



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 17, 2007

House Amendment 1745

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by striking lines 2 and 3 and
1 4 inserting the following:
1 5 <This chapter shall be cited as the "Recognition
1 6 and Enforcement of Tribal Court Civil Judgments Act".>
1 7 #2. Page 1, line 14, by inserting after the word
1 8 <chapter.> the following: <For purposes of this
1 9 subsection, a "tribal court of record" is considered a
1 10 court of record if the court maintains a permanent
1 11 record of the tribal court's proceedings, maintains
1 12 either a transcript or electronic record of the tribal
1 13 court's proceedings, and provides that a final
1 14 judgment of a tribal court is reviewable on appeal.>
1 15 #3. Page 2, by striking line 3 and inserting the
1 16 following:
1 17 <Sec. 5. NEW SECTION. 626D.5 RECOGNITION AND
1 18 ENFORCEMENT OF>.
1 19 #4. Page 2, line 6, by striking the words <granted
1 20 full faith and credit> and inserting the following:
1 21 <recognized and enforced>.
1 22 #5. Page 2, by striking lines 13 and 14 and
1 23 inserting the following:
1 24 <3. A tribal judgment shall not be recognized and
1 25 enforced if the objecting party demonstrates by a
1 26 preponderance>.
1 27 #6. Page 2, by striking lines 18 through 22 and
1 28 inserting the following:
1 29 <b. A party was not afforded due process.
1 30 4. The court may recognize and enforce or decline
1 31 to recognize and enforce a tribal judgment on
1 32 equitable grounds for any of the following reasons:>
1 33 #7. Page 2, by striking lines 26 through 33 and
1 34 inserting the following:
1 35 <c. The tribal judgment is inconsistent with the
1 36 parties' contractual choice of forum provided the
1 37 contractual choice of forum issue was timely raised in
1 38 the tribal court.
1 39 d. The tribal court does not recognize and enforce
1 40 judgments of the courts of this state under standards
1 41 similar to those provided in this chapter.>
1 42 #8. Page 3, by striking lines 15 and 16 and
1 43 inserting the following:
1 44 <This chapter shall govern the procedures for the
1 45 recognition and enforcement by the courts of this
1 46 state of a civil>.
1 47 #9. Page 3, by striking line 20 and inserting the
1 48 following: <Act. The date that a cause of action
1 49 accrues shall be determined under the appropriate laws
1 50 of this state. This chapter does not impair the right



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House Amendment 1745 continued

2 1 of a>.
2 2 #10. By renumbering as necessary.
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2 6 SWAIM of Davis
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2 10 STRUYK of Pottawattamie
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2 50 STAED of Linn



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House Amendment 1745 continued

3 1 SF 430.707 82
3 2 rh/gg/8792



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House Amendment 1746

PAG LIN

1 1 Amend the amendment, H=1745, to Senate File 430, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by inserting after line 2, the
1 5 following:
1 6 <#____. Page 1, by inserting before line 1 the
1 7 following:
1 8 <Section 1. Section 624.24, Code 2007, is amended
1 9 to read as follows:
1 10 624.24 WHEN JUDGMENT LIEN ATTACHES.
1 11 When the real estate lies in the county wherein the
1 12 judgment of the district court of this state or of the
1 13 circuit or district courts of the United States was
1 14 entered in the judgment docket and lien index kept by
1 15 the clerk of the court having jurisdiction, the lien
1 16 shall attach from the date of such entry of judgment,
1 17 but if in another it will not attach until an attested
1 18 copy of the judgment is filed in the office of the
1 19 clerk of the district court of the county in which the
1 20 real estate lies except for foreign judgments pursuant
1 21 to chapters 626A and 626B and tribal judgments as
1 22 defined in section 626D.2, which shall not attach
1 23 until an appeal is concluded, the time for the appeal
1 24 has expired, or the stay of execution has expired or
1 25 was vacated pursuant to section 626A.4, 626B.3,
1 26 626B.5, or 626D.7. In such cases, the lien shall
1 27 attach on the date the clerk of court files an
1 28 attested copy of the judgment in the office of the
1 29 clerk of the district court of the county in which the
1 30 real estate lies in any of the following
1 31 circumstances:
1 32 1. The foreign or tribal judgment has not been
1 33 appealed and the time for filing an appeal has
1 34 expired.
1 35 2. The foreign or tribal judgment has been
1 36 appealed and the judgment has been affirmed on appeal
1 37 and is not subject to further appeal.
1 38 3. An appeal from a foreign or tribal judgment has
1 39 been filed and a stay from such judgment has not been
1 40 granted by the district court to the appealing party.
1 41 Sec. _____. Section 626A.3, Code 2007, is amended by
1 42 adding the following new subsection:
1 43 NEW SUBSECTION. 4. The filing of a foreign
1 44 judgment under this chapter shall not create a lien
1 45 upon any real estate until after the expiration of the
1 46 time provided for in this chapter for challenging the
1 47 validity of the foreign judgment and pursuant to
1 48 section 624.24.
1 49 Sec. _____. Section 626B.6, Code 2007, is amended to
1 50 read as follows:



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House Amendment 1746 continued

2 1 626B.6 OTHER FOREIGN JUDGMENTS.
2 2 1. This chapter does not prevent the recognition
2 3 of a foreign judgment by a court of this state in a
2 4 situation not specifically covered in this chapter.
2 5 2. The filing of a foreign judgment shall not
2 6 create a lien upon any real estate until all
2 7 challenges, if any, to the validity of the foreign
2 8 judgment are concluded pursuant to section 626B.3.
2 9 Upon final determination of the validity of the
2 10 foreign judgment, such judgment shall constitute a
2 11 lien on real estate pursuant to section 624.24.>>
2 12 #2. Page 1, by inserting after line 14 the
2 13 following:
2 14 <#___. Page 1, by inserting after line 30 the
2 15 following:
2 16 <3. The filing of a tribal judgment shall not
2 17 create a lien upon any real estate until such time as
2 18 all challenges, if any, to the validity of the tribal
2 19 judgment are concluded pursuant to sections 626D.4 and
2 20 626D.5. Upon final determination of the validity of
2 21 the tribal judgment, the judgment shall constitute a
2 22 lien upon real estate pursuant to section 624.24.>>
2 23 #3. By renumbering as necessary.
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2 31 STRUYK of Pottawattamie
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House Amendment 1746 continued

3 1 R. OLSON of Polk
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3 17 PAULSEN of Linn
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3 21 STAED of Linn
3 22 SF 430.505 82
3 23 rh/je/9154



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House Amendment 1747

PAG LIN

1 1 Amend Senate File 562, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 15, by inserting after line 6 the
1 4 following:

1 5 <Sec. _____. Section 15G.110, Code 2007, is amended
1 6 to read as follows:

1 7 15G.110 APPROPRIATION.

1 8 For the fiscal period beginning July 1, 2005, and
1 9 ending June 30, ~~2015~~ 2007, there is appropriated to
1 10 the department of economic development each fiscal
1 11 year fifty million dollars from the general fund of
1 12 the state for deposit in the grow Iowa values fund.

1 13 For the fiscal period beginning July 1, 2007, and
1 14 ending June 30, 2015, there is appropriated to the
1 15 department of economic development each fiscal year
1 16 seventy-five million dollars from the general fund of
1 17 the state for deposit in the grow Iowa values fund.

1 18 Sec. _____. Section 15G.111, Code 2007, is amended
1 19 by adding the following new subsection:

1 20 NEW SUBSECTION. 7A. For the fiscal period
1 21 beginning July 1, 2007, and ending June 30, 2015,
1 22 there is appropriated each fiscal year from the grow
1 23 Iowa values fund created in section 15G.108 to the
1 24 department of economic development twenty-five million
1 25 dollars for deposit in the Iowa power fund, if enacted
1 26 to be used by the office of energy independence, if
1 27 enacted. Moneys appropriated under this subsection
1 28 shall be used to further the goals of increasing the
1 29 development, production, and use of biofuels and other
1 30 sources of renewable energy, improve energy
1 31 efficiency, and shall encourage and provide for
1 32 research, development, commercialization, and the
1 33 implementation of energy technologies and practices.
1 34 The technologies and practices should reduce this
1 35 state's dependence on foreign sources of energy and
1 36 finite fossil fuels, and other environmental impacts,
1 37 and meet the demand for energy services in an
1 38 economically viable manner. The research,
1 39 development, commercialization, implementation, and
1 40 distribution of such technologies and practices are
1 41 intended to sustain the environment and develop
1 42 business in this state as Iowans market these
1 43 technologies and practices to the world.>

1 44 #2. By renumbering as necessary.

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1 47

1 48 WATTS of Dallas

1 49 SF 562.506 82

1 50 tm/je/9617



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House Amendment 1748

PAG LIN

1 1 Amend the amendment, H=1598, to Senate File 554, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 3, line 20, by inserting after the words
1 5 <as of> the following: <or at anytime prior to>.
1 6 #2. Page 3, line 26, by inserting after the word
1 7 <provider,> the following: <or if an incumbent cable
1 8 provider applies for a certificate of franchise
1 9 authority pursuant to section 477A.2, subsection 6,>.
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1 13 KRESSIG of Black Hawk
1 14 SF 554.306 82
1 15 rn/es/9362
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House Amendment 1749

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, by inserting after line 22 the
1 4 following:
1 5 <Sec. _____. EFFECTIVE DATE. This Act takes effect
1 6 July 1, 2009.>
1 7 #2. Title page, line 2, by inserting after the
1 8 word <an> the following: <effective date and>.
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1 12 HORBACH of Tama
1 13 SF 430.207 82
1 14 rh/es/9158
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House Amendment 1750

PAG LIN

1 1 Amend Senate File 562, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 12, line 12, by inserting after the word
1 4 <allocate> the following: <at least seven full-time
1 5 equivalent positions and>.
1 6 #2. Page 12, by striking lines 13 and 14 and
1 7 inserting the following: <administrative law judges
1 8 for workers' compensation cases.>
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1 12 STRUYK of Pottawattamie
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1 16 HEATON of Henry
1 17 SF 562.505 82
1 18 tm/je/9612
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House Amendment 1751

PAG LIN

1 1 Amend Senate File 562, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 17, by inserting after line 7 the
1 4 following:
1 5 <Sec. _____. 2007 Iowa Acts, Senate File 403,
1 6 section 34, if enacted, is repealed.
1 7 Sec. _____. EFFECTIVE DATE. The section of this Act
1 8 repealing 2007 Iowa Acts, Senate File 403, section 34,
1 9 if enacted, being deemed of immediate importance,
1 10 takes effect upon enactment.>
1 11 #2. By renumbering as necessary.
1 12
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1 15 RANTS of Woodbury
1 16 SF 562.507 82
1 17 tm/je/9618
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House Amendment 1752

PAG LIN

1 1 Amend Senate File 562, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 15, by inserting after line 6 the
1 4 following:
1 5 <Sec. 500. Section 422.7, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 50. Subtract the capital gain
1 8 from the following:
1 9 a. The sale of an equity investment in a business
1 10 if all of the following requirements are met:
1 11 (1) The equity investment is held for a period of
1 12 thirty=six months or more from the date of
1 13 acquisition.
1 14 (2) A credit is not claimed on the investment
1 15 under section 15E.66, 422.11F, or 422.11G.
1 16 (3) The deduction under this paragraph "a" is in
1 17 lieu of any deduction under section 1202 of the
1 18 Internal Revenue Code.
1 19 b. If the adjusted gross income computed for
1 20 federal income tax purposes includes income or loss
1 21 from a business operated by the taxpayer, the sale of
1 22 a building, land, or machinery and equipment used in
1 23 the operation of the business if the building, land,
1 24 or machinery and equipment are held for a period of
1 25 thirty=six months or more from the date of
1 26 acquisition.
1 27 An individual may claim the capital gain deduction
1 28 of a partnership, S corporation, limited liability
1 29 company, estate, or trust electing to have the income
1 30 taxed directly to the individual. The amount claimed
1 31 by the individual shall be based upon the pro rata
1 32 share of the individual's earnings of a partnership, S
1 33 corporation, limited liability company, estate, or
1 34 trust.
1 35 Sec. 501. Section 422.35, Code 2007, is amended by
1 36 adding the following new subsection:
1 37 NEW SUBSECTION. 23. Subtract the capital gain
1 38 from the following:
1 39 a. The sale of an equity investment in a business
1 40 if all of the following requirements are met:
1 41 (1) The equity investment is held for a period of
1 42 thirty=six months or more from the date of
1 43 acquisition.
1 44 (2) A credit is not claimed on the investment
1 45 under section 15E.66 or section 422.33, subsection 12
1 46 or 13.
1 47 b. The sale of a building, land, or machinery and
1 48 equipment used in the operation of the business if the
1 49 building, land, or machinery and equipment are held
1 50 for a period of thirty=six months or more from the



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House Amendment 1752 continued

2 1 date of acquisition.>
2 2 #2. Page 17, by inserting after line 7 the
2 3 following:
2 4 <Sec. _____. APPLICABILITY DATE. Sections 500 and
2 5 501 of this Act apply retroactively to capital
2 6 investments made in or by businesses on or after
2 7 January 1, 2007, for tax years ending after that
2 8 date.>
2 9 #3. Title page, line 5, by inserting after the
2 10 word <atters> the following: <and including a
2 11 retroactive applicability date provision>.
2 12 #4. By renumbering as necessary.
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2 15 ALONS of Sioux
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2 19 BAUDLER of Adair
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2 23 CHAMBERS of O'Brien
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2 27 DE BOEF of Keokuk
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2 31 DRAKE of Pottawattamie
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2 35 FORRISTALL of Pottawattamie
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2 39 HUSEMAN of Cherokee
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2 43 MAY of Dickinson
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2 47 ROBERTS of Carroll
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House Amendment 1752 continued

3 1 VAN FOSSEN of Scott
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3 5 WATTS of Dallas
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3 9 WORTHAN of Buena Vista
3 10 SF 562.205 82
3 11 tm/es/9609



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House Amendment 1753

PAG LIN

1 1 Amend House File 792 as follows:
1 2 #1. Page 9, by striking lines 2 through 32 and
1 3 inserting the following:
1 4 <Sec. _____. Section 455G.9, subsection 1, paragraph
1 5 k, Code 2007, is amended by striking the paragraph and
1 6 inserting in lieu thereof the following:
1 7 k. Pursuant to an agreement between the board and
1 8 the department of natural resources, assessment and
1 9 corrective action arising out of releases at sites for
1 10 which a no further action certificate has been issued
1 11 pursuant to section 455B.474, when the department
1 12 determines that an unreasonable risk to public health
1 13 and safety may still exist. At a minimum, the
1 14 agreement shall address eligible costs, contracting
1 15 for services, and conditions under which sites may be
1 16 reevaluated.>
1 17 #2. Page 10, by striking lines 4 through 6 and
1 18 inserting the following: <to the closure activities.>
1 19 #3. By renumbering as necessary.
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1 23 H. MILLER of Webster
1 24 HF 792.501 82
1 25 tm/je/9619
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Iowa General Assembly
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House Amendment 1754

PAG LIN

1 1 Amend Senate File 212, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. Section 331.606A, Code 2007, is
1 6 amended by striking the section and inserting in lieu
1 7 thereof the following:
1 8 331.606A DOCUMENT CONTENT == PERSONALLY
1 9 IDENTIFIABLE INFORMATION.
1 10 1. DEFINITIONS.
1 11 a. "Personally identifiable information" means one
1 12 or more of the following specific unique identifiers
1 13 when combined with an individual's name:
1 14 (1) Social security number.
1 15 (2) Checking, savings, or share account number,
1 16 credit, debit, or charge card number.
1 17 b. "Preparer" means the person or entity who
1 18 creates, drafts, edits, revises, or last changes the
1 19 documents that are recorded with the recorder.
1 20 c. "Redact" or "redaction" means the process of
1 21 removing personally identifiable information from
1 22 documents.
1 23 2. INCLUSION OF PERSONALLY IDENTIFIABLE
1 24 INFORMATION. The preparer of a document shall not
1 25 include an individual's personally identifiable
1 26 information in a document that is prepared and
1 27 presented for recording in the office of the recorder.
1 28 This subsection shall not apply to documents that were
1 29 executed by an individual prior to July 1, 2007.
1 30 Unless provided otherwise by law, all documents
1 31 described by this section are subject to inspection
1 32 and copying by the public.
1 33 3. REDACTION ON A RECORDER'S INTERNET WEBSITE. If
1 34 a document that includes an individual's personally
1 35 identifiable information was recorded with the
1 36 recorder and is available on the recorder's internet
1 37 website, the individual may request that the recorder
1 38 redact such information from the website. The
1 39 recorder shall establish a procedure by which
1 40 individuals may request that such personally
1 41 identifiable information be redacted from the internet
1 42 record available on the recorder's internet website,
1 43 at no fee to the requesting individual. The recorder
1 44 shall comply with an individual's request to redact
1 45 personally identifiable information.
1 46 4. LIABILITY OF PREPARER. A preparer who, in
1 47 violation of subsection 2, enters personally
1 48 identifiable information in a document that is
1 49 prepared and presented for recording is liable to the
1 50 individual whose personally identifiable information



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House Amendment 1754 continued

2 1 appears in the recorded public document for actual
2 2 damages of up to five hundred dollars for each act of
2 3 recording.
2 4 5. APPLICABILITY. This section shall not apply to
2 5 a preparer of a state or federal tax lien, a military
2 6 separation or discharge record, or a death certificate
2 7 that is prepared for recording in the office of county
2 8 recorder. If a military separation or discharge
2 9 record or a death certificate is recorded in the
2 10 office of the county recorder, the military separation
2 11 or discharge record or the death certificate shall not
2 12 be accessible through the internet.>
2 13 #2. Title page, by striking lines 1 and 2 and
2 14 inserting the following: <An Act relating to county
2 15 offices, by protecting certain identity information
2 16 contained in documents recorded with the county
2 17 recorder and by increasing salary limits for certain
2 18 deputy officers and providing an applicability date.>
2 19 #3. By renumbering as necessary.
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2 23 LYKAM of Scott
2 24 SF 212.201 82
2 25 eg/es/9018



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House Amendment 1755

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 2, line 5, by striking the word
1 4 <eighteen> and inserting the following:
1 5 <twenty=three>.
1 6 #2. Page 2, by inserting after line 36 the
1 7 following:
1 8 <(19) The department of agronomy at Iowa state
1 9 university of science and technology.
1 10 (20) Four members of the general public.>
1 11 #3. Page 3, line 14, by inserting after the word
1 12 <strategies,> the following: <including the
1 13 cost=effectiveness of the strategies,>.
1 14 #4. Page 3, line 20, by inserting after the word
1 15 <emissions> the following: <and shall consider the
1 16 cost=effectiveness of the scenarios>.
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1 20 D. OLSON of Boone
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1 24 MERTZ of Kossuth
1 25 SF 485.208 82
1 26 tm/es/9620
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House Amendment 1756

PAG LIN

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1 1 Amend House File 907 as follows:
1 2 #1. Page 7, by inserting after line 16 the
1 3 following:
1 4 <4. To the department for the blind:
1 5 ..... $ 130,000
1 6 To plan, establish, administer, and promote a
1 7 statewide program to provide audio news and
1 8 information services to blind or visually impaired
1 9 persons residing in this state as provided pursuant to
1 10 section 216B.3, subsection 18.>
1 11 #2. Page 8, line 30, by striking the figure
1 12 <9,100,000> and inserting the following: <9,230,000>.
1 13 #3. By renumbering as necessary.
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1 17 RAECKER of Polk
1 18 HF 907.201 82
1 19 pf/es/9291
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House Amendment 1757

PAG LIN

1 1 Amend House File 773, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 27, by inserting after the word
1 4 <designations.> the following: <If more than one
1 5 designation is awarded annually, the criteria shall
1 6 include a requirement that the department award the
1 7 designations to cities of varying populations.>
1 8 HF 773.S
1 9 rn/cc/26
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Iowa General Assembly
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House Amendment 1758

PAG LIN

1 1 Amend House File 808, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, line 3, by inserting after the words
1 4 <paragraph "a".> the following: <However, such an
1 5 entity shall file without charge, in an electronic
1 6 format, the information described in paragraph "a"
1 7 with the office of the county recorder in the most
1 8 populous county served by the entity. The county
1 9 recorder shall make the information submitted
1 10 available to the public.>
1 11 HF 808.S
1 12 ec/cc/26
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**Iowa General Assembly
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House Amendment 1759

PAG LIN

1 1 Amend House File 608, as passed by the House, as
 1 2 follows:
 1 3 #1. Page 1, by striking lines 14 through 16 and
 1 4 inserting the following:
 1 5 <2. A board of township trustees shall give prior
 1 6 notice of a meeting to discuss, deliberate, or act
 1 7 upon a matter relating to the budget or a tax levy of
 1 8 the township or relating to the trustees' duty to
 1 9 provide fire protection service and, if provided,
 1 10 emergency medical service, pursuant to section 359.42.
 1 11 The trustees shall give notice of such meeting at
 1 12 least forty-eight hours preceding the commencement of
 1 13 the meeting. However, a notice is not required
 1 14 pursuant to this subsection when the trustees gather
 1 15 for minor or ministerial matters relating to the
 1 16 trustees' duty for providing such fire protection
 1 17 service or emergency medical service. The notice
 1 18 shall state the>.
 1 19 #2. Page 1, by striking lines 20 through 27 and
 1 20 inserting the following: <the public are commonly
 1 21 posted.>
 1 22 #3. Page 1, by inserting before line 28 the
 1 23 following:
 1 24 <Sec. ____ . Section 359.49, subsection 4, Code
 1 25 2007, is amended to read as follows:
 1 26 4. The board of trustees shall transmit a copy of
 1 27 the proposed budget and a notice of the meeting set as
 1 28 required by subsection 5 to the county auditor for
 1 29 posting. The county auditor shall post the notice and
 1 30 the proposed budget in an area of the courthouse where
 1 31 notices to the public are commonly posted.>
 1 32 #4. By renumbering as necessary.
 1 33 HF 608.S
 1 34 eg/cc/26
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**Iowa General Assembly
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House Amendment 1760

PAG LIN

1 1 Amend Senate File 49, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 4 the
 1 4 following:
 1 5 <Sec. _____. Section 462A.14A, subsection 2,
 1 6 paragraph a, Code 2007, is amended to read as follows:
 1 7 a. ~~If~~ When a peace officer has reasonable grounds
 1 8 to believe that ~~any~~ either of the following has
 1 9 occurred, the peace officer may request that the
 1 10 motorboat or sailboat operator provide a sample of the
 1 11 operator's breath for a preliminary screening test
 1 12 using a device approved by the commissioner of public
 1 13 safety for that purpose:
 1 14 (1) The motorboat or sailboat operator may be
 1 15 violating or has violated section 462A.14.
 1 16 (2) The motorboat or sailboat has been involved in
 1 17 an accident resulting in injury or death.
 1 18 ~~(3) The motorboat or sailboat operator is or has~~
 1 19 ~~been operating carelessly or recklessly, in violation~~
 1 20 ~~of section 462A.12.~~
 1 21 Sec. _____. Section 907.13, Code 2007, is amended by
 1 22 adding the following new subsection:
 1 23 NEW SUBSECTION. 7. For purposes of this section,
 1 24 the federal minimum wage or the state minimum wage,
 1 25 whichever is greater, shall be used as the basis for
 1 26 calculating the amount of unpaid community service.>
 1 27 #2. Title page, by striking lines 1 and 2 and
 1 28 inserting the following: <An Act relating to criminal
 1 29 offenses including motorboat or sailboat operating
 1 30 while intoxicated offenses, and community service
 1 31 sentencing.>
 1 32 #3. By renumbering as necessary.
 1 33
 1 34
 1 35
 1 36 R. OLSON of Polk
 1 37 SF 49.502 82
 1 38 rh/je/9160
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House Amendment 1762

PAG LIN

1 1 Amend Senate File 554, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 4, by inserting after the words
1 4 <video service,> the following: <to expand existing
1 5 sources of video service transmission,>.
1 6 #2. Page 1, by inserting after line 5 the
1 7 following:
1 8 <Sec. _____. Section 8D.2, subsection 4, Code 2007,
1 9 is amended to read as follows:
1 10 4. "Private agency" means an accredited nonpublic
1 11 school, a nonprofit institution of higher education
1 12 eligible for tuition grants, ~~or~~ a hospital licensed
1 13 pursuant to chapter 135B or a physician clinic to the
1 14 extent provided in section 8D.13, subsection 16, or a
1 15 not-for-profit organization exempt from federal income
1 16 taxation under section 501(c)(3) of the Internal
1 17 Revenue Code and approved to access the network
1 18 pursuant to section 8D.9, subsection 5.
1 19 Sec. _____. Section 8D.2, Code 2007, is amended by
1 20 adding the following new subsection:
1 21 NEW SUBSECTION. 4A. "Private individual" means a
1 22 private citizen or resident of this state who has been
1 23 approved to access the network pursuant to section
1 24 8D.9, subsection 6.
1 25 Sec. _____. Section 8D.3, subsection 3, paragraph i,
1 26 Code 2007, is amended to read as follows:
1 27 i. Evaluate existing and projected rates for use
1 28 of the system and ensure that rates are sufficient to
1 29 pay for the operation of the system excluding the cost
1 30 of construction and lease costs for Parts I, II, and
1 31 III. The commission shall establish all hourly rates
1 32 to be charged to all authorized users for the use of
1 33 the network and shall consider all costs of the
1 34 network in establishing the rates. A fee established
1 35 by the commission to be charged to a hospital licensed
1 36 pursuant to chapter 135B, a physician clinic, ~~or~~ the
1 37 federal government, a not-for-profit organization, or
1 38 a private individual shall be at an appropriate rate
1 39 so that, at a minimum, there is no state subsidy
1 40 related to the costs of the connection or use of the
1 41 network related to such user. Fees charged to a
1 42 not-for-profit organization or a private individual
1 43 shall be subject to the provisions of section 8D.13,
1 44 subsection 20.
1 45 Sec. _____. Section 8D.9, Code 2007, is amended by
1 46 adding the following new subsections:
1 47 NEW SUBSECTION. 5. A not-for-profit organization
1 48 considered a private agency pursuant to section 8D.2,
1 49 subsection 4, shall be authorized to utilize the
1 50 network strictly for purposes associated with the



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House Amendment 1762 continued

2 1 administration or business of the not-for-profit
2 2 organization, conditioned upon the submission of an
2 3 application to the commission and receipt from the
2 4 commission of approval of eligibility. Application
2 5 forms and approval criteria shall be determined by the
2 6 commission by rule, and shall include information
2 7 relating to the organization's net worth or annual
2 8 funding for reduced rate qualification purposes as
2 9 provided in section 8D.13, subsection 20.

2 10 NEW SUBSECTION. 6. A private individual shall be
2 11 authorized to utilize the network conditioned upon the
2 12 submission of an application to the commission and
2 13 receipt from the commission of approval of
2 14 eligibility. Application forms and approval criteria
2 15 shall be determined by the commission by rule, and
2 16 shall include information relating to the individual's
2 17 address of residence for identification of enterprise
2 18 zone status relating to reduced rate qualification as
2 19 provided in section 8D.13, subsection 20.

2 20 Sec. _____. Section 8D.11, subsections 1 and 2, Code
2 21 2007, are amended to read as follows:

2 22 1. The commission may purchase, lease, and improve
2 23 property, equipment, and services for
2 24 telecommunications for public and private agencies and
2 25 private individuals and may dispose of property and
2 26 equipment when not necessary for its purposes.
2 27 However, the commission shall not enter into a
2 28 contract for the purchase, lease, or improvement of
2 29 property, equipment, or services for
2 30 telecommunications pursuant to this subsection in an
2 31 amount greater than one million dollars without prior
2 32 authorization by a constitutional majority of each
2 33 house of the general assembly, or approval by the
2 34 legislative council if the general assembly is not in
2 35 session. The commission shall not issue any bonding
2 36 or other long-term financing arrangements as defined
2 37 in section 12.30, subsection 1, paragraph "b". Real
2 38 or personal property to be purchased by the commission
2 39 through the use of a financing agreement shall be done
2 40 in accordance with the provisions of section 12.28,
2 41 provided, however, that the commission shall not
2 42 purchase property, equipment, or services for
2 43 telecommunications pursuant to this subsection in an
2 44 amount greater than one million dollars without prior
2 45 authorization by a constitutional majority of each
2 46 house of the general assembly, or approval by the
2 47 legislative council if the general assembly is not in
2 48 session.

2 49 2. The commission also shall not provide or resell
2 50 communications services to entities other than public



Iowa General Assembly
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House Amendment 1762 continued

3 1 and private agencies and private individuals. The
3 2 public or private agency or private individual shall
3 3 not provide communication services of the network to
3 4 another entity unless otherwise authorized pursuant to
3 5 this chapter. The commission may arrange for joint
3 6 use of available services and facilities, and may
3 7 enter into leases and agreements with private and
3 8 public agencies and private individuals with respect
3 9 to the Iowa communications network, and public
3 10 agencies are authorized to enter into leases and
3 11 agreements with respect to the network for their use
3 12 and operation. Rentals and other amounts due under
3 13 the agreements or leases entered into pursuant to this
3 14 section by a state agency are payable from funds
3 15 annually appropriated by the general assembly or from
3 16 other funds legally available. Other public agencies
3 17 may pay the rental costs and other amounts due under
3 18 an agreement or lease from their annual budgeted funds
3 19 or other funds legally available or to become
3 20 available.

3 21 Sec. _____. Section 8D.13, subsection 1, Code 2007,
3 22 is amended to read as follows:

3 23 1. Moneys in the Iowa communications network fund
3 24 are appropriated to the Iowa telecommunications and
3 25 technology commission for purposes of providing
3 26 financing for the procurement, operation, and
3 27 maintenance of the Iowa communications network with
3 28 sufficient capacity to serve the video, data, and
3 29 voice requirements of the educational
3 30 telecommunications system consisting of Part I, Part
3 31 II, and Part III, and other public and private
3 32 agencies and private individuals.

3 33 Sec. _____. Section 8D.13, subsection 2, paragraph
3 34 c, Code 2007, is amended to read as follows:

3 35 c. "Part III" means the communications connection
3 36 between the secondary switching centers and the
3 37 agencies defined in section 8D.2, subsections 4 and 5,
3 38 excluding state agencies, institutions under the
3 39 control of the board of regents, nonprofit
3 40 institutions of higher education eligible for tuition
3 41 grants, and the judicial branch, judicial district
3 42 departments of correctional services, hospitals and
3 43 physician clinics, agencies of the federal government,
3 44 ~~and~~ post offices, not-for-profit organizations, and
3 45 private individuals.

3 46 Sec. _____. Section 8D.13, Code 2007, is amended by
3 47 adding the following new subsection:

3 48 NEW SUBSECTION. 20. Access to the network shall
3 49 be offered to not-for-profit organizations defined as
3 50 a private agency pursuant to section 8D.2, subsection



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House Amendment 1762 continued

4 1 4, and to private individuals pursuant to section
4 2 8D.2, subsection 4A. A not-for-profit organization or
4 3 a private individual shall receive approval from the
4 4 commission prior to authorized usage as provided in
4 5 section 8D.9, subsection 5 or 6, and shall be
4 6 responsible for all costs associated with becoming a
4 7 part of the network. In establishing rates applicable
4 8 to a not-for-profit organization or a private
4 9 individual pursuant to section 8D.3, subsection 3, the
4 10 commission shall adopt by rule a rate differential
4 11 whereby authorized users submitting information on the
4 12 application required pursuant to section 8D.9,
4 13 subsections 5 and 6, shall be subject to a reduced
4 14 rate for authorized use if the following apply:
4 15 a. For a not-for-profit organization, an estimated
4 16 annual funding level or net worth of less than three
4 17 hundred fifty thousand dollars.
4 18 b. For a private individual, a residence located
4 19 in an area of a city that meets the distress criteria
4 20 provided under the enterprise zone program in section
4 21 15E.194, subsection 2.
4 22 The commission shall establish rates applicable to
4 23 not-for-profit organizations and private individuals
4 24 to whom paragraphs "a" and "b" do not apply to
4 25 compensate for the rate reduction for qualifying
4 26 organizations or individuals.>
4 27 #3. Title page, line 1, by striking the words
4 28 <franchises for>.
4 29 #4. By renumbering as necessary.
4 30
4 31
4 32
4 33 FORD of Polk
4 34 SF 554.514 82
4 35 rn/je/9379



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House Amendment 1763

PAG LIN

1 1 Amend Senate File 562, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 12, by striking lines 13 and 14 and
1 4 inserting the following: <additional safety
1 5 consultants within the consultation division of the
1 6 division of labor services.>
1 7
1 8
1 9
1 10 PAULSEN of Linn
1 11 SF 562.207 82
1 12 tm/es/9621
1 13
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House Amendment 1764

PAG LIN

1 1 Amend Senate File 554, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 12, by inserting after line 11 the
1 4 following:
1 5 <f. The franchise fee provisions of this chapter
1 6 shall apply to the provision of satellite video
1 7 services in this state. The fee shall be known as a
1 8 video services equalization tax and shall be remitted
1 9 to the municipality on the same basis as a cable
1 10 franchise fee.>
1 11
1 12
1 13
1 14 HUSER of Polk
1 15 SF 554.210 82
1 16 rn/es/9378
1 17
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House Amendment 1765

PAG LIN

1 1 Amend Senate File 551, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 2, by inserting after line 33 the
 1 4 following:
 1 5 <Sec. ____ . NATIONAL JUNIOR ANGUS ASSOCIATION.
 1 6 There is appropriated from the general fund of the
 1 7 state to the department of agriculture and land
 1 8 stewardship for the fiscal year beginning July 1,
 1 9 2007, and ending June 30, 2008, the following amount,
 1 10 or so much thereof as is necessary, to be used for the
 1 11 purpose designated:
 1 12 For allocation after July 1, 2008, to the national
 1 13 youth angus association in connection with the 2008
 1 14 national junior angus show:
 1 15 \$ 10,000
 1 16 Notwithstanding section 8.33, moneys appropriated
 1 17 in this section shall not revert but shall remain
 1 18 available to carry out the allocation provided in this
 1 19 section for the fiscal year beginning July 1, 2008 and
 1 20 ending June 30, 2009.>
 1 21 #2. By renumbering as necessary.
 1 22
 1 23
 1 24
 1 25 GRASSLEY of Butler
 1 26
 1 27
 1 28
 1 29 S. OLSON of Clinton
 1 30
 1 31
 1 32
 1 33 KAUFMANN of Cedar
 1 34 SF 551.506 82
 1 35 da/je/9209
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House Amendment 1766

PAG LIN

1 1 Amend the Senate amendment, H=1735, to House File
1 2 752, as passed by the House, as follows:
1 3 #1. Page 1, by inserting after line 4 the
1 4 following:
1 5 <<Sec. _____. 2007 Iowa Acts, Senate File 403,
1 6 section 36, if enacted, is repealed.>
1 7 #2. Page 1, line 5, by striking the word <<Sec.>
1 8 and inserting the following: <Sec.>
1 9 #3. Page 1, line 46, by striking the word
1 10 <status.> and inserting the following: <status.>
1 11 #4. Page 1, by inserting after line 46 the
1 12 following:
1 13 <Sec. _____. EFFECTIVE DATE. The section of this
1 14 Act repealing 2007 Iowa Acts, Senate File 403, section
1 15 36, if enacted, being deemed of immediate importance,
1 16 takes effect upon enactment.>>
1 17 #5. Page 1, by striking line 48 and inserting the
1 18 following: <words <road fund> the following: <, and
1 19 related matters, and providing an effective date.>>
1 20 #6. By renumbering as necessary.
1 21
1 22
1 23
1 24 RANTS of Woodbury
1 25 HF 752.301 82
1 26 dea/cf/8951
1 27
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House File 906 - Introduced

HOUSE FILE
 BY COMMITTEE ON APPROPRIATIONS
 (SUCCESSOR TO HF 517)
 (SUCCESSOR TO HSB 21)

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

A BILL FOR

- 1 An Act requiring children enrolling in elementary or high school
- 2 to have a dental screening and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1211HZ 82
- 5 nh/es/88



Iowa General Assembly
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House File 906 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 135.17 DENTAL SCREENING OF
1 2 CHILDREN.
1 3 1. a. Except as provided in paragraphs "c" and "d", the
1 4 parent or guardian of a child enrolled in elementary school
1 5 shall provide evidence to the school district or accredited
1 6 nonpublic elementary school in which the child is enrolled of
1 7 the child having, no earlier than three years of age but prior
1 8 to reaching six years of age, at a minimum, a dental screening
1 9 performed by a licensed physician as defined in chapter 148 or
1 10 150, a nurse licensed under chapter 152, a licensed physician
1 11 assistant as defined in section 148C.1, or a licensed dental
1 12 hygienist or dentist as defined in chapter 153. Except as
1 13 provided in paragraphs "c" and "d", the parent or guardian of
1 14 a child enrolled in high school shall provide evidence to the
1 15 school district or accredited nonpublic high school in which
1 16 the child is enrolled of the child having, at a minimum, a
1 17 dental screening performed within the prior year by a licensed
1 18 dental hygienist or dentist as defined in chapter 153. A
1 19 school district or accredited nonpublic school shall provide
1 20 access to a process to complete the screenings described in
1 21 this paragraph as appropriate.
1 22 b. A person performing a dental screening required by this
1 23 section shall record the fact of having conducted the
1 24 screening, and such additional information required by the
1 25 department, on uniform forms developed by the department in
1 26 cooperation with the department of education. The form shall
1 27 include a space for the person performing the screening to
1 28 summarize any condition that may indicate a need for special
1 29 services.
1 30 c. The department shall specify the procedures that
1 31 constitute a dental screening and authorize a waiver signed by
1 32 a licensed physician, nurse, physician assistant, dental
1 33 hygienist, or dentist for a person who is unduly burdened by
1 34 the screening requirement.
1 35 d. The dental screening requirement shall not apply to a



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House File 906 - Introduced continued

2 1 person who submits an affidavit signed by the person or, if
2 2 the person is a minor, the person's parent or legal guardian,
2 3 stating that the dental screening conflicts with a genuine and
2 4 sincere religious belief.

