursement for 100 percent of the
46 reasonable costs for the provision of services to
47 recipients of medical assistance.
48 h. For the fiscal year beginning July 1, 2014, the
49 reimbursement rates for dental services shall remain at
50 the rates in effect on June 30, 2014.

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1 i. (1) For the fiscal year beginning July 1,
2 2014, state-owned psychiatric medical institutions
3 for children shall receive cost-based reimbursement
4 for 100 percent of the actual and allowable costs for
5 the provision of services to recipients of medical
6 assistance.

7 (2) For the nonstate-owned psychiatric medical
8 institutions for children, reimbursement rates shall be
9 based on the reimbursement methodology developed by the
10 department as required for federal compliance.

11 (3) As a condition of participation in the medical
12 assistance program, enrolled providers shall accept the
13 medical assistance reimbursement rate for any covered
14 goods or services provided to recipients of medical
15 assistance who are children under the custody of a
16 psychiatric medical institution for children.

17 j. For the fiscal year beginning July 1,
18 2014, unless otherwise specified in this Act,
19 all noninstitutional medical assistance provider
20 reimbursement rates shall remain at the rates in effect
21 on June 30, 2014, except for area education agencies,
22 local education agencies, infant and toddler services
23 providers, and those providers whose rates are required
24 to be determined pursuant to section 249A.20.

25 k. Notwithstanding any provision to the contrary,
26 for the fiscal year beginning July 1, 2014, the
27 reimbursement rate for anesthesiologists shall remain
28 at the rate in effect on June 30, 2014.

29 l. For the fiscal year beginning July 1, 2014, the
30 average reimbursement rate for health care providers
31 eligible for use of the federal Medicare resource-based
32 relative value scale reimbursement methodology under
33 section 249A.20 shall remain at the rate in effect on
34 June 30, 2014; however, this rate shall not exceed the
35 maximum level authorized by the federal government.

36 m. For the fiscal year beginning July 1, 2014, the
37 reimbursement rate for residential care facilities
38 shall not be less than the minimum payment level as
39 established by the federal government to meet the
40 federally mandated maintenance of effort requirement.
41 The flat reimbursement rate for facilities electing not
42 to file annual cost reports shall not be less than the
43 minimum payment level as established by the federal
44 government to meet the federally mandated maintenance
45 of effort requirement.

46 n. For the fiscal year beginning July 1, 2014,
47 inpatient mental health services provided at hospitals
48 shall remain at the rates in effect on June 30, 2014,
49 subject to Medicaid program upper payment limit rules;
50 community mental health centers and providers of mental

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1 health services to county residents pursuant to a
2 waiver approved under section 225C.7, subsection 3,
3 shall be reimbursed at 100 percent of the reasonable
4 costs for the provision of services to recipients
5 of medical assistance; and psychiatrists shall be
6 reimbursed at the medical assistance program fee for
7 service rate.
8 o. For the fiscal year beginning July 1, 2014, the
9 reimbursement rate for consumer-directed attendant care
10 shall remain at the rates in effect on June 30, 2014.
11 p. For the fiscal year beginning July 1, 2014, the
12 reimbursement rate for providers of family planning
13 services that are eligible to receive a 90 percent
14 federal match shall remain at the rates in effect on
15 June 30, 2014.
16 q. For the fiscal year beginning July 1, 2014,
17 the reimbursement rates for providers of home and
18 community-based services waiver services shall remain
19 at the rates in effect on June 30, 2014.
20 2. For the fiscal year beginning July 1, 2014, the
21 reimbursement rate for providers reimbursed under the
22 in-home-related care program shall not be less than the
23 minimum payment level as established by the federal
24 government to meet the federally mandated maintenance
25 of effort requirement.
26 3. Unless otherwise directed in this section, when
27 the department's reimbursement methodology for any
28 provider reimbursed in accordance with this section
29 includes an inflation factor, this factor shall not
30 exceed the amount by which the consumer price index for
31 all urban consumers increased during the calendar year
32 ending December 31, 2002.
33 4. For the fiscal year beginning July 1, 2014,
34 the foster family basic daily maintenance rate and
35 the maximum adoption subsidy rate for children ages 0
36 through 5 years shall be \$15.98, the rate for children
37 ages 6 through 11 years shall be \$16.62, the rate for
38 children ages 12 through 15 years shall be \$18.19,
39 and the rate for children and young adults ages 16
40 and older shall be \$18.43. The maximum supervised
41 apartment living foster care reimbursement rate shall
42 be \$25.00 per day. For youth ages 18 to 21 who have
43 exited foster care, the preparation for adult living
44 program maintenance rate shall be \$574.00 per month.
45 The payment for adoption subsidy nonrecurring expenses
46 shall be limited to \$500 and the disallowance of
47 additional amounts for court costs and other related
48 legal expenses implemented pursuant to 2010 Iowa Acts,
49 chapter 1031, section 408 shall be continued.
50 5. For the fiscal year beginning July 1, 2014,

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1 the maximum reimbursement rates under the supervised
2 apartment living program and for social services
3 providers under contract shall remain at the rates
4 in effect on June 30, 2014, or the provider's actual
5 and allowable cost plus inflation for each service,
6 whichever is less. However, if a new service or
7 service provider is added after June 30, 2014, the
8 initial reimbursement rate for the service or provider
9 shall be based upon a weighted average of provider
10 rates for similar services.

11 6. For the fiscal year beginning July 1, 2014,
12 the reimbursement rates for family-centered service
13 providers, family foster care service providers, group
14 foster care service providers, and the resource family
15 recruitment and retention contractor shall remain at
16 the rates in effect on June 30, 2014.

17 7. The group foster care reimbursement rates
18 paid for placement of children out of state shall
19 be calculated according to the same rate-setting
20 principles as those used for in-state providers,
21 unless the director of human services or the director's
22 designee determines that appropriate care cannot be
23 provided within the state. The payment of the daily
24 rate shall be based on the number of days in the
25 calendar month in which service is provided.

26 8. a. For the fiscal year beginning July 1, 2014,
27 the reimbursement rate paid for shelter care and
28 the child welfare emergency services implemented to
29 provide or prevent the need for shelter care shall be
30 established by contract.

31 b. For the fiscal year beginning July 1, 2014,
32 the combined service and maintenance components of
33 the reimbursement rate paid for shelter care services
34 shall be based on the financial and statistical report
35 submitted to the department. The maximum reimbursement
36 rate shall be \$92.36 per day. The department shall
37 reimburse a shelter care provider at the provider's
38 actual and allowable unit cost, plus inflation, not to
39 exceed the maximum reimbursement rate.

40 c. For the fiscal year beginning July 1, 2014,
41 the amount of the statewide average of the actual and
42 allowable rates for reimbursement of juvenile shelter
43 care homes that is utilized for the limitation on
44 recovery of unpaid costs shall remain at the amount in
45 effect for this purpose in the fiscal year beginning
46 July 1, 2013.

47 9. For the fiscal year beginning July 1, 2014,
48 the department shall calculate reimbursement rates
49 for intermediate care facilities for persons with
50 intellectual disabilities at the 80th percentile.

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1 Beginning July 1, 2014, the rate calculation
2 methodology shall utilize the consumer price index
3 inflation factor applicable to the fiscal year
4 beginning July 1, 2014.
5 10. For the fiscal year beginning July 1, 2014,
6 for child care providers reimbursed under the state
7 child care assistance program, the department shall
8 set provider reimbursement rates based on the rate
9 reimbursement survey completed in December 2004.
10 Effective July 1, 2014, the child care provider
11 reimbursement rates shall remain at the rates in effect
12 on June 30, 2014. The department shall set rates in a
13 manner so as to provide incentives for a nonregistered
14 provider to become registered by applying any increase
15 only to registered and licensed providers.
16 11. The department may adopt emergency rules to
17 implement this section.
18 Sec. 111. EMERGENCY RULES.
19 1. If specifically authorized by a provision
20 of this division of this Act for the fiscal year
21 beginning July 1, 2014, the department of human
22 services or the mental health, and disability services
23 commission may adopt administrative rules under section
24 17A.4, subsection 3, and section 17A.5, subsection
25 2, paragraph "b", to implement the provisions and
26 the rules shall become effective immediately upon
27 filing or on a later effective date specified in the
28 rules, unless the effective date is delayed by the
29 administrative rules review committee. Any rules
30 adopted in accordance with this section shall not
31 take effect before the rules are reviewed by the
32 administrative rules review committee. The delay
33 authority provided to the administrative rules review
34 committee under section 17A.4, subsection 7, and
35 section 17A.8, subsection 9, shall be applicable to a
36 delay imposed under this section, notwithstanding a
37 provision in those sections making them inapplicable
38 to section 17A.5, subsection 2, paragraph "b". Any
39 rules adopted in accordance with the provisions of this
40 section shall also be published as notice of intended
41 action as provided in section 17A.4.
42 2. If during the fiscal year beginning July 1,
43 2014, the department of human services is adopting
44 rules in accordance with this section or as otherwise
45 directed or authorized by state law, and the rules will
46 result in an expenditure increase beyond the amount
47 anticipated in the budget process or if the expenditure
48 was not addressed in the budget process for the
49 fiscal year, the department shall notify the persons
50 designated by this division of this Act for submission

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1 of reports, the chairpersons and ranking members of
 2 the committees on appropriations, and the department
 3 of management concerning the rules and the expenditure
 4 increase. The notification shall be provided at least
 5 30 calendar days prior to the date notice of the rules
 6 is submitted to the administrative rules coordinator
 7 and the administrative code editor.