2 5 2. Each public and nonpublic school shall give notice of
2 6 the dental screening requirement to parents of students
2 7 enrolled or to be enrolled in the school at least ninety days
2 8 before the start of the school year in the manner prescribed
2 9 by the department.

2 10 3. A person may be provisionally enrolled in a public or
2 11 nonpublic elementary or high school if the person is in the
2 12 process of obtaining the required dental screening.

2 13 4. Each local board shall furnish the department, within
2 14 sixty days after the start of the school year, evidence that
2 15 each person enrolled in any public or nonpublic school within
2 16 the local board's jurisdiction has met the dental screening
2 17 requirement in this section.

2 18 5. The department shall adopt rules to administer this
2 19 section.

2 20 Sec. 2. EFFECTIVE DATE. This Act takes effect July 1,
2 21 2008.

2 22 EXPLANATION

2 23 This bill requires all children enrolled in a public or
2 24 nonpublic elementary or high school, to obtain a dental
2 25 screening. The bill requires the person performing the
2 26 screening to complete a uniform form regarding the screening
2 27 and requires the department of public health to specify the
2 28 procedures constituting a screening and to authorize a waiver
2 29 for persons who are unduly burdened by the requirement. The
2 30 screen requirement does not apply to a person who submits an
2 31 affidavit stating that the screening conflicts with a genuine
2 32 and sincere religious belief.

2 33 The bill requires schools to give notice to parents of the
2 34 screening requirement. The bill also provides for provisional
2 35 enrollment if a child is in the process of obtaining a



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House File 906 - Introduced continued

3 1 screening. Each local board of health is required to furnish
3 2 the department with evidence that all children enrolled in the
3 3 schools within the board's jurisdiction have met the screening
3 4 requirement.
3 5 The bill takes effect July 1, 2008.
3 6 LSB 1211HZ 82
3 7 nh:rj/es/88



Iowa General Assembly
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House File 907 - Introduced

HOUSE FILE
 BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 310)

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

A BILL FOR

- 1 An Act relating to and making appropriations from the healthy
- 2 Iowans tobacco trust and the tobacco settlement trust fund and
- 3 providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1137HV 82
- 6 pf/gg/14



**Iowa General Assembly
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House File 907 - Introduced continued

PAG LIN

1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS
 1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans
 1 3 tobacco trust created in section 12.65 to the following
 1 4 departments for the fiscal year beginning July 1, 2007, and
 1 5 ending June 30, 2008, the following amounts, or so much
 1 6 thereof as is necessary, to be used for the purposes
 1 7 designated:
 1 8 1. To the department of human services:
 1 9 a. To supplement the medical assistance program
 1 10 appropriations for the fiscal year, including for
 1 11 reimbursement of noninstitutional medical assistance providers
 1 12 with the exception of anesthesia and dental providers and to
 1 13 continue the resource-based relative value system of
 1 14 reimbursement based upon the reimbursement rates established
 1 15 for the fiscal year beginning July 1, 2007, and ending June
 1 16 30, 2008; for reimbursement of dental services, hospitals,
 1 17 home health care services, critical access hospitals,
 1 18 expansion of home health care services and habilitative day
 1 19 care for children with special needs, and expansion of respite
 1 20 care services provided through home and community-based
 1 21 waivers based upon the reimbursement rates established for the
 1 22 fiscal year beginning July 1, 2007, and ending June 30, 2008;
 1 23 and for provision of coverage to women who require treatment
 1 24 for breast or cervical cancer as provided in section 249A.3,
 1 25 subsection 2, paragraph "b":
 1 26 \$ 35,327,368
 1 27 Of the amount appropriated in this paragraph, \$250,000
 1 28 shall be used to continue the efforts of the Iowa chronic care
 1 29 consortium pursuant to 2003 Iowa Acts, chapter 112, section
 1 30 12, as amended by 2003 Iowa Acts, chapter 179, sections 166
 1 31 and 167.
 1 32 b. For child and family services including for
 1 33 reimbursement of adoption, independent living, shelter care,
 1 34 and home studies services providers, and other service
 1 35 providers under the purview of the department of human



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House File 907 - Introduced continued

2 1 services:
2 2 \$ 3,761,677
2 3 c. To continue supplementation of the state supplementary
2 4 assistance program including reimbursements for residential
2 5 care facilities and in-home health services:
2 6 \$ 182,381
2 7 d. For general administration of health-related programs:
2 8 \$ 274,000
2 9 2. To the Iowa department of public health:
2 10 a. For the tobacco use prevention and control initiative,
2 11 including efforts at the state and local levels, as provided
2 12 in chapter 142A and for not more than the following full-time
2 13 equivalent positions:
2 14 \$ 5,928,465
2 15 FTEs 7.00
2 16 (1) The director of public health shall dedicate
2 17 sufficient resources to promote and ensure retailer compliance
2 18 with tobacco laws and ordinances relating to persons under 18
2 19 years of age, and shall prioritize the state's compliance in
2 20 the allocation of available funds to comply with 42 U.S.C. }
2 21 300x=26 and section 453A.2.
2 22 (2) Of the full-time equivalent positions funded in this
2 23 paragraph "a", two full-time equivalent positions shall be
2 24 utilized to provide for enforcement of tobacco laws,
2 25 regulations, and ordinances under a chapter 28D agreement
2 26 entered into between the Iowa department of public health and
2 27 the alcoholic beverages division of the department of
2 28 commerce.
2 29 (3) Of the funds appropriated in this paragraph "a", not
2 30 more than \$525,759 shall be expended on administration and
2 31 management of the program.
2 32 (4) Of the funds appropriated in this paragraph "a", not
2 33 less than 80 percent of the amount expended in the fiscal year
2 34 beginning July 1, 2001, for community partnerships shall be
2 35 expended in the fiscal year beginning July 1, 2007, for that



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3 1 purpose.

3 2 b. For additional substance abuse treatment under the

3 3 substance abuse treatment program:

3 4 \$ 13,800,000

3 5 (1) The department shall use funds appropriated in this

3 6 paragraph "b" to enhance the quality of and to expand the

3 7 capacity to provide 24-hour substance abuse treatment

3 8 programs.

3 9 (2) The department shall use funds appropriated in this

3 10 paragraph "b" to expand the length of individual client

3 11 substance abuse treatment plans, as necessary to reduce

3 12 program recidivism.

3 13 (3) The department shall use funds appropriated in this

3 14 paragraph "b" to share research-based best practices for

3 15 treatment with substance abuse treatment facilities.

3 16 (4) The department shall use funds appropriated in this

3 17 paragraph "b" to develop a results-based funding approach for

3 18 substance abuse treatment services.

3 19 (5) The department shall use funds appropriated in this

3 20 paragraph "b" to develop a program to encourage individuals

3 21 who are successfully managing their substance abuse problems

3 22 to serve as role models.

3 23 (6) The department shall submit a report annually by March

3 24 1, to the governor and the general assembly delineating the

3 25 success rates of the substance abuse treatment programs that

3 26 receive funding under this paragraph "b".

3 27 c. For the healthy Iowans 2010 plan within the Iowa

3 28 department of public health and for not more than the

3 29 following full-time equivalent positions:

3 30 \$ 2,509,960

3 31 FTEs 4.00

3 32 (1) Of the funds appropriated in this paragraph "c", not

3 33 more than \$1,157,482 shall be used for essential public health

3 34 services that promote healthy aging throughout the lifespan,

3 35 contracted through a formula for local boards of health, to



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4 1 enhance health promotion and disease prevention services.
4 2 (2) Of the funds appropriated in this paragraph "c", not
4 3 more than \$387,320 shall be used for the continuation and
4 4 support of a coordinated system of delivery of trauma and
4 5 emergency medical services.
4 6 (3) Of the funds appropriated in this paragraph "c", not
4 7 more than \$600,000 shall be used for the state poison control
4 8 center.
4 9 (4) Of the funds appropriated in this paragraph "c", not
4 10 more than \$288,770 shall be used for the development of
4 11 scientific and medical expertise in environmental
4 12 epidemiology.
4 13 (5) Of the funds appropriated in this paragraph "c", not
4 14 more than \$76,388 shall be used for the childhood lead
4 15 poisoning prevention program.
4 16 d. For the automated external defibrillator grant program
4 17 established pursuant to section 135.26:
4 18 \$ 40,000
4 19 e. For the center for congenital and inherited disorders
4 20 established pursuant to section 136A.3:
4 21 \$ 26,000
4 22 f. For a grant program to provide substance abuse
4 23 prevention programming for children:
4 24 \$ 1,050,000
4 25 (1) Of the funds appropriated in this paragraph "f",
4 26 \$500,000 shall be utilized to provide funding for
4 27 organizations that provide programming for children by
4 28 utilizing mentors. Of the amount specified in this
4 29 subparagraph (1), \$25,000 shall be utilized to provide grants
4 30 to small community-based organizations that meet the
4 31 requirements of this subparagraph (1). Programs approved for
4 32 grants under this subparagraph (1) shall be certified or will
4 33 be certified within six months of receiving the grant award by
4 34 the Iowa commission on volunteer services as utilizing the
4 35 standards for effective practice for mentoring programs.



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5 1 (2) Of the funds appropriated in this paragraph "f",
 5 2 \$500,000 shall be utilized to provide funding for
 5 3 organizations that provide programming that includes youth
 5 4 development and leadership. Of the amount specified in this
 5 5 subparagraph (2), \$25,000 shall be utilized to provide grants
 5 6 to small community-based organizations that meet the
 5 7 requirements of this subparagraph (2). The programs shall
 5 8 also be recognized as being programs that are scientifically
 5 9 based with evidence of their effectiveness in reducing
 5 10 substance abuse in children.

5 11 (3) The Iowa department of public health shall utilize a
 5 12 request for proposals process to implement the program under
 5 13 this paragraph "f".

5 14 (4) All grant recipients under this paragraph "f" shall
 5 15 participate in a program evaluation as a requirement for
 5 16 receiving grant funds.

5 17 (5) Of the funds appropriated in this paragraph "f",
 5 18 \$50,000 shall be used to administer substance abuse prevention
 5 19 grants and for program evaluations.

5 20 g. For providing grants to individual patients who have
 5 21 phenylketonuria (PKU) to assist with the costs of necessary
 5 22 special foods:

5 23 \$ 100,000

5 24 h. For additional funding to leverage federal funding
 5 25 through the federal Ryan White Care Act, Title II, AIDS drug
 5 26 assistance program supplemental drug treatment grants:

5 27 \$ 275,000

5 28 i. For a grant to an existing national-affiliated
 5 29 organization to provide education, client-centered programs,
 5 30 and client and family support for people living with epilepsy
 5 31 and their families:

5 32 \$ 100,000

5 33 3. To the department of corrections:

5 34 \$ 4,006,474

5 35 a. Of the funds appropriated in this subsection, \$228,216



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6 1 is allocated to the first judicial district department of
6 2 correctional services. Of the funds allocated, \$100,000 shall
6 3 be used for community-based corrections, and \$128,216 shall be
6 4 used to replace expired federal funding for dual diagnosis
6 5 offenders.

6 6 b. Of the funds appropriated in this subsection, \$406,217
6 7 is allocated to the second judicial district department of
6 8 correctional services. Of the funds allocated, \$100,000 shall
6 9 be used for community-based corrections and \$306,217 shall be
6 10 used to replace expired federal funding for day programming
6 11 and to replace expired federal funding for the drug court
6 12 program with \$50,000 of this amount being used for substance
6 13 abuse treatment.

6 14 c. Of the funds appropriated in this subsection, \$200,359
6 15 is allocated to the third judicial district department of
6 16 correctional services. Of the funds allocated, \$100,000 shall
6 17 be used for community-based corrections, and \$100,359 shall be
6 18 used to replace expired federal funding for the drug court
6 19 program.

6 20 d. Of the funds appropriated in this subsection, \$291,731
6 21 is allocated to the fourth judicial district department of
6 22 correctional services. Of the funds allocated, \$100,000 shall
6 23 be used for community-based corrections, and \$191,731 shall be
6 24 used for the drug court program.

6 25 e. Of the funds appropriated in this subsection, \$355,693
6 26 is allocated to the fifth judicial district department of
6 27 correctional services. Of the funds allocated, \$100,000 shall
6 28 be used for community-based corrections, and \$255,693 shall be
6 29 used to replace expired federal funding for the drug court
6 30 program.

6 31 f. Of the funds appropriated in this subsection, \$494,741
6 32 is allocated to the sixth judicial district department of
6 33 correctional services. Of the funds allocated, \$100,000 shall
6 34 be used for community-based corrections, \$64,741 shall be used
6 35 to replace expired federal funding for dual diagnosis



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7 1 offenders, and \$330,000 shall be used to establish drug court
7 2 programs in Johnson and Linn counties.

7 3 g. Of the funds appropriated in this subsection, \$232,232
7 4 is allocated to the seventh judicial district department of
7 5 correctional services. Of the funds allocated, \$100,000 shall
7 6 be used for community-based corrections, and \$132,232 shall be
7 7 used to replace expired federal funding for the drug court
7 8 program.

7 9 h. Of the funds appropriated in this subsection, \$300,000
7 10 is allocated to the eighth judicial district department of
7 11 correctional services. Of the funds allocated, \$100,000 shall
7 12 be used for community-based corrections, and \$200,000 shall be
7 13 used to implement an adult drug court program.

7 14 i. Of the funds appropriated in this subsection,
7 15 \$1,497,285 is allocated to the Fort Madison correctional
7 16 facility for the clinical care unit.

7 17 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==
7 18 REIMBURSEMENT INCREASE. There is appropriated from the
7 19 healthy Iowans tobacco trust created in section 12.65 to the
7 20 property tax relief fund created in section 426B.1 for the
7 21 fiscal year beginning July 1, 2007, and ending June 30, 2008,
7 22 the following amount, or so much thereof as is necessary, to
7 23 be used for the purposes designated:

7 24 For assistance to the counties with limited county mental
7 25 health, mental retardation, and developmental disabilities
7 26 services fund balances which were selected in accordance with
7 27 2000 Iowa Acts, chapter 1221, section 3, to receive such
7 28 assistance in the same amount provided during the fiscal year
7 29 beginning July 1, 2000, and ending June 30, 2001, to pay
7 30 reimbursement increases in accordance with 2000 Iowa Acts,
7 31 chapter 1221, section 3:
7 32 \$ 146,750

7 33 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from
7 34 the healthy Iowans tobacco trust created in section 12.65, to
7 35 the Iowa empowerment fund created in section 28.9 for the



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8 1 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 8 2 for deposit in the school ready children grants account:
 8 3 \$ 2,153,250
 8 4 Sec. 4. IOWA COMMISSION ON VOLUNTEER SERVICES. There is
 8 5 appropriated from the healthy Iowans tobacco trust created in
 8 6 section 12.65 to the department of economic development for
 8 7 the fiscal year beginning July 1, 2007, and ending June 30,
 8 8 2008, the following amount, or so much thereof as is
 8 9 necessary, to be used for the purpose designated:
 8 10 For allocation to the Iowa commission on volunteer services
 8 11 for the Iowa's promise and mentoring partnership program and
 8 12 for not more than the following full-time equivalent
 8 13 positions:
 8 14 \$ 125,000
 8 15 FTEs 1.00
 8 16 Sec. 5. DEPARTMENT OF EDUCATION. There is appropriated
 8 17 from the healthy Iowans tobacco trust created in section
 8 18 12.65, to the department of education for the fiscal year
 8 19 beginning July 1, 2007, and ending June 30, 2008, the
 8 20 following amount, or so much thereof as is necessary, to be
 8 21 used for the purpose designated:
 8 22 To continue the competitive grants program to expand the
 8 23 availability of before and after school programs as provided
 8 24 in section 256.26, if enacted by the Eighty-second General
 8 25 Assembly, 2007 Session:
 8 26 \$ 305,000
 8 27 Sec. 6. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.
 8 28 In addition to the amount transferred pursuant to section
 8 29 12E.12, subsection 1, paragraph "b", subparagraph (2),
 8 30 subparagraph subdivision (b), \$9,100,000 is transferred from
 8 31 the endowment for Iowa's health account of the tobacco
 8 32 settlement trust fund created in section 12E.12 to the healthy
 8 33 Iowans tobacco trust created in section 12.65 for the fiscal
 8 34 year beginning July 1, 2007, and ending June 30, 2008.
 8 35 Sec. 7. 2006 Iowa Acts, chapter 1181, section 1,



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9 1 subsection 2, paragraph e, is amended to read as follows:
 9 2 e. For the automated external defibrillator grant program
 9 3 established pursuant to section 135.26:
 9 4 \$ 350,000
 9 5 Notwithstanding section 8.33, moneys appropriated in this
 9 6 paragraph "e" that remain unencumbered or unobligated at the
 9 7 close of the fiscal year shall not revert but shall remain
 9 8 available for expenditure for the purpose designated until the
 9 9 close of the succeeding fiscal year.

9 10 Sec. 8. EFFECTIVE DATE. The section of this Act amending
 9 11 2006 Iowa Acts, chapter 1181, being deemed of immediate
 9 12 importance, takes effect upon enactment.

9 13 EXPLANATION

9 14 This bill relates to and makes appropriations from the
 9 15 healthy Iowans tobacco trust to the following departments for
 9 16 fiscal year 2007=2008:

9 17 To the department of human services:

9 18 1. To supplement the medical assistance appropriation
 9 19 including reimbursement for all noninstitutional providers
 9 20 with the exception of anesthesia and dental providers and for
 9 21 continuation of the resource-based relative value system; for
 9 22 reimbursement for dental services, hospitals, home health
 9 23 agencies, critical access hospitals, the expansion of home
 9 24 health care services and habilitative day care services, for
 9 25 children with special needs, and expansion of respite care
 9 26 services provided through home and community-based services
 9 27 waivers; and for provision of coverage to women who require
 9 28 treatment for breast or cervical cancer. A portion of the
 9 29 funds are to be used to continue the chronic care consortium.

9 30 2. For child and family services including for
 9 31 reimbursement of adoption, independent living, shelter care,
 9 32 and home studies services providers, and other service
 9 33 providers under the purview of the department of human
 9 34 services.

9 35 3. For supplementation of the state supplementary



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10 1 assistance program.
10 2 4. For general administration of health-related programs.
10 3 To the Iowa department of public health:
10 4 1. For the tobacco use prevention and control initiative
10 5 and for additional substance abuse treatment.
10 6 2. For development of a healthy Iowans 2010 plan for the
10 7 following purposes: for essential public health services that
10 8 promote healthy aging throughout the lifespan, contracted
10 9 through a formula by local boards of health, to enhance health
10 10 promotion and disease prevention services; for the
10 11 implementation and support of a coordinated system of delivery
10 12 of trauma and emergency medical services; for the poison
10 13 control center; for development of scientific and medical
10 14 expertise in environmental epidemiology; and for the childhood
10 15 lead poisoning prevention program.
10 16 3. For the automated external defibrillator grant program.
10 17 4. For the center for congenital and inherited disorders.
10 18 5. For a grant program to provide substance abuse
10 19 prevention programming for children with specific criteria.
10 20 6. For a grant program for individuals with
10 21 phenylketonuria (PKU).
10 22 7. For leveraging of federal funds under the federal Ryan
10 23 White Care Act.
10 24 8. For a grant to provide education, programming, and
10 25 support for people living with epilepsy and their families.
10 26 To the department of corrections: for community-based
10 27 corrections, day programming, the drug court program, and for
10 28 the Fort Madison correctional facility for the clinical care
10 29 unit.
10 30 The bill appropriates funds for fiscal year 2007=2008 to
10 31 the property tax relief fund for the fiscal year beginning
10 32 July 1, 2007, and ending June 30, 2008, for assistance to
10 33 counties with limited county mental health, mental
10 34 retardation, and developmental disabilities services fund
10 35 balances to pay reimbursement increases in the same amount as



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11 1 provided in the fiscal year beginning July 1, 2000, and ending
11 2 June 30, 2001.

11 3 The bill appropriates funds to the Iowa empowerment fund
11 4 for the fiscal year beginning July 1, 2007, and ending June
11 5 30, 2008, for deposit in the school ready children grants
11 6 account.

11 7 The bill appropriates funds to the department of economic
11 8 development for fiscal year 2007=2008 for allocation to the
11 9 Iowa commission on volunteer services for the Iowa's promise
11 10 and mentoring partnership program.

11 11 The bill appropriates funds to the department of education
11 12 to continue the competitive grants program to expand the
11 13 availability of before and after school programs.

11 14 The bill provides for the transfer of additional funds from
11 15 the endowment for Iowa's health account to the healthy Iowans
11 16 tobacco trust for the fiscal year beginning July 1, 2007, and
11 17 ending June 30, 2008.

11 18 The bill provides for the nonreversion of the appropriation
11 19 for fiscal year 2006=2007 for the automated external
11 20 defibrillator grant program made in 2006 Iowa Acts, chapter
11 21 1181. This provision takes effect upon enactment.

11 22 LSB 1137HV 82

11 23 pf:mg/gg/14



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HOUSE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO HF 839)
(SUCCESSOR TO HF 377)

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

A BILL FOR

1 An Act relating to the licensing and regulation of plumbers and
2 mechanical professionals, and providing an appropriation and
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TL5B 1688HZ 82
6 jr/je/5



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PAG LIN

1 1 Section 1. NEW SECTION. 104C.1 TITLE.
1 2 This chapter may be known and cited as the "Iowa Plumber
1 3 and Mechanical Professional Licensing Act".
1 4 Sec. 2. NEW SECTION. 104C.2 DEFINITIONS.
1 5 As used in this chapter, unless the context otherwise
1 6 requires:
1 7 1. "Apprentice" means any person, other than a helper,
1 8 journeyperson, or master, who, as a principal occupation, is
1 9 engaged in working as an employee of a plumbing, HVAC,
1 10 refrigeration, or hydronic systems contractor under the
1 11 supervision of either a master or a journeyperson and is
1 12 learning and assisting in the design, installation, and repair
1 13 of plumbing, HVAC, refrigeration, or hydronic systems, as
1 14 applicable.
1 15 2. "Board" means the plumbing and mechanical systems
1 16 examining board as established pursuant to section 104C.3.
1 17 3. "Contractor" means a person or entity that provides
1 18 plumbing, HVAC, refrigeration, or hydronic systems services on
1 19 a contractual basis and who is paid a predetermined amount
1 20 under that contract for rendering those services.
1 21 4. "Department" means the Iowa department of public
1 22 health.
1 23 5. "Governmental subdivision" means any city, county, or
1 24 combination thereof.
1 25 6. "Helper" means a person engaged in general manual labor
1 26 activities who provides assistance to an apprentice,
1 27 journeyperson, or master while under the supervision of a
1 28 journeyperson or master.
1 29 7. "HVAC" means heating, ventilation, and air conditioning
1 30 in ducted systems. "HVAC" includes all natural, propane,
1 31 liquid propane, or other gas lines associated with any
1 32 component of an HVAC system.
1 33 8. "Hydronic" means a heating or cooling system that
1 34 transfers heating or cooling by circulating fluid through a
1 35 closed system, including boilers, pressure vessels,



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2 1 refrigerated equipment in connection with chilled water
2 2 systems, all steam piping, hot or chilled water piping
2 3 together with all control devices and accessories, installed
2 4 as part of, or in connection with, any comfort heating or
2 5 comfort cooling system or appliance using a liquid water or
2 6 steam as the heating or cooling media. "Hydronic" includes
2 7 all low-pressure and high-pressure systems.
2 8 9. "Journey person" means any person, other than a master,
2 9 who, as a principal occupation, is engaged as an employee of,
2 10 or otherwise working under the direction of, a master in the
2 11 design, installation, and repair of plumbing, HVAC,
2 12 refrigeration, or hydronic systems, as applicable.
2 13 10. "Master" means any person who works in the planning or
2 14 superintending of the design, installation, or repair of
2 15 plumbing, HVAC, refrigeration, or hydronic systems and is
2 16 otherwise lawfully qualified to conduct the business of
2 17 plumbing, HVAC, refrigeration, or hydronic systems, and who is
2 18 familiar with the laws and rules governing the same.
2 19 11. "Mechanical professional" means a person engaged in
2 20 the HVAC, refrigeration, or hydronic industry.
2 21 12. "Mechanical systems" means HVAC, refrigeration, and
2 22 hydronic systems.
2 23 13. "Medical gas piping" means a permanent fixed piping
2 24 system in a health care facility which is used to convey
2 25 oxygen, nitrous oxide, nitrogen, carbon dioxide, helium,
2 26 medical air, and mixtures of these gases from its source to
2 27 the point of use and includes the fixed piping associated with
2 28 a medical, surgical, or gas scavenging vacuum system, as well
2 29 as a bedside suction system.
2 30 14. "Medical gas system installer" means any person who
2 31 installs or repairs medical gas piping, components, and vacuum
2 32 systems, including brazers, who has been issued a valid
2 33 certification from the national inspection testing
2 34 certification (NITC) corporation, or an equivalent authority
2 35 approved by the board.



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3 1 15. "Plumbing" means all potable water building supply and
3 2 distribution pipes, all plumbing fixtures and traps, all
3 3 drainage and vent pipes, and all building drains and building
3 4 sewers, storm sewers, and storm drains, including their
3 5 respective joints and connections, devices, receptors, and
3 6 appurtenances within the property lines of the premises, and
3 7 including the connection to sanitary sewer, storm sewer, and
3 8 domestic water mains. "Plumbing" includes potable water
3 9 piping, potable water treating or using equipment, medical gas
3 10 piping systems, fuel gas piping, water heaters and vents,
3 11 including all natural, propane, liquid propane, or other gas
3 12 lines associated with any component of a plumbing system.

3 13 16. "Refrigeration" means any system of refrigeration
3 14 regardless of the level of power, if such refrigeration is
3 15 intended to be used for the purpose of food and product
3 16 preservation and is not intended to be used for comfort
3 17 systems.

3 18 Sec. 3. NEW SECTION. 104C.3 PLUMBING AND MECHANICAL
3 19 SYSTEMS EXAMINING BOARD.

3 20 1. A plumbing and mechanical systems examining board is
3 21 created within the Iowa department of public health.

3 22 2. The examining board shall be comprised of eleven
3 23 members, appointed by the governor, as follows:

3 24 a. The director of the Iowa department of public health or
3 25 the commissioner's designee.

3 26 b. The commissioner of the Iowa department of public
3 27 safety or the director's designee.

3 28 c. One plumbing inspector.

3 29 d. One mechanical inspector.

3 30 e. A contractor who primarily works in rural areas.

3 31 f. An individual licensed as a journeyman plumber
3 32 pursuant to the provisions of this chapter or, for the initial
3 33 membership of the board, an individual eligible for such
3 34 licensure.

3 35 g. An individual working as a plumbing contractor and



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4 1 licensed as a master plumber pursuant to the provisions of
4 2 this chapter or, for the initial membership of the board, an
4 3 individual eligible for such licensure.

4 4 h. Two individuals licensed as journeyperson mechanical
4 5 professionals pursuant to the provisions of this chapter or,
4 6 for the initial membership of the board, two individuals
4 7 eligible for such licensure.

4 8 i. Two individuals licensed as master mechanical
4 9 professionals pursuant to the provisions of this chapter or,
4 10 for the initial membership of the board, two individuals
4 11 eligible for such licensure. One of these individuals shall
4 12 be a mechanical systems contractor.

4 13 The board members enumerated in paragraphs "c" through "i"
4 14 are subject to confirmation by the senate.

4 15 The terms of the two plumber representatives on the board
4 16 shall not expire on the same date, and one of the two plumber
4 17 representatives on the board shall at all times while serving
4 18 on the board be affiliated with a labor union while the other
4 19 shall at all times while serving on the board not be
4 20 affiliated with a labor union.

4 21 The terms of the mechanical professional representatives on
4 22 the board shall not expire on the same date, and at least one
4 23 of the mechanical professional representatives on the board
4 24 shall at all times while serving on the board be affiliated
4 25 with a labor union while at least one of the other mechanical
4 26 professional representatives shall at all times while serving
4 27 on the board not be affiliated with a labor union.

4 28 3. Members shall serve three-year terms except for the
4 29 terms of the initial members, which shall be staggered so that
4 30 three members' terms expire each calendar year. A member of
4 31 the board shall serve no more than three full terms. A
4 32 vacancy in the membership of the board shall be filled by
4 33 appointment by the governor subject to senate confirmation.

4 34 4. If a person who has been appointed to serve on the
4 35 board has ever been disciplined by the board, all board



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5 1 complaints and statements of charges, settlement agreements,
5 2 findings of fact, and orders pertaining to the disciplinary
5 3 action shall be made available to the senate committee to
5 4 which the appointment is referred at the committee's request
5 5 before the full senate votes on the person's appointment.

5 6 5. The board shall organize annually and shall select a
5 7 chairperson and a secretary from its membership. A quorum
5 8 shall consist of a majority of the members of the board.

5 9 6. Members of the board shall receive actual expenses for
5 10 their duties as a member of the examining board. Each member
5 11 of the board may also be eligible to receive compensation as
5 12 provided in section 7E.6.

5 13 7. The board may maintain a membership in any national
5 14 organization of state examining boards for the professions of
5 15 plumbing, HVAC, refrigeration, or hydronic professionals, with
5 16 all membership fees to be paid from funds appropriated to the
5 17 board.

5 18 Sec. 4. NEW SECTION. 104C.4 RULES.

5 19 The board shall adopt all rules necessary to carry out the
5 20 licensing and other provisions of this chapter.

5 21 Sec. 5. NEW SECTION. 104C.5 APPLICATIONS FOR
5 22 EXAMINATIONS.

5 23 Any person desiring to take an examination for a license
5 24 issued pursuant to this chapter shall make application to the
5 25 board at least fifteen days before the examination, on a form
5 26 provided by the board. The application shall be accompanied
5 27 by the examination fee and such documents and affidavits as
5 28 are necessary to show the eligibility of the candidate to take
5 29 the examination. All applications shall be in accordance with
5 30 the rules of the department and the board and shall be signed
5 31 by the applicant. The board may require that a recent
5 32 photograph of the applicant be attached to the application.

5 33 Sec. 6. NEW SECTION. 104C.6 EXAMINATIONS.

5 34 1. The board shall give public notice of the time and
5 35 place of all examinations to be held under this chapter. Such



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6 1 notice shall be given in such manner as the board deems
6 2 necessary to provide adequate time to allow all candidates for
6 3 licensure to comply with the provisions of this chapter.

6 4 2. Examinations for the licenses which may be issued
6 5 pursuant to this chapter shall be conducted at least two times
6 6 per year at such time and location as the department may fix
6 7 in cooperation with the board. Applicants who fail to pass an
6 8 examination shall be allowed to retake the examination at the
6 9 next scheduled time. Any subsequent opportunities to take the
6 10 examination are available only at the discretion of the board.
6 11 An applicant who has failed an examination may request in
6 12 writing information from the board concerning the examination
6 13 grade and subject areas or questions where the applicant
6 14 failed to answer correctly, except that if the board
6 15 administers a uniform, standardized examination, the board
6 16 shall only be required to provide the examination grade and
6 17 such other information concerning the applicant's examination
6 18 results which are available to the board.

6 19 3. Prior to each examination, the department shall
6 20 transmit to the board the list of candidates who are eligible
6 21 to take the examinations to be given by the board. In making
6 22 up such list, the department may call upon the board, or any
6 23 member thereof, for information relative to the eligibility of
6 24 any applicant.

6 25 4. An examination shall be evaluated in accordance with
6 26 the rules of the board. After each examination, the board
6 27 shall certify the names of the successful applicants to the
6 28 department in the manner prescribed by the department. The
6 29 department shall then issue the proper license and make the
6 30 required entry in the registry book.

6 31 5. All matters connected with an examination for a license
6 32 shall be filed with the department and preserved for such
6 33 period of time as specified by the state records commission as
6 34 a part of the records of the department. The records, except
6 35 for records which reveal the performance of identified



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7 1 candidates, shall be open to public inspection.
7 2 Sec. 7. NEW SECTION. 104C.7 EXAMINATION RULES.
7 3 The board shall adopt rules relating to all of the
7 4 following:
7 5 1. The qualifications required for applicants seeking to
7 6 take examinations, which qualifications shall include a
7 7 requirement that an applicant who is a contractor shall be
7 8 required to provide the contractor's state contractor
7 9 registration number.
7 10 2. The denial of applicants seeking to take examinations.
7 11 3. The conducting of examinations.
7 12 4. The grading of examinations and passing upon the
7 13 technical qualifications of applicants, as shown by such
7 14 examinations.
7 15 5. The minimum scores required for passing standardized
7 16 examinations.
7 17 6. The selection of nationally recognized vendors
7 18 providing examinations.
7 19 Sec. 8. NEW SECTION. 104C.8 EXAMINATION ASSISTANCE.
7 20 Upon the request of the board, the department shall assign
7 21 one or more employees of the department to assist with any
7 22 examination given by the board. A member of the board shall
7 23 be present and shall have charge of all candidates during the
7 24 examination. An employee assigned by the department shall
7 25 perform such duties to assist with the examination process as
7 26 the board may direct. If the duties of such employees are
7 27 performed away from the seat of government, the employees
7 28 shall receive necessary travel expenses, which shall be paid
7 29 from the appropriations to the board in the same manner in
7 30 which other similar expenses are paid. The department shall
7 31 be reimbursed by the board for costs incurred.
7 32 Sec. 9. NEW SECTION. 104C.9 FEES.
7 33 1. The board shall set the fees for the examination of all
7 34 applicants, by rule, which fees shall be based upon the cost
7 35 of administering the examinations.



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8 1 2. The board shall set the license fees and renewal fees
8 2 for all licenses issued pursuant to this chapter, by rule,
8 3 based upon the costs of sustaining the board and the actual
8 4 costs of licensing.

8 5 3. All fees collected under this chapter shall be retained
8 6 by the board. The moneys retained by the board shall be used
8 7 for any of the board's duties under this chapter, including
8 8 but not limited to the addition of full-time equivalent
8 9 positions for program services and investigations. Revenues
8 10 retained by the board pursuant to this section shall be
8 11 considered repayment receipts as defined in section 8.2.
8 12 Notwithstanding section 8.33, moneys retained by the board
8 13 pursuant to this section are not subject to reversion to the
8 14 general fund of the state.

8 15 4. Nothing in this chapter shall be interpreted to
8 16 prohibit the state or any of its governmental subdivisions
8 17 from charging construction permit fees or inspection fees
8 18 related to work performed by plumbers and mechanical
8 19 professionals.

8 20 Sec. 10. NEW SECTION. 104C.10 LICENSE OR CERTIFICATION
8 21 REQUIRED.

8 22 1. Except as provided in section 104C.11, a person shall
8 23 not install or repair plumbing, HVAC, refrigeration, or
8 24 hydronic systems without obtaining a license issued by the
8 25 board, or install or repair medical gas piping systems without
8 26 obtaining a valid certification approved by the board.

8 27 2. Except as provided in section 104C.11, a person shall
8 28 not engage in the business of designing, installing, or
8 29 repairing plumbing, HVAC, refrigeration, or hydronic systems
8 30 unless at all times a licensed master, who shall be
8 31 responsible for the proper designing, installing, and
8 32 repairing of the HVAC, refrigeration, or hydronic system, is
8 33 employed by the person and is actively in charge of the
8 34 plumbing, HVAC, refrigeration, or hydronic work of the person.
8 35 An individual who performs such work pursuant to a business



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9 1 operated as a sole proprietorship shall be a licensed master
9 2 in the applicable discipline.
9 3 Sec. 11. NEW SECTION. 104C.11 CHAPTER INAPPLICABILITY.
9 4 The provisions of this chapter shall not be construed to do
9 5 any of the following:
9 6 1. Apply to a person licensed as an engineer pursuant to
9 7 chapter 542B, registered as an architect pursuant to chapter
9 8 544A, or licensed as a landscape architect pursuant to chapter
9 9 544B who provides consultations or develops plans or other
9 10 work concerning plumbing, HVAC, refrigeration, or hydronic
9 11 work who is exclusively engaged in the practice of the
9 12 person's profession.
9 13 2. Require employees of municipal corporations, electric
9 14 membership or cooperative associations, public utility
9 15 corporations, rural water associations or districts,
9 16 railroads, or commercial or industrial companies performing
9 17 manufacturing, installation, service, or repair work for such
9 18 employer to hold licenses while acting within the scope of
9 19 their employment.
9 20 3. Prohibit an owner of property from performing work on
9 21 the owner's principal residence, if such residence is an
9 22 existing dwelling rather than new construction and is not
9 23 larger than a single-family dwelling, or farm property,
9 24 excluding commercial or industrial installations or
9 25 installations in public use buildings or facilities, or
9 26 require such owner to be licensed under this chapter. In
9 27 order to qualify for inapplicability pursuant to this
9 28 subsection, a residence shall qualify for the homestead tax
9 29 exemption. The provisions of this chapter shall also not be
9 30 construed to prohibit an owner or operator of a health care
9 31 facility licensed pursuant to chapter 135C, assisted living
9 32 center licensed pursuant to chapter 231C, hospital licensed
9 33 pursuant to chapter 135B, adult day care center licensed
9 34 pursuant to chapter 231D, or a retirement facility certified
9 35 pursuant to chapter 523D from performing work on the facility



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10 1 or require such owner or operator to be licensed under this
10 2 chapter.
10 3 4. Require that any person be a member of a labor union in
10 4 order to be licensed.
10 5 5. Apply to a person who is qualified pursuant to
10 6 administrative rules relating to the storage and handling of
10 7 liquefied petroleum gases while engaged in installing,
10 8 servicing, testing, replacing, or maintaining propane gas
10 9 utilization equipment, or gas piping systems of which the
10 10 equipment is a part, and related or connected accessory
10 11 systems or equipment necessary to the operation of the
10 12 equipment.
10 13 6. Apply to a person who meets the requirements for a
10 14 certified well contractor pursuant to section 455B.190A while
10 15 engaged in installing, servicing, testing, replacing, or
10 16 maintaining a water system, water well, well pump, or well
10 17 equipment, or piping systems of which the equipment is a part,
10 18 and related or connected accessory systems or equipment
10 19 necessary to the operation of the water well.
10 20 7. Require a helper engaged in general manual labor
10 21 activities while providing assistance to an apprentice,
10 22 journeyperson, or master to obtain a plumbing, HVAC,
10 23 refrigeration, or hydronic license. Experience as a helper
10 24 shall not be considered as practical experience for a
10 25 journeyperson license.
10 26 8. Apply to a person who is performing work subject to
10 27 chapter 100C.
10 28 Sec. 12. NEW SECTION. 104C.12 FORM OF LICENSE.
10 29 A plumbing, HVAC, refrigeration, or hydronic license shall
10 30 be in the form of a certificate under the seal of the
10 31 department, signed by the Iowa director of public health, and
10 32 shall be issued in the name of the board. The number of the
10 33 book and page of the registry containing the entry of the
10 34 license in the office of the department shall be noted on the
10 35 face of the license.



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11 1 Sec. 13. NEW SECTION. 104C.13 LICENSE PRESUMPTIVE
11 2 EVIDENCE.
11 3 A license issued under this chapter shall be presumptive
11 4 evidence of the right of the holder to practice in this state
11 5 the profession specified.
11 6 Sec. 14. NEW SECTION. 104C.14 DISPLAY OF MASTER LICENSE.
11 7 A person holding a master license under this chapter shall
11 8 keep the license publicly displayed in the primary place in
11 9 which the person practices.
11 10 Sec. 15. NEW SECTION. 104C.15 REGISTRY OF LICENSES.
11 11 The name, location, and number of years of practice of the
11 12 person to whom the license has been issued, the number of the
11 13 certificate, and the date of registration thereof shall be
11 14 entered in a registry kept in the office of the department to
11 15 be known as the plumbing, HVAC, refrigeration, or hydronic
11 16 registry. The registry shall be open to public inspection;
11 17 however, the home address of the licensee shall be
11 18 confidential.
11 19 Sec. 16. NEW SECTION. 104C.16 CHANGE OF RESIDENCE.
11 20 If a person licensed to practice as a plumbing, HVAC,
11 21 refrigeration, or hydronic professional under this chapter
11 22 changes their residence or place of practice, the person shall
11 23 so notify the department.
11 24 Sec. 17. NEW SECTION. 104C.17 PREEMPTION OF LOCAL
11 25 LICENSING REQUIREMENTS.
11 26 1. The provisions of this chapter regarding the licensing
11 27 of plumbing, HVAC, refrigeration, and hydronic professionals
11 28 shall supersede and preempt all plumbing, HVAC, refrigeration,
11 29 or hydronic licensing provisions of all governmental
11 30 subdivisions. On and after the effective date of this Act,
11 31 all plumbing and mechanical licensing provisions promulgated
11 32 by any governmental subdivision shall be null and void, except
11 33 reciprocal licenses as provided in section 104C.21, and of no
11 34 further force and effect, and a governmental subdivision may
11 35 not prohibit a plumbing, HVAC, refrigeration, or hydronic



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12 1 professional licensed pursuant to this chapter from performing
12 2 services for which that person is licensed pursuant to this
12 3 chapter.

12 4 2. Nothing in this chapter shall prohibit a governmental
12 5 subdivision from assessing and collecting permit fees or
12 6 inspection fees related to work performed by plumbers and
12 7 mechanical professionals.

12 8 Sec. 18. NEW SECTION. 104C.18 QUALIFICATIONS AND TYPES
12 9 OF LICENSES ISSUED.

12 10 1. GENERAL QUALIFICATIONS. The board shall adopt, by
12 11 rule, general qualifications for licensure. The board may
12 12 consider the past felony record of an applicant only if the
12 13 felony conviction relates directly to the practice of the
12 14 profession for which the applicant requests to be licensed.
12 15 Character references may be required as part of the licensing
12 16 process, but shall not be obtained from licensed members of
12 17 the plumbing or mechanical profession.

12 18 2. PLUMBING, HVAC, REFRIGERATION, AND HYDRONIC LICENSES.
12 19 The board shall issue separate licenses for plumbing, HVAC,
12 20 refrigeration, and hydronic professionals as follows:

12 21 a. Apprentice license. In order to be licensed by the
12 22 department as an apprentice, a person shall do all of the
12 23 following:

12 24 (1) File an application, which application shall establish
12 25 that the person meets the minimum requirements adopted by the
12 26 board.

12 27 (2) Certify that the person will work under the
12 28 supervision of a licensed journeyman or master in the
12 29 applicable discipline.

12 30 (3) Be enrolled in an applicable apprentice program which
12 31 is registered with the United States department of labor
12 32 office of apprenticeship or a successor agency.

12 33 b. Journeyman license. In order to be licensed by the
12 34 department as a journeyman in the applicable discipline, a
12 35 person shall do all of the following:



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13 1 (1) File an application and pay application fees as
13 2 established by the board, which application shall establish
13 3 that the person meets the minimum educational and experience
13 4 requirements adopted by the board.
13 5 (2) Pass the state journeyman licensing examination in
13 6 the applicable discipline.
13 7 (3) Provide the board with evidence of having completed at
13 8 least four years of practical experience as an apprentice.
13 9 c. Master license. In order to be licensed by the
13 10 department as a master, a person shall do all of the
13 11 following:
13 12 (1) File an application and pay application fees as
13 13 established by the board, which application shall establish
13 14 that the person meets the minimum educational and experience
13 15 requirements adopted by the board.
13 16 (2) Pass the state master licensing examination for the
13 17 applicable discipline.
13 18 (3) Provide evidence to the examining board that the
13 19 person has previously been a licensed journeyman in the
13 20 applicable discipline or satisfies all requirements required
13 21 to be licensed as a journeyman in the applicable
13 22 discipline.
13 23 (4) Provide evidence of public liability insurance
13 24 pursuant to section 104C.19.
13 25 3. COMBINED LICENSES. The department may issue single or
13 26 combined licenses to persons who qualify as a master,
13 27 journeyman, or apprentice under any of the disciplines.
13 28 4. WAIVER. Notwithstanding section 17A.9A, the board
13 29 shall waive the written examination requirements set forth in
13 30 this section for a journeyman or master license if the
13 31 applicant meets either of the following requirements:
13 32 a. The applicant meets both of the following requirements:
13 33 (1) The applicant has previously passed a written
13 34 examination which the board deems to be substantially similar
13 35 to the licensing examination otherwise required by the board



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14 1 to obtain the applicable license.

14 2 (2) The applicant has completed at least eight classroom
14 3 hours of continuing education in courses or seminars approved
14 4 by the board within the two-year period immediately preceding
14 5 the date of the applicant's license application.

14 6 b. The applicant can demonstrate to the satisfaction of
14 7 the board that the applicant has five or more years of
14 8 experience prior to the effective date of this Act in the
14 9 plumbing, HVAC, refrigeration, or hydronic business, as
14 10 applicable, which experience is of a nature that the board
14 11 deems to be sufficient to demonstrate continuous professional
14 12 competency consistent with that expected of an individual who
14 13 passes the applicable licensing examination which the
14 14 applicant would otherwise be required to pass.

14 15 Sec. 19. NEW SECTION. 104C.19 INSURANCE AND SURETY BOND
14 16 REQUIREMENTS.

14 17 1. An applicant for a master license or renewal of an
14 18 active master license shall provide evidence of a public
14 19 liability insurance policy and surety bond in an amount
14 20 determined sufficient by the board by rule.

14 21 2. If the applicant is engaged in plumbing, HVAC,
14 22 refrigeration, or hydronic work individually through a
14 23 business conducted as a sole proprietorship, the applicant
14 24 shall personally obtain the insurance and surety bond required
14 25 by this section. If the applicant is engaged in the plumbing,
14 26 HVAC, refrigeration, or hydronic business as an employee or
14 27 owner of a legal entity, then the insurance and surety bond
14 28 required by this section shall be obtained by the entity and
14 29 shall cover all plumbing or mechanical work performed by the
14 30 entity.

14 31 3. The insurance and surety bond shall be written by an
14 32 entity licensed to do business in this state and each licensed
14 33 master shall maintain on file with the department a
14 34 certificate evidencing the insurance providing that the
14 35 insurance or surety bond shall not be canceled without the



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15 1 entity first giving fifteen days written notice to the
15 2 department.
15 3 Sec. 20. NEW SECTION. 104C.20 RENEWAL AND REINSTATEMENT
15 4 OF LICENSES == FEES AND PENALTIES == CONTINUING EDUCATION.
15 5 1. A license issued pursuant to this chapter shall be
15 6 issued for a term of two years.
15 7 2. A license issued under this chapter may be renewed as
15 8 provided by rule adopted by the board upon application by the
15 9 licensee, without examination. Applications for renewal shall
15 10 be made in writing to the department accompanied by the
15 11 required renewal licensing fee at least thirty days prior to
15 12 the expiration date of the license.
15 13 3. A renewal license shall be displayed in connection with
15 14 the original license.
15 15 4. The department shall notify each licensee by mail at
15 16 least sixty days prior to the expiration of a license.
15 17 5. Failure to renew a license within a reasonable time
15 18 after the expiration of the license shall not invalidate the
15 19 license, but a reasonable penalty may be assessed as adopted
15 20 by rule, in addition to the license renewal fee, to allow
15 21 reinstatement of the license.
15 22 6. A licensee who allows a license to lapse for a period
15 23 of one month or less may reinstate and renew the license
15 24 without examination upon the recommendation of the board and
15 25 upon payment of the applicable renewal and reinstatement fees.
15 26 7. A licensee who allows a license to lapse for a period
15 27 of time greater than one month is required to retake and pass
15 28 the applicable licensing examination in order to obtain
15 29 reinstatement and renewal of that person's license.
15 30 8. The board shall establish continuing education
15 31 requirements pursuant to section 272C.2. The basic continuing
15 32 education requirement for renewal of a license shall be the
15 33 completion, during the immediately preceding license term, of
15 34 the number of classroom hours of instruction required by the
15 35 board in courses or seminars which have been approved by the



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16 1 board. The board shall require at least eight classroom hours
16 2 of instruction during each two-year licensing term.

16 3 Sec. 21. NEW SECTION. 104C.21 RECIPROCAL LICENSES.

16 4 The board may license without examination a nonresident
16 5 applicant who is licensed under plumbing, HVAC, refrigeration,
16 6 or hydronic professional licensing statutes of another state
16 7 having similar licensing requirements as those set forth in
16 8 this chapter and the rules adopted under this chapter if the
16 9 other state grants the same reciprocal licensing privileges to
16 10 residents of Iowa who have obtained Iowa plumbing or
16 11 mechanical professional licenses under this chapter. The
16 12 department and the board shall adopt the necessary rules, not
16 13 inconsistent with the law, for carrying out the reciprocal
16 14 relations with other states which are authorized by this
16 15 chapter.

16 16 Sec. 22. NEW SECTION. 104C.22 GROUNDS FOR DENIAL,
16 17 REVOCATION, OR SUSPENSION OF LICENSE.

16 18 A license to practice as a plumbing, HVAC, refrigeration,
16 19 or hydronic professional may be revoked or suspended, or an
16 20 application for licensure may be denied pursuant to procedures
16 21 established pursuant to chapter 272C by the board, or the
16 22 licensee may be otherwise disciplined in accordance with that
16 23 chapter, when the licensee commits any of the following acts
16 24 or offenses:

16 25 1. Fraud in procuring a license.

16 26 2. Professional incompetence.

16 27 3. Knowingly making misleading, deceptive, untrue, or
16 28 fraudulent misrepresentations in the practice of the
16 29 profession or engaging in unethical conduct or practice
16 30 harmful or detrimental to the public. Proof of actual injury
16 31 need not be established.

16 32 4. Conviction of a felony related to the profession or
16 33 occupation of the licensee or the conviction of any felony
16 34 that would affect the licensee's ability to practice within
16 35 the profession. A copy of the record or conviction or plea of



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17 1 guilty shall be conclusive evidence of such conviction.
17 2 5. Fraud in representations as to skill or ability.
17 3 6. Use of untruthful or improbable statements in
17 4 advertisements.
17 5 7. Willful or repeated violations of this chapter.
17 6 8. Aiding and abetting a person who is not licensed
17 7 pursuant to this chapter in that person's pursuit of an
17 8 unauthorized and unlicensed plumbing, HVAC, refrigeration, or
17 9 hydronic professional practice.
17 10 9. Failure to meet the commonly accepted standards of
17 11 professional competence.
17 12 10. Any other such grounds as established by rule by the
17 13 board.
17 14 Sec. 23. NEW SECTION. 104C.23 JURISDICTION OF REVOCATION
17 15 AND SUSPENSION PROCEEDINGS.
17 16 The board shall have exclusive jurisdiction of all
17 17 proceedings to revoke or suspend a license issued pursuant to
17 18 this chapter. The board may initiate proceedings under this
17 19 chapter or chapter 272C, following procedures set out in
17 20 section 272C.6, either on its own motion or on the complaint
17 21 of any person. Before scheduling a hearing, the board may
17 22 request the department to conduct an investigation into the
17 23 charges to be addressed at the board hearing. The department
17 24 shall report its findings to the board.
17 25 Sec. 24. NEW SECTION. 104C.24 NOTICE AND DEFAULT.
17 26 1. A written notice stating the nature of the charge or
17 27 charges against a licensee and the time and place of the
17 28 hearing before the board on the charges shall be served on the
17 29 licensee not less than thirty days prior to the date of
17 30 hearing either personally or by mailing a copy by certified
17 31 mail to the last known address of the licensee.
17 32 2. If, after having been served with the notice of
17 33 hearing, the licensee fails to appear at the hearing, the
17 34 board may proceed to hear evidence against the licensee and
17 35 may enter such order as is justified by the evidence.



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18 1 Sec. 25. NEW SECTION. 104C.25 ADVERTISING == VIOLATIONS
18 2 == PENALTIES.

18 3 1. Only a person who is duly licensed pursuant to this
18 4 chapter may advertise the fact that the person is licensed as
18 5 a plumbing, HVAC, refrigeration, or hydronic professional by
18 6 the state of Iowa.

18 7 2. All written advertisements distributed in this state by
18 8 a person who is engaged in the business of designing,
18 9 installing, or repairing plumbing, HVAC, refrigeration, or
18 10 hydronic systems shall include the listing of at least one
18 11 master license number, as applicable. A master plumbing,
18 12 HVAC, refrigeration, or hydronic professional shall not allow
18 13 the master's license number to be used in connection with the
18 14 advertising for more than one person engaged in the business
18 15 of designing, installing, or repairing plumbing, HVAC,
18 16 refrigeration, or hydronic systems.

18 17 3. A person who fraudulently claims to be a licensed
18 18 plumbing, HVAC, refrigeration, or hydronic professional
18 19 pursuant to this chapter, either in writing, cards, signs,
18 20 circulars, advertisements, or other communications, is guilty
18 21 of a simple misdemeanor.

18 22 4. A person who fraudulently lists a master plumbing,
18 23 HVAC, refrigeration, or hydronic license number in connection
18 24 with that person's advertising or falsely displays a master
18 25 plumbing, HVAC, refrigeration, or hydronic professional
18 26 license number is guilty of a simple misdemeanor. In order to
18 27 be entitled to use a license number of a master plumbing,
18 28 HVAC, refrigeration, or hydronic professional, the master
18 29 plumbing, HVAC, refrigeration, or hydronic professional must
18 30 be employed by the person in whose name the business of
18 31 designing, installing, or repairing plumbing or mechanical
18 32 systems is being conducted.

18 33 Sec. 26. NEW SECTION. 104C.26 INJUNCTION.

18 34 A person engaging in any business or in the practice of any
18 35 profession for which a license is required by this chapter



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19 1 without such license may be restrained by injunction.
19 2 Sec. 27. NEW SECTION. 104C.27 PENALTY.
19 3 A person violating any provision of this chapter, if a
19 4 specific penalty is not otherwise provided, is guilty of a
19 5 simple misdemeanor for the first offense. Each subsequent
19 6 offense is a serious misdemeanor.
19 7 Sec. 28. NEW SECTION. 104C.28 ENFORCEMENT.
19 8 The department shall enforce the provisions of this chapter
19 9 and for that purpose may request the department of inspections
19 10 and appeals to make necessary investigations. Every licensee
19 11 and member of the board shall furnish the department or the
19 12 department of inspections and appeals such evidence as the
19 13 licensee or member may have relative to any alleged violation
19 14 which is being investigated.
19 15 Sec. 29. NEW SECTION. 104C.29 REPORT OF VIOLATORS.
19 16 Every licensee and every member of the board shall report
19 17 to the department the name of every person who is practicing
19 18 as a plumber or mechanical professional without a license
19 19 issued pursuant to this chapter pursuant to the knowledge or
19 20 reasonable belief of the person making the report.
19 21 Sec. 30. NEW SECTION. 104C.30 ATTORNEY GENERAL AND
19 22 COUNTY ATTORNEY.
19 23 Upon request of the department, the attorney general shall
19 24 institute in the name of the state the proper proceedings
19 25 against any person charged by the department with violating
19 26 any provision of this chapter and the county attorney, at the
19 27 request of the attorney general, shall appear and prosecute
19 28 such action when brought in the county attorney's county.
19 29 Sec. 31. Section 272C.1, subsection 6, Code 2007, is
19 30 amended by adding the following new paragraph:
19 31 NEW PARAGRAPH. ae. The plumbing and mechanical systems
19 32 examining board, created pursuant to chapter 104C.
19 33 Sec. 32. Section 272C.3, subsection 2, paragraph a, Code
19 34 2007, is amended to read as follows:
19 35 a. Revoke a license, or suspend a license either until



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20 1 further order of the board or for a specified period, upon any
20 2 of the grounds specified in section 104C.22, 147.55, 148.6,
20 3 148B.7, 152.10, 153.34, 154A.24, 169.13, 455B.219, 542.10,
20 4 542B.21, 543B.29, 544A.13, 544B.15, or 602.3203 or chapter 151
20 5 or 155, as applicable, or upon any other grounds specifically
20 6 provided for in this chapter for revocation of the license of
20 7 a licensee subject to the jurisdiction of that board, or upon
20 8 failure of the licensee to comply with a decision of the board
20 9 imposing licensee discipline;

20 10 Sec. 33. Section 272C.4, subsection 6, Code 2007, is
20 11 amended to read as follows:

20 12 6. Define by rule acts or omissions that are grounds for
20 13 revocation or suspension of a license under section 104C.22,
20 14 147.55, 148.6, 148B.7, 152.10, 153.34, 154A.24, 169.13,
20 15 455B.219, 542.10, 542B.21, 543B.29, 544A.13, 544B.15, or
20 16 602.3203 or chapter 151 or 155, as applicable, and to define
20 17 by rule acts or omissions that constitute negligence, careless
20 18 acts, or omissions within the meaning of section 272C.3,
20 19 subsection 2, paragraph "b", which licensees are required to
20 20 report to the board pursuant to section 272C.9, subsection 2;

20 21 Sec. 34. Section 272C.5, subsection 2, paragraph c, Code
20 22 2007, is amended to read as follows:

20 23 c. Shall state whether the procedures are an alternative
20 24 to or an addition to the procedures stated in sections 104C.23
20 25 and 104C.24, 147.58 through 147.71, 148.6 through 148.9,
20 26 152.10, 152.11, 153.33, 154A.23, 542.11, 542B.22, 543B.35,
20 27 543B.36, and 544B.16.

20 28 EXPLANATION

20 29 This bill establishes a license for persons who provide
20 30 plumbing, heating, ventilation, and air conditioning (HVAC)
20 31 services performed in ducted systems, all gas lines associated
20 32 with any component of a plumbing or mechanical system, or
20 33 services performed on refrigeration or hydronic systems.

20 34 The bill supersedes and preempts all licensing requirements
20 35 of government subdivisions that relate to plumbing, HVAC,



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21 1 refrigeration, or hydronic services.

21 2 The bill establishes a licensing board to test, license,
21 3 and discipline persons licensed under the bill. The board is
21 4 created as part of the Iowa department of public health, which
21 5 is required to provide staff support for board operations.

21 6 Licenses come in three categories and vary according to
21 7 experience: apprentice, journey person, and master. Master
21 8 licensees must present proof of liability insurance as a
21 9 condition of licensure.

21 10 The bill limits advertising for plumbing, HVAC,
21 11 refrigeration, or hydronic services to persons licensed.

21 12 The bill provides that any violation of the new Code
21 13 chapter is a simple misdemeanor for a first offense, and a
21 14 serious misdemeanor for any subsequent offense.

21 15 LSB 1688HZ 82

21 16 jr:nh/je/5



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House File 909 - Introduced

HOUSE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 301)

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

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services and including other related provisions and
3 appropriations, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1130HV 82
6 pf/gg/14



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1 1 DIVISION I
 1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS
 1 3 ELDER AFFAIRS
 1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
 1 5 appropriated from the general fund of the state to the
 1 6 department of elder affairs for the fiscal year beginning July
 1 7 1, 2007, and ending June 30, 2008, the following amount, or so
 1 8 much thereof as is necessary, to be used for the purposes
 1 9 designated:
 1 10 For aging programs for the department of elder affairs and
 1 11 area agencies on aging to provide citizens of Iowa who are 60
 1 12 years of age and older with case management for the frail
 1 13 elderly only if the monthly cost per client for case
 1 14 management for the frail elderly services provided does not
 1 15 exceed an average of \$70, resident advocate committee
 1 16 coordination, employment, and other services which may include
 1 17 but are not limited to adult day services, respite care, chore
 1 18 services, telephone reassurance, information and assistance,
 1 19 and home repair services, and for the construction of entrance
 1 20 ramps which make residences accessible to the physically
 1 21 handicapped, and for salaries, support, administration,
 1 22 maintenance, and miscellaneous purposes and for not more than
 1 23 the following full-time equivalent positions:
 1 24 \$ 4,723,306
 1 25 FTEs 34.50
 1 26 1. Funds appropriated in this section may be used to
 1 27 supplement federal funds under federal regulations. To
 1 28 receive funds appropriated in this section, a local area
 1 29 agency on aging shall match the funds with moneys from other
 1 30 sources according to rules adopted by the department. Funds
 1 31 appropriated in this section may be used for elderly services
 1 32 not specifically enumerated in this section only if approved
 1 33 by an area agency on aging for provision of the service within
 1 34 the area.
 1 35 2. Of the funds appropriated in this section, \$2,788,223



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2 1 shall be used for case management for the frail elderly. Of
2 2 the funds allocated in this subsection, \$1,385,015 shall be
2 3 transferred to the department of human services in equal
2 4 amounts on a quarterly basis for reimbursement of case
2 5 management services provided under the medical assistance
2 6 elderly waiver. The department of human services shall adopt
2 7 rules for case management services provided under the medical
2 8 assistance elderly waiver in consultation with the department
2 9 of elder affairs. The monthly cost per client for case
2 10 management for the frail elderly services provided shall not
2 11 exceed an average of \$70.

2 12 3. Of the funds appropriated in this section, \$200,198
2 13 shall be transferred to the department of economic development
2 14 for the Iowa commission on volunteer services to be used for
2 15 the retired and senior volunteer program.

2 16 4. Of the funds appropriated in this section, \$130,000
2 17 shall be used to fund two additional long-term care resident's
2 18 advocate positions.

2 19 5. Of the funds appropriated in this section, \$15,000 is
2 20 allocated for costs associated with the Alzheimer's disease
2 21 task force established pursuant to 2007 Iowa Acts, Senate File
2 22 489, if enacted.

2 23 6. Of the funds appropriated in this subsection, \$250,000
2 24 shall be used for implementation of the substitute decision
2 25 maker Act pursuant to chapter 231E, to establish the state
2 26 office.

2 27 HEALTH

2 28 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
2 29 appropriated from the general fund of the state to the
2 30 department of public health for the fiscal year beginning July
2 31 1, 2007, and ending June 30, 2008, the following amounts, or
2 32 so much thereof as is necessary, to be used for the purposes
2 33 designated:

2 34 1. ADDICTIVE DISORDERS

2 35 For reducing the prevalence of use of tobacco, alcohol, and



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3 1 other drugs, and treating individuals affected by addictive
3 2 behaviors, including gambling and for not more than the
3 3 following full-time equivalent positions:
3 4 \$ 1,971,890
3 5 FTEs 4.35
3 6 The requirement of section 123.53, subsection 3, is met by
3 7 the appropriations made in this Act for purposes of addictive
3 8 disorders for the fiscal year beginning July 1, 2007.
3 9 2. HEALTHY CHILDREN AND FAMILIES
3 10 For promoting the optimum health status for children,
3 11 adolescents from birth through 21 years of age, and families,
3 12 and for not more than the following full-time equivalent
3 13 positions:
3 14 \$ 2,469,438
3 15 FTEs 12.95
3 16 a. Of the funds appropriated in this subsection, not more
3 17 than \$645,917 shall be used for the healthy opportunities to
3 18 experience success (HOPES)=healthy familiesIowa (HFI) program
3 19 established pursuant to section 135.106. The department shall
3 20 transfer the funding allocated for the HOPES=HFI program to
3 21 the Iowa empowerment board for distribution and shall assist
3 22 the board in managing the contracting for the funding. The
3 23 funding shall be distributed to renew the grants that were
3 24 provided to the grantees that operated the program during the
3 25 fiscal year ending June 30, 2007.
3 26 b. Of the funds appropriated in this subsection, \$325,000
3 27 shall be used to continue to address the healthy mental
3 28 development of children from birth through five years of age
3 29 through local evidence-based strategies that engage both the
3 30 public and private sectors in promoting healthy development,
3 31 prevention, and treatment for children.
3 32 c. Of the funds appropriated in this subsection, \$100,000
3 33 is allocated for distribution to the children's hospital of
3 34 Iowa mother's milk bank.
3 35 3. CHRONIC CONDITIONS



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4 1 For serving individuals identified as having chronic
 4 2 conditions or special health care needs and for not more than
 4 3 the following full-time equivalent positions:
 4 4 \$ 1,742,840
 4 5 FTEs 4.30
 4 6 4. COMMUNITY CAPACITY
 4 7 For strengthening the health care delivery system at the
 4 8 local level and for not more than the following full-time
 4 9 equivalent positions:
 4 10 \$ 1,758,147
 4 11 FTEs 10.75
 4 12 a. Of the funds appropriated in this subsection, \$100,000
 4 13 is allocated for a child vision screening program implemented
 4 14 through the university of Iowa hospitals and clinics in
 4 15 collaboration with community empowerment areas.
 4 16 b. Of the funds appropriated in this subsection, \$159,700
 4 17 is allocated for an initiative implemented at the university
 4 18 of Iowa and \$140,300 is allocated for an initiative at the
 4 19 state mental health institute at Cherokee to expand and
 4 20 improve the workforce engaged in mental health treatment and
 4 21 services. The initiatives shall receive input from the
 4 22 university of Iowa, the department of human services, the
 4 23 department of public health, and the mental health, mental
 4 24 retardation, developmental disabilities, and brain injury
 4 25 commission to address the focus of the initiatives. The
 4 26 department of human services, the department of public health,
 4 27 and the commission shall receive regular updates concerning
 4 28 the status of the initiatives.
 4 29 5. ELDERLY WELLNESS
 4 30 For promotion of healthy aging and optimization of the
 4 31 health of older adults:
 4 32 \$ 9,233,985
 4 33 6. ENVIRONMENTAL HAZARDS
 4 34 For reducing the public's exposure to hazards in the
 4 35 environment, primarily chemical hazards, and for not more than



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5 1 the following full-time equivalent positions:
5 2 \$ 747,960
5 3 FTEs 1.75
5 4 Of the funds appropriated in this subsection, \$121,000
5 5 shall be used for implementation and administration of 2007
5 6 Iowa Acts, House File 158, if enacted, relating to blood lead
5 7 testing of children.
5 8 7. INFECTIOUS DISEASES
5 9 For reducing the incidence and prevalence of communicable
5 10 diseases and for not more than the following full-time
5 11 equivalent positions:
5 12 \$ 1,640,571
5 13 FTEs 5.75
5 14 a. Of the funds appropriated in this subsection, \$100,000
5 15 shall be used to fund the position of a bureau chief for the
5 16 center for acute disease epidemiology (CADE).
5 17 b. Of the funds appropriated in this subsection, an
5 18 increase of \$260,608 is provided for the purchasing of
5 19 vaccines for immunizations.
5 20 8. PUBLIC PROTECTION
5 21 For protecting the health and safety of the public through
5 22 establishing standards and enforcing regulations and for not
5 23 more than the following full-time equivalent positions:
5 24 \$ 2,591,333
5 25 FTEs 125.90
5 26 a. Of the funds appropriated in this subsection, \$643,500
5 27 shall be credited to the emergency medical services fund
5 28 created in section 135.25. Moneys in the emergency medical
5 29 services fund are appropriated to the department to be used
5 30 for the purposes of the fund.
5 31 b. Of the funds appropriated in this subsection, \$23,810
5 32 shall be used as additional funding for the office of the
5 33 state medical examiner.
5 34 c. Of the funds appropriated in this subsection, \$10,000
5 35 shall be used to provide additional funding for



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6 1 supplementation of current efforts utilizing a national
 6 2 nonprofit organization to provide Iowa's information and
 6 3 referral database for health and human services 211 system.
 6 4 d. Of the funds appropriated in this subsection, \$150,000
 6 5 shall be used for management of the antiviral stockpile.
 6 6 e. Of the funds appropriated in this subsection, \$100,000
 6 7 shall be used for an increase in sexual violence prevention
 6 8 programming through a statewide organization representing
 6 9 programs serving victims of sexual violence through the
 6 10 department's sexual violence prevention program. In addition,
 6 11 \$162,522 and any other amount remaining in the hospital trust
 6 12 fund created in section 249I.4, Code 2005, on July 1, 2007,
 6 13 are appropriated to the department of public health to be used
 6 14 for the purposes of this paragraph "e". The amounts provided
 6 15 pursuant to this paragraph "e" shall not be used to supplant
 6 16 funding administered for other sexual violence prevention or
 6 17 victims assistance programs.

6 18 9. RESOURCE MANAGEMENT

6 19 For establishing and sustaining the overall ability of the
 6 20 department to deliver services to the public and for not more
 6 21 than the following full-time equivalent positions:

6 22	\$ 1,195,557
6 23	FTEs 6.00

6 24 Of the funds appropriated in this subsection, \$150,150
 6 25 shall be used for administration of tobacco-related programs.

6 26 The university of Iowa hospitals and clinics under the
 6 27 control of the state board of regents shall not receive
 6 28 indirect costs from the funds appropriated in this section.