8 Sec. 112. REPORTS. Any reports or other
 9 information required to be compiled and submitted under
 10 this Act during the fiscal year beginning July 1, 2014,
 11 shall be submitted to the chairpersons and ranking
 12 members of the joint appropriations subcommittee on
 13 health and human services, the legislative services
 14 agency, and the legislative caucus staffs on or before
 15 the dates specified for submission of the reports or
 16 information.

17 DIVISION XX

18 HEALTH CARE ACCOUNTS AND FUNDS — FY 2014-2015

19 Sec. 113. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
 20 is appropriated from the pharmaceutical settlement
 21 account created in section 249A.33 to the department of
 22 human services for the fiscal year beginning July 1,
 23 2014, and ending June 30, 2015, the following amount,
 24 or so much thereof as is necessary, to be used for the
 25 purpose designated:

26 Notwithstanding any provision of law to the
 27 contrary, to supplement the appropriations made in this
 28 Act for medical contracts under the medical assistance
 29 program for the fiscal year beginning July 1, 2014, and
 30 ending June 30, 2015:
 31 \$ 3,325,000

32 QUALITY ASSURANCE TRUST FUND

33 Sec. 114. QUALITY ASSURANCE TRUST FUND —
 34 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
 35 any provision to the contrary and subject to the
 36 availability of funds, there is appropriated from the
 37 quality assurance trust fund created in section 249L.4
 38 to the department of human services for the fiscal year
 39 beginning July 1, 2014, and ending June 30, 2015, the
 40 following amounts, or so much thereof as is necessary
 41 for the purposes designated:

42 To supplement the appropriation made in this Act
 43 from the general fund of the state to the department
 44 of human services for medical assistance for the same
 45 fiscal year:
 46 \$ 14,394,459

47 Sec. 115. HOSPITAL HEALTH CARE ACCESS TRUST FUND
 48 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
 49 any provision to the contrary and subject to the
 50 availability of funds, there is appropriated from



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1 the hospital health care access trust fund created in
2 section 249M.4 to the department of human services for
3 the fiscal year beginning July 1, 2014, and ending June
4 30, 2015, the following amounts, or so much thereof as
5 is necessary, for the purposes designated:
6 To supplement the appropriation made in this Act
7 from the general fund of the state to the department
8 of human services for medical assistance for the same
9 fiscal year:
10 \$ 17,350,000
11 Sec. 116. MEDICAL ASSISTANCE PROGRAM —
12 NONREVERSION FOR FY 2014-2015. Notwithstanding
13 section 8.33, if moneys appropriated for purposes of
14 the medical assistance program for the fiscal year
15 beginning July 1, 2014, and ending June 30, 2015, from
16 the general fund of the state, the quality assurance
17 trust fund, and the hospital health care access trust
18 fund, are in excess of actual expenditures for the
19 medical assistance program and remain unencumbered or
20 unobligated at the close of the fiscal year, the excess
21 moneys shall not revert but shall remain available for
22 expenditure for the purposes of the medical assistance
23 program until the close of the succeeding fiscal year.>

COMMITTEE ON APPROPRIATIONS
SODERBERG of Plymouth, Chairperson



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House File 640

H-1379

1 Amend House File 640 as follows:
2 1. Page 2, before line 7 by inserting:
3 <Sec. _____. Section 323.1, Code 2013, is amended by
4 adding the following new subsections:
5 NEW SUBSECTION. 01. "*Blender pump*" means a motor
6 fuel blender pump as defined in section 214.1 that
7 dispenses motor fuel or special fuel in a manner
8 required pursuant to chapters 214 and 214A.
9 NEW SUBSECTION. 7A. "*Motor fuel pump*" means the
10 same as defined in section 214.1 that dispenses motor
11 fuel or special fuel in a manner that complies with
12 standards set forth in chapters 214 and 214A.
13 NEW SUBSECTION. 7B. "*Renewable fuel*" means the
14 same as defined in section 214A.1 that complies with
15 standards set forth in section 214A.2.
16 NEW SUBSECTION. 11. "*Storage tank*" means a
17 motor fuel storage tank as defined in section 214.1,
18 including an underground storage tank subject to
19 regulation under chapter 455G.
20 Sec. _____. NEW SECTION. **323.4A Use of renewable**
21 **fuel.**
22 1. A dealer franchise or other document executed by
23 a dealer and franchiser on and after the effective date
24 of this Act shall not contain a provision restricting
25 the dealer, including any affiliate of the dealer, from
26 doing any of the following:
27 a. Installing, converting, or operating a storage
28 tank, a motor fuel pump, or a blender pump located on
29 the dealer's retail premises for use in storing or
30 dispensing renewable fuel. However, this paragraph
31 does not apply to a dealer franchise or other document
32 executed by a dealer and franchiser that restricts the
33 installation of a storage tank on the dealer's retail
34 premises that is leased from the franchiser.
35 b. Using a motor fuel pump to dispense ethanol
36 blended gasoline, including gasoline with a specified
37 blend or a range of blends under chapter 214A, if
38 the motor fuel pump meets applicable requirements of
39 chapter 214 and is approved by the state fire marshal
40 for dispensing the specified blend or range of blends,
41 including as provided in section 455G.31.
42 c. Marketing the sale of any renewable fuel,
43 including but not limited to advertising its
44 availability or price on a sign, on a motor fuel pump,
45 on a blender pump, or by media.
46 d. Selling or dispensing renewable fuel in any
47 specified area located on the dealer's retail premises,
48 including but not limited to any area in which a name
49 or logo of a franchiser or any other entity appears.
50 e. Purchasing motor fuel or special fuel that is a

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1 renewable fuel from a source other than the franchiser
2 if the franchiser does not offer its own motor fuel or
3 special fuel that is a renewable fuel for sale by the
4 dealer.

5 *f.* Using a payment form for the sale of a renewable
6 fuel by the retail dealer that is the same type as the
7 payment form used for the sale of another type of motor
8 fuel or special fuel by the dealer on the dealer's
9 retail premises.

10 2. This section does not apply to any activity
11 that constitutes mislabeling, misbranding, willful
12 adulteration, or other trademark violation by the
13 dealer.>

14 2. By renumbering, redesignating, and correcting
15 internal references as necessary.

MUHLBAUER of Crawford

KELLEY of Jasper



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Senate File 296

H-1380

- 1 Amend the amendment, H-1373, to Senate File 296,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 11, line 22, after <administration> by
5 inserting <— reports>
6 2. Page 11, after line 47 by inserting:
7 <3. The department shall submit all of the
8 following to the governor and the generally assembly:
9 a. Biennially, a report of the results of a review,
10 by county and region, of mental health services
11 previously funded through taxes levied by counties
12 pursuant to section 331.424A, that are funded during
13 the reporting period under the healthy Iowa plan.
14 b. Annually, a report of the results of a review
15 of the outcomes and effectiveness of mental health
16 services provided under the healthy Iowa plan.
17 c. Annually, an analysis of whether the amount
18 distributed by each county to the treasurer of
19 state pursuant to section 249N.10, subsection 1, is
20 commensurate with the cost of mental health services
21 being provided under the healthy Iowa plan.>
22 3. By renumbering as necessary.

ROGERS of Black Hawk

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Senate Amendment to
House Amendment to
Senate File 386

H-1381

- 1 Amend the House amendment, S-3180, to Senate File
- 2 386, as passed by the Senate, as follows:
- 3 1. Page 2, by striking lines 3 through 38.
- 4 2. Page 3, by striking lines 23 through 25.
- 5 3. By renumbering as necessary.



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Senate Amendment to
House File 638

H-1382

1 Amend House File 638, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

5
6 Section 1. There is appropriated from the rebuild
7 Iowa infrastructure fund to the following departments
8 and agencies for the following fiscal years, the
9 following amounts, or so much thereof as is necessary,
10 to be used for the purposes designated:

11 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

12 a. For projects related to major repairs and major
13 maintenance for state buildings and facilities:

14 FY 2013-2014:

15 \$ 14,000,000

16 Of the amount appropriated in this lettered
17 paragraph, \$250,000 shall be allocated for the
18 disposition and relocation of structures located at 707
19 east locust and 709 east locust, Des Moines, Iowa.

20 Of the amount appropriated in this lettered
21 paragraph, \$1,800,000 shall be allocated for relocation
22 costs for moving employees out of the Wallace building
23 including moving costs and lease adjustments. As a
24 condition of this allocation, all employees currently
25 located in the Wallace building shall be relocated to a
26 new office location by December 31, 2013, pursuant to
27 the department's competitive bidding process for office
28 space.

29 Moneys appropriated in this lettered paragraph shall
30 not be used for the state historical building.

31 b. For routine and preventative maintenance,
32 notwithstanding section 8.57, subsection 5, paragraph
33 "c":

34 FY 2013-2014:

35 \$ 5,000,000

36 Moneys appropriated in this lettered paragraph shall
37 be used for capitol complex grounds except for projects
38 at the Wallace and the state historical buildings.

39 c. For costs associated with the planning and
40 design of the Wallace office building, including roof
41 repair:

42 FY 2013-2014:

43 \$ 500,000

44 FY 2014-2015:

45 \$ 3,900,000

46 Of the amount appropriated in this lettered
47 paragraph for FY 2013-2014, \$500,000 shall be allocated
48 for relocation costs for moving employees out of the
49 Wallace building including moving costs and lease



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1 adjustments. As a condition of this allocation, all
2 employees currently located in the Wallace building
3 shall be relocated to a new office location by December
4 31, 2013, pursuant to the department's competitive
5 bidding process for office space.
6 d. For costs associated with capitol interior and
7 exterior restoration, including the installation of a
8 lightning protection system:
9 FY 2013-2014:
10 \$ 330,000
11 2. DEPARTMENT OF CULTURAL AFFAIRS
12 For deposit into the Iowa great places program
13 fund created in section 303.3D for Iowa great places
14 program projects that meet the definition of "vertical
15 infrastructure" in section 8.57, subsection 5,
16 paragraph "c":
17 FY 2013-2014:
18 \$ 1,000,000
19 3. ECONOMIC DEVELOPMENT AUTHORITY
20 a. For equal distribution to regional sports
21 authority districts certified by the economic
22 development authority pursuant to section 15E.321,
23 notwithstanding section 8.57, subsection 5, paragraph
24 "c":
25 FY 2013-2014:
26 \$ 1,000,000
27 b. For deposit into the river enhancement community
28 attraction and tourism fund created in section 15F.205:
29 FY 2013-2014:
30 \$ 2,000,000
31 c. For renovations, expansions, and enhancements
32 to facilities for an adult day program at a year-round
33 camp for persons with disabilities in a central Iowa
34 city with a population between one hundred ninety-five
35 thousand and two hundred five thousand in the latest
36 preceding certified federal census:
37 FY 2013-2014:
38 \$ 250,000
39 d. To Iowa state university of science and
40 technology for the modernization and renovation of
41 animal care facilities at the blank park zoo including
42 the expansion of the surgical facility and the
43 renovation of dormitory space:
44 FY 2013-2014:
45 \$ 1,000,000
46 e. For administration and support of the world
47 food prize including the Borlaug/Ruan scholar program,
48 notwithstanding section 8.57, subsection 6, paragraph
49 "c":
50 FY 2013-2014:

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1 \$ 200,000
2 f. For costs associated with the hosting of a
3 national junior Summer Olympics by a nonprofit sports
4 organization, notwithstanding section 8.57, subsection
5 6, paragraph "c":
6 FY 2013-2014:
7 \$ 250,000
8 4. DEPARTMENT OF EDUCATION
9 a. For accelerated career education program capital
10 projects at community colleges that are authorized
11 under chapter 260G and that meet the definition of
12 the term "vertical infrastructure" in section 8.57,
13 subsection 5, paragraph "c":
14 FY 2013-2014:
15 \$ 6,000,000
16 b. For major renovation and major repair needs,
17 including health, life, and fire safety needs and for
18 compliance with the federal Americans with Disabilities
19 Act for buildings and facilities under the purview of
20 the community colleges:
21 FY 2013-2014:
22 \$ 1,000,000
23 5. DEPARTMENT OF HUMAN SERVICES
24 a. For a grant to a nonprofit child welfare,
25 juvenile justice, and behavioral health agency for
26 the construction of a psychiatric medical institution
27 for children in a city with a population between
28 twenty-eight thousand and twenty-nine thousand in the
29 latest preceding certified federal census:
30 FY 2013-2014:
31 \$ 500,000
32 FY 2014-2015:
33 \$ 500,000
34 b. For a grant to a nonprofit agency that provides
35 innovative solutions to children and adults with autism
36 in a city with a population between fourteen thousand
37 five hundred and fifteen thousand five hundred in the
38 latest preceding certified federal census for costs
39 associated with improvements to facilities:
40 FY 2013-2014:
41 \$ 400,000
42 FY 2014-2015:
43 \$ 400,000
44 c. For the renovation and construction of certain
45 nursing facilities, consistent with the provisions of
46 chapter 249K:
47 FY 2013-2014:
48 \$ 500,000
49 d. For a publicly owned acute care teaching
50 hospital located in a county with a population between

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1 four hundred thousand and four hundred fifty thousand
2 in the latest preceding certified federal census for
3 the construction and expansion of inpatient mental
4 health facilities and for the construction of an
5 outpatient clinic building:
6 FY 2013-2014:
7 \$ 3,000,000
8 FY 2014-2015:
9 \$ 3,000,000
10 6. DEPARTMENT OF PUBLIC DEFENSE
11 a. For major maintenance projects at national guard
12 armories and facilities:
13 FY 2013-2014:
14 \$ 2,000,000
15 b. For construction improvement projects at
16 statewide readiness centers:
17 FY 2013-2014:
18 \$ 2,000,000
19 c. For construction upgrades at Camp Dodge:
20 FY 2013-2014:
21 \$ 500,000
22 7. DEPARTMENT OF NATURAL RESOURCES
23 a. For implementation of lake projects that
24 have established watershed improvement initiatives
25 and community support in accordance with the
26 department's annual lake restoration plan and report,
27 notwithstanding section 8.57, subsection 5, paragraph
28 "c":
29 FY 2013-2014:
30 \$ 8,600,000
31 b. For the administration of a water trails and
32 low head dam public hazard statewide plan, including
33 salaries, support, maintenance, and miscellaneous
34 purposes, notwithstanding section 8.57, subsection 5,
35 paragraph "c":
36 FY 2013-2014:
37 \$ 2,000,000
38 8. BOARD OF REGENTS
39 a. For allocation by the state board of regents to
40 the state university of Iowa, the Iowa state university
41 of science and technology, and the university of
42 northern Iowa to reimburse the institutions for
43 deficiencies in the operating funds resulting from the
44 pledging of tuition, student fees and charges, and
45 institutional income to finance the cost of providing
46 academic and administrative buildings and facilities
47 and utility services at the institutions:
48 FY 2013-2014:
49 \$ 27,867,775
50 b. For the repair or replacement of failed or

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1 failing building components, for immediate fire safety
2 needs, and for compliance with the federal Americans
3 with Disabilities Act, at regents institutions:
4 FY 2013-2014:
5 \$ 2,000,000
6 c. For infrastructure improvements to construct a
7 multipurpose training facility at the state hygienic
8 laboratory at the state university of Iowa:
9 FY 2013-2014:
10 \$ 1,000,000
11 9. STATE FAIR AUTHORITY
12 For infrastructure costs associated with the
13 construction of a plaza on the Iowa state fairgrounds:
14 FY 2013-2014:
15 \$ 250,000
16 FY 2014-2015:
17 \$ 750,000
18 10. DEPARTMENT OF TRANSPORTATION
19 a. For acquiring, constructing, and improving
20 recreational trails within the state:
21 FY 2013-2014:
22 \$ 3,000,000
23 b. For deposit into the public transit
24 infrastructure grant fund created in section 324A.6A,
25 for projects that meet the definition of "vertical
26 infrastructure" in section 8.57, subsection 5,
27 paragraph "c":
28 FY 2013-2014:
29 \$ 2,000,000
30 c. For infrastructure improvements at the
31 commercial service airports within the state:
32 FY 2013-2014:
33 \$ 1,500,000
34 d. For infrastructure improvements at general
35 aviation airports within the state:
36 FY 2013-2014:
37 \$ 750,000
38 e. For deposit into the railroad revolving loan and
39 grant fund created in section 327H.20A, notwithstanding
40 section 8.57, subsection 5, paragraph "c":
41 FY 2013-2014:
42 \$ 1,000,000
43 f. For continuation of the job access and reverse
44 commute grant program, notwithstanding section 8.57,
45 subsection 5, paragraph "c":
46 FY 2013-2014:
47 \$ 350,000
48 Moneys appropriated in this section shall be
49 distributed by the department in the form of grants to
50 cities, nonprofit organizations, or operators of public

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1 transportation services for the fiscal year beginning
2 July 1, 2013, and ending June 30, 2014, to continue
3 an existing access to jobs project or reverse commute
4 project serving a city with a population of fifty
5 thousand or more and the surrounding metropolitan area.
6 A grant awarded under this section shall not exceed 90
7 percent of the cost of a program's operation for the
8 fiscal year beginning July 1, 2013, and ending June
9 30, 2014. In awarding grants under this section, the
10 department shall use criteria established under former
11 49 U.S.C. § 5316 establishing the federal job access
12 and reverse commute grant program.

13 11. TREASURER OF STATE

14 For distribution in accordance with chapter 174 to
15 qualified fairs which belong to the association of Iowa
16 fairs for county fair infrastructure improvements:

17 FY 2013-2014:
18 \$ 1,060,000

19 12. DEPARTMENT OF VETERANS AFFAIRS

20 a. For remodeling and upgrades to office space at
21 Camp Dodge:

22 FY 2013-2014:
23 \$ 137,940

24 b. For a grant to an American legion post located
25 in a city with a population between one thousand
26 ten and one thousand twenty in the latest preceding
27 certified federal census for the construction of a
28 veteran's reception center and community center:

29 FY 2013-2014:
30 \$ 604,000

31 c. For construction costs associated with the
32 expansion of an equipment and vehicle storage building
33 at the Iowa veterans cemetery:

34 FY 2013-2014:
35 \$ 250,000

36 Sec. 2. REVERSION. For purposes of section 8.33,
37 unless specifically provided otherwise, unencumbered
38 or unobligated moneys made from an appropriation in
39 this division of this Act shall not revert but shall
40 remain available for expenditure for the purposes
41 designated until the close of the fiscal year that ends
42 three years after the end of the fiscal year for which
43 the appropriation is made. However, if the project
44 or projects for which such appropriation was made are
45 completed in an earlier fiscal year, unencumbered or
46 unobligated moneys shall revert at the close of that
47 same fiscal year.