6 29 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

6 30 1. In lieu of the appropriation made in section 135.150,
 6 31 subsection 1, there is appropriated from funds available in
 6 32 the gambling treatment fund created in section 135.150 to the
 6 33 department of public health for the fiscal year beginning July
 6 34 1, 2007, and ending June 30, 2008, the following amount, or so
 6 35 much thereof as is necessary, to be used for the purposes



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7 1 designated:
 7 2 To be utilized for the benefit of persons with addictions:
 7 3 \$ 2,190,000
 7 4 The amount appropriated in this subsection for addictive
 7 5 disorders reflects an increase from the funding remaining in
 7 6 the gambling treatment fund from the carryforward of
 7 7 appropriations made for addictive disorders in previous fiscal
 7 8 years.
 7 9 It is the intent of the general assembly that from the
 7 10 moneys appropriated in this subsection, persons with a dual
 7 11 diagnosis of substance abuse and gambling addictions shall be
 7 12 given priority in treatment services.
 7 13 2. The amount remaining in the gambling treatment fund
 7 14 after the appropriation made in subsection 1 is appropriated
 7 15 to the department to be used for funding of administrative
 7 16 costs and to provide programs which may include but are not
 7 17 limited to outpatient and follow-up treatment for persons
 7 18 affected by problem gambling, rehabilitation and residential
 7 19 treatment programs, information and referral services,
 7 20 education and preventive services, and financial management
 7 21 services. Of the amount appropriated in this subsection, up
 7 22 to \$100,000 may be used for the licensing of gambling
 7 23 treatment programs as provided in section 135.150.
 7 24 DEPARTMENT OF VETERANS AFFAIRS
 7 25 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
 7 26 appropriated from the general fund of the state to the
 7 27 department of veterans affairs for the fiscal year beginning
 7 28 July 1, 2007, and ending June 30, 2008, the following amounts,
 7 29 or so much thereof as is necessary, to be used for the
 7 30 purposes designated:
 7 31 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
 7 32 For salaries, support, maintenance, and miscellaneous
 7 33 purposes, including the war orphans educational assistance
 7 34 fund established pursuant to section 35.8 and for not more
 7 35 than the following full-time equivalent positions:



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8 1 \$ 863,457
 8 2 FTEs 12.00
 8 3 Of the amount appropriated in this subsection, \$50,000 is
 8 4 allocated for implementation of the veterans counseling
 8 5 program established pursuant to section 35.12, if enacted by
 8 6 2007 Iowa Acts, House File 817.
 8 7 2. IOWA VETERANS HOME
 8 8 For salaries, support, maintenance, and miscellaneous
 8 9 purposes and for not more than the following full-time
 8 10 equivalent positions:
 8 11 \$ 15,030,248
 8 12 FTEs 909.33
 8 13 3. VETERANS TRUST FUND
 8 14 To be credited to the veterans trust fund created in
 8 15 section 35A.13:
 8 16 \$ 1,500,000
 8 17 Of the amount appropriated in this subsection, \$150,000 is
 8 18 transferred and appropriated to the department of cultural
 8 19 affairs to be used to establish a conservation lab facility in
 8 20 the state archives to preserve the civil war muster rolls,
 8 21 including two full-time equivalent positions in addition to
 8 22 any other positions authorized for the department.
 8 23 4. COUNTY GRANT PROGRAM FOR VETERANS
 8 24 For providing matching grants to counties to provide
 8 25 improved services to veterans:
 8 26 \$ 750,000
 8 27 The department shall establish or continue a grant
 8 28 application process and shall require each county applying for
 8 29 a grant to submit a plan for utilizing the grant to improve
 8 30 services for veterans. The maximum matching grant to be
 8 31 awarded to a county shall be \$10,000 and the amount awarded
 8 32 shall be matched on a dollar-for-dollar basis by the county.
 8 33 Each county receiving a grant shall submit a report to the
 8 34 department identifying the impact of the grant on increasing
 8 35 services to veterans as specified by the department. The



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9 1 department shall submit a report to the general assembly by
9 2 October 1, 2008, concerning the impact of the grant program on
9 3 services to veterans.

9 4 5. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED
9 5 VETERANS

9 6 For educational assistance pursuant to section 35.9:
9 7 \$ 27,000

9 8 Sec. 5. VETERANS TRUST FUND. Notwithstanding section
9 9 35A.13, there is appropriated from the veterans trust fund
9 10 established in section 35A.13 to the department of veterans
9 11 affairs for the fiscal year beginning July 1, 2007, and ending
9 12 June 30, 2008, the following amount, or so much thereof as is
9 13 necessary, for the purpose designated:

9 14 For transfer to the Iowa finance authority to be used for
9 15 continuation of the home ownership assistance program for
9 16 persons who are or were eligible members of the armed forces
9 17 of the United States, implemented pursuant to 2005 Iowa Acts,
9 18 chapter 161, section 1, subsection 5, and amended by 2005 Iowa
9 19 Acts, chapter 115, section 37, as amended by 2006 Iowa Acts,
9 20 chapter 1167, section 4:
9 21 \$ 2,000,000

9 22 Of the funds appropriated in this section, the Iowa finance
9 23 authority may retain not more than \$20,000 for administrative
9 24 purposes.

9 25 Of the amount transferred to the Iowa finance authority
9 26 pursuant to this section, not more than \$50,000 shall be
9 27 transferred to the department of public defense to be used for
9 28 the enduring families program.

9 29 Notwithstanding section 35A.13, subsection 5, for the
9 30 fiscal year beginning July 1, 2007, the minimum balance of the
9 31 veterans trust fund required prior to expenditure of moneys
9 32 from the veterans trust fund is \$4,000,000. Once the minimum
9 33 balance is reached, the interest and earnings on the trust
9 34 fund and any moneys received under section 35A.13, subsection
9 35 3, paragraph "a", are appropriated to the department to be



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11 1 self=sufficiency grant program as provided under section
 11 2 217.12 and this division of this Act:
 11 3 \$ 2,998,675
 11 4 4. For field operations:
 11 5 \$ 17,707,495
 11 6 5. For general administration:
 11 7 \$ 3,744,000
 11 8 6. For local administrative costs:
 11 9 \$ 2,189,830
 11 10 7. For state child care assistance:
 11 11 \$ 18,986,177
 11 12 a. Of the funds appropriated in this subsection, \$200,000
 11 13 shall be used for provision of educational opportunities to
 11 14 registered child care home providers in order to improve
 11 15 services and programs offered by this category of providers
 11 16 and to increase the number of providers. The department may
 11 17 contract with institutions of higher education or child care
 11 18 resource and referral centers to provide the educational
 11 19 opportunities. Allowable administrative costs under the
 11 20 contracts shall not exceed 5 percent. The application for a
 11 21 grant shall not exceed two pages in length.
 11 22 b. The funds appropriated in this subsection shall be
 11 23 transferred to the child care and development block grant
 11 24 appropriation.
 11 25 8. For mental health and developmental disabilities
 11 26 community services:
 11 27 \$ 4,894,052
 11 28 9. For child and family services:
 11 29 \$ 32,084,430
 11 30 10. For child abuse prevention grants:
 11 31 \$ 250,000
 11 32 11. For pregnancy prevention grants on the condition that
 11 33 family planning services are funded:
 11 34 \$ 1,930,067
 11 35 Pregnancy prevention grants shall be awarded to programs in



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12 1 existence on or before July 1, 2007, if the programs are
 12 2 comprehensive in scope and have demonstrated positive
 12 3 outcomes. Grants shall be awarded to pregnancy prevention
 12 4 programs which are developed after July 1, 2007, if the
 12 5 programs are comprehensive in scope and are based on existing
 12 6 models that have demonstrated positive outcomes. Grants shall
 12 7 comply with the requirements provided in 1997 Iowa Acts,
 12 8 chapter 208, section 14, subsections 1 and 2, including the
 12 9 requirement that grant programs must emphasize sexual
 12 10 abstinence. Priority in the awarding of grants shall be given
 12 11 to programs that serve areas of the state which demonstrate
 12 12 the highest percentage of unplanned pregnancies of females of
 12 13 childbearing age within the geographic area to be served by
 12 14 the grant.

12 15 12. For technology needs and other resources necessary to
 12 16 meet federal welfare reform reporting, tracking, and case
 12 17 management requirements:
 12 18 \$ 1,037,186

12 19 13. For the healthy opportunities for parents to
 12 20 experience success (HOPES) program administered by the
 12 21 department of public health to target child abuse prevention:
 12 22 \$ 200,000

12 23 14. To be credited to the state child care assistance
 12 24 appropriation made in this section to be used for funding of
 12 25 community-based early childhood programs targeted to children
 12 26 from birth through five years of age, developed by community
 12 27 empowerment areas as provided in section 28.9:
 12 28 \$ 7,350,000

12 29 The department shall transfer TANF block grant funding
 12 30 appropriated and allocated in this subsection to the child
 12 31 care and development block grant appropriation in accordance
 12 32 with federal law as necessary to comply with the provisions of
 12 33 this subsection.

12 34 15. For a pilot program to be established in one or more
 12 35 judicial districts, selected by the department and the



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13 1 judicial council, to provide employment and support services
 13 2 to delinquent child support obligors as an alternative to
 13 3 commitment to jail as punishment for contempt of court:
 13 4 \$ 200,000
 13 5 Of the amounts appropriated in this section, \$12,962,008
 13 6 for the fiscal year beginning July 1, 2007, shall be
 13 7 transferred to the appropriation of the federal social
 13 8 services block grant for that fiscal year. If the federal
 13 9 government revises requirements to reduce the amount that may
 13 10 be transferred to the federal social services block grant, it
 13 11 is the intent of the general assembly to act expeditiously
 13 12 during the 2008 legislative session to adjust appropriations
 13 13 or the transferred amount or take other actions to address the
 13 14 reduced amount.
 13 15 The department may transfer funds allocated in this section
 13 16 to the appropriations in this Act for general administration
 13 17 and field operations for resources necessary to implement and
 13 18 operate the services referred to in this section and those
 13 19 funded in the appropriation made in this division of this Act
 13 20 for the family investment program from the general fund.
 13 21 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.
 13 22 1. Moneys credited to the family investment program (FIP)
 13 23 account for the fiscal year beginning July 1, 2007, and ending
 13 24 June 30, 2008, shall be used to provide assistance in
 13 25 accordance with chapter 239B.
 13 26 2. The department may use a portion of the moneys credited
 13 27 to the FIP account under this section as necessary for
 13 28 salaries, support, maintenance, and miscellaneous purposes.
 13 29 3. The department may transfer funds allocated in this
 13 30 section to the appropriations in this Act for general
 13 31 administration and field operations for resources necessary to
 13 32 implement and operate the services referred to in this section
 13 33 and those funded in the appropriation made in this division of
 13 34 this Act for the family investment program from the general
 13 35 fund of the state.



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14 1 4. Moneys appropriated in this division of this Act and
 14 2 credited to the FIP account for the fiscal year beginning July
 14 3 1, 2007, and ending June 30, 2008, are allocated as follows:
 14 4 a. To the department of human rights for staffing,
 14 5 administration, and implementation of the family development
 14 6 and self-sufficiency grant program as provided under section
 14 7 217.12:
 14 8 \$ 5,583,042
 14 9 (1) Of the funds allocated for the family development and
 14 10 self-sufficiency grant program in this lettered paragraph, not
 14 11 more than 5 percent of the funds shall be used for the
 14 12 administration of the grant program.
 14 13 (2) The department may continue to implement the family
 14 14 development and self-sufficiency grant program statewide
 14 15 during FY 2007=2008.
 14 16 (3) The department of human rights shall adopt appropriate
 14 17 performance measures for the program and provide the
 14 18 department of human services with information necessary for
 14 19 compliance with federal temporary assistance for needy
 14 20 families block grant requirements.
 14 21 b. For the diversion subaccount of the FIP account:
 14 22 \$ 2,814,000
 14 23 (1) A portion of the moneys allocated for the subaccount
 14 24 may be used for field operations salaries, data management
 14 25 system development, and implementation costs and support
 14 26 deemed necessary by the director of human services in order to
 14 27 administer the FIP diversion program.
 14 28 (2) Of the funds allocated in this lettered paragraph, not
 14 29 more than \$250,000 shall be used to develop or continue
 14 30 community-level parental obligation pilot projects. The
 14 31 requirements established under 2001 Iowa Acts, chapter 191,
 14 32 section 3, subsection 5, paragraph "c", subparagraph (3),
 14 33 shall remain applicable to the parental obligation pilot
 14 34 projects for fiscal year 2007=2008. Notwithstanding 441 IAC
 14 35 100.8, providing for termination of rules relating to the



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15 1 pilot projects the earlier of October 1, 2006, or when
 15 2 legislative authority is discontinued, the rules relating to
 15 3 the pilot projects shall remain in effect until June 30, 2008.
 15 4 c. For developing and implementing a new program to
 15 5 provide transitional benefits to families with members who are
 15 6 employed at the time the family leaves the family investment
 15 7 program in accordance with section 239B.11A, as enacted by
 15 8 this Act:
 15 9 \$ 2,000,000
 15 10 The department may adopt emergency rules to implement the
 15 11 new program.
 15 12 d. For the food stamp employment and training program:
 15 13 \$ 68,059
 15 14 e. For the JOBS program:
 15 15 \$ 23,968,628
 15 16 5. Of the child support collections assigned under FIP, an
 15 17 amount equal to the federal share of support collections shall
 15 18 be credited to the child support recovery appropriation. Of
 15 19 the remainder of the assigned child support collections
 15 20 received by the child support recovery unit, a portion shall
 15 21 be credited to the FIP account and a portion may be used to
 15 22 increase recoveries. If child support collections assigned
 15 23 under the family investment program are greater than estimated
 15 24 or are otherwise determined not to be required for maintenance
 15 25 of effort, the state share of either amount may be transferred
 15 26 to or retained in the child support payments account.
 15 27 6. The department may adopt emergency rules for the family
 15 28 investment, JOBS, family development and self-sufficiency
 15 29 grant, food stamp, and medical assistance programs if
 15 30 necessary to comply with federal requirements.
 15 31 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
 15 32 appropriated from the general fund of the state to the
 15 33 department of human services for the fiscal year beginning
 15 34 July 1, 2007, and ending June 30, 2008, the following amount,
 15 35 or so much thereof as is necessary, to be used for the purpose



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16 1 designated:
16 2 To be credited to the family investment program (FIP)
16 3 account and used for family investment program assistance
16 4 under chapter 239B:
16 5 \$ 42,608,263
16 6 1. Of the funds appropriated in this section, \$8,975,588
16 7 is allocated for the JOBS program.
16 8 2. Of the funds appropriated in this section, \$2,584,367
16 9 is allocated for the family development and self-sufficiency
16 10 grant program as provided under section 217.12 and this
16 11 division of this Act.
16 12 3. Of the funds appropriated in this section, \$200,000
16 13 shall be used to continue a grant to an Iowa-based nonprofit
16 14 organization with a history of providing tax preparation
16 15 assistance to low-income Iowans in order to expand the usage
16 16 of the earned income tax credit. The purpose of the grant is
16 17 to supply this assistance to underserved areas of the state.
16 18 The grant shall be provided to an organization that has
16 19 existing national foundation support for supplying such
16 20 assistance that can also secure local charitable match
16 21 funding.
16 22 4. Notwithstanding section 8.39, for the fiscal year
16 23 beginning July 1, 2007, if necessary to meet federal
16 24 maintenance of effort requirements or to transfer federal
16 25 temporary assistance for needy families block grant funding to
16 26 be used for purposes of the federal social services block
16 27 grant or to meet cash flow needs resulting from delays in
16 28 receiving federal funding or to implement, in accordance with
16 29 this division of this Act, activities currently funded with
16 30 juvenile court services, county, or community moneys and state
16 31 moneys used in combination with such moneys, the department of
16 32 human services may transfer funds within or between any of the
16 33 appropriations made in this division of this Act and
16 34 appropriations in law for the federal social services block
16 35 grant to the department for the following purposes, provided



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17 1 that the combined amount of state and federal temporary
 17 2 assistance for needy families block grant funding for each
 17 3 appropriation remains the same before and after the transfer:
 17 4 a. For the family investment program.
 17 5 b. For child care assistance.
 17 6 c. For child and family services.
 17 7 d. For field operations.
 17 8 e. For general administration.
 17 9 f. MH/MR/DD/BI community services (local purchase).
 17 10 This subsection shall not be construed to prohibit existing
 17 11 state transfer authority for other purposes. The department
 17 12 shall report any transfers made pursuant to this subsection to
 17 13 the legislative services agency.
 17 14 5. The department of human services shall collaborate with
 17 15 the department of workforce development in reviewing the
 17 16 policy, programs, and services available to support positive
 17 17 involvement of noncustodial fathers of the children
 17 18 participating in the family investment program. The review
 17 19 shall include but is not limited to consideration of job and
 17 20 educational services, financial management education, the
 17 21 needs of noncustodial fathers, and other means designed to
 17 22 encourage positive noncustodial father involvement with family
 17 23 investment program families. The department shall report on
 17 24 or before December 15, 2007, concerning the review, providing
 17 25 findings and recommendations, to the persons designated by
 17 26 this Act to receive reports.
 17 27 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
 17 28 from the general fund of the state to the department of human
 17 29 services for the fiscal year beginning July 1, 2007, and
 17 30 ending June 30, 2008, the following amount, or so much thereof
 17 31 as is necessary, to be used for the purposes designated:
 17 32 For child support recovery, including salaries, support,
 17 33 maintenance, and miscellaneous purposes and for not more than
 17 34 the following full-time equivalent positions:
 17 35 \$ 9,760,098



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18 1 FTEs 508.00
 18 2 1. The department shall expend up to \$31,000, including
 18 3 federal financial participation, for the fiscal year beginning
 18 4 July 1, 2007, for a child support public awareness campaign.
 18 5 The department and the office of the attorney general shall
 18 6 cooperate in continuation of the campaign. The public
 18 7 awareness campaign shall emphasize, through a variety of media
 18 8 activities, the importance of maximum involvement of both
 18 9 parents in the lives of their children as well as the
 18 10 importance of payment of child support obligations.
 18 11 2. Federal access and visitation grant moneys shall be
 18 12 issued directly to private not-for-profit agencies that
 18 13 provide services designed to increase compliance with the
 18 14 child access provisions of court orders, including but not
 18 15 limited to neutral visitation sites and mediation services.
 18 16 3. Beginning October 1, 2007, and notwithstanding chapter
 18 17 252C, 252F, or 252H, or any other applicable chapter, either
 18 18 parent may be ordered to provide medical support in accordance
 18 19 with the federal Deficit Reduction Act of 2005, Pub. L. No.
 18 20 109-171.
 18 21 4. The appropriation made to the department for child
 18 22 support recovery may be used throughout the fiscal year in the
 18 23 manner necessary for purposes of cash flow management, and for
 18 24 cash flow management, the department may temporarily draw more
 18 25 than the amount appropriated, provided the amount appropriated
 18 26 is not exceeded at the close of the fiscal year. If the
 18 27 department determines that the appropriation made in this
 18 28 section is insufficient to sustain cash assistance payments
 18 29 and to meet federal maintenance of effort requirements, the
 18 30 department shall seek supplemental funding.
 18 31 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from
 18 32 the general fund of the state to the department of human
 18 33 services for the fiscal year beginning July 1, 2007, and
 18 34 ending June 30, 2008, the following amount, or so much thereof
 18 35 as is necessary, to be used for the purpose designated:



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19 1 For medical assistance reimbursement and associated costs
19 2 as specifically provided in the reimbursement methodologies in
19 3 effect on June 30, 2007, except as otherwise expressly
19 4 authorized by law, including reimbursement for abortion
19 5 services, which shall be available under the medical
19 6 assistance program only for those abortions which are
19 7 medically necessary:
19 8 \$618,696,202
19 9 1. Medically necessary abortions are those performed under
19 10 any of the following conditions:
19 11 a. The attending physician certifies that continuing the
19 12 pregnancy would endanger the life of the pregnant woman.
19 13 b. The attending physician certifies that the fetus is
19 14 physically deformed, mentally deficient, or afflicted with a
19 15 congenital illness.
19 16 c. The pregnancy is the result of a rape which is reported
19 17 within 45 days of the incident to a law enforcement agency or
19 18 public or private health agency which may include a family
19 19 physician.
19 20 d. The pregnancy is the result of incest which is reported
19 21 within 150 days of the incident to a law enforcement agency or
19 22 public or private health agency which may include a family
19 23 physician.
19 24 e. Any spontaneous abortion, commonly known as a
19 25 miscarriage, if not all of the products of conception are
19 26 expelled.
19 27 2. The department shall utilize not more than \$60,000 of
19 28 the funds appropriated in this section to continue the
19 29 AIDS/HIV health insurance premium payment program as
19 30 established in 1992 Iowa Acts, Second Extraordinary Session,
19 31 chapter 1001, section 409, subsection 6. Of the funds
19 32 allocated in this subsection, not more than \$5,000 may be
19 33 expended for administrative purposes.
19 34 3. Of the funds appropriated in this Act to the department
19 35 of public health for addictive disorders, \$950,000 for the



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20 1 fiscal year beginning July 1, 2007, shall be transferred to
20 2 the department of human services for an integrated substance
20 3 abuse managed care system.

20 4 4. a. The department shall aggressively pursue options
20 5 for providing medical assistance or other assistance to
20 6 individuals with special needs who become ineligible to
20 7 continue receiving services under the early and periodic
20 8 screening, diagnosis, and treatment program under the medical
20 9 assistance program due to becoming 21 years of age, who have
20 10 been approved for additional assistance through the
20 11 department's exception to policy provisions, but who have
20 12 health care needs in excess of the funding available through
20 13 the exception to policy provisions.

20 14 b. Of the funds appropriated in this section, \$100,000
20 15 shall be used for participation in one or more pilot projects
20 16 operated by a private provider to allow the individual or
20 17 individuals to receive service in the community in accordance
20 18 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
20 19 (1999), for the purpose of providing medical assistance or
20 20 other assistance to individuals with special needs who become
20 21 ineligible to continue receiving services under the early and
20 22 periodic screening, diagnosis, and treatment program under the
20 23 medical assistance program due to becoming 21 years of age,
20 24 who have been approved for additional assistance through the
20 25 department's exception to policy provisions, but who have
20 26 health care needs in excess of the funding available through
20 27 the exception to the policy provisions.

20 28 5. Of the funds appropriated in this section, up to
20 29 \$3,050,082 may be transferred to the field operations or
20 30 general administration appropriations in this Act for
20 31 operational costs associated with Part D of the federal
20 32 Medicare Prescription Drug, Improvement, and Modernization Act
20 33 of 2003, Pub. L. No. 108=173.

20 34 6. In addition to any other funds appropriated in this
20 35 Act, of the funds appropriated in this section, \$250,000 shall



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21 1 be used for continuation of the grant to the Iowa healthcare
21 2 collaborative as defined in section 135.40.

21 3 7. The department may amend the Medicaid state plan to
21 4 provide medical assistance reciprocity for children who
21 5 receive an adoption subsidy who are not eligible for funding
21 6 under Title IV-E of the federal Social Security Act.

21 7 8. Of the funds appropriated in this section, up to
21 8 \$500,000 shall be used to enhance outreach efforts. The
21 9 department may transfer funds allocated in this subsection to
21 10 the appropriations in this division for general administration
21 11 or medical contracts, as necessary, to implement the outreach
21 12 efforts.

21 13 9. Of the funds appropriated in this section, up to
21 14 \$442,100 may be transferred to the appropriation in this Act
21 15 for medical contracts to be used for clinical assessment
21 16 services related to remedial services in accordance with
21 17 federal law.

21 18 10. Of the funds appropriated in this section, \$1,540,000
21 19 may be used for the demonstration to maintain independence and
21 20 employment (DMIE) if the waiver for DMIE is approved by the
21 21 centers for Medicare and Medicaid services of the United
21 22 States department of health and human services. Additionally,
21 23 if the waiver is approved, \$440,000 of the funds shall be
21 24 transferred to the department of corrections for the DMIE
21 25 activities.

21 26 11. The department shall provide coverage under the
21 27 medical assistance program for medically necessary smoking
21 28 cessation aids approved by the United States food and drug
21 29 administration and prescribed by an eligible health care
21 30 provider within the scope of the health care provider's
21 31 practice, including but not limited to prescription drugs,
21 32 nicotine patches and gum, lozenges, inhalers, nasal sprays,
21 33 and any other aids available, without limitation by
21 34 departmental rule.

21 35 12. The department shall review the maximum payment allowed



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22 1 under each home and community-based services waiver and shall
22 2 report by December 15, 2007, to the persons designated in this
22 3 Act to receive reports, recommendations to adjust the maximum
22 4 payment levels to provide equity among the populations served.
22 5 13. A portion of the funds appropriated in this section
22 6 may be transferred to the appropriations in this division of
22 7 this Act for general administration, medical contracts, or
22 8 field operations to be used for the state match cost to comply
22 9 with the payment error rate measurement (PERM) program for
22 10 both the medical assistance and state children's health
22 11 insurance programs as developed by the centers for Medicare
22 12 and Medicaid services of the United States department of
22 13 health and human services to comply with the federal Improper
22 14 Payments Information Act of 2002, Pub. L. No. 107=300.
22 15 14. It is the intent of the general assembly that the
22 16 department implement the recommendations of the assuring
22 17 better child health and development initiative II (ABCDII)
22 18 clinical panel to the Iowa early and periodic screening,
22 19 diagnostic, and treatment services healthy mental development
22 20 collaborative board regarding changes to billing procedures,
22 21 codes, and eligible service providers.
22 22 15. Of the funds appropriated in this section, a
22 23 sufficient amount is allocated to supplement the incomes of
22 24 residents of nursing facilities with incomes of less than
22 25 fifty dollars in the amount necessary for the residents to
22 26 receive a personal needs allowance of fifty dollars per month
22 27 pursuant to section 249A.30A.
22 28 Sec. 11. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
22 29 is appropriated from the general fund of the state to the
22 30 department of human services for the fiscal year beginning
22 31 July 1, 2007, and ending June 30, 2008, the following amount,
22 32 or so much thereof as is necessary, to be used for the purpose
22 33 designated:
22 34 For administration of the health insurance premium payment
22 35 program, including salaries, support, maintenance, and



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23 1 miscellaneous purposes:
 23 2 \$ 654,568
 23 3 Sec. 12. MEDICAL CONTRACTS. There is appropriated from
 23 4 the general fund of the state to the department of human
 23 5 services for the fiscal year beginning July 1, 2007, and
 23 6 ending June 30, 2008, the following amount, or so much thereof
 23 7 as is necessary, to be used for the purpose designated:
 23 8 For medical contracts, including salaries, support,
 23 9 maintenance, and miscellaneous purposes:
 23 10 \$ 13,773,152
 23 11 1. Of the funds appropriated in this section, \$50,000
 23 12 shall be used for electronic cross-matching with state vital
 23 13 records databases through the department of public health.
 23 14 2. Of the funds appropriated in this section, \$250,000
 23 15 shall be used for increased monitoring of home and
 23 16 community-based services waivers.
 23 17 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.
 23 18 1. There is appropriated from the general fund of the
 23 19 state to the department of human services for the fiscal year
 23 20 beginning July 1, 2007, and ending June 30, 2008, the
 23 21 following amount, or so much thereof as is necessary, to be
 23 22 used for the purpose designated:
 23 23 For the state supplementary assistance program:
 23 24 \$ 17,210,335
 23 25 2. The department shall increase the personal needs
 23 26 allowance for residents of residential care facilities by the
 23 27 same percentage and at the same time as federal supplemental
 23 28 security income and federal social security benefits are
 23 29 increased due to a recognized increase in the cost of living.
 23 30 The department may adopt emergency rules to implement this
 23 31 subsection.
 23 32 3. If during the fiscal year beginning July 1, 2007, the
 23 33 department projects that state supplementary assistance
 23 34 expenditures for a calendar year will not meet the federal
 23 35 pass-along requirement specified in Title XVI of the federal



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24 1 Social Security Act, section 1618, as codified in 42 U.S.C. }
 24 2 1382g, the department may take actions including but not
 24 3 limited to increasing the personal needs allowance for
 24 4 residential care facility residents and making programmatic
 24 5 adjustments or upward adjustments of the residential care
 24 6 facility or in-home health-related care reimbursement rates
 24 7 prescribed in this division of this Act to ensure that federal
 24 8 requirements are met. In addition, the department may make
 24 9 other programmatic and rate adjustments necessary to remain
 24 10 within the amount appropriated in this section while ensuring
 24 11 compliance with federal requirements. The department may
 24 12 adopt emergency rules to implement the provisions of this
 24 13 subsection.

24 14 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
 24 15 appropriated from the general fund of the state to the
 24 16 department of human services for the fiscal year beginning
 24 17 July 1, 2007, and ending June 30, 2008, the following amount,
 24 18 or so much thereof as is necessary, to be used for the purpose
 24 19 designated:

24 20 For maintenance of the healthy and well kids in Iowa (hawk=
 24 21 i) program pursuant to chapter 514I for receipt of federal
 24 22 financial participation under Title XXI of the federal Social
 24 23 Security Act, which creates the state children's health
 24 24 insurance program:

24 25 \$ 14,871,052

24 26 Sec. 15. CHILD CARE ASSISTANCE. There is appropriated
 24 27 from the general fund of the state to the department of human
 24 28 services for the fiscal year beginning July 1, 2007, and
 24 29 ending June 30, 2008, the following amount, or so much thereof
 24 30 as is necessary, to be used for the purpose designated:

24 31 For child care programs:

24 32 \$ 38,225,701

24 33 1. Of the funds appropriated in this section, \$34,969,889
 24 34 shall be used for state child care assistance in accordance
 24 35 with section 237A.13.



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25 1 2. Nothing in this section shall be construed or is
25 2 intended as, or shall imply, a grant of entitlement for
25 3 services to persons who are eligible for assistance due to an
25 4 income level consistent with the waiting list requirements of
25 5 section 237A.13. Any state obligation to provide services
25 6 pursuant to this section is limited to the extent of the funds
25 7 appropriated in this section.

25 8 3. Of the funds appropriated in this section, \$525,524 is
25 9 allocated for the statewide program for child care resource
25 10 and referral services under section 237A.26. A list of the
25 11 registered and licensed child care facilities operating in the
25 12 area served by a child care resource and referral service
25 13 shall be made available to the families receiving state child
25 14 care assistance in that area.

25 15 4. Of the funds appropriated in this section, \$1,530,288
25 16 is allocated for child care quality improvement initiatives
25 17 including but not limited to development and continuation of a
25 18 quality rating system.

25 19 5. The department may use any of the funds appropriated in
25 20 this section as a match to obtain federal funds for use in
25 21 expanding child care assistance and related programs. For the
25 22 purpose of expenditures of state and federal child care
25 23 funding, funds shall be considered obligated at the time
25 24 expenditures are projected or are allocated to the
25 25 department's service areas. Projections shall be based on
25 26 current and projected caseload growth, current and projected
25 27 provider rates, staffing requirements for eligibility
25 28 determination and management of program requirements including
25 29 data systems management, staffing requirements for
25 30 administration of the program, contractual and grant
25 31 obligations and any transfers to other state agencies, and
25 32 obligations for decategorization or innovation projects.

25 33 6. A portion of the state match for the federal child care
25 34 and development block grant shall be provided as necessary to
25 35 meet federal matching funds requirements through the state



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26 1 general fund appropriation for child development grants and
26 2 other programs for at-risk children in section 279.51.

26 3 7. Of the funds appropriated in this section, \$1,200,000
26 4 is transferred to the Iowa empowerment fund from which it is
26 5 appropriated to be used for professional development for the
26 6 system of early care, health, and education.

26 7 8. Notwithstanding section 8.33, moneys appropriated in
26 8 this section or received from the federal appropriations made
26 9 for the purposes of this section, that remain unencumbered or
26 10 unobligated at the close of the fiscal year shall not revert
26 11 to any fund but shall remain available for expenditure for the
26 12 purposes designated until the close of the succeeding fiscal
26 13 year.

26 14 Sec. 16. JUVENILE INSTITUTIONS. There is appropriated
26 15 from the general fund of the state to the department of human
26 16 services for the fiscal year beginning July 1, 2007, and
26 17 ending June 30, 2008, the following amounts, or so much
26 18 thereof as is necessary, to be used for the purposes
26 19 designated:

26 20 1. For operation of the Iowa juvenile home at Toledo and
26 21 for salaries, support, and maintenance and for not more than
26 22 the following full-time positions:

26 23	\$ 7,170,289
26 24	FTEs 128.00

26 25 Of the amount appropriated in this subsection, \$134,605 is
26 26 allocated to increase mental health and behavioral services
26 27 staffing.

26 28 2. For operation of the state training school at Eldora
26 29 and for salaries, support, and maintenance and for not more
26 30 than the following full-time positions:

26 31	\$ 11,241,986
26 32	FTEs 204.88

26 33 Of the amount appropriated in this subsection, \$184,988 is
26 34 allocated to increase mental health and behavioral services
26 35 staffing.



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27 1 3. A portion of the moneys appropriated in this section
27 2 shall be used by the state training school and by the Iowa
27 3 juvenile home for grants for adolescent pregnancy prevention
27 4 activities at the institutions in the fiscal year beginning
27 5 July 1, 2007.

27 6 Sec. 17. CHILD AND FAMILY SERVICES.

27 7 1. There is appropriated from the general fund of the
27 8 state to the department of human services for the fiscal year
27 9 beginning July 1, 2007, and ending June 30, 2008, the
27 10 following amount, or so much thereof as is necessary, to be
27 11 used for the purpose designated:

27 12 For child and family services:
27 13 \$ 88,420,320

27 14 2. In order to address a reduction of \$5,200,000 from the
27 15 amount allocated under the appropriation made for the purposes
27 16 of this section in prior years for purposes of juvenile
27 17 delinquent graduated sanction services, up to \$5,200,000 of
27 18 the amount of federal temporary assistance for needy families
27 19 block grant funding appropriated in this division of this Act
27 20 for child and family services shall be made available for
27 21 purposes of juvenile delinquent graduated sanction services.

27 22 3. The department may transfer funds appropriated in this
27 23 section as necessary to pay the nonfederal costs of services
27 24 reimbursed under the medical assistance program or the family
27 25 investment program which are provided to children who would
27 26 otherwise receive services paid under the appropriation in
27 27 this section. The department may transfer funds appropriated
27 28 in this section to the appropriations in this division of this
27 29 Act for general administration and for field operations for
27 30 resources necessary to implement and operate the services
27 31 funded in this section.

27 32 4. a. Of the funds appropriated in this section, up to
27 33 \$36,016,527 is allocated as the statewide expenditure target
27 34 under section 232.143 for group foster care maintenance and
27 35 services.



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28 1 b. If at any time after September 30, 2007, annualization
28 2 of a service area's current expenditures indicates a service
28 3 area is at risk of exceeding its group foster care expenditure
28 4 target under section 232.143 by more than 5 percent, the
28 5 department and juvenile court services shall examine all group
28 6 foster care placements in that service area in order to
28 7 identify those which might be appropriate for termination. In
28 8 addition, any aftercare services believed to be needed for the
28 9 children whose placements may be terminated shall be
28 10 identified. The department and juvenile court services shall
28 11 initiate action to set dispositional review hearings for the
28 12 placements identified. In such a dispositional review
28 13 hearing, the juvenile court shall determine whether needed
28 14 aftercare services are available and whether termination of
28 15 the placement is in the best interest of the child and the
28 16 community.

28 17 c. Of the funds allocated in this subsection, \$2,373,942
28 18 is allocated as the state match funding for 50 highly
28 19 structured juvenile program beds. If the number of beds
28 20 provided for in this lettered paragraph is not utilized, the
28 21 remaining funds allocated may be used for group foster care.

28 22 The department of human services, in consultation with the
28 23 division of criminal and juvenile justice planning of the
28 24 department of human rights, shall review the programming and
28 25 effectiveness of the two existing highly structured juvenile
28 26 programs. The review shall include consideration of the
28 27 national research concerning juvenile "boot camp" programs,
28 28 comparison of recidivism rates and foster care reentry rates
28 29 for the highly structured programs with those of other group
28 30 foster care programs. The review shall provide a
28 31 recommendation as to whether or not funding should continue to
28 32 be specifically designated for the highly structured programs.
28 33 The department shall report on or before December 15, 2007,
28 34 with findings and recommendations to the persons designated by
28 35 this Act to receive reports.



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29 1 5. In accordance with the provisions of section 232.188,
29 2 the department shall continue the child welfare and juvenile
29 3 justice funding initiative. Of the funds appropriated in this
29 4 section, \$2,605,000 is allocated specifically for expenditure
29 5 through the decategorization service funding pools and
29 6 governance boards established pursuant to section 232.188. In
29 7 addition, up to \$1,000,000 of the amount of federal temporary
29 8 assistance for needy families block grant funding appropriated
29 9 in this division of this Act for child and family services
29 10 shall be made available for purposes of the decategorization
29 11 initiative as provided in this subsection.