48 DIVISION II
49 TECHNOLOGY REINVESTMENT FUND

50 Sec. 3. There is appropriated from the technology



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1 reinvestment fund created in section 8.57C to the
2 following departments and agencies for the following
3 fiscal years, the following amounts, or so much
4 thereof as is necessary, to be used for the purposes
5 designated:

6 1. DEPARTMENT OF EDUCATION

7 a. For maintenance and lease costs associated with
8 connections for part III of the Iowa communications
9 network:

10 FY 2013-2014:

11 \$ 2,727,000

12 b. For the continued development and implementation
13 of an education data warehouse to be utilized by
14 teachers, parents, school district administrators, area
15 education agency staff, department of education staff,
16 and policymakers:

17 FY 2013-2014:

18 \$ 600,000

19 The department may use a portion of the moneys
20 appropriated in this lettered paragraph for an
21 e-transcript data system capable of tracking students
22 throughout their education via interconnectivity with
23 multiple schools.

24 c. To the public broadcasting division for the
25 replacement of equipment and for tower and facility
26 maintenance:

27 FY 2013-2014:

28 \$ 960,000

29 d. For allocation to the boards of directors of
30 public school districts for voluntary short-term
31 testing for radon gas of up to 10 percent of attendance
32 centers in the state, with the goal of completing
33 radon testing in at least one attendance center in
34 each county in Iowa, notwithstanding section 8.57C,
35 subsection 2:

36 FY 2013-2014:

37 \$ 100,000

38 For purposes of this lettered paragraph, "short-term
39 testing" means a testing procedure approved by the
40 department of public health in which a testing device
41 remains in an area for not less than two days and not
42 more than ninety days to determine the amount of radon
43 in the air that is acceptable for human inhalation.

44 Radon testing pursuant to this lettered paragraph
45 shall be conducted by a person certified to conduct
46 such testing pursuant to section 136B.1.

47 The department shall prepare a comprehensive report
48 of the results of the radon testing conducted at each
49 attendance center and shall submit the report to the
50 general assembly no later than January 1, 2014.

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1 e. For hardware and software equipment for the
2 state library, including laptop and tablet computers,
3 audio and video equipment, and the purchase of online
4 resources:
5 FY 2013-2014:
6 \$ 250,000
7 2. DEPARTMENT OF HUMAN RIGHTS
8 For the cost of equipment and computer software
9 for the implementation of Iowa's criminal justice
10 information system:
11 FY 2013-2014:
12 \$ 1,454,734
13 3. DEPARTMENT OF HUMAN SERVICES
14 a. For a grant to a nonprofit agency that provides
15 innovative solutions to children and adults with autism
16 in a city with a population between fourteen thousand
17 five hundred and fifteen thousand five hundred in
18 the latest preceding certified federal census, for
19 the cost associated with internet services and video
20 communications systems for clinics:
21 FY 2013-2014:
22 \$ 154,972
23 b. For grants for nursing facilities categorized
24 as rural on Iowa Medicaid enterprise cost reports
25 to provide electronic health record implementation
26 services to rural nursing facilities:
27 FY 2013-2014:
28 \$ 250,000
29 4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
30 COMMISSION
31 For internet protocol video technology equipment for
32 the Iowa communications network:
33 FY 2013-2014:
34 \$ 1,200,000
35 The commission may continue to enter into contracts
36 pursuant to section 8D.13 for internet protocol video
37 technology equipment and for operations and maintenance
38 costs of the network.
39 In addition to moneys appropriated in this
40 subsection, the commission may use a financing
41 agreement entered into by the treasurer of state in
42 accordance with section 12.28 for internet protocol
43 video technology equipment for the network. For
44 purposes of this subsection, the treasurer of state
45 is not subject to the maximum principal limitation
46 contained in section 12.28, subsection 6. Repayment
47 of any amounts financed shall be made from receipts
48 associated with fees charged for use of the network.
49 5. DEPARTMENT OF MANAGEMENT
50 For the continued development and implementation

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1 of a searchable database that can be placed on the
2 internet for budget and financial information:
3 FY 2013-2014:
4 \$ 45,000
5 6. DEPARTMENT OF PUBLIC DEFENSE
6 To the homeland security and emergency management
7 division or its successor, for grants for counties
8 for emergency generators including emergency diesel
9 generators for radio communications:
10 FY 2013-2014:
11 \$ 200,000
12 7. DEPARTMENT OF PUBLIC HEALTH
13 For technology consolidation projects:
14 FY 2013-2014:
15 \$ 480,000
16 Sec. 4. REVERSION. For purposes of section 8.33,
17 unless specifically provided otherwise, unencumbered
18 or unobligated moneys made from an appropriation in
19 this division of this Act shall not revert but shall
20 remain available for expenditure for the purposes
21 designated until the close of the fiscal year that ends
22 three years after the end of the fiscal year for which
23 the appropriation was made. However, if the project
24 or projects for which such appropriation was made are
25 completed in an earlier fiscal year, unencumbered or
26 unobligated moneys shall revert at the close of that
27 same fiscal year.

28 DIVISION III

29 CHILDREN'S HEALTH INSURANCE PROGRAM — REBUILD IOWA
30 INFRASTRUCTURE FUND

31 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM —
32 DEPARTMENT OF ADMINISTRATIVE SERVICES. Any moneys
33 remaining on June 30, 2013, from moneys received from
34 the federal government through the child enrollment
35 contingency fund established pursuant to section 103
36 of the federal Children's Health Insurance Program
37 Reauthorization Act of 2009, Pub. L. No. 111-3, are
38 transferred to the rebuild Iowa infrastructure fund
39 created in section 8.57 and appropriated to the
40 department of administrative services for the following
41 fiscal year, to be used for projects related to major
42 repairs and major maintenance for state buildings and
43 facilities:
44 FY 2013-2014:
45 \$ 11,310,648
46 The moneys appropriated pursuant to this section
47 shall not be used for any appropriations that receive
48 federal funding. Notwithstanding section 8.33, the
49 moneys appropriated in this section shall not revert to
50 the fund from which appropriated.

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1 The department of human services shall work with
2 the department of management and the department of
3 administrative services in drawing down the federal
4 funds.

5 DIVISION IV

6 MULTIMODAL TRANSPORTATION — GENERAL FUND

7 Sec. 6. MULTIMODAL TRANSPORTATION.

8 1. There is appropriated from the general fund
9 of the state to the department of transportation for
10 the following fiscal years, the following amounts, or
11 so much thereof as is necessary, to be used for the
12 purposes designated:

13 For multimodal transportation projects as determined
14 by the transportation commission:

15 FY 2013-2014:

16 \$ 5,500,000

17 FY 2014-2015:

18 \$ 5,500,000

19 2. For purposes of section 8.33, unless
20 specifically provided otherwise, moneys appropriated in
21 this section that remain unencumbered or unobligated
22 shall not revert but shall remain available for
23 expenditure for the purposes designated until the close
24 of the fiscal year that ends three years after the end
25 of the fiscal year for which the appropriation was
26 made. However, if the project or projects for which
27 the appropriation was made are completed in an earlier
28 fiscal year, unencumbered or unobligated moneys shall
29 revert at the close of that same fiscal year.

30 DIVISION V

31 GENERAL FUND FY 2013 TRANSFER

32 Sec. 7. GENERAL FUND FY 2013 TRANSFER. There is
33 transferred from the general fund of the state to the
34 rebuild Iowa infrastructure fund for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the
36 amount of \$20,000,000.

37 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of
38 this Act, being deemed of immediate importance, takes
39 effect upon enactment.

40 DIVISION VI

41 FY 2014 GENERAL FUND TRANSFER — RIIF

42 Sec. 9. FY 2014 GENERAL FUND TRANSFER —
43 RIIF. There is transferred from the general fund of
44 the state to the rebuild Iowa infrastructure fund for
45 the fiscal year beginning July 1, 2013, and ending June
46 30, 2014, the amount of \$4,103,000.

47 DIVISION VII

48 PROPERTY TAX CREDIT FUND BALANCE TRANSFER — REBUILD
49 IOWA INFRASTRUCTURE FUND

50 Sec. 10. PROPERTY TAX CREDIT FUND BALANCE TRANSFER

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1 — REBUILD IOWA INFRASTRUCTURE FUND. Moneys in the
 2 property tax credit fund created in 2010 Iowa Acts,
 3 chapter 1193, section 8, that remain unencumbered or
 4 unobligated on June 30, 2013, shall be transferred to
 5 the rebuild Iowa infrastructure fund.

6 Sec. 11. EFFECTIVE UPON ENACTMENT. This division
 7 of this Act, being deemed of immediate importance,
 8 takes effect upon enactment.

9 DIVISION VIII
 10 DEPARTMENT OF TRANSPORTATION — CONTINGENT
 11 APPROPRIATION

12 Sec. 12. DEPARTMENT OF TRANSPORTATION —
 13 APPROPRIATION.

14 1. For the fiscal year beginning July 1, 2014, and
 15 ending June 30, 2015, there is appropriated from the
 16 rebuild Iowa infrastructure fund to the department
 17 of transportation \$2,500,000 for any public transit
 18 authority to develop a bus rapid transit service,
 19 notwithstanding section 8.57, subsection 5, paragraph
 20 "c".

21 2. This appropriation is contingent upon an
 22 authority's receipt of local funds and the receipt of
 23 a federal grant, by December 31, 2014, in an amount
 24 sufficient to complete the project. The authority
 25 shall notify the legislative services agency and the
 26 department of management if such funds are received no
 27 later than January 15, 2015.

28 Sec. 13. REVERSION. For purposes of section 8.33,
 29 unless specifically provided otherwise, unencumbered
 30 or unobligated moneys made from an appropriation in
 31 this division of this Act shall not revert but shall
 32 remain available for expenditure for the purposes
 33 designated until the close of the fiscal year that ends
 34 three years after the end of the fiscal year for which
 35 the appropriation is made. However, if the project
 36 or projects for which such appropriation was made are
 37 completed in an earlier fiscal year, unencumbered or
 38 unobligated moneys shall revert at the close of that
 39 same fiscal year.