29 12 6. A portion of the funds appropriated in this section may
29 13 be used for emergency family assistance to provide other
29 14 resources required for a family participating in a family
29 15 preservation or reunification project or successor project to
29 16 stay together or to be reunified.

29 17 7. Notwithstanding section 234.35 or any other provision
29 18 of law to the contrary, for the fiscal year beginning July 1,
29 19 2007, state funding for shelter care shall be limited to the
29 20 amount necessary to fund 273 beds that are guaranteed and
29 21 seven beds that are not guaranteed.

29 22 8. Federal funds received by the state during the fiscal
29 23 year beginning July 1, 2007, as the result of the expenditure
29 24 of state funds appropriated during a previous state fiscal
29 25 year for a service or activity funded under this section, are
29 26 appropriated to the department to be used as additional
29 27 funding for services and purposes provided for under this
29 28 section. Notwithstanding section 8.33, moneys received in
29 29 accordance with this subsection that remain unencumbered or
29 30 unobligated at the close of the fiscal year shall not revert
29 31 to any fund but shall remain available for the purposes
29 32 designated until the close of the succeeding fiscal year.

29 33 9. Of the funds appropriated in this section, \$3,696,285
29 34 shall be used for protective child care assistance.

29 35 10. a. Of the funds appropriated in this section, up to



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30 1 \$2,268,963 is allocated for the payment of the expenses of
30 2 court=ordered services provided to juveniles who are under the
30 3 supervision of juvenile court services, which expenses are a
30 4 charge upon the state pursuant to section 232.141, subsection
30 5 4. Of the amount allocated in this subsection, up to
30 6 \$1,556,287 shall be made available to provide school=based
30 7 supervision of children adjudicated under chapter 232, of
30 8 which not more than \$15,000 may be used for the purpose of
30 9 training. A portion of the cost of each school=based liaison
30 10 officer shall be paid by the school district or other funding
30 11 source as approved by the chief juvenile court officer.
30 12 b. Of the funds appropriated in this section, up to
30 13 \$823,965 is allocated for the payment of the expenses of
30 14 court=ordered services provided to children who are under the
30 15 supervision of the department, which expenses are a charge
30 16 upon the state pursuant to section 232.141, subsection 4.
30 17 c. Notwithstanding section 232.141 or any other provision
30 18 of law to the contrary, the amounts allocated in this
30 19 subsection shall be distributed to the judicial districts as
30 20 determined by the state court administrator and to the
30 21 department's service areas as determined by the administrator
30 22 of the department's division of children and family services.
30 23 The state court administrator and the division administrator
30 24 shall make the determination of the distribution amounts on or
30 25 before June 15, 2007.
30 26 d. Notwithstanding chapter 232 or any other provision of
30 27 law to the contrary, a district or juvenile court shall not
30 28 order any service which is a charge upon the state pursuant to
30 29 section 232.141 if there are insufficient court=ordered
30 30 services funds available in the district court or departmental
30 31 service area distribution amounts to pay for the service. The
30 32 chief juvenile court officer and the departmental service area
30 33 manager shall encourage use of the funds allocated in this
30 34 subsection such that there are sufficient funds to pay for all
30 35 court=related services during the entire year. The chief



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31 1 juvenile court officers and departmental service area managers
31 2 shall attempt to anticipate potential surpluses and shortfalls
31 3 in the distribution amounts and shall cooperatively request
31 4 the state court administrator or division administrator to
31 5 transfer funds between the judicial districts' or departmental
31 6 service areas' distribution amounts as prudent.

31 7 e. Notwithstanding any provision of law to the contrary, a
31 8 district or juvenile court shall not order a county to pay for
31 9 any service provided to a juvenile pursuant to an order
31 10 entered under chapter 232 which is a charge upon the state
31 11 under section 232.141, subsection 4.

31 12 f. Of the funds allocated in this subsection, not more
31 13 than \$100,000 may be used by the judicial branch for
31 14 administration of the requirements under this subsection.

31 15 11. Of the funds appropriated in this section, \$1,030,000
31 16 shall be transferred to the department of public health to be
31 17 used for the child protection center grant program in
31 18 accordance with section 135.118.

31 19 12. Of the funds appropriated in this section, \$152,440
31 20 shall be used for funding of one or more child welfare
31 21 diversion and mediation pilot projects as provided in 2004
31 22 Iowa Acts, chapter 1130, section 1.

31 23 13. If the department receives federal approval to
31 24 implement a waiver under Title IV=E of the federal Social
31 25 Security Act to enable providers to serve children who remain
31 26 in the children's families and communities, for purposes of
31 27 eligibility under the medical assistance program children who
31 28 participate in the waiver shall be considered to be placed in
31 29 foster care.

31 30 14. Of the funds appropriated in this section, \$3,031,439
31 31 is allocated for the preparation for adult living program
31 32 pursuant to section 234.46.

31 33 15. Of the funds appropriated in this section, \$51,500 is
31 34 allocated for a grant to continue an existing program operated
31 35 by a nonprofit organization providing family treatment and



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32 1 community education services in a nine-county area.
 32 2 16. Of the funds appropriated in this section, \$830,000
 32 3 shall be used to continue juvenile drug courts. The amount
 32 4 allocated in this subsection shall be distributed as follows:
 32 5 a. To the judicial branch for salaries to assist with the
 32 6 operation of juvenile drug court programs operated in the
 32 7 following jurisdictions:
 32 8 (1) Marshall county:
 32 9 \$ 61,800
 32 10 (2) Woodbury county:
 32 11 \$ 123,862
 32 12 (3) Polk county:
 32 13 \$ 193,057
 32 14 (4) For continuation of a program in the third judicial
 32 15 district:
 32 16 \$ 66,950
 32 17 (5) For continuation of a program in the eighth judicial
 32 18 district:
 32 19 \$ 66,950
 32 20 b. For court-ordered services to support substance abuse
 32 21 and related services provided to the juveniles participating
 32 22 in the juvenile drug court programs listed in paragraph "a"
 32 23 and the juveniles' families:
 32 24 \$ 317,381
 32 25 The state court administrator shall allocate the funding
 32 26 designated in this paragraph among the programs.
 32 27 17. Of the funds appropriated in this section, \$103,000 is
 32 28 allocated to continue the multidimensional treatment level
 32 29 foster care program established pursuant to 2006 Iowa Acts,
 32 30 chapter 1123.
 32 31 18. Of the funds appropriated in this section, \$236,900
 32 32 shall be used for continuation of a grant to a nonprofit human
 32 33 services organization providing services to individuals and
 32 34 families in multiple locations in southwest Iowa and Nebraska
 32 35 for support of a project providing immediate, sensitive



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33 1 support and forensic interviews, medical exams, needs
33 2 assessments and referrals for victims of child abuse and their
33 3 nonoffending family members.

33 4 19. Of the funds appropriated in this section, \$120,000 is
33 5 allocated for expansion of the elevate approach of providing a
33 6 support network to children placed in foster care.

33 7 20. Of the funds appropriated in this section, \$300,000 is
33 8 allocated for implementation of sibling visitation provisions
33 9 for children subject to a court order for out-of-home
33 10 placement in accordance with 2007 Iowa Acts, Senate File 480,
33 11 if enacted.

33 12 21. Of the funds appropriated in this section, \$200,000 is
33 13 allocated for use pursuant to section 235A.1 for a new
33 14 initiative to address child sexual abuse.

33 15 Sec. 18. ADOPTION SUBSIDY.

33 16 1. There is appropriated from the general fund of the
33 17 state to the department of human services for the fiscal year
33 18 beginning July 1, 2007, and ending June 30, 2008, the
33 19 following amount, or so much thereof as is necessary, to be
33 20 used for the purpose designated:

33 21 For adoption subsidy payments and services:

33 22 \$ 31,972,681

33 23 2. The department may transfer funds appropriated in this
33 24 section to the appropriations in this Act for child and family
33 25 services to be used for adoptive family recruitment and other
33 26 services to achieve adoption.

33 27 3. Federal funds received by the state during the fiscal
33 28 year beginning July 1, 2007, as the result of the expenditure
33 29 of state funds during a previous state fiscal year for a
33 30 service or activity funded under this section, are
33 31 appropriated to the department to be used as additional
33 32 funding for the services and activities funded under this
33 33 section. Notwithstanding section 8.33, moneys received in
33 34 accordance with this subsection that remain unencumbered or
33 35 unobligated at the close of the fiscal year shall not revert



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34 1 to any fund but shall remain available for expenditure for the
34 2 purposes designated until the close of the succeeding fiscal
34 3 year.

34 4 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
34 5 in the juvenile detention home fund created in section 232.142
34 6 during the fiscal year beginning July 1, 2007, and ending June
34 7 30, 2008, are appropriated to the department of human services
34 8 for the fiscal year beginning July 1, 2007, and ending June
34 9 30, 2008, for distribution as follows:

34 10 1. An amount equal to 10 percent of the costs of the
34 11 establishment, improvement, operation, and maintenance of
34 12 county or multicounty juvenile detention homes in the fiscal
34 13 year beginning July 1, 2006. Moneys appropriated for
34 14 distribution in accordance with this subsection shall be
34 15 allocated among eligible detention homes, prorated on the
34 16 basis of an eligible detention home's proportion of the costs
34 17 of all eligible detention homes in the fiscal year beginning
34 18 July 1, 2006. Notwithstanding section 232.142, subsection 3,
34 19 the financial aid payable by the state under that provision
34 20 for the fiscal year beginning July 1, 2007, shall be limited
34 21 to the amount appropriated for the purposes of this
34 22 subsection.

34 23 2. For renewal of a grant to a county with a population
34 24 between 189,000 and 196,000 in the latest preceding certified
34 25 federal census for implementation of the county's runaway
34 26 treatment plan under section 232.195:

34 27 \$ 80,000

34 28 3. For continuation and expansion of the community
34 29 partnership for child protection sites:

34 30 \$ 418,000

34 31 4. For continuation of the department's minority youth and
34 32 family projects under the redesign of the child welfare
34 33 system:

34 34 \$ 375,000

34 35 5. For funding of the state match for the federal



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35 1 substance abuse and mental health services administration
 35 2 (SAMHSA) system of care grant:
 35 3 \$ 400,000
 35 4 6. For transfer to the appropriation made in this Act for
 35 5 child and family services to continue funding for children in
 35 6 group foster care:
 35 7 \$ 1,324,000
 35 8 7. For training of nonlicensed relatives caring for
 35 9 children in the child welfare system:
 35 10 \$ 276,000
 35 11 8. The remainder for additional allocations to county or
 35 12 multicounty juvenile detention homes, in accordance with the
 35 13 distribution requirements of subsection 1.
 35 14 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.
 35 15 1. There is appropriated from the general fund of the
 35 16 state to the department of human services for the fiscal year
 35 17 beginning July 1, 2007, and ending June 30, 2008, the
 35 18 following amount, or so much thereof as is necessary, to be
 35 19 used for the purpose designated:
 35 20 For the family support subsidy program:
 35 21 \$ 1,936,434
 35 22 2. The department shall use at least \$333,212 of the
 35 23 moneys appropriated in this section for the family support
 35 24 center component of the comprehensive family support program
 35 25 under section 225C.47. Not more than \$20,000 of the amount
 35 26 allocated in this subsection shall be used for administrative
 35 27 costs.
 35 28 Sec. 21. CONNER DECREE. There is appropriated from the
 35 29 general fund of the state to the department of human services
 35 30 for the fiscal year beginning July 1, 2007, and ending June
 35 31 30, 2008, the following amount, or so much thereof as is
 35 32 necessary, to be used for the purpose designated:
 35 33 For building community capacity through the coordination
 35 34 and provision of training opportunities in accordance with the
 35 35 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.



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36 1 Iowa, July 14, 1994):

36 2 \$ 42,623

36 3 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated

36 4 from the general fund of the state to the department of human

36 5 services for the fiscal year beginning July 1, 2007, and

36 6 ending June 30, 2008, the following amounts, or so much

36 7 thereof as is necessary, to be used for the purposes

36 8 designated:

36 9 1. For the state mental health institute at Cherokee for

36 10 salaries, support, maintenance, and miscellaneous purposes and

36 11 for not more than the following full-time equivalent

36 12 positions:

36 13 \$ 5,367,652

36 14 FTEs 210.00

36 15 2. For the state mental health institute at Clarinda for

36 16 salaries, support, maintenance, and miscellaneous purposes and

36 17 for not more than the following full-time equivalent

36 18 positions:

36 19 \$ 6,540,101

36 20 FTEs 109.95

36 21 3. For the state mental health institute at Independence

36 22 for salaries, support, maintenance, and miscellaneous purposes

36 23 and for not more than the following full-time equivalent

36 24 positions:

36 25 \$ 9,606,542

36 26 FTEs 285.66

36 27 4. For the state mental health institute at Mount Pleasant

36 28 for salaries, support, maintenance, and miscellaneous purposes

36 29 and for not more than the following full-time equivalent

36 30 positions:

36 31 \$ 1,522,598

36 32 FTEs 115.84

36 33 Sec. 23. STATE RESOURCE CENTERS.

36 34 1. There is appropriated from the general fund of the

36 35 state to the department of human services for the fiscal year



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37 1 beginning July 1, 2007, and ending June 30, 2008, the
 37 2 following amounts, or so much thereof as is necessary, to be
 37 3 used for the purposes designated:

37 4 a. For the state resource center at Glenwood for salaries,
 37 5 support, maintenance, and miscellaneous purposes:
 37 6 \$ 15,938,762

37 7 b. For the state resource center at Woodward for salaries,
 37 8 support, maintenance, and miscellaneous purposes:
 37 9 \$ 10,087,272

37 10 2. The department may continue to bill for state resource
 37 11 center services utilizing a scope of services approach used
 37 12 for private providers of ICFMR services, in a manner which
 37 13 does not shift costs between the medical assistance program,
 37 14 counties, or other sources of funding for the state resource
 37 15 centers.

37 16 3. The state resource centers may expand the time-limited
 37 17 assessment and respite services during the fiscal year.

37 18 4. If the department's administration and the department
 37 19 of management concur with a finding by a state resource
 37 20 center's superintendent that projected revenues can reasonably
 37 21 be expected to pay the salary and support costs for a new
 37 22 employee position, or that such costs for adding a particular
 37 23 number of new positions for the fiscal year would be less than
 37 24 the overtime costs if new positions would not be added, the
 37 25 superintendent may add the new position or positions. If the
 37 26 vacant positions available to a resource center do not include
 37 27 the position classification desired to be filled, the state
 37 28 resource center's superintendent may reclassify any vacant
 37 29 position as necessary to fill the desired position. The
 37 30 superintendents of the state resource centers may, by mutual
 37 31 agreement, pool vacant positions and position classifications
 37 32 during the course of the fiscal year in order to assist one
 37 33 another in filling necessary positions.

37 34 5. If existing capacity limitations are reached in
 37 35 operating units, a waiting list is in effect for a service or



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38 1 a special need for which a payment source or other funding is
38 2 available for the service or to address the special need, and
38 3 facilities for the service or to address the special need can
38 4 be provided within the available payment source or other
38 5 funding, the superintendent of a state resource center may
38 6 authorize opening not more than two units or other facilities
38 7 and to begin implementing the service or addressing the
38 8 special need during fiscal year 2007=2008.
38 9 Sec. 24. MI/MR/DD STATE CASES.
38 10 1. There is appropriated from the general fund of the
38 11 state to the department of human services for the fiscal year
38 12 beginning July 1, 2007, and ending June 30, 2008, the
38 13 following amount, or so much thereof as is necessary, to be
38 14 used for the purpose designated:
38 15 For distribution to counties for state case services for
38 16 persons with mental illness, mental retardation, and
38 17 developmental disabilities in accordance with section 331.440:
38 18 \$ 11,067,178
38 19 2. For the fiscal year beginning July 1, 2007, and ending
38 20 June 30, 2008, \$200,000 is allocated for state case services
38 21 from the amounts appropriated from the fund created in section
38 22 8.41 to the department of human services from the funds
38 23 received from the federal government under 42 U.S.C., chapter
38 24 6A, subchapter XVII, relating to the community mental health
38 25 center block grant, for the federal fiscal years beginning
38 26 October 1, 2005, and ending September 30, 2006, beginning
38 27 October 1, 2006, and ending September 30, 2007, and beginning
38 28 October 1, 2007, and ending September 30, 2008. The
38 29 allocation made in this subsection shall be made prior to any
38 30 other distribution allocation of the appropriated federal
38 31 funds.
38 32 3. Notwithstanding section 8.33, moneys appropriated in
38 33 this section that remain unencumbered or unobligated at the
38 34 close of the fiscal year shall not revert but shall remain
38 35 available for expenditure for the purposes designated until



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39 1 the close of the succeeding fiscal year.
 39 2 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
 39 3 COMMUNITY SERVICES FUND. There is appropriated from the
 39 4 general fund of the state to the mental health and
 39 5 developmental disabilities community services fund created in
 39 6 section 225C.7 for the fiscal year beginning July 1, 2007, and
 39 7 ending June 30, 2008, the following amount, or so much thereof
 39 8 as is necessary, to be used for the purpose designated:
 39 9 For mental health and developmental disabilities community
 39 10 services in accordance with this division of this Act:
 39 11 \$ 18,017,890
 39 12 1. Of the funds appropriated in this section, \$17,727,890
 39 13 shall be allocated to counties for funding of community-based
 39 14 mental health and developmental disabilities services. The
 39 15 moneys shall be allocated to a county as follows:
 39 16 a. Fifty percent based upon the county's proportion of the
 39 17 state's population of persons with an annual income which is
 39 18 equal to or less than the poverty guideline established by the
 39 19 federal office of management and budget.
 39 20 b. Fifty percent based upon the county's proportion of the
 39 21 state's general population.
 39 22 2. a. A county shall utilize the funding the county
 39 23 receives pursuant to subsection 1 for services provided to
 39 24 persons with a disability, as defined in section 225C.2.
 39 25 However, no more than 50 percent of the funding shall be used
 39 26 for services provided to any one of the service populations.
 39 27 b. A county shall use at least 50 percent of the funding
 39 28 the county receives under subsection 1 for contemporary
 39 29 services provided to persons with a disability, as described
 39 30 in rules adopted by the department.
 39 31 3. Of the funds appropriated in this section, \$30,000
 39 32 shall be used to support the Iowa compass program providing
 39 33 computerized information and referral services for Iowans with
 39 34 disabilities and their families.
 39 35 4. a. Funding appropriated for purposes of the federal



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40 1 social services block grant is allocated for distribution to
40 2 counties for local purchase of services for persons with
40 3 mental illness or mental retardation or other developmental
40 4 disability.

40 5 b. The funds allocated in this subsection shall be
40 6 expended by counties in accordance with the county's approved
40 7 county management plan. A county without an approved county
40 8 management plan shall not receive allocated funds until the
40 9 county's management plan is approved.

40 10 c. The funds provided by this subsection shall be
40 11 allocated to each county as follows:

40 12 (1) Fifty percent based upon the county's proportion of
40 13 the state's population of persons with an annual income which
40 14 is equal to or less than the poverty guideline established by
40 15 the federal office of management and budget.

40 16 (2) Fifty percent based upon the amount provided to the
40 17 county for local purchase of services in the preceding fiscal
40 18 year.

40 19 5. A county is eligible for funds under this section if
40 20 the county qualifies for a state payment as described in
40 21 section 331.439.

40 22 6. Of the funds appropriated in this section, \$260,000 is
40 23 allocated to the department for continuing the development of
40 24 an assessment process for use beginning in a subsequent fiscal
40 25 year as authorized specifically by a statute to be enacted in
40 26 a subsequent fiscal year, determining on a consistent basis
40 27 the needs and capacities of persons seeking or receiving
40 28 mental health, mental retardation, developmental disabilities,
40 29 or brain injury services that are paid for in whole or in part
40 30 by the state or a county. The assessment process shall be
40 31 developed with the involvement of counties and the mental
40 32 health, mental retardation, developmental disabilities, and
40 33 brain injury commission.

40 34 7. The most recent population estimates issued by the
40 35 United States bureau of the census shall be applied for the



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41 1 population factors utilized in this section.
 41 2 Sec. 26. SEXUALLY VIOLENT PREDATORS.
 41 3 1. There is appropriated from the general fund of the
 41 4 state to the department of human services for the fiscal year
 41 5 beginning July 1, 2007, and ending June 30, 2008, the
 41 6 following amount, or so much thereof as is necessary, to be
 41 7 used for the purpose designated:
 41 8 For costs associated with the commitment and treatment of
 41 9 sexually violent predators in the unit located at the state
 41 10 mental health institute at Cherokee, including costs of legal
 41 11 services and other associated costs, including salaries,
 41 12 support, maintenance, and miscellaneous purposes and for not
 41 13 more than the following full-time equivalent positions:
 41 14 \$ 6,296,003
 41 15 FTEs 96.66
 41 16 2. Unless specifically prohibited by law, if the amount
 41 17 charged provides for recoupment of at least the entire amount
 41 18 of direct and indirect costs, the department of human services
 41 19 may contract with other states to provide care and treatment
 41 20 of persons placed by the other states at the unit for sexually
 41 21 violent predators at Cherokee. The moneys received under such
 41 22 a contract shall be considered to be repayment receipts and
 41 23 used for the purposes of the appropriation made in this
 41 24 section.
 41 25 Sec. 27. FIELD OPERATIONS. There is appropriated from the
 41 26 general fund of the state to the department of human services
 41 27 for the fiscal year beginning July 1, 2007, and ending June
 41 28 30, 2008, the following amount, or so much thereof as is
 41 29 necessary, to be used for the purposes designated:
 41 30 For field operations, including salaries, support,
 41 31 maintenance, and miscellaneous purposes and for not more than
 41 32 the following full-time equivalent positions:
 41 33 \$ 63,768,895
 41 34 FTEs 2,045.71
 41 35 1. The amount appropriated in this section includes an



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42 1 increase for additional full-time equivalent positions to
 42 2 provide for additional child and family visits.
 42 3 2. Priority in filling full-time equivalent positions
 42 4 shall be given to those positions related to child protection
 42 5 services.
 42 6 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
 42 7 from the general fund of the state to the department of human
 42 8 services for the fiscal year beginning July 1, 2007, and
 42 9 ending June 30, 2008, the following amount, or so much thereof
 42 10 as is necessary, to be used for the purpose designated:
 42 11 For general administration, including salaries, support,
 42 12 maintenance, and miscellaneous purposes and for not more than
 42 13 the following full-time equivalent positions:
 42 14 \$ 16,001,927
 42 15 FTEs 329.90
 42 16 1. Of the funds appropriated in this section, \$57,000 is
 42 17 allocated for the prevention of disabilities policy council
 42 18 established in section 225B.3.
 42 19 2. Of the funds appropriated in this section, \$350,000 is
 42 20 allocated as additional funding for the division of mental
 42 21 health and disability services for planning, analysis, and
 42 22 other costs associated with improvements to the mental health
 42 23 services system.
 42 24 Sec. 29. VOLUNTEERS. There is appropriated from the
 42 25 general fund of the state to the department of human services
 42 26 for the fiscal year beginning July 1, 2007, and ending June
 42 27 30, 2008, the following amount, or so much thereof as is
 42 28 necessary, to be used for the purpose designated:
 42 29 For development and coordination of volunteer services:
 42 30 \$ 109,568
 42 31 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 42 32 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
 42 33 DEPARTMENT OF HUMAN SERVICES.
 42 34 1. a. (1) For the fiscal year beginning July 1, 2007,
 42 35 the total state funding amount for the nursing facility budget



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43 1 shall not exceed \$184,117,323.
43 2 (2) For the fiscal year beginning July 1, 2007, the
43 3 department shall rebase case=mix nursing facility rates.
43 4 However, total nursing facility budget expenditures, including
43 5 both case=mix and noncase=mix shall not exceed the amount
43 6 specified in subparagraph (1). When calculating case=mix per
43 7 diem cost and the patient=day=weighted medians used in rate
43 8 setting for nursing facilities effective July 1, 2007, the
43 9 inflation factor applied from the midpoint of the cost report
43 10 period to the first day of the state fiscal year rate period
43 11 shall be adjusted to maintain state funding within the amount
43 12 specified in subparagraph (1). The department, in cooperation
43 13 with nursing facility representatives, shall review
43 14 projections for state funding expenditures for reimbursement
43 15 of nursing facilities on a quarterly basis and the department
43 16 shall determine if an adjustment to the medical assistance
43 17 reimbursement rate is necessary in order to provide
43 18 reimbursement within the state funding amount. Any temporary
43 19 enhanced federal financial participation that may become
43 20 available to the Iowa medical assistance program during the
43 21 fiscal year shall not be used in projecting the nursing
43 22 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,
43 23 section 4, subsection 2, paragraph "c", and subsection 3,
43 24 paragraph "a", subparagraph (2), if the state funding
43 25 expenditures for the nursing facility budget for the fiscal
43 26 year beginning July 1, 2007, are projected to exceed the
43 27 amount specified in subparagraph (1), the department shall
43 28 adjust the reimbursement for nursing facilities reimbursed
43 29 under the case=mix reimbursement system to maintain
43 30 expenditures of the nursing facility budget within the
43 31 specified amount.
43 32 b. (1) For the fiscal year beginning July 1, 2007, the
43 33 department shall reimburse pharmacy dispensing fees using a
43 34 single rate of \$4.52 per prescription, or the pharmacy's usual
43 35 and customary fee, whichever is lower.



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44 1 (2) Beginning July 1, 2007, the department of human
44 2 services shall adopt rules, pursuant to chapter 17A, to
44 3 provide for the adjustment of the pharmacy dispensing fee to
44 4 compensate for any reduction in the drug product cost
44 5 reimbursement resulting from implementation of the average
44 6 manufacturer price reimbursement standards for multisource
44 7 generic drug products imposed pursuant to the federal Deficit
44 8 Reduction Act of 2005, Pub. L. No. 109=171. In implementing
44 9 the reimbursement, the department may adjust the reimbursement
44 10 amount as necessary to provide reimbursement within the state
44 11 funding appropriated for the fiscal year beginning July 1,
44 12 2007, and ending June 30, 2008, for this purpose. The
44 13 department shall submit a medical assistance state plan
44 14 amendment to the centers for Medicare and Medicaid services of
44 15 the United States department of health and human services as
44 16 necessary to implement this subparagraph (2).

44 17 c. (1) For the fiscal year beginning July 1, 2007,
44 18 reimbursement rates for inpatient and outpatient hospital
44 19 services shall remain at the rates in effect on June 30, 2007.
44 20 The department shall continue the outpatient hospital
44 21 reimbursement system based upon ambulatory patient groups
44 22 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
44 23 25, subsection 1, paragraph "f", unless the department adopts
44 24 the Medicare ambulatory payment classification methodology
44 25 authorized in subparagraph (2).

44 26 (2) The department may implement the Medicare ambulatory
44 27 payment classification methodology for reimbursement of
44 28 outpatient hospital services. Any change in hospital
44 29 reimbursement shall be budget neutral.

44 30 (3) In order to ensure the efficient use of limited state
44 31 funds in procuring health care services for low-income Iowans,
44 32 funds appropriated in this Act for hospital services shall not
44 33 be used for activities which would be excluded from a
44 34 determination of reasonable costs under the federal Medicare
44 35 program pursuant to 42 U.S.C. } 1395X(v)(1)(N).



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45 1 d. For the fiscal year beginning July 1, 2007,
45 2 reimbursement rates for rural health clinics, hospices,
45 3 independent laboratories, and acute mental hospitals shall be
45 4 increased in accordance with increases under the federal
45 5 Medicare program or as supported by their Medicare audited
45 6 costs.

45 7 e. (1) For the fiscal year beginning July 1, 2007,
45 8 reimbursement rates for home health agencies shall remain at
45 9 the rates in effect on June 30, 2007, not to exceed a home
45 10 health agency's actual allowable cost.

45 11 (2) The department shall establish a fixed-fee
45 12 reimbursement schedule for home health agencies under the
45 13 medical assistance program beginning July 1, 2007.

45 14 f. For the fiscal year beginning July 1, 2007, federally
45 15 qualified health centers shall receive cost-based
45 16 reimbursement for 100 percent of the reasonable costs for the
45 17 provision of services to recipients of medical assistance.

45 18 g. For the fiscal year beginning July 1, 2007, the
45 19 reimbursement rates for dental services shall remain at the
45 20 rates in effect on June 30, 2007.

45 21 h. For the fiscal year beginning July 1, 2007, the
45 22 reimbursement rates for community mental health centers shall
45 23 be calculated according to a 100 percent cost-based
45 24 reimbursement methodology.

45 25 i. For the fiscal year beginning July 1, 2007, the maximum
45 26 reimbursement rate for psychiatric medical institutions for
45 27 children shall be \$160.71 per day.

45 28 j. For the fiscal year beginning July 1, 2007, unless
45 29 otherwise specified in this Act, all noninstitutional medical
45 30 assistance provider reimbursement rates shall remain at the
45 31 rates in effect on June 30, 2007, except for area education
45 32 agencies, local education agencies, infant and toddler
45 33 services providers, and those providers whose rates are
45 34 required to be determined pursuant to section 249A.20.

45 35 k. Notwithstanding section 249A.20, for the fiscal year



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46 1 beginning July 1, 2007, the average reimbursement rate for
46 2 health care providers eligible for use of the federal Medicare
46 3 resource-based relative value scale reimbursement methodology
46 4 under that section shall remain at the rate in effect on June
46 5 30, 2007; however, this rate shall not exceed the maximum
46 6 level authorized by the federal government.

46 7 1. For the fiscal year beginning July 1, 2007, the
46 8 reimbursement rate for residential care facilities shall not
46 9 be less than the minimum payment level as established by the
46 10 federal government to meet the federally mandated maintenance
46 11 of effort requirement. The flat reimbursement rate for
46 12 facilities electing not to file semiannual cost reports shall
46 13 not be less than the minimum payment level as established by
46 14 the federal government to meet the federally mandated
46 15 maintenance of effort requirement.

46 16 m. For the fiscal year beginning July 1, 2007, inpatient
46 17 mental health services provided at hospitals shall be
46 18 reimbursed at the cost of the services, subject to Medicaid
46 19 program upper payment limit rules, community mental health
46 20 centers and providers of mental health services to county
46 21 residents pursuant to a waiver approved under section 225C.7,
46 22 subsection 3, shall be reimbursed at 100 percent of the
46 23 reasonable costs for the provision of services to recipients
46 24 of medical assistance, and psychiatrists shall be reimbursed
46 25 at the medical assistance program fee for service rate.

46 26 2. For the fiscal year beginning July 1, 2007, the
46 27 reimbursement rate for providers reimbursed under the in=
46 28 home-related care program shall not be less than the minimum
46 29 payment level as established by the federal government to meet
46 30 the federally mandated maintenance of effort requirement.

46 31 3. Unless otherwise directed in this section, when the
46 32 department's reimbursement methodology for any provider
46 33 reimbursed in accordance with this section includes an
46 34 inflation factor, this factor shall not exceed the amount by
46 35 which the consumer price index for all urban consumers



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47 1 increased during the calendar year ending December 31, 2002.
47 2 4. For the fiscal year beginning July 1, 2007, the foster
47 3 family basic daily maintenance rate paid in accordance with
47 4 section 234.38, the maximum adoption subsidy rate, and the
47 5 maximum supervised apartment living foster care rate for
47 6 children ages 0 through 5 years shall be \$15.89, the rate for
47 7 children ages 6 through 11 years shall be \$16.54, the rate for
47 8 children ages 12 through 15 years shall be \$18.16, and the
47 9 rate for children ages 16 and older shall be \$18.37.
47 10 5. For the fiscal year beginning July 1, 2007, the maximum
47 11 reimbursement rates for social services providers reimbursed
47 12 under a purchase of social services contract shall be
47 13 increased by 3 percent over the rates in effect on June 30,
47 14 2007, or to the provider's actual and allowable cost plus
47 15 inflation for each service, whichever is less. The rates may
47 16 also be adjusted under any of the following circumstances:
47 17 a. If a new service was added after June 30, 2007, the
47 18 initial reimbursement rate for the service shall be based upon
47 19 actual and allowable costs.
47 20 b. If a social service provider loses a source of income
47 21 used to determine the reimbursement rate for the provider, the
47 22 provider's reimbursement rate may be adjusted to reflect the
47 23 loss of income, provided that the lost income was used to
47 24 support actual and allowable costs of a service purchased
47 25 under a purchase of service contract.
47 26 6. For the fiscal year beginning July 1, 2007, the
47 27 reimbursement rates for family-centered service providers,
47 28 family foster care service providers, group foster care
47 29 service providers, and the resource family recruitment and
47 30 retention contractor shall be increased by 3 percent over the
47 31 rates in effect on June 30, 2007.
47 32 7. The group foster care reimbursement rates paid for
47 33 placement of children out of state shall be calculated
47 34 according to the same rate-setting principles as those used
47 35 for in-state providers unless the director of human services



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48 1 or the director's designee determines that appropriate care
48 2 cannot be provided within the state. The payment of the daily
48 3 rate shall be based on the number of days in the calendar
48 4 month in which service is provided.

48 5 8. For the fiscal year beginning July 1, 2007, the
48 6 reimbursement rates for remedial service providers shall
48 7 remain at the rates in effect for June 30, 2007.

48 8 9. a. For the fiscal year beginning July 1, 2007, the
48 9 combined service and maintenance components of the
48 10 reimbursement rate paid for shelter care services purchased
48 11 under a contract shall be based on the financial and
48 12 statistical report submitted to the department. The maximum
48 13 reimbursement rate shall be \$91.45 per day. The department
48 14 shall reimburse a shelter care provider at the provider's
48 15 actual and allowable unit cost, plus inflation, not to exceed
48 16 the maximum reimbursement rate.

48 17 b. Notwithstanding section 232.141, subsection 8, for the
48 18 fiscal year beginning July 1, 2007, the amount of the
48 19 statewide average of the actual and allowable rates for
48 20 reimbursement of juvenile shelter care homes that is utilized
48 21 for the limitation on recovery of unpaid costs shall be
48 22 increased by \$2.66 over the amount in effect for this purpose
48 23 in the preceding fiscal year.

48 24 10. For the fiscal year beginning July 1, 2007, the
48 25 department shall calculate reimbursement rates for
48 26 intermediate care facilities for persons with mental
48 27 retardation at the 80th percentile.

48 28 11. For the fiscal year beginning July 1, 2007, for child
48 29 care providers reimbursed under the state child care
48 30 assistance program, the department shall set provider
48 31 reimbursement rates based on the rate reimbursement survey
48 32 completed in December 2004. The department shall set rates in
48 33 a manner so as to provide incentives for a nonregistered
48 34 provider to become registered.

48 35 12. For the fiscal year beginning July 1, 2007,



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49 1 reimbursements for providers reimbursed by the department of
49 2 human services may be modified if appropriated funding is
49 3 allocated for that purpose from the senior living trust fund
49 4 created in section 249H.4, or as specified in appropriations
49 5 from the healthy Iowans tobacco trust created in section
49 6 12.65.
49 7 13. The department may adopt emergency rules to implement
49 8 this section.
49 9 Sec. 31. MEDICAL ASSISTANCE == NURSING FACILITY
49 10 REIMBURSEMENT REBASING. Notwithstanding section 8.57, prior
49 11 to the appropriation and distribution to the senior living
49 12 trust fund and the cash reserve fund of the surplus existing
49 13 in the general fund of the state at the conclusion of the
49 14 fiscal year beginning July 1, 2006, and ending June 30, 2007,
49 15 pursuant to section 8.57, subsections 1 and 2, of that
49 16 surplus, \$10,400,000 is appropriated to the department of
49 17 human services to supplement the medical assistance
49 18 appropriation in this Act made from the general fund of the
49 19 state to be used for the purpose of rebasing nursing facility
49 20 rates in the succeeding fiscal year as provided in this Act.
49 21 Sec. 32. CHILD SUPPORT COLLECTIONS FEE. The department of
49 22 human services may adopt emergency rules to implement the
49 23 provisions of section 252B.5, subsection 12, as enacted by
49 24 this Act, during the fiscal year beginning July 1, 2007.
49 25 Sec. 33. EMERGENCY RULES. If specifically authorized by a
49 26 provision of this division of this Act, the department of
49 27 human services or the mental health, mental retardation,
49 28 developmental disabilities, and brain injury commission may
49 29 adopt administrative rules under section 17A.4, subsection 2,
49 30 and section 17A.5, subsection 2, paragraph "b", to implement
49 31 the provisions and the rules shall become effective
49 32 immediately upon filing or on a later effective date specified
49 33 in the rules, unless the effective date is delayed by the
49 34 administrative rules review committee. Any rules adopted in
49 35 accordance with this section shall not take effect before the



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50 1 rules are reviewed by the administrative rules review
50 2 committee. The delay authority provided to the administrative
50 3 rules review committee under section 17A.4, subsection 5, and
50 4 section 17A.8, subsection 9, shall be applicable to a delay
50 5 imposed under this section, notwithstanding a provision in
50 6 those sections making them inapplicable to section 17A.5,
50 7 subsection 2, paragraph "b". Any rules adopted in accordance
50 8 with the provisions of this section shall also be published as
50 9 notice of intended action as provided in section 17A.4.

50 10 Sec. 34. REPORTS. Any reports or information required to
50 11 be compiled and submitted under this division of this Act
50 12 shall be submitted to the chairpersons and ranking members of
50 13 the joint appropriations subcommittee on health and human
50 14 services, the legislative services agency, and the legislative
50 15 caucus staffs on or before the dates specified for submission
50 16 of the reports or information.

50 17 Sec. 35. NEW SECTION. 239B.11A TRANSITIONAL BENEFITS.

50 18 The department shall provide a transitional benefits
50 19 payment of one hundred dollars per month for up to three
50 20 months to families with members who are employed at the time
50 21 the family leaves the family investment program. Provision of
50 22 the transitional benefits payment is subject to the
50 23 availability of funding for the payment. The department shall
50 24 adopt administrative rules for the transitional benefits.

50 25 Sec. 36. Section 239B.17, subsection 1, Code 2007, is
50 26 amended to read as follows:

50 27 1. PROGRAM ESTABLISHED. The promoting independence and
50 28 self-sufficiency through employment job opportunities and
50 29 basic skills program is established for applicants and
50 30 participants of the family investment program. The
50 31 requirements of the JOBS program shall vary as provided in the
50 32 family investment agreement applicable to a family. The
50 33 department of workforce development, department of economic
50 34 development, department of education, and all other state,
50 35 county, and public educational agencies and institutions



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51 1 providing vocational rehabilitation, adult education, or
51 2 vocational or technical training shall assist and cooperate in
51 3 the JOBS program. The departments, agencies, and institutions
51 4 shall make agreements and arrangements for maximum cooperation
51 5 and use of all available resources in the program. ~~By mutual~~
~~51 6 agreement the~~ The department of human services may delegate
~~51 7 any of the department of human services' powers and duties~~
~~51 8 under this chapter to~~ contract with the department of
51 9 workforce development, or to the department of economic
51 10 development, or another appropriate entity to provide JOBS
51 11 program services.

51 12 Sec. 37. Section 249A.3, subsection 2, paragraphs i, j,
51 13 and k, Code 2007, are amended to read as follows:

51 14 i. ~~Individuals and families who would be eligible under~~
~~51 15 subsection 1 or 2 of this section except for excess income or~~
~~51 16 resources, or a reasonable category of those individuals and~~
~~51 17 families. As allowed under 42 U.S.C. }~~

51 18 1396a(a)(10)(A)(ii)(XVII), individuals under twenty-one years
51 19 of age who were in foster care under the responsibility of the
51 20 state on the individual's eighteenth birthday, and whose
51 21 income is less than two hundred percent of the most recently
51 22 revised official poverty guidelines published by the United
51 23 States department of health and human services. Medical
51 24 assistance may be provided for an individual described by this
51 25 paragraph regardless of the individual's resources.

51 26 j. ~~Individuals who have attained the age of twenty-one but~~
~~51 27 have not yet attained the age of sixty-five who qualify on a~~
~~51 28 financial basis for, but who are otherwise ineligible to~~
~~51 29 receive, federal supplemental security income or assistance~~
~~51 30 under the family investment program. Women eligible for~~
51 31 family planning services under a federally approved
51 32 demonstration waiver.

51 33 k. ~~As allowed under 42 U.S.C. }~~ 1396a(a)(10)(A)(ii)(XVII),
~~51 34 individuals under twenty-one years of age who were in foster~~
~~51 35 care under the responsibility of the state on the individual's~~



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~~52 1 eighteenth birthday, and whose income is less than two hundred
52 2 percent of the most recently revised official poverty
52 3 guidelines published by the United States department of health
52 4 and human services. Medical assistance may be provided for an
52 5 individual described by this paragraph regardless of the
52 6 individual's resources. Individuals and families who would be
52 7 eligible under subsection 1 or 2 of this section except for
52 8 excess income or resources, or a reasonable category of those
52 9 individuals and families.~~

52 10 Sec. 38. Section 249A.3, subsection 2, Code 2007, is
52 11 amended by adding the following new paragraph:

52 12 NEW PARAGRAPH. 1. Individuals who have attained the age
52 13 of twenty-one but have not yet attained the age of sixty-five
52 14 who qualify on a financial basis for, but who are otherwise
52 15 ineligible to receive, federal supplemental security income or
52 16 assistance under the family investment program.

52 17 Sec. 39. Section 249A.30A, Code 2007, is amended to read
52 18 as follows:

52 19 249A.30A MEDICAL ASSISTANCE == PERSONAL NEEDS ALLOWANCE.

52 20 The personal needs allowance under the medical assistance
52 21 program, which may be retained by a resident of a nursing
52 22 facility, an intermediate care facility for persons with
52 23 mental retardation, or an intermediate care facility for
52 24 persons with mental illness, as defined in section 135C.1, or
52 25 who is a resident of a psychiatric medical institution for
52 26 children as defined in section 135H.1, shall be fifty dollars
52 27 per month. A resident who has income of less than fifty
52 28 dollars per month shall receive a supplement from the state in
52 29 the amount necessary to receive a personal needs allowance of
52 30 fifty dollars per month, if funding is specifically
52 31 appropriated for this purpose.

52 32 Sec. 40. Section 252B.5, Code 2007, is amended by adding
52 33 the following new subsection:

52 34 NEW SUBSECTION. 12. a. Beginning October 1, 2007,
52 35 implement the provision of the federal Deficit Reduction Act



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53 1 of 2005, Pub. L. No. 109-171 } 7310, requiring an annual
53 2 collections fee of twenty-five dollars in child support cases
53 3 in which the family has never received assistance under Title
53 4 IV=A of the federal Social Security Act for whom the unit has
53 5 collected at least five hundred dollars. After the first five
53 6 hundred dollars in support is collected in each year for a
53 7 family, the fee shall be collected from the obligor by
53 8 retaining twenty five dollars from subsequent collections. If
53 9 five hundred dollars but less than five hundred twenty-five
53 10 dollars is collected in any year, any unpaid portion of the
53 11 annual fee shall not accumulate and is not due. Any amount
53 12 retained to pay the twenty-five dollar fee shall not reduce
53 13 the amount of support due under the support order. The unit
53 14 shall send information regarding the requirements of this
53 15 subsection by regular mail to the last known address of an
53 16 affected obligor or obligee, or may include the information
53 17 for an obligee in an application for services signed by the
53 18 obligee. In addition, the unit shall take steps necessary
53 19 regarding the fee to qualify for federal funds in conformity
53 20 with the provisions of Title IV=D of the federal Social
53 21 Security Act, including receiving and accounting for fee
53 22 payments, as appropriate, through the collection services
53 23 center created in section 252B.13A.
53 24 b. Fees collected pursuant to this subsection shall be
53 25 considered repayment receipts as defined in section 8.2, and
53 26 shall be used for the purposes of the unit. The director
53 27 shall maintain an accurate record of the fees collected and
53 28 expended under this subsection.
53 29 c. If any requirement in paragraph "a" for implementation
53 30 of the annual fee does not conform to federal law, the fee
53 31 shall instead be implemented in conformance with federal law.
53 32 Additionally, if federal law does not permit collection of the
53 33 annual fee from the obligor as provided in paragraph "a", the
53 34 fee shall be collected from the obligee by retaining a
53 35 twenty-five dollar fee from support paid by the obligor.



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54 1 Sec. 41. 2006 Iowa Acts, chapter 1123, section 1,
54 2 subsections 3 and 4, are amended to read as follows:
54 3 3. ELIGIBILITY. A child is eligible for the treatment
54 4 program if at the time of discharge from a psychiatric
54 5 institution the child is unable to return to the child's
54 6 family home or participation in the treatment program may
54 7 eliminate or limit the need for placement in a psychiatric
54 8 institution, and one of the following conditions is
54 9 applicable:
54 10 a. The child has treatment issues which cause the child to
54 11 be at high risk of failing in a foster care placement unless
54 12 targeted support services are provided.
54 13 b. The child has had multiple previous out-of-home
54 14 placements.
54 15 4. ELIGIBILITY DETERMINATION. Children who are
54 16 potentially eligible for a treatment program shall be
54 17 identified by the administrator of a treatment program prior
54 18 to or at the time of the child's admission to a psychiatric
54 19 institution. In order to be admitted to the treatment
54 20 program, the treatment program administrator must determine
54 21 the child has a need that can be met by the program, the child
54 22 can be placed with an appropriate family foster care provider,
54 23 and appropriate services to support the child are available in
54 24 the family foster care placement. The determination shall be
54 25 made in coordination with the child's family, department
54 26 staff, and other persons involved with decision making for the
54 27 child's out-of-home placement.
54 28 Sec. 42. 2006 Iowa Acts, chapter 1123, section 1, is
54 29 amended by adding the following new subsection:
54 30 NEW SUBSECTION. 5A. OTHER PROVISIONS.
54 31 a. The pilot project provisions shall allow children who
54 32 are voluntarily placed in a psychiatric institution to
54 33 participate in the pilot project.
54 34 b. The pilot project shall allow exceptions to allow more
54 35 than two children to be placed in a pilot project home if



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55 1 deemed appropriate in order to keep siblings together or for
55 2 other good cause.

55 3 Sec. 43. 2006 Iowa Acts, chapter 1184, section 2,
55 4 subsection 1, is amended to read as follows:

55 5 1. ADDICTIVE DISORDERS

55 6 For reducing the prevalence of use of tobacco, alcohol, and
55 7 other drugs, and treating individuals affected by addictive
55 8 behaviors, including gambling, and for not more than the
55 9 following full-time equivalent positions:

55 10	\$	1,761,036
55 11		<u>2,443,036</u>
55 12	FTEs	4.35

55 13 The department and any grantee or subgrantee of the
55 14 department shall not discriminate against a nongovernmental
55 15 organization that provides substance abuse treatment and
55 16 prevention services or applies for funding to provide those
55 17 services on the basis that the organization has a religious
55 18 character.

55 19 Of the ~~moneys~~ funds appropriated in this subsection,
55 20 \$30,310 shall be used to continue to provide funding to local
55 21 communities that have previously received funding from the
55 22 centers for disease control and prevention of the United
55 23 States department of health and human services for secondhand
55 24 smoke education initiatives.

55 25 Of the funds appropriated in this subsection, \$500,000
55 26 shall be used as additional funding for tobacco cessation
55 27 direct services and \$182,000 shall be used for other tobacco
55 28 use prevention, cessation, and treatment activities pursuant
55 29 to chapter 142A.

55 30 Sec. 44. 2006 Iowa Acts, chapter 1184, section 5,
55 31 subsection 2, is amended by adding the following new
55 32 unnumbered paragraph:

55 33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and
55 34 section 35D.18, subsection 5, moneys appropriated in this
55 35 subsection that remain unencumbered or unobligated at the



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56 1 close of the fiscal year shall not revert but shall remain
 56 2 available for expenditure in succeeding fiscal years. Of the
 56 3 amount remaining available for expenditure under this
 56 4 paragraph, the first \$1,000,000 shall be used for Iowa
 56 5 veterans home operations in the immediately succeeding fiscal
 56 6 year, and the balance shall be transferred to the
 56 7 appropriation made in 2006 Iowa Acts, chapter 1179, section
 56 8 16, subsection 12, for the fiscal year beginning July 1, 2006,
 56 9 to be used for purposes of capital improvements, renovations,
 56 10 or new construction at the Iowa veterans home.

56 11 Sec. 45. 2006 Iowa Acts, chapter 1184, section 6,
 56 12 subsection 7, is amended to read as follows:

56 13 7. For state child care assistance:

56 14	\$ 15,756,560
56 15	<u>16,756,560</u>

56 16 a. Of the funds appropriated in this subsection, \$200,000
 56 17 shall be used for provision of educational opportunities to
 56 18 registered child care home providers in order to improve
 56 19 services and programs offered by this category of providers
 56 20 and to increase the number of providers. The department may
 56 21 contract with institutions of higher education or child care
 56 22 resource and referral centers to provide the educational
 56 23 opportunities. Allowable administrative costs under the
 56 24 contracts shall not exceed 5 percent. The application for a
 56 25 grant shall not exceed two pages in length.

56 26 b. The funds appropriated in this subsection shall be
 56 27 transferred to the child care and development block grant
 56 28 appropriation.

56 29 Notwithstanding section 8.33, moneys appropriated in this
 56 30 subsection that remain unencumbered or unobligated at the
 56 31 close of the fiscal year shall not revert but shall remain
 56 32 available for expenditure for the purposes designated until
 56 33 the close of the succeeding fiscal year.

56 34 Sec. 46. 2006 Iowa Acts, chapter 1184, section 7,
 56 35 subsection 5, is amended to read as follows:



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57 1 5. Of the child support collections assigned under FIP, an
57 2 amount equal to the federal share of support collections shall
57 3 be credited to the child support recovery appropriation. Of
57 4 the remainder of the assigned child support collections
57 5 received by the child support recovery unit, a portion shall
57 6 be credited to the FIP account and a portion may be used to
57 7 increase recoveries. If child support collections assigned
57 8 under FIP are greater than estimated or are otherwise
57 9 determined not to be required for maintenance of effort, the
57 10 state share of ~~that greater portion~~ either amount may be
57 11 transferred to or retained in the child support payments
57 12 account.

57 13 Sec. 47. 2006 Iowa Acts, chapter 1184, section 9, is
57 14 amended by adding the following new subsection:

57 15 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
57 16 appropriated in this section that remain unencumbered or
57 17 unobligated at the close of the fiscal year shall not revert
57 18 but shall remain available for expenditure for the purposes
57 19 designated until the close of the succeeding fiscal year.

57 20 Sec. 48. 2006 Iowa Acts, chapter 1184, section 10,
57 21 unnumbered paragraph 2, is amended to read as follows:

57 22 For medical assistance reimbursement and associated costs
57 23 as specifically provided in the reimbursement methodologies in
57 24 effect on June 30, 2006, except as otherwise expressly
57 25 authorized by law, including reimbursement for abortion
57 26 services, which shall be available under the medical
57 27 assistance program only for those abortions which are
57 28 medically necessary:

57 29	\$652,311,610
57 30	<u>664,311,610</u>

57 31 Sec. 49. 2006 Iowa Acts, chapter 1184, section 13, is
57 32 amended by adding the following new subsection:

57 33 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
57 34 \$1,100,000 of the moneys appropriated in this section that
57 35 remain unencumbered or unobligated at the close of the fiscal



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58 1 year shall not revert but shall remain available for
58 2 expenditure for the purposes designated until the close of the
58 3 succeeding fiscal year.

58 4 Sec. 50. 2006 Iowa Acts, chapter 1184, section 15, is
58 5 amended by adding the following new subsection:

58 6 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
58 7 appropriated in this section that remain unencumbered or
58 8 unobligated at the close of the fiscal year shall not revert
58 9 to any fund but shall remain available for expenditure for the
58 10 purposes designated until the close of the succeeding fiscal
58 11 year.

58 12 Sec. 51. 2006 Iowa Acts, chapter 1184, section 17,
58 13 subsection 16, is amended by adding the following new
58 14 unnumbered paragraph:

58 15 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
58 16 moneys appropriated in this subsection that remain
58 17 unencumbered or unobligated at the close of the fiscal year
58 18 shall not revert but shall remain available for expenditure
58 19 for the purposes designated until the close of the succeeding
58 20 fiscal year.

58 21 Sec. 52. 2006 Iowa Acts, chapter 1184, section 18, is
58 22 amended by adding the following new subsection:

58 23 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
58 24 \$2,000,000 of the moneys appropriated in this section that
58 25 remain unencumbered or unobligated at the close of the fiscal
58 26 year shall not revert but shall remain available for
58 27 expenditure for the purposes designated until the close of the
58 28 succeeding fiscal year.

58 29 Sec. 53. 2006 Iowa Acts, chapter 1184, section 23, is
58 30 amended by adding the following new subsection:

58 31 NEW SUBSECTION. 7. a. Notwithstanding sections 8.33 and
58 32 222.92, of the revenues available to the state resource
58 33 centers that remain unencumbered or unobligated at the close
58 34 of the fiscal year, the indicated amounts shall not revert but
58 35 shall remain available for expenditure for the purposes



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59 1 designated until the close of the succeeding fiscal year:
59 2 (1) For the state resource center at Glenwood, \$1,000,000.
59 3 (2) For the state resource center at Woodward, \$1,000,000.
59 4 b. Of the amounts designated in paragraph "a", the amounts
59 5 above \$750,000 at each resource center shall be used to
59 6 continue the procurement and installation of the electronic
59 7 medical records system initiated in the fiscal year beginning
59 8 July 1, 2005.
59 9 Sec. 54. 2006 Iowa Acts, chapter 1184, section 24, is
59 10 amended by adding the following new subsection:
59 11 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
59 12 appropriated in this section that remain unencumbered or
59 13 unobligated at the close of the fiscal year shall not revert
59 14 but shall remain available for expenditure for the purposes
59 15 designated until the close of the succeeding fiscal year.
59 16 Sec. 55. 2006 Iowa Acts, chapter 1184, section 27, is
59 17 amended by adding the following new unnumbered paragraph:
59 18 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, up
59 19 to \$1,500,000 of the moneys appropriated in this section that
59 20 remain unencumbered or unobligated at the close of the fiscal
59 21 year shall not revert but shall remain available for
59 22 expenditure until the close of the succeeding fiscal year.
59 23 Sec. 56. 2006 Iowa Acts, chapter 1184, section 28, is
59 24 amended by adding the following new subsection:
59 25 NEW SUBSECTION. 4. Notwithstanding section 8.33, federal
59 26 food stamp assistance award funds the department receives
59 27 during the fiscal year beginning July 1, 2006, that remain
59 28 unencumbered or unobligated at the close of the fiscal year,
59 29 shall not revert to any other fund but shall remain available
59 30 for expenditure to continue projects to increase access,
59 31 assure accuracy, avoid federal error rate sanctions, and
59 32 improve customer service, until the close of the succeeding
59 33 fiscal year.
59 34 Sec. 57. 2006 Iowa Acts, chapter 1184, section 60,
59 35 subsection 4, unnumbered paragraph 3, if enacted by 2007 Iowa



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60 1 Acts, Senate File 403, section 12, is amended to read as
60 2 follows:

60 3 The amount appropriated in this subsection shall be
60 4 distributed only if ~~federal funds are available to match the~~
~~60 5 amount appropriated and expenses are incurred to serve the~~
~~60 6 IowaCare expansion population expansion population claims~~
60 7 adjudicated and paid by the Iowa Medicaid enterprise exceed
60 8 the appropriation to the state board of regents for
60 9 distribution to the university of Iowa hospitals and clinics
60 10 provided in subsection 1. The amount appropriated in this
60 11 subsection shall be distributed monthly for expansion
60 12 population claims adjudicated and approved for payment by the
60 13 Iowa Medicaid enterprise using medical assistance program
60 14 reimbursement rates.

60 15 Sec. 58. 2006 Iowa Acts, chapter 1184, section 124, is
60 16 amended to read as follows:

60 17 SEC. 124. VETERANS TRUST FUND == FEDERAL REPLACEMENT
60 18 FUNDS. If funds are received from the United States
60 19 department of veterans affairs for the establishment and
60 20 operation of a veterans cemetery in this state, a portion of
60 21 those funds, not to exceed \$500,000, shall be credited to the
60 22 general fund of the state, and the remainder is appropriated
60 23 to and shall be deposited in the veterans trust fund
60 24 established in section 35A.13, subject to the requirements of
60 25 this section and consistent with any federal requirements
60 26 associated with such funds. The portion deposited in the
60 27 veterans trust fund shall be at least equal to moneys expended
60 28 for the establishment and operation of a veterans cemetery
60 29 from moneys appropriated for that purpose pursuant to 2004
60 30 Iowa Acts, chapter 1175, section 288, subsection 16.

60 31 Sec. 59. 2006 Iowa Acts, chapter 1185, section 34, is
60 32 amended by adding the following new unnumbered paragraph:

60 33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
60 34 the moneys appropriated in this section for the county grant
60 35 program for veterans that remain unencumbered or unobligated



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61 1 at the close of the fiscal year shall not revert but shall
61 2 remain available for expenditure for the purposes designated
61 3 until the close of the succeeding fiscal year.
61 4 Sec. 60. EFFECTIVE DATES. The following provisions of
61 5 this division of this Act, being deemed of immediate
61 6 importance, take effect upon enactment:
61 7 1. The provision under the appropriation for child and
61 8 family services, relating to requirements of section 232.143
61 9 for representatives of the department of human services and
61 10 juvenile court services to establish a plan for continuing
61 11 group foster care expenditures for the 2007=2008 fiscal year.
61 12 2. The provision relating to the appropriation from the
61 13 surplus existing in the general fund of the state at the close
61 14 of the fiscal year beginning July 1, 2006, to supplement the
61 15 medical assistance appropriation for the purpose of rebasing
61 16 nursing facility reimbursement rates.
61 17 3. The provision amending 2006 Iowa Acts, chapter 1184,
61 18 section 2, subsection 1.
61 19 4. The provision amending 2006 Iowa Acts, chapter 1184,
61 20 section 5.
61 21 5. The provision amending 2006 Iowa Acts, chapter 1184,
61 22 section 6.
61 23 6. The provision amending 2006 Iowa Acts, chapter 1184,
61 24 section 7.
61 25 7. The provision amending 2006 Iowa Acts, chapter 1184,
61 26 section 9.
61 27 8. The provision amending 2006 Iowa Acts, chapter 1184,
61 28 section 10.
61 29 9. The provision amending 2006 Iowa Acts, chapter 1184,
61 30 section 13.
61 31 10. The provision amending 2006 Iowa Acts, chapter 1184,
61 32 section 15.
61 33 11. The provision amending 2006 Iowa Acts, chapter 1184,
61 34 section 17, subsection 16.
61 35 12. The provision amending 2006 Iowa Acts, chapter 1184,



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- 62 1 section 18.
- 62 2 13. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 3 section 23.
- 62 4 14. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 5 section 24.
- 62 6 15. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 7 section 27.
- 62 8 16. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 9 section 28.
- 62 10 17. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 11 section 60.
- 62 12 18. The provision amending 2006 Iowa Acts, chapter 1184,
- 62 13 section 124.
- 62 14 19. The provision amending 2006 Iowa Acts, chapter 1185,
- 62 15 section 34.

62 16 DIVISION II
62 17 SENIOR LIVING TRUST FUND,
62 18 PHARMACEUTICAL SETTLEMENT ACCOUNT,
62 19 IOWACARE ACCOUNT, AND HEALTH CARE
62 20 TRANSFORMATION ACCOUNT

62 21 Sec. 61. DEPARTMENT OF ELDER AFFAIRS. There is
62 22 appropriated from the senior living trust fund created in
62 23 section 249H.4 to the department of elder affairs for the
62 24 fiscal year beginning July 1, 2007, and ending June 30, 2008,
62 25 the following amount, or so much thereof as is necessary, to
62 26 be used for the purpose designated:
62 27 For the development and implementation of a comprehensive
62 28 senior living program, including case management only if the
62 29 monthly cost per client for case management for the frail
62 30 elderly services provided does not exceed an average of \$70,
62 31 and including program administration and costs associated with
62 32 implementation, salaries, support, maintenance, and
62 33 miscellaneous purposes and for not more than the following
62 34 full-time equivalent positions:
62 35 \$ 8,384,044



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63 1 FTEs 3.00
63 2 1. Of the funds appropriated in this section, \$2,196,967
63 3 shall be used for case management for the frail elderly. Of
63 4 the funds allocated in this subsection, \$1,010,000 shall be
63 5 transferred to the department of human services in equal
63 6 amounts on a quarterly basis for reimbursement of case
63 7 management services provided under the medical assistance
63 8 elderly waiver. The monthly cost per client for case
63 9 management for the frail elderly services provided shall not
63 10 exceed an average of \$70.
63 11 2. Notwithstanding section 249H.7, the department of elder
63 12 affairs shall distribute up to \$400,000 of the funds
63 13 appropriated in this section in a manner that will supplement
63 14 and maximize federal funds under the federal Older Americans
63 15 Act and shall not use the amount distributed for any
63 16 administrative purposes of either the department of elder
63 17 affairs or the area agencies on aging.
63 18 3. Of the funds appropriated in this section, \$60,000
63 19 shall be used to provide dementia-specific education to direct
63 20 care workers and other providers of long-term care to enhance
63 21 existing or scheduled efforts through the Iowa caregivers
63 22 association, the Alzheimer's association, and other
63 23 organizations identified as appropriate by the department.
63 24 Sec. 62. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
63 25 appropriated from the senior living trust fund created in
63 26 section 249H.4 to the department of inspections and appeals
63 27 for the fiscal year beginning July 1, 2007, and ending June
63 28 30, 2008, the following amount, or so much thereof as is
63 29 necessary, to be used for the purpose designated:
63 30 For the inspection and certification of assisted living
63 31 facilities and adult day care services, including program
63 32 administration and costs associated with implementation,
63 33 salaries, support, maintenance, and miscellaneous purposes and
63 34 for not more than the following full-time equivalent
63 35 positions:



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64 1 \$ 790,751
64 2 FTEs 5.00
64 3 Sec. 63. DEPARTMENT OF HUMAN SERVICES. There is
64 4 appropriated from the senior living trust fund created in
64 5 section 249H.4 to the department of human services for the
64 6 fiscal year beginning July 1, 2007, and ending June 30, 2008,
64 7 the following amount, or so much thereof as is necessary, to
64 8 be used for the purpose designated:
64 9 To supplement the medical assistance appropriation,
64 10 including program administration and costs associated with
64 11 implementation, salaries, support, maintenance, and
64 12 miscellaneous purposes and for not more than the following
64 13 full-time equivalent positions:
64 14 \$ 65,000,000
64 15 FTEs 5.00
64 16 In order to carry out the purposes of this section, the
64 17 department may transfer funds appropriated in this section to
64 18 supplement other appropriations made to the department of
64 19 human services.
64 20 Sec. 64. IOWA FINANCE AUTHORITY. There is appropriated
64 21 from the senior living trust fund created in section 249H.4 to
64 22 the Iowa finance authority for the fiscal year beginning July
64 23 1, 2007, and ending June 30, 2008, the following amount, or so
64 24 much thereof as is necessary, to be used for the purposes
64 25 designated:
64 26 To provide reimbursement for rent expenses to eligible
64 27 persons:
64 28 \$ 700,000
64 29 Participation in the rent subsidy program shall be limited
64 30 to only those persons who meet the requirements for the
64 31 nursing facility level of care for home and community-based
64 32 services waiver services as in effect on July 1, 2007.
64 33 Sec. 65. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
64 34 appropriated from the pharmaceutical settlement account
64 35 created in section 249A.33 to the department of human services



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65 1 for the fiscal year beginning July 1, 2007, and ending June
65 2 30, 2008, the following amount, or so much thereof as is
65 3 necessary, to be used for the purpose designated:
65 4 To supplement the appropriations made for medical contracts
65 5 under the medical assistance program:
65 6 \$ 1,323,833
65 7 Sec. 66. APPROPRIATIONS FROM IOWACARE ACCOUNT.
65 8 1. There is appropriated from the IowaCare account created
65 9 in section 249J.24 to the state board of regents for
65 10 distribution to the university of Iowa hospitals and clinics
65 11 for the fiscal year beginning July 1, 2007, and ending June
65 12 30, 2008, the following amount, or so much thereof as is
65 13 necessary, to be used for the purposes designated:
65 14 For salaries, support, maintenance, equipment, and
65 15 miscellaneous purposes, for the provision of medical and
65 16 surgical treatment of indigent patients, for provision of
65 17 services to members of the expansion population pursuant to
65 18 chapter 249J, and for medical education:
65 19 \$ 27,284,584
65 20 a. The university of Iowa hospitals and clinics shall,
65 21 when medically appropriate, make reasonable efforts to extend
65 22 the university of Iowa hospitals and clinics' use of home
65 23 telemedicine and other technologies to reduce the frequency of
65 24 visits to the hospital required by indigent patients.
65 25 b. The university of Iowa hospitals and clinics shall
65 26 submit quarterly a report regarding the portion of the
65 27 appropriation in this subsection expended on medical
65 28 education. The report shall be submitted in a format jointly
65 29 developed by the university of Iowa hospitals and clinics, the
65 30 legislative services agency, and the department of management,
65 31 and shall delineate the expenditures and purposes of the
65 32 funds.
65 33 c. Funds appropriated in this subsection shall not be used
65 34 to perform abortions except medically necessary abortions, and
65 35 shall not be used to operate the early termination of



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66 1 pregnancy clinic except for the performance of medically
66 2 necessary abortions. For the purpose of this subsection, an
66 3 abortion is the purposeful interruption of pregnancy with the
66 4 intention other than to produce a live-born infant or to
66 5 remove a dead fetus, and a medically necessary abortion is one
66 6 performed under one of the following conditions:

66 7 (1) The attending physician certifies that continuing the
66 8 pregnancy would endanger the life of the pregnant woman.

66 9 (2) The attending physician certifies that the fetus is
66 10 physically deformed, mentally deficient, or afflicted with a
66 11 congenital illness.

66 12 (3) The pregnancy is the result of a rape which is
66 13 reported within 45 days of the incident to a law enforcement
66 14 agency or public or private health agency which may include a
66 15 family physician.

66 16 (4) The pregnancy is the result of incest which is
66 17 reported within 150 days of the incident to a law enforcement
66 18 agency or public or private health agency which may include a
66 19 family physician.

66 20 (5) The abortion is a spontaneous abortion, commonly known
66 21 as a miscarriage, wherein not all of the products of
66 22 conception are expelled.

66 23 d. Notwithstanding any provision of law to the contrary,
66 24 the amount appropriated in this subsection shall be allocated
66 25 in twelve equal monthly payments as provided in section
66 26 249J.24.

66 27 2. There is appropriated from the IowaCare account created
66 28 in section 249J.24 to the state board of regents for
66 29 distribution to the university of Iowa hospitals and clinics
66 30 for the fiscal year beginning July 1, 2007, and ending June
66 31 30, 2008, the following amount, or so much thereof as is
66 32 necessary, to be used for the purposes designated:

66 33 For salaries, support, maintenance, equipment, and
66 34 miscellaneous purposes, for the provision of medical and
66 35 surgical treatment of indigent patients, for provision of



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67 1 services to members of the expansion population pursuant to
67 2 chapter 249J, and for medical education:
67 3 \$ 10,000,000

67 4 The amount appropriated in this subsection shall be
67 5 distributed only if expansion population claims adjudicated
67 6 and paid by the Iowa Medicaid enterprise exceed the
67 7 appropriation to the state board of regents for distribution
67 8 to the university of Iowa hospitals and clinics provided in
67 9 subsection 1. The amount appropriated in this subsection
67 10 shall be distributed monthly for expansion population claims
67 11 adjudicated and approved for payment by the Iowa Medicaid
67 12 enterprise using medical assistance program reimbursement
67 13 rates.

67 14 3. There is appropriated from the IowaCare account created
67 15 in section 249J.24 to the department of human services for the
67 16 fiscal year beginning July 1, 2007, and ending June 30, 2008,
67 17 the following amount, or so much thereof as is necessary, to
67 18 be used for the purposes designated:

67 19 For distribution to a publicly owned acute care teaching
67 20 hospital located in a county with a population over three
67 21 hundred fifty thousand for the provision of medical and
67 22 surgical treatment of indigent patients, for provision of
67 23 services to members of the expansion population pursuant to
67 24 chapter 249J, and for medical education:
67 25 \$ 40,000,000

67 26 Notwithstanding any provision of law to the contrary, the
67 27 amount appropriated in this subsection shall be allocated in
67 28 twelve equal monthly payments as provided in section 249J.24.
67 29 Any amount appropriated in this subsection in excess of
67 30 \$37,000,000 shall be allocated only if federal funds are
67 31 available to match the amount allocated.

67 32 4. There is appropriated from the IowaCare account created
67 33 in section 249J.24 to the department of human services for the
67 34 fiscal year beginning July 1, 2007, and ending June 30, 2008,
67 35 the following amounts, or so much thereof as is necessary, to



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68 1 be used for the purposes designated:
68 2 a. For the state mental health institute at Cherokee, for
68 3 salaries, support, maintenance, and miscellaneous purposes,
68 4 including services to members of the expansion population
68 5 pursuant to chapter 249J:
68 6 \$ 9,098,425
68 7 b. For the state mental health institute at Clarinda, for
68 8 salaries, support, maintenance, and miscellaneous purposes,
68 9 including services to members of the expansion population
68 10 pursuant to chapter 249J:
68 11 \$ 1,977,305
68 12 c. For the state mental health institute at Independence,
68 13 for salaries, support, maintenance, and miscellaneous
68 14 purposes, including services to members of the expansion
68 15 population pursuant to chapter 249J:
68 16 \$ 9,045,894
68 17 d. For the state mental health institute at Mount
68 18 Pleasant, for salaries, support, maintenance, and
68 19 miscellaneous purposes, including services to members of the
68 20 expansion population pursuant to chapter 249J:
68 21 \$ 5,752,587
68 22 Sec. 67. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
68 23 TRANSFORMATION. There is appropriated from the account for
68 24 health care transformation created in section 249J.23, to the
68 25 department of human services, for the fiscal year beginning
68 26 July 1, 2007, and ending June 30, 2008, the following amounts,
68 27 or so much thereof as is necessary, to be used for the
68 28 purposes designated:
68 29 1. For the costs of medical examinations and development
68 30 of personal health improvement plans for the expansion
68 31 population pursuant to section 249J.6:
68 32 \$ 556,800
68 33 2. For the provision of a medical information hotline for
68 34 the expansion population as provided in section 249J.6:
68 35 \$ 150,000



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69 1 3. For the mental health transformation pilot program:
69 2 \$ 250,000
69 3 4. For other health promotion partnership activities
69 4 pursuant to section 249J.14:
69 5 \$ 550,000
69 6 5. For the costs related to audits, performance
69 7 evaluations, and studies required pursuant to chapter 249J:
69 8 \$ 400,000
69 9 6. For administrative costs associated with chapter 249J:
69 10 \$ 930,352
69 11 7. For planning and development, in cooperation with the
69 12 department of public health, of a phased-in program to provide
69 13 a dental home for children:
69 14 \$ 1,186,475
69 15 The department shall issue a request for proposals for a
69 16 performance-based contract to implement the dental home for
69 17 children and shall apply for any waivers from the centers for
69 18 Medicare and Medicaid services of the United States department
69 19 of health and human services, as necessary, to pursue a
69 20 phased-in approach. The department shall submit progress
69 21 reports regarding the planning and development of the dental
69 22 home for children to the medical assistance projections and
69 23 assessment council on a periodic basis.
69 24 Notwithstanding section 8.39, subsection 1, without the
69 25 prior written consent and approval of the governor and the
69 26 director of the department of management, the director of
69 27 human services may transfer funds among the appropriations
69 28 made in this section, as necessary to carry out the purposes
69 29 of the account for health care transformation. The department
69 30 shall report any transfers made pursuant to this section to
69 31 the legislative services agency.
69 32 Sec. 68. TRANSFER FROM ACCOUNT FOR HEALTH CARE
69 33 TRANSFORMATION. There is transferred from the account for
69 34 health care transformation created pursuant to section
69 35 249J.23, to the IowaCare account created in section 249J.24, a



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70 1 total of \$5,000,000 for the fiscal year beginning July 1,
70 2 2007, and ending June 30, 2008.
70 3 Sec. 69. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
70 4 LIVING TRUST FUND FOR FY 2007=2008. Notwithstanding section
70 5 8.33, if moneys appropriated for purposes of the medical
70 6 assistance program for the fiscal year beginning July 1, 2007,
70 7 and ending June 30, 2008, from the general fund of the state,
70 8 the senior living trust fund, the healthy Iowans tobacco trust
70 9 fund, and the health care trust fund are in excess of actual
70 10 expenditures for the medical assistance program and remain
70 11 unencumbered or unobligated at the close of the fiscal year,
70 12 the excess moneys shall not revert but shall be transferred to
70 13 the senior living trust fund created in section 249H.4.