40 DIVISION IX
 41 IOWA JOBS BOARD

42 Sec. 14. Section 12.87, subsection 12, Code 2013,
 43 is amended to read as follows:

44 12. Neither the treasurer of state, the Iowa
 45 ~~jobs board~~ finance authority, nor any person acting
 46 on behalf of the treasurer of state or the Iowa ~~jobs~~
 47 ~~board~~ finance authority while acting within the scope
 48 of their employment or agency, is subject to personal
 49 liability resulting from carrying out the powers and
 50 duties conferred by this section and sections 12.88

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1 through 12.90.

2 Sec. 15. Section 16.193, subsection 1, Code 2013,
3 is amended to read as follows:

4 ~~1. The Iowa finance authority, subject to approval~~
5 ~~by the Iowa jobs board,~~ shall adopt administrative
6 rules pursuant to chapter 17A necessary to administer
7 the Iowa jobs program and Iowa jobs II program. The
8 authority shall ~~provide the board with assistance in~~
9 ~~implementing administrative functions,~~ be responsible
10 for providing technical assistance and application
11 assistance to applicants under the programs,
12 negotiating contracts, and providing project follow
13 up. The authority, in cooperation with the board,
14 ~~may conduct negotiations on behalf of the board with~~
15 ~~applicants regarding terms and conditions applicable to~~
16 ~~awards under the program.~~

17 Sec. 16. Section 16.194, subsection 2, Code 2013,
18 is amended to read as follows:

19 2. A city or county or a public organization in
20 this state may submit an application to the ~~Iowa~~
21 ~~jobs board authority~~ for financial assistance for
22 a local infrastructure competitive grant for an
23 eligible project under the program, notwithstanding
24 any limitation on the state's percentage in funding as
25 contained in section 29C.6, subsection 17.

26 Sec. 17. Section 16.194, subsection 4, unnumbered
27 paragraph 1, Code 2013, is amended to read as follows:

28 The board authority shall consider the following
29 criteria in evaluating eligible projects to receive
30 financial assistance under the program:

31 Sec. 18. Section 16.194, subsection 7, Code 2013,
32 is amended to read as follows:

33 7. In order for a project to be eligible to receive
34 financial assistance from the ~~board authority,~~ the
35 project must be a public construction project pursuant
36 to subsection 1 with a demonstrated substantial local,
37 regional, or statewide economic impact.

38 Sec. 19. Section 16.194, subsection 8, unnumbered
39 paragraph 1, Code 2013, is amended to read as follows:

40 The board authority shall not approve an application
41 for assistance for any of the following purposes:

42 Sec. 20. Section 16.194, subsection 9, paragraph b,
43 Code 2013, is amended to read as follows:

44 b. Any portion of an amount allocated for projects
45 that remains unexpended or unencumbered one year after
46 the allocation has been made may be reallocated to
47 another project category, at the discretion of the
48 board authority. The board authority shall ensure that
49 all bond proceeds be expended within three years from
50 when the allocation was initially made.



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1 Sec. 21. Section 16.194, subsection 10, Code 2013,
2 is amended to read as follows:

3 10. The ~~board~~ authority shall ensure that funds
4 obligated under this section are coordinated with other
5 federal program funds received by the state, and that
6 projects receiving funds are located in geographically
7 diverse areas of the state.

8 Sec. 22. Section 16.194A, subsections 2, 7, 9, and
9 10, Code 2013, are amended to read as follows:

10 2. A city or county in this state that applies the
11 smart planning principles and guidelines pursuant to
12 sections 18B.1 and 18B.2 may submit an application to
13 the ~~Iowa jobs board~~ authority for financial assistance
14 for a local infrastructure competitive grant for an
15 eligible project under the program, notwithstanding
16 any limitation on the state's percentage in funding as
17 contained in section 29C.6, subsection 17.

18 7. In order for a project to be eligible to receive
19 financial assistance from the ~~board~~ authority, the
20 project must be a public construction project pursuant
21 to subsection 1 with a demonstrated substantial local,
22 regional, or statewide economic impact.

23 9. Any portion of an amount allocated for projects
24 that remains unexpended or unencumbered one year after
25 the allocation has been made may be reallocated to
26 another project category, at the discretion of the
27 ~~board~~ authority. The ~~board~~ authority shall ensure that
28 all bond proceeds be expended within three years from
29 when the allocation was initially made.

30 10. The ~~board~~ authority shall ensure that funds
31 obligated under this section are coordinated with other
32 federal program funds received by the state, and that
33 projects receiving funds are located in geographically
34 diverse areas of the state.

35 Sec. 23. Section 16.194A, subsection 4, unnumbered
36 paragraph 1, Code 2013, is amended to read as follows:

37 The ~~board~~ authority shall consider the following
38 criteria in evaluating eligible projects to receive
39 financial assistance under the program:

40 Sec. 24. Section 16.194A, subsection 8, unnumbered
41 paragraph 1, Code 2013, is amended to read as follows:

42 The ~~board~~ authority shall not approve an application
43 for assistance for any of the following purposes:

44 Sec. 25. Section 16.195, Code 2013, is amended to
45 read as follows:

46 **16.195 Iowa jobs program application review.**

47 1. Applications for assistance under the Iowa jobs
48 program and Iowa jobs II program shall be submitted to
49 the ~~Iowa finance authority~~ for review and approval.

50 ~~The authority shall provide a staff review and~~



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1 ~~evaluation of applications to the Iowa jobs program~~
 2 ~~review committee referred to in subsection 2 and to the~~
 3 ~~Iowa jobs board.~~

4 2. ~~A review committee composed of members of the~~
 5 ~~board as determined by the board shall review Iowa~~
 6 ~~jobs program applications submitted to the board and~~
 7 ~~make recommendations regarding the applications to the~~
 8 ~~board. When reviewing the applications, the review~~
 9 ~~committee and the authority shall consider the project~~
 10 ~~criteria specified in sections 16.194 and 16.194A. The~~
 11 ~~board authority shall develop the appropriate level of~~
 12 ~~transparency regarding project fund allocations.~~

13 3. Upon approval of an application for financial
 14 assistance under the program, the ~~board authority~~ shall
 15 notify the treasurer of state regarding the amount
 16 of moneys needed to satisfy the award of financial
 17 assistance and the terms of the award. The treasurer
 18 of state shall notify the ~~Iowa finance~~ authority any
 19 time moneys are disbursed to a recipient of financial
 20 assistance under the program.

21 Sec. 26. Section 16.196, Code 2013, is amended to
 22 read as follows:

23 **16.196 Iowa jobs restricted capitals fund — fund**
 24 **appropriations.**

25 1. ~~An Iowa jobs restricted capitals fund is created~~
 26 ~~and established as a separate and distinct fund in~~
 27 ~~the state treasury. The fund consists of moneys~~
 28 ~~appropriated from the revenue bonds capitals fund~~
 29 ~~created in section 12.88. The moneys in the fund~~
 30 ~~are appropriated to the Iowa jobs board for purposes~~
 31 ~~of the Iowa jobs program established in section~~
 32 ~~16.194. Moneys in the fund shall not be subject to~~
 33 ~~appropriation for any other purpose by the general~~
 34 ~~assembly, but shall be used only for the purposes of~~
 35 ~~the Iowa jobs program. The treasurer of state shall~~
 36 ~~act as custodian of the fund and disburse moneys~~
 37 ~~contained in the fund. The fund shall be administered~~
 38 ~~by the board which shall make allocations from the fund~~
 39 ~~consistent with the purposes of the Iowa jobs program.~~

40 2- 1. There is appropriated from the revenue bonds
 41 capitals fund created in section 12.88, to the ~~Iowa~~
 42 ~~jobs restricted capitals fund authority~~, for the fiscal
 43 year beginning July 1, 2009, and ending June 30, 2010,
 44 one hundred sixty-five million dollars to be allocated
 45 as follows:

46 a. One hundred eighteen million five hundred
 47 thousand dollars for competitive grants for local
 48 infrastructure projects relating to disaster
 49 rebuilding, reconstruction and replacement of local
 50 buildings, flood control and flood protection, and



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1 future flood prevention public projects. An applicant
2 for a local infrastructure grant shall not receive more
3 than fifty million dollars in financial assistance from
4 the fund.

5 *b.* Forty-six million five hundred thousand
6 dollars for disaster relief and mitigation and local
7 infrastructure grants for the following renovation and
8 construction projects, notwithstanding any limitation
9 on the state's percentage participation in funding as
10 contained in section 29C.6, subsection 17:

11 (1) For grants to a county with a population
12 between one hundred eighty-nine thousand and one
13 hundred ninety-six thousand in the latest preceding
14 certified federal census, to be distributed as follows:

15 (a) Ten million dollars for the construction of a
16 new, shared facility between nonprofit human service
17 organizations serving the public, especially the needs
18 of low-income Iowans, including those displaced as a
19 result of the disaster of 2008.

20 (b) Five million dollars for the construction or
21 renovation of a facility for a county-funded workshop
22 program serving the public and particularly persons
23 with mental illness or developmental disabilities.

24 (2) For grants to a city with a population between
25 one hundred ten thousand and one hundred twenty
26 thousand in the latest preceding certified federal
27 census, to be distributed as follows:

28 (a) Five million dollars for an economic
29 redevelopment project benefiting the public by
30 improving energy efficiency and the development of
31 alternative and renewable energy technologies.

32 (b) Ten million dollars for a museum serving the
33 public and dedicated to the preservation of an eastern
34 European cultural heritage through the collection,
35 exhibition, preservation, and interpretation of
36 historical artifacts.