70 14 DIVISION III
70 15 MH/MR/DD/BI SERVICES
70 16 ALLOWED GROWTH FUNDING ==
70 17 FY 2007=2008

70 18 Sec. 70. Section 225C.7, subsection 2, Code 2007, is
70 19 amended to read as follows:

70 20 2. Moneys appropriated to the fund shall be allocated to
70 21 counties for funding of community-based mental health, mental
70 22 retardation, developmental disabilities, and brain injury
70 23 services in the manner provided in the appropriation to the
70 24 fund. If the allocation methodology includes a population
70 25 factor, the most recent population estimates issued by the
70 26 United States bureau of the census shall be applied.

70 27 Sec. 71. Section 331.438, subsection 1, paragraph b, Code
70 28 2007, is amended by striking the paragraph.

70 29 Sec. 72. Section 331.438, subsection 2, Code 2007, is
70 30 amended to read as follows:

70 31 2. ~~a-~~ A state payment to a county for a fiscal year shall
70 32 consist of the sum of the state funding the county is eligible
70 33 to receive from the property tax relief fund in accordance
70 34 with section 426B.2 plus the county's portion of state funds
70 35 appropriated for the allowed growth factor adjustment



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71 1 established by the general assembly under section 331.439,
71 2 subsection 3, and paid from the allowed growth funding pool in
71 3 accordance with section 426B.5.

71 4 ~~b. A county's portion of the allowed growth factor~~
71 5 ~~adjustment appropriation for a fiscal year shall be determined~~
71 6 ~~based upon the county's proportion of the state's general~~
71 7 ~~population.~~

71 8 ~~e. The department of human services shall provide for~~
71 9 ~~payment of the amount due a county for the county's allowed~~
71 10 ~~growth factor adjustment determined in accordance with this~~
71 11 ~~subsection. The director of human services shall authorize~~
71 12 ~~warrants payable to the county treasurer for the amounts due~~
71 13 ~~and the warrants shall be mailed in January of each year. The~~
71 14 ~~county treasurer shall credit the amount of the warrant to the~~
71 15 ~~county's services fund created under section 331.424A.~~

71 16 ~~d. Unless otherwise provided by law, in order to be~~
71 17 ~~included in any distribution formula for the allowed growth~~
71 18 ~~factor adjustment and to receive an allowed growth factor~~
71 19 ~~adjustment payment, a county must levy seventy percent or more~~
71 20 ~~of the maximum amount allowed for the county's services fund~~
71 21 ~~for taxes due and payable in the fiscal year for which the~~
71 22 ~~allowed growth factor adjustment is payable.~~

71 23 Sec. 73. Section 426B.5, subsection 1, Code 2007, is
71 24 amended to read as follows:

71 25 1. ~~PER CAPITA EXPENDITURE TARGET~~ ALLOWED GROWTH FUNDING
71 26 POOL.

71 27 a. ~~A per capita expenditure target~~ An allowed growth
71 28 funding pool is created in the property tax relief fund. The
71 29 pool shall consist of the moneys credited to the pool by law.

71 30 b. ~~A statewide per capita expenditure target amount is~~
71 31 ~~established. The statewide per capita expenditure target~~
71 32 ~~amount shall be equal to the one-hundredth percentile of all~~
71 33 ~~county per capita expenditures in the fiscal year beginning~~
71 34 ~~July 1, 1997, and ending June 30, 1998.~~

71 35 e. b. Moneys available in the ~~per capita expenditure~~



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72 1 allowed growth funding pool for a fiscal year are appropriated
72 2 to the department of human services for distribution as
72 3 provided in this subsection.
72 4 c. The first twelve million dollars credited to the
72 5 funding pool shall be allocated to counties based upon the
72 6 county's relative proportion of the state's general
72 7 population.
72 8 d. (1) The amount in the funding pool remaining after the
72 9 allocation made in paragraph "c" shall be distributed
72 10 allocated to those counties that meet all of the following
72 11 eligibility requirements:
72 12 (1) (a) The county is levying the maximum amount allowed
72 13 for the county's mental health, mental retardation, and
72 14 developmental disabilities services fund under section
72 15 331.424A for the fiscal year in which the funding is
72 16 distributed.
72 17 ~~(2) The county's per capita expenditure in the latest~~
72 18 ~~fiscal year for which the actual expenditure information is~~
72 19 ~~available is equal to or less than the statewide per capita~~
72 20 ~~expenditure target amount.~~
72 21 ~~(3) (b) In the latest fiscal year that commenced two~~
72 22 ~~years prior to the fiscal year of distribution reported in~~
72 23 ~~accordance with section 331.403, the county's mental health,~~
72 24 ~~mental retardation, and developmental disabilities services~~
72 25 ~~fund ending balance under generally accepted accounting~~
72 26 ~~principles was equal to or less than twenty-five percent of~~
72 27 ~~the county's actual gross expenditures for the that fiscal~~
72 28 ~~year that commenced two years prior to the fiscal year of~~
72 29 ~~distribution.~~
72 30 ~~(4) The county is in compliance with the filing date~~
72 31 ~~requirements under section 331.403.~~
72 32 d. (2) The distribution amount allocated to a county
72 33 receives from the moneys available in the pool under this
72 34 paragraph "d" shall be determined based upon the county's
72 35 proportion of the general population of the counties eligible



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73 1 to receive moneys from the pool for that fiscal year.

73 2 ~~However, a county shall not receive moneys in excess of the~~
~~73 3 amount which would cause the county's per capita expenditure~~
~~73 4 to exceed the statewide per capita expenditure target.~~

73 5 e. In order to receive an allocation under this section, a
73 6 county must comply with the filing date requirements under

73 7 section 331.403. Moneys credited to the ~~per capita~~
~~73 8 expenditure target~~ allowed growth funding pool which remain
73 9 unobligated or unexpended at the close of a fiscal year shall
73 10 remain in the pool for distribution in the succeeding fiscal
73 11 year.

73 12 f. The most recent population estimates issued by the
73 13 United States bureau of the census shall be applied in
73 14 determining population for the purposes of this subsection.

73 15 e. g. The department of human services shall annually
73 16 calculate the amount of moneys due to eligible counties in
73 17 accordance with this subsection. The department shall
73 18 authorize the issuance of warrants payable to the county
73 19 treasurer for the amounts due and the warrants shall be issued
73 20 in January.

73 21 Sec. 74. 2006 Iowa Acts, chapter 1185, section 1, is
73 22 amended to read as follows:

73 23 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
73 24 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ALLOCATIONS
73 25 == FISCAL YEAR 2007=2008.

73 26 1. There is appropriated from the general fund of the
73 27 state to the department of human services for the fiscal year
73 28 beginning July 1, 2007, and ending June 30, 2008, the
73 29 following amount, or so much thereof as is necessary, to be
73 30 used for the purpose designated:

73 31 For distribution to counties of the county mental health,
73 32 mental retardation, and developmental disabilities allowed
73 33 growth factor adjustment, as provided in this section in lieu
73 34 of the provisions of section 331.438, subsection 2, and
73 35 section 331.439, subsection 3, and chapter 426B:



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74	1	\$	43,287,141
74	2			<u>36,888,041</u>
74	3	<u>1A. There is appropriated from the property tax relief</u>		
74	4	<u>fund to the department of human services for the fiscal year</u>		
74	5	<u>beginning July 1, 2007, and ending June 30, 2008, the</u>		
74	6	<u>following amount, or so much thereof as is necessary, to be</u>		
74	7	<u>used for the purposes designated:</u>		
74	8	<u>For distribution to counties of the county mental health,</u>		
74	9	<u>mental retardation, and developmental disabilities allowed</u>		
74	10	<u>growth factor adjustment, as provided in this section in lieu</u>		
74	11	<u>of the provisions of section 331.438, subsection 2, and</u>		
74	12	<u>section 331.439, subsection 3, and chapter 426B:</u>		
74	13	\$	<u>7,592,099</u>
74	14	2. The funding appropriated in this section is the allowed		
74	15	growth factor adjustment for fiscal year 2007=2008, and is		
74	16	allocated as follows:		
74	17	a. For distribution to counties for fiscal year 2007=2008		
74	18	in accordance with the formula in section 331.438, subsection		
74	19	2, paragraph "b":		
74	20	\$	<u>12,000,000</u>
74	21	b. a. For deposit in the per capita expenditure target		
74	22	allowed growth funding pool created in the property tax relief		
74	23	fund and for distribution in accordance with section 426B.5,		
74	24	subsection 1:		
74	25	\$	<u>24,360,548</u>
74	26			<u>41,553,547</u>
74	27	e. b. For deposit in the risk pool created in the		
74	28	property tax relief fund and for distribution in accordance		
74	29	with section 426B.5, subsection 2:		
74	30	\$	<u>2,000,000</u>
74	31			<u>0</u>
74	32	d. c. For expansion of services to persons with transfer		
74	33	to the department of public health for the brain injury		
74	34	services program in accordance with the law enacted by the		
74	35	Eighty-first General Assembly, 2006 Session, as law providing		



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~~75 1 for such expansion of services to commence in the fiscal year~~
~~75 2 beginning July 1, 2006 section 135.22B:~~
75 3 \$ 4,926,593
75 4 2,926,593
75 5 If 2006 Iowa Acts, House File 2772, is enacted by the
~~75 6 Eighty-first General Assembly, 2006 Session, the allocation~~
~~75 7 made in this lettered paragraph shall be transferred to the~~
~~75 8 Iowa department of public health to be used for the brain~~
~~75 9 injury services program created pursuant to that Act.~~
75 10 Sec. 75. 2006 Iowa Acts, chapter 1185, section 1, is
75 11 amended by adding the following new subsections:
75 12 NEW SUBSECTION. 3. The following formula amounts shall be
75 13 utilized only to calculate preliminary distribution amounts
75 14 for fiscal year 2007=2008 under this section by applying the
75 15 indicated formula provisions to the formula amounts and
75 16 producing a preliminary distribution total for each county:
75 17 a. For calculation of a distribution amount for eligible
75 18 counties from the allowed growth funding pool created in the
75 19 property tax relief fund in accordance with the requirements
75 20 in section 426B.5, subsection 1:
75 21 \$ 49,218,123
75 22 b. For calculation of a distribution amount for counties
75 23 from the mental health and developmental disabilities (MH/DD)
75 24 community services fund in accordance with the formula
75 25 provided in the appropriation made for the MH/DD community
75 26 services fund for the fiscal year beginning July 1, 2007:
75 27 \$ 17,727,890
75 28 NEW SUBSECTION. 4. After applying the applicable
75 29 statutory distribution formulas to the amounts indicated in
75 30 subsection 3 for purposes of producing preliminary
75 31 distribution totals, the department of human services shall
75 32 apply a withholding factor to adjust an eligible individual
75 33 county's preliminary distribution total. In order to be
75 34 eligible for a distribution under this section, a county must
75 35 be levying seventy percent or more of the maximum amount



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76 1 allowed for the county's mental health, mental retardation,
76 2 and developmental disabilities services fund under section
76 3 331.424A for taxes due and payable in the fiscal year for
76 4 which the distribution is payable. An ending balance
76 5 percentage for each county shall be determined by expressing
76 6 the county's ending balance on a modified accrual basis under
76 7 generally accepted accounting principles for the fiscal year
76 8 beginning July 1, 2006, in the county's mental health, mental
76 9 retardation, and developmental disabilities services fund
76 10 created under section 331.424A, as a percentage of the
76 11 county's gross expenditures from that fund for that fiscal
76 12 year. If a county borrowed moneys for purposes of providing
76 13 services from the county's services fund on or before July 1,
76 14 2006, and the county's services fund ending balance for that
76 15 fiscal year includes the loan proceeds or an amount designated
76 16 in the county budget to service the loan for the borrowed
76 17 moneys, those amounts shall not be considered to be part of
76 18 the county's ending balance for purposes of calculating an
76 19 ending balance percentage under this subsection. The
76 20 withholding factor for a county shall be the following
76 21 applicable percent:

76 22 a. For an ending balance percentage of less than 5
76 23 percent, a withholding factor of 0 percent. In addition, a
76 24 county that is subject to this lettered paragraph shall
76 25 receive an inflation adjustment equal to 3 percent of the
76 26 gross expenditures reported for the county's services fund for
76 27 the fiscal year.

76 28 b. For an ending balance percentage of 5 or more but less
76 29 than 10 percent, a withholding factor of 0 percent. In
76 30 addition, a county that is subject to this lettered paragraph
76 31 shall receive an inflation adjustment equal to 2 percent of
76 32 the gross expenditures reported for the county's services fund
76 33 for the fiscal year.

76 34 c. For an ending balance percentage of 10 or more but less
76 35 than 25 percent, a withholding factor of 25 percent. However,



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77 1 for counties with an ending balance percentage of 10 or more
77 2 but less than 15 percent, the amount withheld shall be limited
77 3 to the amount by which the county's ending balance was in
77 4 excess of the ending balance percentage of 10 percent.

77 5 d. For an ending balance percentage of 25 percent or more,
77 6 a withholding percentage of 100 percent.

77 7 NEW SUBSECTION. 5. The total withholding amounts applied
77 8 pursuant to subsection 4 shall be equal to a withholding
77 9 target amount of \$7,664,576. If the department of human
77 10 services determines that the amount to be withheld in
77 11 accordance with subsection 4 is not equal to the target
77 12 withholding amount, the department shall adjust the
77 13 withholding factors listed in subsection 4 as necessary to
77 14 achieve the target withholding amount. However, in making
77 15 such adjustments to the withholding factors, the department
77 16 shall strive to minimize changes to the withholding factors
77 17 for those ending balance percentage ranges that are lower than
77 18 others and shall not adjust the zero withholding factor or the
77 19 inflation adjustment percentage specified in subsection 4,
77 20 paragraph "a".

77 21 NEW SUBSECTION. 6. Notwithstanding sections 222.73 and
77 22 230.20, the department shall increase the per diem rates
77 23 billed to counties under those sections for the fiscal year
77 24 beginning July 1, 2007, to reflect any increase made in this
77 25 section in the amount appropriated for the allowed growth
77 26 factor adjustment.

77 27 Sec. 76. Section 331.440A, Code 2007, is repealed.

77 28

DIVISION IV

77 29

HEALTH CARE TRUST FUND APPROPRIATIONS ==

77 30

HEALTH CARE ACTIVITIES

77 31 Sec. 77. DEPARTMENT OF PUBLIC HEALTH. In addition to any
77 32 other appropriation made in this Act for the purposes
77 33 designated, there is appropriated from the health care trust
77 34 fund created in section 453A.35A to the department of public
77 35 health for the fiscal year beginning July 1, 2007, and ending



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78 1 June 30, 2008, the following amounts, or so much thereof as is
 78 2 necessary, for the purposes designated and for not more than
 78 3 the following full-time equivalent positions:

78 4 1. ADDICTIVE DISORDERS

78 5	\$ 9,332,254
78 6	FTEs 4.00

78 7 a. Of the funds appropriated in this subsection, \$450,000
 78 8 shall be used for implementation of culturally competent
 78 9 substance abuse treatment pilot projects.

78 10 (1) The department shall utilize the amount allocated in
 78 11 this lettered paragraph to expand existing contracts to
 78 12 implement at least three pilot projects to provide culturally
 78 13 competent substance abuse treatment in various areas of the
 78 14 state. Each pilot project shall target a particular ethnic
 78 15 minority population. The populations targeted shall include
 78 16 but are not limited to African-American, Asian, and Latino.

78 17 (2) The pilot project requirements shall provide for
 78 18 documentation or other means to ensure access to the cultural
 78 19 competence approach used by a pilot project so that such
 78 20 approach can be replicated and improved upon in successor
 78 21 programs.

78 22 b. Of the funds appropriated in this subsection,
 78 23 \$8,882,254 shall be used for tobacco use prevention,
 78 24 cessation, and treatment. The department shall utilize the
 78 25 funds to provide for a variety of activities related to
 78 26 tobacco use prevention, cessation, and treatment including to
 78 27 support Quitline Iowa, QuitNet cessation counseling and
 78 28 education, grants to school districts and community
 78 29 organizations to support Just Eliminate Lies youth chapters
 78 30 and youth tobacco prevention activities, expansion of the Just
 78 31 Eliminate Lies tobacco prevention media campaign with a focus
 78 32 on rural areas, nicotine replacement therapy, and other
 78 33 prevention and cessation materials and media promotion.

78 34 2. HEALTHY CHILDREN AND FAMILIES

78 35	\$ 439,000
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79 1 FTEs 0.50
79 2 a. Of the funds appropriated in this subsection, \$200,000
79 3 shall be used as additional funding to address the healthy
79 4 mental development of children from birth through five years
79 5 of age through local evidence-based strategies that engage
79 6 both the public and private sectors in promoting healthy
79 7 development, prevention, and treatment for children.
79 8 b. Of the funds appropriated in this subsection, \$180,000
79 9 shall be used for childhood obesity prevention.
79 10 c. Of the funds appropriated in this subsection, \$20,000
79 11 shall be used to implement the task force on postnatal tissue
79 12 and fluid banking, if enacted by 2007 Iowa Acts, House File
79 13 337.
79 14 d. Of the funds appropriated in this subsection, \$39,000
79 15 shall be used for the dental screening of children program
79 16 pursuant to section 135.17, if enacted by 2007 Iowa Acts,
79 17 House File 517.
79 18 3. CHRONIC CONDITIONS
79 19 \$ 1,178,981
79 20 a. Of the funds appropriated in this subsection, \$473,981
79 21 shall be used as additional funding for child health specialty
79 22 clinics.
79 23 b. Of the funds appropriated in this subsection, \$500,000
79 24 shall be used for the Iowa consortium for comprehensive cancer
79 25 control to reduce the burden of cancer in Iowa through
79 26 prevention, early detection, effective treatment, and ensuring
79 27 quality of life.
79 28 c. Of the funds appropriated in this subsection, \$5,000
79 29 shall be used for the hemophilia advisory council pursuant to
79 30 chapter 135N, if enacted by 2007 Iowa Acts, Senate File 548.
79 31 d. Of the funds appropriated in this subsection, \$200,000
79 32 shall be used for cervical and colon cancer screening.
79 33 4. COMMUNITY CAPACITY
79 34 \$ 3,125,000
79 35 FTEs 2.00



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80 1 a. Of the funds appropriated in this subsection, \$75,000
80 2 shall be used for local public health infrastructure to
80 3 examine minimum standards for local public health.
80 4 b. Of the funds appropriated in this subsection, \$300,000
80 5 shall be used for the mental health professional shortage area
80 6 program implemented pursuant to section 135.80, as enacted by
80 7 this Act.
80 8 c. Of the funds appropriated in this subsection, \$50,000
80 9 shall be used for a grant to a statewide association of
80 10 psychologists that is affiliated with the American
80 11 psychological association to be used for initial
80 12 implementation of a program to rotate intern psychologists in
80 13 placements in urban and rural mental health professional
80 14 shortage areas, as defined in section 135.80, as enacted by
80 15 this Act.
80 16 d. Of the funds appropriated in this subsection, the
80 17 following amounts shall be allocated to the Iowa collaborative
80 18 safety net provider network as enacted in this Act to be used
80 19 for the purposes designated:
80 20 (1) For distribution to the Iowa=Nebraska primary care
80 21 association for statewide coordination of the Iowa
80 22 collaborative safety net provider network:
80 23 \$ 100,000
80 24 (2) For distribution to the Iowa family planning network
80 25 agencies for necessary infrastructure, statewide coordination,
80 26 provider recruitment, service delivery, and provision of
80 27 assistance to patients in determining an appropriate medical
80 28 home:
80 29 \$ 100,000
80 30 (3) For distribution to the local boards of health that
80 31 provide direct services for pilot programs in three counties
80 32 to assist patients in determining an appropriate medical home:
80 33 \$ 100,000
80 34 (4) For distribution to maternal and child health centers
80 35 for pilot programs in three counties to assist patients in



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81 1 determining an appropriate medical home:
81 2 \$ 100,000
81 3 (5) For distribution to free clinics for necessary
81 4 infrastructure, statewide coordination, provider recruitment,
81 5 service delivery, and provision of assistance to patients in
81 6 determining an appropriate medical home:
81 7 \$ 250,000
81 8 (6) For distribution to rural health clinics for necessary
81 9 infrastructure, statewide coordination, provider recruitment,
81 10 service delivery, and provision of assistance to patients in
81 11 determining an appropriate medical home:
81 12 \$ 150,000
81 13 (7) For the safety net provider patient access to
81 14 specialty health care initiative as described in this Act:
81 15 \$ 400,000
81 16 (8) For the pharmaceutical infrastructure for safety net
81 17 providers as described in this Act:
81 18 \$ 400,000
81 19 e. Of the funds appropriated in this subsection, \$450,000
81 20 shall be used to continue the contract for the program to
81 21 develop an Iowa collaborative safety net provider network.
81 22 f. Of the funds appropriated in this subsection, \$650,000
81 23 shall be used to continue the incubation grant program to
81 24 community health centers that receive a total score of 85
81 25 based on the evaluation criteria of the health resources and
81 26 services administration of the United States department of
81 27 health and human services.
81 28 g. The department shall utilize one of the full-time
81 29 equivalent positions authorized in this subsection for
81 30 administration of the activities related to the Iowa
81 31 collaborative safety net provider network.
81 32 h. The department shall utilize one of the full-time
81 33 equivalent positions authorized in this subsection for
81 34 administration of the voluntary health care provider program
81 35 pursuant to section 135.24.



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82 1 Sec. 78. DEPARTMENT OF HUMAN SERVICES. In addition to any
82 2 other appropriation made in this Act for the purposes
82 3 designated, there is appropriated from the health care trust
82 4 fund created in section 453A.35A to the department of human
82 5 services for the fiscal year beginning July 1, 2007, and
82 6 ending June 30, 2008, the following amounts, or so much
82 7 thereof as is necessary, for the purposes designated:
82 8 1. MEDICAL ASSISTANCE
82 9 \$ 97,103,096
82 10 a. Of the funds appropriated in this subsection,
82 11 \$77,965,357 shall be used for costs of services and eligibles
82 12 including but not limited to the remedial services program;
82 13 intermediate care facilities for persons with mental
82 14 retardation (ICFMR); state cases; ambulance, clinic, and
82 15 hospice services; dental services; medical supplies and
82 16 equipment; targeted case management; medical related=provider
82 17 services; mental health=related optional services; and home
82 18 and community=based services inflation.
82 19 b. Of the funds appropriated in this subsection,
82 20 \$9,337,435 shall be used to expand access to medical
82 21 assistance for parents by increasing the earned income
82 22 disregard for parents in the family medical assistance
82 23 program.
82 24 c. Of the funds appropriated in this subsection,
82 25 \$1,495,405 shall be used to reduce the waiting list for the
82 26 children's mental health home and community=based services
82 27 waiver.
82 28 d. Of the funds appropriated in this subsection,
82 29 \$1,360,301 shall be used for the Medicaid for independent
82 30 young adults (MIYA) program.
82 31 e. Of the funds appropriated in this subsection,
82 32 \$1,001,000 shall be used for provision of habilitation
82 33 services.
82 34 f. Of the funds appropriated in this subsection,
82 35 \$4,361,598 shall be used for increased enrollment of medical



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83 1 assistance=eligible children in the medical assistance
 83 2 program.
 83 3 g. Of the funds appropriated in this subsection,
 83 4 \$1,100,000 shall be used for the money follows the person
 83 5 demonstration project to assist individuals in utilizing or
 83 6 transitioning to community services options.
 83 7 h. Of the funds appropriated in this subsection, \$250,000
 83 8 shall be used as additional funding for the grant to the Iowa
 83 9 healthcare collaborative as described in section 135.40.
 83 10 i. Of the funds appropriated in this subsection, \$132,000
 83 11 shall be used for provisions relating to medical assistance
 83 12 income trusts pursuant to the amendment to section 633C.3, if
 83 13 enacted by 2007 Iowa Acts, House File 397.
 83 14 2. STATE CHILDREN'S HEALTH INSURANCE PROGRAM
 83 15 \$ 8,329,570
 83 16 a. Of the funds appropriated in this subsection,
 83 17 \$4,697,363 shall be used to support current enrollment and
 83 18 natural growth in the program.
 83 19 b. Of the funds appropriated in this subsection, \$135,300
 83 20 shall be used to maintain current outreach efforts.
 83 21 c. Of the funds appropriated in this subsection,
 83 22 \$3,496,907 shall be used for increased enrollment of eligible
 83 23 children in the state children's health insurance program and
 83 24 necessary outreach.
 83 25 3. MH/MR/DD ALLOWED GROWTH FACTOR
 83 26 \$ 7,592,099
 83 27 The funds appropriated in this subsection shall be credited
 83 28 to the property tax relief fund created in section 426B.1.
 83 29 Sec. 79. LEGISLATIVE SERVICES AGENCY == LEGISLATIVE
 83 30 COMMISSION ON AFFORDABLE HEALTH CARE PLANS FOR SMALL
 83 31 BUSINESSES AND FAMILIES APPROPRIATION. There is appropriated
 83 32 from the health care trust fund created in section 453A.35A to
 83 33 the legislative services agency for the legislative commission
 83 34 on affordable health care plans for small businesses as
 83 35 enacted by this Act, for the fiscal year beginning July 1,



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84 1 2007, and ending June 30, 2008, the following amount, or so
84 2 much thereof as is necessary, for the purpose designated:
84 3 For carrying out the duties of the commission and the
84 4 health care data research advisory council:
84 5 \$ 500,000

84 6 Of the amount appropriated in this section, a portion shall
84 7 be used for the health and long-term care workforce review to
84 8 be conducted by the department of public health as described
84 9 in this Act.

84 10 Sec. 80. Section 135.24, subsection 2, paragraphs a and b,
84 11 Code 2007, are amended to read as follows:

84 12 a. Procedures for expedited registration of health care
84 13 providers deemed qualified by the board of medical examiners,
84 14 the board of physician assistant examiners, the board of
84 15 dental examiners, the board of nursing, the board of
84 16 chiropractic examiners, the board of psychology examiners, the
84 17 board of social work examiners, the board of behavioral
84 18 science examiners, the board of pharmacy examiners, the board
84 19 of optometry examiners, the board of podiatry examiners, the
84 20 board of physical and occupational therapy examiners, the
84 21 state board for respiratory care, and the Iowa department of
84 22 public health, as applicable. An expedited registration shall
84 23 be completed within fifteen days of application of the health
84 24 care provider.

84 25 b. Procedures for expedited registration of free clinics.
84 26 An expedited registration shall be completed within fifteen
84 27 days of application of the free clinic.

84 28 Sec. 81. Section 135.24, subsection 3, unnumbered
84 29 paragraph 1, Code 2007, is amended to read as follows:

84 30 A health care provider providing free care under this
84 31 section shall be considered an employee of the state under
84 32 chapter 669, ~~and~~ shall be afforded protection as an employee
84 33 of the state under section 669.21, and shall not be subject to
84 34 payment of claims arising out of the free care provided under
84 35 this section through the health care provider's own



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85 1 professional liability insurance coverage, provided that the
85 2 health care provider has done all of the following:
85 3 Sec. 82. NEW SECTION. 135.80 MENTAL HEALTH PROFESSIONAL
85 4 SHORTAGE AREA PROGRAM.
85 5 1. For the purposes of this section, "mental health
85 6 professional shortage areas" means geographic areas in this
85 7 state that have been designated by the United States
85 8 department of health and human services, health resources and
85 9 services administration, bureau of health professionals, as
85 10 having a shortage of mental health professionals.
85 11 2. The department shall establish and administer a mental
85 12 health professional shortage area program in accordance with
85 13 this section. Implementation of the program shall be limited
85 14 to the extent of the funding appropriated or otherwise made
85 15 available for the program.
85 16 3. The program shall provide stipends to support
85 17 psychiatrist positions with an emphasis on securing and
85 18 retaining medical directors at community mental health
85 19 centers, providers of mental health services to county
85 20 residents pursuant to a waiver approved under section 225C.7,
85 21 subsection 3, and hospital psychiatric units that are located
85 22 in mental health professional shortage areas.
85 23 4. The department shall apply the rules in determining the
85 24 number and amounts of stipends within the amount of funding
85 25 available for the program for a fiscal year.
85 26 5. For each fiscal year in which funding is allocated by
85 27 the program, the department shall report to the governor and
85 28 general assembly summarizing the program's activities and the
85 29 impact made to address the shortage of mental health
85 30 professionals.
85 31 Sec. 83. NEW SECTION. 135.153 IOWA COLLABORATIVE SAFETY
85 32 NET PROVIDER NETWORK ESTABLISHED.
85 33 1. The department shall establish an Iowa collaborative
85 34 safety net provider network that includes community health
85 35 centers, rural health clinics, free clinics, maternal and



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86 1 child health centers, the expansion population provider
86 2 network as described in chapter 249J, local boards of health
86 3 that provide direct services, Iowa family planning network
86 4 agencies, child health specialty clinics, and other safety net
86 5 providers. The network shall be a continuation of the network
86 6 established pursuant to 2005 Iowa Acts, chapter 175, section
86 7 2, subsection 12. The network shall include all of the
86 8 following:

86 9 a. An Iowa safety net provider advisory group consisting
86 10 of representatives of community health centers, rural health
86 11 clinics, free clinics, maternal and child health centers, the
86 12 expansion population provider network as described in chapter
86 13 249J, local boards of health that provide direct services,
86 14 Iowa family planning network agencies, child health specialty
86 15 clinics, other safety net providers, patients, and other
86 16 interested parties.

86 17 b. A planning process to logically and systematically
86 18 implement the Iowa collaborative safety net provider network.

86 19 c. A database of all community health centers, rural
86 20 health clinics, free clinics, maternal and child health
86 21 centers, the expansion population provider network as
86 22 described in chapter 249J, local boards of health that provide
86 23 direct services, Iowa family planning network agencies, child
86 24 health specialty clinics, and other safety net providers. The
86 25 data collected shall include the demographics and needs of the
86 26 vulnerable populations served, current provider capacity, and
86 27 the resources and needs of the participating safety net
86 28 providers.

86 29 d. Network initiatives to, at a minimum, improve quality,
86 30 improve efficiency, reduce errors, and provide clinical
86 31 communication between providers. The network initiatives
86 32 shall include but are not limited to activities that address
86 33 all of the following:

- 86 34 (1) Training.
- 86 35 (2) Information technology.



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87 1 (3) Financial resource development.
87 2 (4) A referral system for ambulatory care.
87 3 (5) A referral system for specialty care.
87 4 (6) Pharmaceuticals.
87 5 (7) Recruitment of health professionals.
87 6 2. The network shall form a governing group which includes
87 7 two individuals each representing community health centers,
87 8 rural health clinics, free clinics, maternal and child health
87 9 centers, the expansion population provider network as
87 10 described in chapter 249J, local boards of health that provide
87 11 direct services, the state board of health, Iowa family
87 12 planning network agencies, child health specialty clinics, and
87 13 other safety net providers.
87 14 3. The department shall provide for evaluation of the
87 15 network and its impact on the medically underserved.
87 16 Sec. 84. Section 249J.8, subsection 1, Code 2007, is
87 17 amended to read as follows:
87 18 1. ~~Beginning July 1, 2005, each~~ Each expansion population
87 19 member whose family income ~~equals or~~ exceeds one hundred
87 20 percent of the federal poverty level as defined by the most
87 21 recently revised poverty income guidelines published by the
87 22 United States department of health and human services shall
87 23 pay a monthly premium not to exceed one-twelfth of five
87 24 percent of the member's annual family income, ~~and each.~~ Each
87 25 expansion population member whose family income is equal to or
87 26 less than one hundred percent of the federal poverty level as
87 27 defined by the most recently revised poverty income guidelines
87 28 published by the United States department of health and human
87 29 services shall pay not be subject to payment of a monthly
87 30 premium not to exceed one-twelfth of two percent of the
~~87 31 member's annual family income.~~ All premiums shall be paid on
87 32 the last day of the month of coverage. The department shall
87 33 deduct the amount of any monthly premiums paid by an expansion
87 34 population member for benefits under the healthy and well kids
87 35 in Iowa program when computing the amount of monthly premiums



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88 1 owed under this subsection. An expansion population member
88 2 shall pay the monthly premium during the entire period of the
88 3 member's enrollment. Regardless of the length of enrollment,
88 4 the member is subject to payment of the premium for a minimum
88 5 of four consecutive months. However, an expansion population
88 6 member who complies with the requirement of payment of the
88 7 premium for a minimum of four consecutive months during a
88 8 consecutive twelve-month period of enrollment shall be deemed
88 9 to have complied with this requirement for the subsequent
88 10 consecutive twelve-month period of enrollment and shall only
88 11 be subject to payment of the monthly premium on a
88 12 month-by-month basis. Timely payment of premiums, including
88 13 any arrearages accrued from prior enrollment, is a condition
88 14 of receiving any expansion population services. Premiums
88 15 collected under this subsection shall be deposited in the
88 16 premiums subaccount of the account for health care
88 17 transformation created pursuant to section 249J.23. An
88 18 expansion population member shall also pay the same copayments
88 19 required of other adult recipients of medical assistance.

88 20 Sec. 85. Section 283A.2, Code 2007, is amended by adding
88 21 the following new subsection:

88 22 NEW SUBSECTION. 3. Each school district that operates or
88 23 provides for a school breakfast or lunch program shall provide
88 24 for the forwarding of information from the applications for
88 25 the school breakfast or lunch program, for which federal
88 26 funding is provided, to identify children for enrollment in
88 27 the medical assistance program pursuant to chapter 249A or the
88 28 healthy and well kids in Iowa program pursuant to chapter 514I
88 29 to the department of human services.