37 (c) Five million dollars for a theater serving
38 the public and promoting culture, entertainment, and
39 tourism.

40 (d) Five million dollars for a public library.

41 (e) Five million dollars for a public works
42 building.

43 (3) One million five hundred thousand dollars, to
44 be distributed as follows:

45 (a) Five hundred thousand dollars to a city with a
46 population between six hundred and six hundred fifty in
47 the latest preceding certified federal census, for a
48 public fire station.

49 (b) Five hundred thousand dollars to a city with a
50 population between one thousand four hundred and one

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1 thousand five hundred in the latest preceding certified
 2 federal census, for a public fire station.

3 (c) Five hundred thousand dollars for a city with
 4 a population between seven thousand eight hundred and
 5 seven thousand eight hundred fifty, for a public fire
 6 station.

7 ~~3-~~ 2. Grant awards for a project under subsection
 8 ~~2 1,~~ paragraph "b", are contingent upon submission of a
 9 plan for each project by the applicable county or city
 10 governing board or in the case of a project submitted
 11 pursuant to subsection ~~2 1,~~ paragraph "b", subparagraph
 12 (2), subparagraph division (b), by the board of
 13 directors, to the ~~Iowa jobs board~~ authority, no later
 14 than September 1, 2009, detailing a description of
 15 the project, the plan to rebuild, and the amount
 16 or percentage of federal, state, local, or private
 17 matching moneys which will be or have been provided for
 18 the project. Funds not utilized in accordance with
 19 subsection ~~2,~~ paragraph "b", ~~due to failure to file a~~
 20 ~~plan by the September 1 deadline 1,~~ shall revert to the
 21 ~~Iowa jobs restricted revenue bonds~~ capitals fund ~~to be~~
 22 ~~available for local infrastructure competitive grants.~~
 23 A grant recipient under subsection ~~2 1,~~ paragraph
 24 "b", shall not be precluded from applying for a local
 25 infrastructure competitive grant pursuant to this
 26 section and section 16.195.

27 ~~4. Moneys in the fund are not subject to section~~
 28 ~~8.33. Notwithstanding section 12C.7, subsection 2,~~
 29 ~~interest or earnings on moneys in the fund shall be~~
 30 ~~credited to the fund.~~

31 ~~5-~~ 3. Annually, on or before January 15 of
 32 each year, the ~~board~~ authority shall report to the
 33 legislative services agency and the department of
 34 management the status of all projects receiving
 35 moneys from the fund completed or in progress. The
 36 report shall include a description of the project, the
 37 progress of work completed, the total estimated cost of
 38 the project, a list of all revenue sources being used
 39 to fund the project, the amount of funds expended, the
 40 amount of funds obligated, and the date the project
 41 was completed or an estimated completion date of the
 42 project, where applicable.

43 ~~6-~~ 4. Payment of moneys appropriated from the
 44 fund shall be made in a manner that does not adversely
 45 affect the tax-exempt status of any outstanding bonds
 46 issued by the treasurer of state.

47 Sec. 27. Section 16.197, Code 2013, is amended to
 48 read as follows:

49 **16.197 Limitation of liability.**

50 ~~A member of the Iowa jobs board, a person acting~~



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1 ~~on behalf of the board while acting within the scope~~
2 ~~of their employment or agency, The authority or the~~
3 treasurer of state, shall not be subject to personal
4 liability resulting from carrying out the powers and
5 duties of the ~~board~~ authority or the treasurer, as
6 applicable, in sections ~~16.192~~ 16.193 through 16.196.

7 Sec. 28. IOWA JOBS BOARD — TRANSITION PROVISIONS
8 — LIMITATION OF LIABILITY.

9 1. Any contract or agreement issued or entered into
10 by the Iowa jobs board relating to the provisions of
11 this division of this Act, in effect on the effective
12 date of this division of this Act, shall continue
13 in full force and effect and any responsibility of
14 the board relative to the contracts or agreements as
15 provided in those contracts or agreements shall be
16 transferred to the Iowa finance authority.

17 2. A member of the Iowa jobs board or a person
18 acting on behalf of the board while acting within
19 the scope of that person's employment or agency shall
20 not be subject to personal liability resulting from
21 carrying out the powers and duties of the board prior
22 to the effective date of this division of this Act,
23 as applicable, in sections 12.87 through 12.90 and in
24 sections 16.192 through 16.196, Code 2013.

25 Sec. 29. REPEAL. Sections 16.191 and 16.192, Code
26 2013, are repealed.

27 DIVISION X
28 MISCELLANEOUS CODE CHANGES

29 Sec. 30. Section 8.57, subsection 5, paragraph
30 e, subparagraph (1), subparagraph division (a),
31 subparagraph subdivision (i), Code 2013, is amended to
32 read as follows:

33 (i) ~~Notwithstanding provisions to the contrary~~
34 ~~in sections 99D.17 and 99F.11, for~~ For the fiscal
35 year beginning July 1, 2000, and for each fiscal year
36 thereafter, not more than a total of sixty-six million
37 dollars shall be deposited in the general fund of the
38 state in any fiscal year pursuant to sections 99D.17 and
39 99F.11.

40 Sec. 31. Section 8.57, subsection 5, paragraph
41 e, subparagraph (1), subparagraph division (d),
42 subparagraph subdivision (i), Code 2013, is amended to
43 read as follows:

44 (i) The total moneys in excess of the moneys
45 deposited under this paragraph "e" in the revenue
46 bonds debt service fund, the revenue bonds federal
47 subsidy holdback fund, the vision Iowa fund, the school
48 infrastructure fund, and the general fund of the state
49 in a fiscal year shall be deposited in the rebuild Iowa
50 infrastructure fund and shall be used as provided in



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1 this section, notwithstanding section 8.60.
2 Sec. 32. Section 8.57, subsection 5, paragraph
3 e, subparagraph (1), subparagraph division (d),
4 subparagraph subdivision (ii), Code 2013, is amended by
5 adding the following new subparagraph part:
6 NEW SUBPARAGRAPH PART. (C) For the fiscal year
7 beginning July 1, 2013, and ending June 30, 2014,
8 thirty-four million one hundred twenty thousand dollars
9 shall be deposited in the general fund of the state and
10 the remainder shall be deposited in the rebuild Iowa
11 infrastructure fund.
12 Sec. 33. Section 8.57C, subsection 3, Code 2013, is
13 amended to read as follows:
14 3. a. There is appropriated from the general fund
15 of the state for the fiscal year beginning July 1, ~~2013~~
16 2014, and for each subsequent fiscal year thereafter,
17 the sum of seventeen million five hundred thousand
18 dollars to the technology reinvestment fund.
19 b. There is appropriated from the rebuild Iowa
20 infrastructure fund for the fiscal year beginning
21 July 1, 2008, and ending June 30, 2009, the sum of
22 seventeen million five hundred thousand dollars,
23 and for the fiscal year beginning July 1, 2009, and
24 ending June 30, 2010, the sum of fourteen million five
25 hundred twenty-five thousand dollars to the technology
26 reinvestment fund, notwithstanding section 8.57,
27 subsection 5, paragraph "c".
28 c. There is appropriated from the rebuild Iowa
29 infrastructure fund for the fiscal year beginning
30 July 1, 2010, and ending June 30, 2011, the sum of ten
31 million dollars to the technology reinvestment fund,
32 notwithstanding section 8.57, subsection 5, paragraph
33 "c".
34 d. There is appropriated from the rebuild Iowa
35 infrastructure fund for the fiscal year beginning July
36 1, 2011, and ending June 30, 2012, the sum of fifteen
37 million five hundred forty-one thousand dollars to the
38 technology reinvestment fund, notwithstanding section
39 8.57, subsection 5, paragraph "c".
40 e. There is appropriated from the general fund of
41 the state for the fiscal year beginning July 1, 2013,
42 and ending June 30, 2014, the sum of thirteen million,
43 three hundred ninety-seven thousand dollars to the
44 technology reinvestment fund, notwithstanding section
45 8.57, subsection 5, paragraph "c".
46 Sec. 34. Section 15F.204, subsection 5, Code 2013,
47 is amended by adding the following new paragraph:
48 NEW PARAGRAPH. c. Priority to projects under this
49 subsection shall be given to projects that attract the
50 highest number of visitors and that attain the highest

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1 match levels.

2 Sec. 35. Section 15F.204, subsection 8, paragraph
 3 g, Code 2013, is amended to read as follows:

4 g. For each fiscal year for the fiscal period
 5 beginning July 1, 2012, and ending June 30, ~~2014~~ 2016,
 6 the sum of ~~five~~ ten million dollars.

7 Sec. 36. Section 99D.14, subsection 2, paragraph c,
 8 Code 2013, is amended to read as follows:

9 c. Notwithstanding sections 8.60 and 99D.17,
 10 the portion of the fee paid pursuant to paragraph
 11 "a" relating to the costs of the commission shall ~~not be~~
 12 ~~deposited in the general fund of the state but instead~~
 13 shall be deposited into the gaming regulatory revolving
 14 fund established in section 99F.20.

15 Sec. 37. Section 99D.17, Code 2013, is amended to
 16 read as follows:

17 **99D.17 Use of funds.**

18 Funds received pursuant to sections 99D.14 and
 19 99D.15 shall be deposited ~~in the general fund of~~
 20 ~~the state as provided in section 8.57, subsection 5,~~
 21 and shall be subject to the requirements of section
 22 8.60. These funds shall first be used to the extent
 23 appropriated by the general assembly. The commission
 24 is subject to the budget requirements of chapter 8 and
 25 the applicable auditing requirements and procedures of
 26 chapter 11.

27 Sec. 38. Section 99F.10, subsection 4, paragraph c,
 28 Code 2013, is amended to read as follows:

29 c. Notwithstanding sections 8.60 and 99F.4,
 30 the portion of the fee paid pursuant to paragraph
 31 "a" relating to the costs of the commission shall ~~not be~~
 32 ~~deposited in the general fund of the state but instead~~
 33 shall be deposited into the gaming regulatory revolving
 34 fund established in section 99F.20.

35 Sec. 39. Section 99F.11, subsection 3, paragraph e,
 36 Code 2013, is amended to read as follows:

37 e. The remaining amount of the adjusted gross
 38 receipts tax shall be credited ~~to the general fund of~~
 39 ~~the state as provided in section 8.57, subsection 5.~~

40 **DIVISION XI**

41 **CHANGES TO PRIOR APPROPRIATIONS**

42 Sec. 40. 2007 Iowa Acts, chapter 219, section 2, as
 43 amended by 2011 Iowa Acts, chapter 133, section 32, and
 44 2012 Iowa Acts, chapter 1138, section 10, is amended
 45 to read as follows:

46 **SEC. 2. REVERSION.**

47 1. Except as provided in subsection 2 and
 48 notwithstanding section 8.33, moneys appropriated
 49 for the fiscal year beginning July 1, 2007, in this
 50 division of this Act that remain unencumbered or



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1 unobligated at the close of the fiscal year shall not
 2 revert but shall remain available for the purposes
 3 designated until the close of the fiscal year that
 4 begins July 1, 2010, or until the project for which
 5 the appropriation was made is completed, whichever is
 6 earlier.

7 2. a. Notwithstanding section 8.33, moneys
 8 appropriated in section 1, subsection 1, paragraphs
 9 "a" and "f" of this division of this Act that remain
 10 unencumbered or unobligated at the close of the fiscal
 11 year for which they were appropriated shall not revert
 12 but shall remain available for the purposes designated
 13 until the close of the fiscal year that begins July
 14 1, ~~2012~~ 2013, or until the project for which the
 15 appropriation was made is completed, whichever is
 16 earlier.

17 b. The department of administrative services
 18 is authorized to provide for the disposition and
 19 relocation of structures located at 707 east locust
 20 and 709 east locust, Des Moines, Iowa, in a manner as
 21 deemed appropriate by the department. The disposition
 22 of the structures, if possible, shall be completed in
 23 a manner that reduces or eliminates the costs of the
 24 state associated with the removal of the structures
 25 from their current locations. Any amount received from
 26 the disposition of the structures as permitted under
 27 this section shall be retained by the department to pay
 28 for improvement costs associated with the restoration
 29 of the west capitol terrace. The department, if unable
 30 to otherwise dispose of the structures, is authorized
 31 to demolish the structures using other appropriate
 32 funding available to the department.

33 Sec. 41. 2008 Iowa Acts, chapter 1179, section 20,
 34 as amended by 2009 Iowa Acts, chapter 173, section 25,
 35 is amended to read as follows:

36 SEC 20. REVERSION.

37 1. Notwithstanding Except as provided in
 38 subsections 2 through 4 and notwithstanding section
 39 8.33, moneys appropriated in this division of this Act
 40 for the fiscal year beginning July 1, 2008, and ending
 41 June 30, 2009, shall not revert at the close of the
 42 fiscal year for which they are appropriated but shall
 43 remain available for the purposes designated until the
 44 close of the fiscal year that begins July 1, 2012, or
 45 until the project for which the appropriation was made
 46 is completed, whichever is earlier.

47 2. Notwithstanding section 8.33, moneys
 48 appropriated in section 18, subsection 9, paragraph
 49 "a", of this division as amended by 2009 Iowa Acts,
 50 chapter 173, section 24, that remain unencumbered or



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1 unobligated at the close of the fiscal year for which
 2 they were appropriated shall not revert but shall
 3 remain available for the purposes designated until the
 4 close of the fiscal year that begins July 1, 2017, or
 5 until the project for which the appropriation was made
 6 is completed, whichever is earlier.

7 3. Notwithstanding section 8.33, moneys
 8 appropriated in section 18, subsection 1, paragraph
 9 "h", of this division of this Act as amended by
 10 2009 Iowa Acts, chapter 173, section 23, that remain
 11 unencumbered or unobligated at the close of the fiscal
 12 year for which the appropriation was made shall not
 13 revert but shall remain available for the purpose
 14 designated until the close of the fiscal year that
 15 begins July 1, 2013, or until the project for which
 16 the appropriation was made is completed, whichever is
 17 earlier.

18 4. Notwithstanding section 8.33, moneys
 19 appropriated to the department of economic development
 20 in section 18 of this division of this Act as amended
 21 by 2009 Iowa Acts, chapter 173, section 24, and
 22 2011 Iowa Acts, chapter 133, section 34, that remain
 23 unencumbered or unobligated at the close of the fiscal
 24 year for which the appropriation was made shall not
 25 revert but shall remain available for the purpose
 26 designated until the close of the fiscal year that
 27 begins July 1, 2014, or until the project for which
 28 the appropriation was made is completed, whichever is
 29 earlier.

30 Sec. 42. 2008 Iowa Acts, chapter 1179, section 23,
 31 is amended to read as follows:

32 SEC 23. REVERSION. Notwithstanding section 8.33,
 33 moneys appropriated in this division of this Act for
 34 the fiscal year beginning July 1, 2008, and ending June
 35 30, 2009, shall not revert at the close of the fiscal
 36 year for which they are appropriated but shall remain
 37 available for the purposes designated until the close
 38 of the fiscal year that begins July 1, 2012 2013, or
 39 until the project for which the appropriation was made
 40 is completed, whichever is earlier.

41 Sec. 43. 2009 Iowa Acts, chapter 173, section 15,
 42 is amended to read as follows:

43 SEC 15. REVERSION.

44 1. ~~Notwithstanding~~ Except as provided in
 45 subsections 2 and 3 and notwithstanding section 8.33,
 46 moneys appropriated in this division of this Act for
 47 the fiscal year beginning July 1, 2009, and ending June
 48 30, 2010, shall not revert at the close of the fiscal
 49 year for which they are appropriated but shall remain
 50 available for the purposes designated until the close



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1 of the fiscal year that begins July 1, 2012, or until
 2 the project for which the appropriation was made is
 3 completed, whichever is earlier.

4 2. Notwithstanding section 8.33, moneys
 5 appropriated in section 13, subsection 4, paragraph
 6 "a", of this division of this Act that remain
 7 unencumbered or unobligated at the close of the fiscal
 8 year for which the appropriation was made shall not
 9 revert but shall remain available for the purposes
 10 designated until the close of the fiscal year that
 11 begins July 1, 2014, or until the projects for which
 12 the appropriation was made are completed, whichever is
 13 earlier.

14 3. Notwithstanding section 8.33, moneys
 15 appropriated in section 13, subsection 4, paragraph
 16 "d", of this division of this Act as amended by 2010
 17 Iowa Acts, chapter 1184, section 65, that remain
 18 unencumbered or unobligated at the close of the fiscal
 19 year for which the appropriation was made shall not
 20 revert but shall remain available for the purposes
 21 designated until the close of the fiscal year that
 22 begins July 1, 2013, or until the projects for which
 23 the appropriation was made are completed, whichever is
 24 earlier.

25 Sec. 44. 2009 Iowa Acts, chapter 184, section
 26 1, subsection 1, paragraph "c" is amended to read as
 27 follows:

28 c. For costs associated with improvements to and
 29 renovation of the Wallace building for extending the
 30 useful life of the building:

31 \$ 1,500,000

32 Of the amount appropriated in this lettered
 33 paragraph, \$800,000 shall be allocated for relocation
 34 costs for moving employees out of the Wallace building
 35 including moving costs and lease adjustments. As a
 36 condition of this allocation, all employees currently
 37 located in the Wallace building shall be relocated to a
 38 new office location by December 31, 2013, pursuant to
 39 the department's competitive bidding process for office
 40 space.

41 Sec. 45. 2009 Iowa Acts, chapter 184, section 4, is
 42 amended to read as follows:

43 SEC. 20. REVERSION.

44 1. ~~For~~ Except as provided in subsection 2, for
 45 purposes of section 8.33, unless specifically provided
 46 otherwise, unencumbered or unobligated moneys made from
 47 an appropriation in this division of this Act shall not
 48 revert but shall remain available for expenditure for
 49 the purposes designated until the close of the fiscal
 50 year that ends three years after the end of the fiscal



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1 year for which the appropriation was made. However, if
 2 the project or projects for which such appropriation
 3 was made are completed in an earlier fiscal year,
 4 unencumbered or unobligated moneys shall revert at the
 5 close of that same fiscal year.

6 2. Notwithstanding section 8.33, moneys
 7 appropriated in section 1, subsection 1, paragraphs "c"
 8 and "e", of this division of this Act shall not revert
 9 but shall remain available for the purposes designated
 10 until the close of the fiscal year that begins July 1,
 11 2013, or until the project for which the appropriation
 12 was made is completed, whichever is earlier.

13 Sec. 46. 2011 Iowa Acts, chapter 133, section 3,
 14 subsection 5, paragraph a, as amended by 2012 Iowa
 15 Acts, chapter 1140, section 17, is amended to read as
 16 follows:

17 a. To be used for medical contracts under the
 18 medical assistance program for technology upgrades
 19 necessary to support Medicaid claims and other health
 20 operations, worldwide HIPAA claims transactions and
 21 coding requirements, and the Iowa automated benefits
 22 calculation system:

23 FY 2011-2012.....	\$	3,494,176
24 FY 2012-2013.....	\$	4,120,037
25 FY 2013-2014.....	\$	4,815,163
26		0
27 FY 2014-2015.....	\$	1,945,684
28		0

29 In seeking to contract with a private organization
 30 or organizations for the Medicaid management
 31 information system, the state's chief information
 32 officer shall oversee the procurement process. An
 33 advisory panel shall be established to review the final
 34 scoring of the evaluators and to make a recommendation
 35 to the director regarding the contract award for the
 36 Medicaid management information system. The advisory
 37 panel, which shall be appointed by the Governor, shall
 38 consist of no less than three members. All members of
 39 the advisory panel shall be from the private sector and
 40 shall not have participated in any previous procurement
 41 for the Medicaid management information system or any
 42 procurement related to consulting or oversight of the
 43 Medicaid management information system. At least one
 44 member of the advisory panel shall have experience and
 45 knowledge in the area of management information systems
 46 and at least one member of the advisory panel shall be
 47 a provider of Medicaid services in the state of Iowa.

48 Sec. 47. 2012 Iowa Acts, chapter 1140, section 1,
 49 subsection 1, paragraph a, unnumbered paragraph 2, is
 50 amended to read as follows:



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1 The moneys appropriated in this lettered paragraph
2 shall be used according to the department's major
3 maintenance project recommendation list submitted
4 ~~to the Governor's vertical infrastructure advisory~~
5 ~~committee.~~
6 Sec. 48. 2012 Iowa Acts, chapter 1140, section
7 1, subsection 3, paragraph a, is amended to read as
8 follows:
9 a. For exterior and interior repairs and related
10 improvements to the state historical building,
11 including the addition of a visitor center:
12 FY 2012-2013..... \$ 1,450,000
13 FY 2013-2014..... \$ 1,000,000
14 Notwithstanding section 8.57, subsection 5,
15 paragraph "c", moneys appropriated in this lettered
16 paragraph may be used to study a public-private
17 partnership to sell the existing building and to
18 relocate the historical building on the capitol
19 complex, including a visitor center. Any design for a
20 new state historical building shall be compatible and
21 consistent with the historical design of all buildings
22 on the capitol complex.
23 By October 15, 2014, the department shall submit a
24 report to the general assembly on the results of the
25 study of the building including the use of anticipated
26 cash flow needs for the projected building.
27 Sec. 49. EFFECTIVE UPON ENACTMENT. This division
28 of this Act, being deemed of immediate importance,
29 takes effect upon enactment.>
30 2. Title page, by striking line 3 and inserting
31 <infrastructure fund, the technology reinvestment fund,
32 and the general fund of the state,>



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Senate File 446

H-1383

1 Amend the amendment, H-1378, to Senate File 446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 59, line 21, through page 60,
5 line 41, and inserting:

6 <EMS REPORT

7 Sec. ____ . EMERGENCY MEDICAL SERVICES REPORT.

8 1. The department of public health shall coordinate
9 a comprehensive review detailing the availability and
10 quality of emergency medical services in the state.

11 2. In conducting the review, the department of
12 public health shall consult with the emergency medical
13 services advisory council, members of the general
14 public, and the Iowa emergency medical services
15 association.

16 3. The department shall submit a final report,
17 including a statistical review of the current status
18 of emergency medical services in the state, concerns
19 identified, and recommendations for improvement to
20 the governor and the general assembly no later than
21 December 15, 2013.>

22 2. By renumbering as necessary.

WATTS of Dallas



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House File 645 - Introduced

HOUSE FILE 645
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 227)

A BILL FOR

1 An Act relating to the sales tax exemption for certain
2 wastewater treatment or effluent treatment services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2260HV (1) 85
tm/sc



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H.F. 645

1 Section 1. Section 423.3, subsection 32, paragraph c, Code
2 2013, is amended to read as follows:

3 c. The sale or furnishing of sewage service for
4 nonresidential commercial operations, except for water
5 treatment or effluent treatment services to a paper recycling
6 mill.

7 EXPLANATION

8 This bill relates to the sales tax exemption for certain
9 wastewater treatment or effluent treatment services.

10 Currently, the sales price of tangible personal property
11 sold, or of services furnished, by a county or city are exempt
12 from sales tax with four listed exceptions to exemption. One
13 of the exceptions is for the sale or furnishing of sewage
14 service for nonresidential commercial operations. The bill
15 excludes from the exception water treatment or effluent
16 treatment services to a paper recycling mill which makes such
17 services exempt from sales tax.



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House File 471

S-3205

- 1 Amend House File 471, as passed by the House, as
- 2 follows:
- 3 1. Page 1, before line 1 by inserting:
- 4 <Section 1. Section 598.41A, Code 2013, is amended
- 5 to read as follows:
- 6 **598.41A Visitation — history of crimes against a**
- 7 **minor.**
- 8 Notwithstanding section 598.41, ~~the court shall~~
- 9 ~~consider, in~~ there is a rebuttable presumption that
- 10 the award of visitation rights to a parent of a child,
- 11 ~~the criminal history of the parent if the parent who~~
- 12 has been convicted of a sex offense against a minor as
- 13 defined in section 692A.101 is not in the best interest
- 14 of the child.>
- 15 2. Title page, line 1, after <to> by inserting
- 16 <parental rights, including the awarding of visitation
- 17 and>
- 18 3. By renumbering as necessary.

BILL ANDERSON

KENT SORENSON



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House File 471

S-3206

1 Amend House File 471, as passed by the House, as
2 follows:
3 1. Page 2, after line 1 by inserting:
4 <Sec. _____. Section 600A.8, Code 2013, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 11. *a.* The parent is palpably
7 unfit to be a party to the parent-child relationship
8 as determined by a consistent pattern of specific
9 conduct or specific conditions directly relating to the
10 parent-child relationship which are determined by the
11 court to be of a duration or nature that renders the
12 parent unable, for the reasonably foreseeable future,
13 to provide the appropriate care and support for the
14 ongoing physical, mental, or emotional needs of the
15 child.
16 *b.* In making a determination that a parent is
17 palpably unfit, the court may consider any specific
18 conduct or specific conditions directly relating
19 to the parent-child relationship that the court
20 deems significant in rendering the parent unable
21 to provide the appropriate care and support for the
22 ongoing physical, mental, or emotional needs of the
23 child. Such conduct or conditions may include but
24 are not limited to the parent's history relating to a
25 substance-related disorder as defined in section 125.2
26 that results in the parent being a danger to self or
27 others as evidenced by prior acts; the parent's history
28 of domestic abuse assault pursuant to section 708.2A;
29 the parent's history of imprisonment for a felony
30 offense including any crime against a child; or the
31 parent's current imprisonment from which the parent is
32 unlikely to be released in five years or less.>
33 2. Title page, line 1, after <to> by inserting
34 <termination of parental rights proceedings including
35 grounds for termination of parental rights and>
36 3. By renumbering as necessary.

BRAD ZAUN

HF471.1484 (1) 85

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House File 638

S-3207

1 Amend the amendment, S-3203, to House File 638, as
2 passed by the House, as follows:

3 1. Page 1, by striking lines 17 through 19 and
4 inserting:

5 <Of the amount appropriated in this lettered
6 paragraph, \$250,000 shall be allocated for the
7 disposition and relocation of structures located at 707
8 east locust and 709 east locust, Des Moines, Iowa.

9 Of the amount appropriated in this lettered
10 paragraph, \$1,800,000 shall be allocated for relocation
11 costs for moving employees out of the Wallace building
12 including moving costs and lease adjustments. As a
13 condition of this allocation, all employees currently
14 located in the Wallace building shall be relocated to a
15 new office location by December 31, 2013, pursuant to
16 the department's competitive bidding process for office
17 space.

18 Moneys appropriated in this lettered paragraph shall
19 not be used for the state historical building.>

20 2. Page 1, by striking lines 28 through 34 and
21 inserting:

22 <c. For costs associated with the planning and
23 design of the Wallace office building, including roof
24 repair:

25 FY 2013-2014.....	\$ 500,000
26 FY 2014-2015.....	\$ 3,900,000

27 Of the amount appropriated in this lettered
28 paragraph for FY 2013-2014, \$500,000 shall be allocated
29 for relocation costs for moving employees out of the
30 Wallace building including moving costs and lease
31 adjustments. As a condition of this allocation, all
32 employees currently located in the Wallace building
33 shall be relocated to a new office location by December
34 31, 2013, pursuant to the department's competitive
35 bidding process for office space.>

36 3. Page 4, by striking lines 35 through 39.

37 4. Page 4, line 40, by striking <d.> and inserting
38 <c.>

39 5. Page 10, line 20, by striking <\$15,000,000> and
40 inserting <\$20,000,000>

41 6. Page 10, line 25, by striking <RIFF> and
42 inserting <RIIF>

43 7. Page 10, line 27, by striking <RIFF> and
44 inserting <RIIF>

45 8. Page 22, after line 8 by inserting:

46 <Sec. ____ . 2009 Iowa Acts, chapter 184, section
47 1, subsection 1, paragraph "c" is amended to read as
48 follows:

49 c. For costs associated with improvements to and
50 renovation of the Wallace building for extending the

S3203.1998 (2) 85

-1-

rh/tm

1/2



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House File 638

S-3208

- 1 Amend the amendment, S-3203, to House File 638, as
- 2 passed by the House, as follows:
- 3 1. Page 18, by striking lines 30 through 35.
- 4 2. By renumbering as necessary.

DAVID JOHNSON

BILL ANDERSON

RICK BERTRAND

MARK SEGEBART

JAKE CHAPMAN

DENNIS GUTH

KEN ROZENBOOM

SANDRA H. GREINER

NANCY J. BOETTGER

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