88 30 Sec. 86. Section 514I.5, subsection 8, Code 2007, is
88 31 amended by adding the following new paragraph:

88 32 NEW PARAGRAPH. n. The use of provider guidelines in
88 33 assessing the well-being of children, which may include the
88 34 use of the bright futures for infants, children, and
88 35 adolescents program as developed by the federal maternal and



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89 1 child health bureau and the American academy of pediatrics
89 2 guidelines for well-child care.
89 3 Sec. 87. IOWACARE PROVIDER NETWORK EXPANSION. The
89 4 director of human services shall aggressively pursue options
89 5 to expand the expansion population provider network for the
89 6 IowaCare program pursuant to chapter 249J. The department may
89 7 expand the expansion population provider network if sufficient
89 8 unencumbered certified local matching funds are available to
89 9 cover the state share of the costs of services provided to the
89 10 expansion population or if an alternative funding source is
89 11 identified to cover the state share.
89 12 Sec. 88. ELECTRONIC PRESCRIBING. The department of public
89 13 health, in cooperation with the board of pharmacy examiners,
89 14 the Iowa pharmacy association, the Iowa medical society, the
89 15 Iowa osteopathic medical association, the Iowa hospital
89 16 association, and other interested entities, shall develop a
89 17 plan to implement the required use of electronic prescribing
89 18 by all practitioners by January 1, 2010. The department shall
89 19 submit the completed plan to the general assembly on or before
89 20 January 1, 2008.
89 21 Sec. 89. PHARMACEUTICAL INFRASTRUCTURE FOR SAFETY NET
89 22 PROVIDERS. The Iowa collaborative safety net provider network
89 23 established pursuant to section 135.153 shall develop a
89 24 pharmaceutical infrastructure for safety net providers. The
89 25 infrastructure shall include all of the following elements:
89 26 1. Identification of the most efficacious drug therapies,
89 27 a strategy to distribute pharmaceuticals to safety net
89 28 providers for provision to patients at the point of care, and
89 29 increased access to pharmaceutical manufacturer assistance
89 30 programs. Identification of drug therapies shall be made
89 31 through a community-driven effort with clinical representation
89 32 from safety net providers and pharmacists who have historical
89 33 investment and expertise in providing care to safety net
89 34 provider patients. The effort shall include creating a list
89 35 of pharmaceuticals that are affordable to safety net provider



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90 1 patients, purchasing pharmaceuticals for safety net provider
90 2 patients, identifying therapies for an expanded list of
90 3 pharmaceuticals, and identifying therapies most appropriate to
90 4 provide to safety net provider patients through pharmaceutical
90 5 manufacturer assistance programs.

90 6 2. An educational effort for safety net provider patients,
90 7 medical providers, and pharmacists regarding the drug
90 8 therapies and access alternatives identified pursuant to
90 9 subsection 1.

90 10 3. Identification of a pharmacy benefits manager to
90 11 provide low-cost patient access to therapies identified in the
90 12 expanded drug lists.

90 13 4. Expanded use of collaborative practice agreements
90 14 between medical providers and pharmacists to most efficiently
90 15 utilize their expertise.

90 16 5. A medication reconciliation program to ensure that each
90 17 patient has a complete record of the patient's medication
90 18 history available.

90 19 Sec. 90. SAFETY NET PROVIDER PATIENTS == ACCESS TO
90 20 SPECIALTY CARE.

90 21 1. The Iowa collaborative safety net provider network
90 22 established in section 135.153 shall implement a specialty
90 23 care initiative in three communities in the state to determine
90 24 various methods of addressing the issue of specialty care
90 25 access in underserved areas of the state. The communities
90 26 selected shall develop collaborative partnerships between
90 27 hospitals, specialists, primary care providers, community
90 28 partners, human services providers, and others involved in
90 29 providing health care.

90 30 2. The initiative shall include an evaluation component to
90 31 determine the value of services provided and participating
90 32 communities shall participate in sharing data and findings
90 33 resulting from the initiative.

90 34 3. Based upon the results of the initiative, the network
90 35 shall build an infrastructure for improved specialty care



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91 1 access throughout the state.
91 2 Sec. 91. HEALTH AND LONG=TERM=CARE WORKFORCE REVIEW AND
91 3 RECOMMENDATIONS.
91 4 1. The department of public health, in collaboration with
91 5 the department of human services, the department of
91 6 inspections and appeals, the department of workforce
91 7 development, and other state agencies involved with relevant
91 8 health care and workforce issues, shall conduct a
91 9 comprehensive review of Iowa's health and long-term care
91 10 workforce. The review shall provide for all of the following:
91 11 a. Raising of public awareness of the imminent health and
91 12 long-term-care workforce shortage, based upon the rapidly
91 13 changing demographics in the state.
91 14 b. A description of the current health and long-term-care
91 15 workforce, including documenting the shortages and challenges
91 16 that exist throughout the state and analyzing the impact of
91 17 these shortages on access to care, the quality of care
91 18 received including outcomes, and the cost of care.
91 19 c. A projection of the health and long-term-care workforce
91 20 necessary to provide comprehensive, accessible, quality, and
91 21 cost-effective care during the next twenty-five years.
91 22 d. Construction of a workforce model to provide the
91 23 necessary or desirable health and long-term-care workforce
91 24 described in paragraph "c".
91 25 2. The department of public health and other agencies
91 26 collaborating in the review shall actively elicit input from
91 27 persons involved or interested in the delivery of health and
91 28 long-term-care services, including but not limited to members
91 29 of the health and long-term-care workforce and consumers of
91 30 health and long-term care.
91 31 3. The department shall coordinate the review with other
91 32 initiatives such as PRIMECARRE and the Iowa collaborative
91 33 safety net provider network recruitment effort.
91 34 4. The department of public health shall submit the
91 35 findings and recommendations of the review for submission to



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92 1 the general assembly and the governor on or before January 15,
92 2 2008. The recommendations shall include specific action steps
92 3 to assist the state in meeting the health and long-term-care
92 4 workforce shortages and challenges. The action steps shall
92 5 include but are not limited to all of the following:

92 6 a. Strategies such as enhanced pay and benefits, expanded
92 7 initial and ongoing training, flexible work scheduling,
92 8 reduced workload volume, and utilizing a team-based approach
92 9 to providing care to both recruit and retain the necessary
92 10 health and long-term-care workforce.

92 11 b. Utilization of innovative measures, including but not
92 12 limited to telemedicine and other emerging technologies, and
92 13 scope of practice changes that allow modifications in roles
92 14 and responsibilities in various health and long-term-care
92 15 settings.

92 16 Sec. 92. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE
92 17 COMPETENCIES.

92 18 1. The department of public health shall work
92 19 collaboratively during the fiscal year beginning July 1, 2007,
92 20 with the departments of corrections, education, elder affairs,
92 21 and human services, and other state agencies, to enhance the
92 22 workforce competencies of professional and direct care staff
92 23 who provide behavioral health services, including but not
92 24 limited to all of the following:

92 25 a. Treatment of persons with co-occurring mental health
92 26 and substance use disorders.

92 27 b. Treatment of children with mental health or substance
92 28 use disorders.

92 29 c. Treatment of persons with serious mental illness.

92 30 d. Treatment of veterans of United States or Iowa military
92 31 service with mental health or substance use disorders.

92 32 e. Treatment of older adults with mental health or
92 33 substance use disorders.

92 34 2. The department's collaborative effort shall utilize the
92 35 findings of the substance abuse and mental health services



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93 1 administration of the United States department of health and
93 2 human services and materials developed by the Annapolis
93 3 coalition on the behavioral health workforce in planning and
93 4 implementing efforts to enhance the competency-based training
93 5 of the state's behavioral health workforce.

93 6 Sec. 93. CONTINGENT EFFECTIVE DATE. The provision in this
93 7 division of this Act amending section 249J.8 shall not take
93 8 effect unless the department of human services receives
93 9 approval of a medical assistance waiver amendment to change
93 10 the premium requirements from the centers for Medicare and
93 11 Medicaid services of the United States department of health
93 12 and human services.

93 13 DIVISION V
93 14 CHILD WELFARE SERVICES

93 15 Sec. 94. Section 232.52, subsection 6, unnumbered
93 16 paragraph 1, Code 2007, is amended to read as follows:

93 17 When the court orders the transfer of legal custody of a
93 18 child pursuant to subsection 2, paragraph "d", "e", or "f",
93 19 the order shall state that reasonable efforts as defined in
93 20 section 232.57 have been made. If deemed appropriate by the
93 21 court, the order may include a determination that continuation
93 22 of the child in the child's home is contrary to the child's
93 23 welfare. The inclusion of such a determination shall not
93 24 under any circumstances be deemed a prerequisite for entering
93 25 an order pursuant to this section. However, the inclusion of
93 26 such a determination, supported by the record, may be used to
93 27 assist the department in obtaining federal funding for the
93 28 child's placement. If such a determination is included in the
93 29 order, unless the court makes a determination that further
93 30 reasonable efforts are not required, reasonable efforts shall
93 31 be made to prevent permanent removal of a child from the
93 32 child's home and to encourage reunification of the child with
93 33 the child's parents and family. The reasonable efforts may
93 34 include but are not limited to early intervention and
93 35 follow-up programs implemented pursuant to section 232.191.



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94 1 Sec. 95. Section 232.102, subsection 5, paragraph b, Code
94 2 2007, is amended to read as follows:

94 3 b. In order to transfer custody of the child under this
94 4 subsection, the court must make a determination that
94 5 continuation of the child in the child's home would be
94 6 contrary to the welfare of the child, and shall identify the
94 7 reasonable efforts that have been made. The court's
94 8 determination regarding continuation of the child in the
94 9 child's home, and regarding reasonable efforts, including
94 10 those made to prevent removal and those made to finalize any
94 11 permanency plan in effect, as well as any determination by the
94 12 court that reasonable efforts are not required, must be made
94 13 on a case-by-case basis. The grounds for each determination
94 14 must be explicitly documented and stated in the court order.
94 15 However, preserving the safety of the child is the paramount
94 16 consideration. If imminent danger to the child's life or
94 17 health exists at the time of the court's consideration, the
94 18 determinations otherwise required under this paragraph shall
94 19 not be a prerequisite for an order for removal of the child.
94 20 If the court transfers custody of the child, unless the court
94 21 waives the requirement for making reasonable efforts or
94 22 otherwise makes a determination that reasonable efforts are
94 23 not required, reasonable efforts shall be made to make it
94 24 possible for the child to safely return to the family's home.

94 25 Sec. 96. Section 232.143, subsection 1, Code 2007, is
94 26 amended to read as follows:

94 27 1. a. A statewide expenditure target for children in
94 28 group foster care placements in a fiscal year, which
94 29 placements are a charge upon or are paid for by the state,
94 30 shall be established annually in an appropriation bill by the
94 31 general assembly. Representatives of the department and
94 32 juvenile court services shall jointly develop a formula for
94 33 allocating a portion of the statewide expenditure target
94 34 established by the general assembly to each of the
94 35 department's service areas. The formula shall be based upon



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95 1 the service area's proportion of the state population of
95 2 children and of the statewide usage of group foster care in
95 3 the previous five completed fiscal years and upon other
95 4 indicators of need. The expenditure amount determined in
95 5 accordance with the formula shall be the group foster care
95 6 budget target for that service area.

95 7 b. A service area may exceed the service area's budget
95 8 target for group foster care by not more than five percent in
95 9 a fiscal year, provided the overall funding allocated by the
95 10 department for all child welfare services in the service area
95 11 is not exceeded.

95 12 c. If all of the following circumstances are applicable, a
95 13 service area may temporarily exceed the service area's budget
95 14 target as necessary for placement of a child in group foster
95 15 care:

95 16 (1) The child is thirteen years of age or younger.

95 17 (2) The court has entered a dispositional order for
95 18 placement of the child in group foster care.

95 19 (3) The child is placed in a juvenile detention facility
95 20 awaiting placement in group foster care.

95 21 d. If a child is placed pursuant to paragraph "c", causing
95 22 a service area to temporarily exceed the service area's budget
95 23 target, the department and juvenile court services shall
95 24 examine the cases of the children placed in group foster care
95 25 and counted in the service area's budget target at the time of
95 26 the placement pursuant to paragraph "c". If the examination
95 27 indicates it may be appropriate to terminate the placement for
95 28 any of the cases, the department and juvenile court services
95 29 shall initiate action to set a dispositional review hearing
95 30 under this chapter for such cases. In such a dispositional
95 31 review hearing, the court shall determine whether needed
95 32 aftercare services are available following termination of the
95 33 placement and whether termination of the placement is in the
95 34 best interests of the child and the community. During the
95 35 period of time a service area's budget target is exceeded



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96 1 under paragraph "c", a juvenile court services office for a
96 2 judicial district located within that service area shall
96 3 notify the department's service area manager within one
96 4 business day of any of the following occurring in the service
96 5 area:

96 6 (1) A new dispositional order for placement of a child in
96 7 group foster care has been entered.

96 8 (2) A change in the placement of a child who was placed in
96 9 group foster care has been made.

96 10 (3) A child placed in group foster care has been
96 11 discharged from that placement.

96 12 Sec. 97. GROUP FOSTER CARE WAITING LIST. On or before
96 13 December 15, 2007, the department of human services shall
96 14 report to the general assembly providing detailed information
96 15 concerning the children who were on a waiting list for group
96 16 foster care services during the period covered by the report.
96 17 The information shall include but is not limited to the number
96 18 and status of children who were on a waiting list, the length
96 19 of time the children spent on a waiting list, alternative
96 20 placements while the children were on a waiting list, age and
96 21 gender of the children, distribution of responsibility between
96 22 the department and juvenile court services, and the projected
96 23 funding, services, and programs required to appropriately
96 24 address the needs of the children on a waiting list or to
96 25 otherwise eliminate the need for a waiting list.

96 26

DIVISION VI

96 27

FINANCIAL RESPONSIBILITY FOR

96 28

CERTAIN MEDICAID SERVICES

96 29

96 29 Sec. 98. Section 225C.6, subsection 1, paragraph e, Code
96 30 2007, is amended to read as follows:

96 31 e. Unless another governmental body sets standards for a
96 32 service available to persons with disabilities, adopt state
96 33 standards for that service. The commission shall provide that
96 34 a service provider's compliance with standards for a service
96 35 set by a nationally recognized body shall be deemed to be in



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97 1 compliance with the state standards adopted by the commission
97 2 for that service. The commission shall adopt state standards
97 3 for those residential and community-based providers of
97 4 services to persons with mental illness or developmental
97 5 disabilities that are not otherwise subject to licensure by
97 6 the department of human services or department of inspections
97 7 and appeals, including but not limited to remedial services
97 8 and habilitation services payable under the ~~adult~~
~~97 9 rehabilitation option of the medical assistance program and~~
97 10 other services payable from funds credited to a county mental
97 11 health, mental retardation, and developmental disabilities
97 12 services fund created in section 331.424A. In addition, the
97 13 commission shall review the licensing standards used by the
97 14 department of human services or department of inspections and
97 15 appeals for those facilities providing services to persons
97 16 with mental illness or developmental disabilities.
97 17 Sec. 99. Section 249A.26, subsection 4, Code 2007, is
97 18 amended to read as follows:
97 19 4. a. The county of legal settlement shall pay for one
97 20 hundred percent of the nonfederal share of the cost of
97 21 services provided to adult persons with chronic mental illness
~~97 22 implemented under the adult rehabilitation option of the state~~
~~97 23 medical assistance plan who qualify for remedial services in~~
97 24 accordance with the rules adopted for the services. The state
97 25 shall pay for one hundred percent of the nonfederal share of
97 26 the cost of such services provided to such persons who have no
97 27 legal settlement or the legal settlement is unknown so that
97 28 the persons are deemed to be state cases.
97 29 b. The county of legal settlement shall pay for one
97 30 hundred percent of the nonfederal share of the costs of
~~97 31 services provided to adult persons who qualify for~~
97 32 habilitation services. The state shall pay for one hundred
97 33 percent of the nonfederal share of the cost of habilitation
97 34 services provided to such persons who have no legal settlement
97 35 or the legal settlement is unknown so that the persons are



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98 1 deemed to be state cases.

98 2 Sec. 100. Section 249A.31, Code 2007, is amended to read
98 3 as follows:

98 4 249A.31 COST=BASED REIMBURSEMENT == ~~MENTAL HEALTH AND~~
~~98 5 DEVELOPMENTAL DISABILITIES PROVIDERS.~~

98 6 ~~All of the following shall receive cost=based reimbursement~~
~~98 7 for one hundred percent of the reasonable costs for the~~
~~98 8 provision of services to recipients of medical assistance:~~

98 9 ~~1. Providers of individual case management services for~~
98 10 persons with mental retardation, a developmental disability,
98 11 or chronic mental illness shall receive cost=based
98 12 reimbursement for one hundred percent of the reasonable costs
98 13 for the provision of the services in accordance with standards
98 14 adopted by the mental health, mental retardation,
98 15 developmental disabilities, and brain injury commission
98 16 pursuant to section 225C.6.

98 17 ~~2. Providers of services to persons with chronic mental~~
~~98 18 illness implemented under the adult rehabilitation option of~~
~~98 19 the state medical assistance plan.~~

98 20 Sec. 101. Section 331.440A, subsection 7, paragraph b,
98 21 subparagraph (1), Code 2007, is amended to read as follows:

98 22 (1) The oversight committee may make a determination that
98 23 implementation by the department of human services of a new
98 24 significant funding provision such as the rehabilitation
~~98 25 option for persons with chronic mental illness remedial~~
98 26 services or a waiver under the medical assistance program, or
98 27 another good cause reason, justifies delay of the
98 28 implementation of the pilot project phases as provided in
98 29 subsection 6. If such a determination is made, the department
98 30 of human services and pilot project counties shall delay
98 31 implementation of the pilot project phases until a date
98 32 identified by the oversight committee.

98 33 Sec. 102. Section 249A.26A, Code 2007, is repealed.

98 34 Sec. 103. IMPLEMENTATION OF DIVISION. Section 25B.2,
98 35 subsection 3, shall not apply to this division of this Act.



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99 1 DIVISION VII
99 2 FAMILY OPPORTUNITY ACT
99 3 Sec. 104. Section 249A.3, subsection 1, Code 2007, is
99 4 amended by adding the following new paragraph:
99 5 NEW PARAGRAPH. u. As allowed under the federal Deficit
99 6 Reduction Act of 2005, Pub. L. No. 109=171, section 6062, is
99 7 an individual who is less than nineteen years of age who meets
99 8 the federal supplemental security income program rules for
99 9 disability but whose income or resources exceed such program
99 10 rules, who is a member of a family whose income is at or below
99 11 three hundred percent of the most recently revised official
99 12 poverty guidelines published by the United States department
99 13 of health and human services for the family, and whose parent
99 14 complies with the requirements relating to family coverage
99 15 offered by the parent's employer. Such assistance shall be
99 16 provided on a phased=in basis, based upon the age of the
99 17 individual.
99 18 Sec. 105. HOME AND COMMUNITY=BASED ALTERNATIVES TO
99 19 PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES FOR CHILDREN. As
99 20 provided under the federal Deficit Reduction Act of 2005, Pub.
99 21 L. No. 109=171, section 6063, the department of human services
99 22 shall seek a waiver to participate in a demonstration project
99 23 to test the effectiveness in improving or maintaining a
99 24 child's functional level and the cost=effectiveness of
99 25 providing coverage of home and community=based alternatives to
99 26 psychiatric residential treatment for children for individuals
99 27 under twenty=one years of age who are enrolled in the medical
99 28 assistance program. The department shall collaborate with
99 29 directors of psychiatric medical institutions for children as
99 30 defined in section 135H.1, community=based services providers,
99 31 and other interested parties in developing and implementing
99 32 the demonstration project.
99 33 Sec. 106. DEVELOPMENT AND SUPPORT OF FAMILY=TO=FAMILY
99 34 HEALTH INFORMATION CENTER.
99 35 1. As provided under the federal Deficit Reduction Act of



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100 1 2005, Pub. L. No. 109=171, section 6064, the department of
100 2 public health shall aggressively pursue the establishment of a
100 3 family=to=family health information center in Iowa. The
100 4 center shall provide for all of the following:

100 5 a. Assistance to families of children with disabilities or
100 6 special health care needs to make informed choices about
100 7 health care in order to promote good treatment decisions,
100 8 cost=effectiveness, and improved health outcomes for such
100 9 children.

100 10 b. Information regarding health care needs of and
100 11 resources available for such children.

100 12 c. Identification of successful health delivery models for
100 13 such children.

100 14 d. Development, with representatives of health care
100 15 providers, managed care organizations, health care purchasers,
100 16 and appropriate state agencies, of a model for collaboration
100 17 between families of such children and health professionals.

100 18 e. Training and guidance regarding caring for such
100 19 children.

100 20 f. Conducting of outreach activities to the families of
100 21 such children, health professionals, schools, and other
100 22 appropriate entities and individuals.

100 23 2. The center shall be staffed by families of children
100 24 with disabilities or special health care needs who have
100 25 expertise in federal and state public and private health care
100 26 systems and by health professionals.

100 27 Sec. 107. FUNDING. The department of human services shall
100 28 transfer funding from the appropriations made in this Act for
100 29 the state children's health insurance program to other
100 30 appropriate appropriations made in this Act, including
100 31 appropriations made to the department of public health, as
100 32 necessary to implement this division of this Act.

100 33

DIVISION VIII

100 34

COMMISSION ON AFFORDABLE HEALTH CARE

100 35

Sec. 108. LEGISLATIVE COMMISSION ON AFFORDABLE HEALTH CARE



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101 1 PLANS FOR SMALL BUSINESSES AND FAMILIES.
101 2 1. A legislative commission on affordable health care
101 3 plans for small businesses and families is created for the
101 4 2007 legislative interim. The legislative services agency
101 5 shall provide staffing assistance to the commission.
101 6 a. The commission shall include 10 members of the general
101 7 assembly, three appointed by the majority leader of the
101 8 senate, two appointed by the minority leader of the senate,
101 9 three appointed by the speaker of the house of
101 10 representatives, and two appointed by the minority leader of
101 11 the house of representatives.
101 12 b. The commission shall include members of the public
101 13 appointed by the legislative council from designees of the
101 14 following:
101 15 (1) Two members who are small business owners, one
101 16 designated by the Iowa association of business and industry,
101 17 and one designated by the national federation of independent
101 18 business.
101 19 (2) One hospital administrator designated by the Iowa
101 20 hospital association.
101 21 (3) Two health care providers, one a physician designated
101 22 by the Iowa medical society, and one a nurse designated by the
101 23 Iowa nurses association.
101 24 (4) One individual insurance agent designated by the
101 25 independent insurance agents of Iowa.
101 26 (5) One representative of an insurance carrier designated
101 27 by the federation of Iowa insurers.
101 28 c. The commission shall include five consumers appointed
101 29 by the governor.
101 30 d. The commission shall include the following members, or
101 31 their designees, as ex officio members:
101 32 (1) The commissioner of insurance.
101 33 (2) The director of human services.
101 34 (3) The director of public health.
101 35 e. At least one of the members appointed or designated



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102 1 pursuant to paragraph "a", "b", or "c" shall be a member of a
102 2 racial minority group.

102 3 2. The chairpersons of the commission shall be those
102 4 members of the general assembly so appointed by the majority
102 5 leader of the senate and the speaker of the house of
102 6 representatives. Legislative members of the commission are
102 7 eligible for per diem and reimbursement of actual expenses as
102 8 provided in section 2.10. Consumers appointed to the
102 9 commission by the governor pursuant to subsection 1, paragraph
102 10 "c", are entitled to receive a per diem as specified in
102 11 section 7E.6 for each day spent in performance of duties as
102 12 members, and shall be reimbursed for all actual and necessary
102 13 expenses incurred in the performance of duties as members of
102 14 the commission.

102 15 3. The commission shall review, analyze, and make
102 16 recommendations on issues relating to the affordability of
102 17 health care for Iowans including but not limited to:

102 18 a. The benefits and costs of requiring all residents of
102 19 Iowa to have health insurance coverage, including but not
102 20 limited to individual mandates and proposals from other
102 21 states.

102 22 b. The benefits and costs of providing health insurance
102 23 coverage to all children in the state, with a particular
102 24 emphasis on children's health issues.

102 25 c. Uninsured and underinsured Iowans with a special focus
102 26 on determining the characteristics of the uninsured and
102 27 underinsured populations, why such persons are uninsured or
102 28 underinsured, and the most effective and efficient means to
102 29 provide insurance coverage to such persons, including through
102 30 government programs.

102 31 d. Major factors and trends that are likely to impact the
102 32 cost of premiums and affordability of health care during the
102 33 next ten years, including but not limited to effects of
102 34 mandates, levels of coverage, costs and pricing of treatments,
102 35 cost-sharing and cost-cutting measures, cost-shifting



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103 1 measures, collaborative opportunities, subsidies, reinsurance
103 2 plans, risk pooling, and wellness and disease prevention
103 3 initiatives.
103 4 4. The commission shall utilize the expertise of the
103 5 health care data research advisory council in carrying out the
103 6 commission's duties.
103 7 5. The commission may hold public hearings to allow
103 8 persons and organizations to be heard and to gather
103 9 information.
103 10 6. The commission may request from any state agency or
103 11 official information and assistance as needed to perform the
103 12 review and analysis required in subsection 3. A state agency
103 13 or official shall furnish the information or assistance
103 14 requested within the authority and resources of the state
103 15 agency or official. This subsection does not allow the
103 16 examination or copying of any public record required by law to
103 17 be kept confidential.
103 18 7. The commission may employ staff and consultants as
103 19 necessary to assist the commission in carrying out its duties
103 20 as set forth in this section.
103 21 8. The commission shall complete its deliberations in
103 22 December 2007 and submit a final report to the general
103 23 assembly for consideration during the 2008 Legislative
103 24 Session, summarizing the commission's activities, analyzing
103 25 issues studied, making recommendations for legislative reforms
103 26 that will make health insurance coverage more affordable for
103 27 small businesses and families in this state, and including any
103 28 other information that the commission deems relevant and
103 29 necessary.
103 30 Sec. 109. HEALTH CARE DATA RESEARCH ADVISORY COUNCIL.
103 31 1. A health care data research advisory council is created
103 32 for the purpose of assisting the legislative commission on
103 33 affordable health care plans for small businesses and families
103 34 in carrying out the commission's duties by conducting
103 35 research, providing research data and analysis, and performing



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104 1 other functions within the expertise of the members of the
104 2 council at the direction of the commission.
104 3 2. The council membership shall be appointed by the
104 4 legislative council and shall include but is not limited to
104 5 the following:
104 6 a. A representative of the university of Iowa college of
104 7 medicine.
104 8 b. A representative of the university of Iowa college of
104 9 dentistry.
104 10 c. A representative of the university of Iowa college of
104 11 pharmacy.
104 12 d. A representative of the university of Iowa college of
104 13 nursing.
104 14 e. A representative of the university of Iowa college of
104 15 public health.
104 16 f. A representative of Des Moines university ==
104 17 osteopathic medical center.
104 18 g. A representative of the Drake university college of
104 19 pharmacy.
104 20 h. A representative of an Iowa college of health sciences.
104 21 i. A representative of the Iowa public health association.
104 22 Sec. 110. EFFECTIVE DATE. This division of this Act,
104 23 being deemed of immediate importance, takes effect upon
104 24 enactment.

104 25 DIVISION IX
104 26 HOME AND COMMUNITY=BASED SERVICES WAIVER
104 27 RECIPIENT RESIDENCE == ZONING
104 28 Sec. 111. NEW SECTION. 335.34 HOME AND COMMUNITY=BASED
104 29 SERVICES WAIVER RECIPIENT RESIDENCE.
104 30 1. A county, county board of supervisors, or county zoning
104 31 commission shall consider the residence of the recipient of
104 32 services under a home and community-based services waiver as a
104 33 residential use of property for the purposes of zoning and
104 34 shall treat the use of the residence as a permitted use in all
104 35 residential zones or districts, including all single=family



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105 1 residential zones or districts, of the county.
105 2 2. A county, county board of supervisors, or a county
105 3 zoning commission shall not require that the recipient, or the
105 4 owner of such a residence if other than the recipient, obtain
105 5 a conditional use permit, special use permit, special
105 6 exception, or variance. A county, county board of
105 7 supervisors, or county zoning commission shall not establish
105 8 limitations regarding the proximity of one such residence to
105 9 another.

105 10 3. This section applies to the residence of a recipient of
105 11 services under a home and community-based services waiver if
105 12 the residence meets any of the following conditions:

105 13 a. The residence is a single-family dwelling owned or
105 14 rented by the recipient.

105 15 b. The residence is a multifamily dwelling which does not
105 16 hold itself out to the public as a community-based residential
105 17 provider otherwise regulated by law including but not limited
105 18 to a residential care facility, and which provides dwelling
105 19 units to no more than four recipients of services under a home
105 20 and community-based services waiver at any one time.

105 21 4. For the purposes of this section, "home and
105 22 community-based services waiver" means "waiver" as defined in
105 23 section 249A.29.

105 24 Sec. 112. NEW SECTION. 414.32 HOME AND COMMUNITY-BASED
105 25 SERVICES WAIVER RECIPIENT RESIDENCE.

105 26 1. A city, city council, or city zoning commission shall
105 27 consider the residence of the recipient of services under a
105 28 home and community-based services waiver as a residential use
105 29 of property for the purposes of zoning and shall treat the use
105 30 of the residence as a permitted use in all residential zones
105 31 or districts, including all single-family residential zones or
105 32 districts, of the city.

105 33 2. A city, city council, or city zoning commission shall
105 34 not require that the recipient, or owner of such residence if
105 35 other than the recipient, obtain a conditional use permit,



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106 1 special use permit, special exception, or variance. A city,
106 2 city council, or city zoning commission shall not establish
106 3 limitations regarding the proximity of one such residence to
106 4 another.

106 5 3. This section applies to the residence of a recipient of
106 6 services under a home and community-based services waiver if
106 7 the residence meets any of the following conditions:

106 8 a. The residence is a single-family dwelling owned or
106 9 rented by the recipient.

106 10 b. The residence is a multifamily dwelling which does not
106 11 hold itself out to the public as a community-based residential
106 12 provider otherwise regulated by law including but not limited
106 13 to a residential care facility, and which provides dwelling
106 14 units to no more than four recipients of services under a home
106 15 and community-based services waiver at any one time.

106 16 4. For the purposes of this section, "home and
106 17 community-based services waiver" means "waiver" as defined in
106 18 section 249A.29.

106 19 Sec. 113. EFFECTIVE DATE. This division of this Act,
106 20 being deemed of immediate importance, takes effect upon
106 21 enactment.

106 22 EXPLANATION

106 23 This bill relates to and makes appropriations for health
106 24 and human services for FY 2007=2008 to the department of
106 25 veterans affairs, the Iowa veterans home, the department of
106 26 elder affairs, the department of public health, Iowa finance
106 27 authority, state board of regents, department of inspections
106 28 and appeals, and the department of human services.

106 29 GENERAL FUND, VETERANS TRUST FUND, AND BLOCK GRANT
106 30 APPROPRIATIONS. This division appropriates funding from the
106 31 general fund of the state for the department of elder affairs,
106 32 the department of public health, and the department of
106 33 veterans affairs.

106 34 The division appropriates funds from the gambling treatment
106 35 fund in lieu of the standing appropriation in Code section



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107 1 135.150 for addictive disorders and provides for use of the
107 2 funds remaining in the fund.
107 3 The division appropriates funding from the veterans trust
107 4 fund for the home ownership assistance program and provides
107 5 for transfer of a portion of the funds for the enduring
107 6 families program.
107 7 The division appropriates funding from the general fund of
107 8 the state and the federal temporary assistance for needy
107 9 families block grant to the department of human services. The
107 10 allocation for the family development and self-sufficiency
107 11 grant program is made directly to the department of human
107 12 rights.
107 13 The reimbursement section addresses reimbursement for
107 14 providers reimbursed by the department of human services. It
107 15 specifically provides for nursing facility rebasing within the
107 16 state funding amount specified in the section.
107 17 New Code section 239B.11A requires the department of human
107 18 services to implement a new transitional benefits payment of
107 19 \$100 per month for up to three months to families with members
107 20 who are employed at the time the family leaves the family
107 21 investment program. Implementation of the payment is subject
107 22 to the availability of funding. The bill includes funding for
107 23 FY 2007=2008.
107 24 Code section 239B.17, providing for creation of the
107 25 promoting independence and self-sufficiency through employment
107 26 job opportunities and basic skills or PROMISE JOBS program, is
107 27 amended. Current law provides the department of human
107 28 services with authority to delegate, by mutual agreement, any
107 29 of the department's powers and duties to the departments of
107 30 workforce development or economic development. The bill
107 31 replaces this authority with an authorization to contract for
107 32 the provision of PROMISE JOBS services with the other two
107 33 departments or with another appropriate entity.
107 34 The bill amends Code section 249A.3 to add to the listing
107 35 of individuals eligible for optional medical assistance



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108 1 (Medicaid) women eligible for family planning services under a
108 2 federally approved demonstration waiver and reorders some of
108 3 the priorities in the listing for optional health care
108 4 assistance.

108 5 Code section 249A.3A is amended to provide for an increase
108 6 of the personal needs allowance to \$50 per month for, in
108 7 addition to residents of nursing facilities, residents of
108 8 intermediate care facilities for persons with mental
108 9 retardation, intermediate care facilities for persons with
108 10 mental illness, and psychiatric medical institutions for
108 11 children and to provide for supplementation of income of
108 12 residents of nursing facilities in the amount necessary to
108 13 receive a personal needs allowance of \$50 per month.

108 14 Code section 252B.5, relating to services of the child
108 15 support recovery unit of the department of human services, is
108 16 amended to authorize the charging of a new \$25 fee. The fee
108 17 is considered to be a repayment receipt and is appropriated to
108 18 the department for the child support recovery unit. A
108 19 separate section authorizes the department to adopt emergency
108 20 rules to implement the provision during FY 2007=2008.

108 21 The requirements for a multidimensional treatment level
108 22 foster care program implemented pursuant to 2006 Iowa Acts,
108 23 chapter 1123, are revised to allow a child to participate in
108 24 the program in order to eliminate or limit the need for
108 25 placement of the child in a psychiatric medical institution
108 26 for children (PMIC) and to allow the child's eligibility to be
108 27 determined prior to placement of a child in a PMIC.

108 28 The FY 2006=2007 appropriation from the general fund of the
108 29 state to the department of public health for addictive
108 30 disorders is supplemented with the increase primarily
108 31 dedicated for tobacco cessation direct services.

108 32 The FY 2006=2007 appropriation from the general fund of the
108 33 state to the department of human services for the Medicaid
108 34 program is supplemented. In addition, an appropriation is
108 35 made from the surplus in the general fund of the state at the



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109 1 close of FY 2006=2007 to be used for purposes of rebasing
109 2 Medicaid program reimbursement for nursing facilities in the
109 3 succeeding fiscal year.
109 4 Language in 2006 Iowa Acts, chapter 1184, section 124,
109 5 relating to crediting of federal funds received for a veterans
109 6 cemetery, is amended to clarify the amount to be deposited in
109 7 the veterans trust fund will at least equal the amount
109 8 expended from that fund. This provision takes effect upon
109 9 enactment.

109 10 All or a portion of various designated appropriations made
109 11 to the department of public health, the Iowa veterans home,
109 12 and the department of human services for FY 2006=2007 that
109 13 remain unexpended at the close of the fiscal year are carried
109 14 forward to the succeeding fiscal year. The following
109 15 appropriations are addressed involving the department of human
109 16 services: medical assistance (Medicaid) program, state
109 17 supplementary assistance, state child care assistance, child
109 18 and family services designated for juvenile drug court
109 19 programs, adoption subsidy, the state resource centers, mental
109 20 health, mental retardation, and developmental disabilities
109 21 state cases, field operations, and federal food stamps
109 22 assistance award funds received under general administration.
109 23 These provisions take effect upon enactment.

109 24 SENIOR LIVING TRUST FUND, PHARMACEUTICAL SETTLEMENT
109 25 ACCOUNT, IOWACARE ACCOUNT, AND HEALTH CARE TRANSFORMATION
109 26 ACCOUNT. This division makes appropriations for FY 2007=2008
109 27 from the senior living trust fund to the department of elder
109 28 affairs, the department of human services, the department of
109 29 inspections and appeals, and the Iowa finance authority. The
109 30 bill provides an appropriation from the senior living trust
109 31 fund for provision of dementia-specific care education to
109 32 direct care workers and other providers of long-term care.
109 33 The division makes an appropriation from the pharmaceutical
109 34 settlement account to the department of human services to
109 35 supplement the medical contracts appropriation.



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House File 909 - Introduced continued

110 1 The division makes appropriations to the state board of
110 2 regents for distribution to the university of Iowa hospitals
110 3 and clinics, and to the department of human services for
110 4 distribution to a publicly owned acute care teaching hospital
110 5 in a county with a population over 350,000, and to the state
110 6 mental health institutes for purposes related to the IowaCare
110 7 program and indigent care. The division also makes an
110 8 appropriation to the department of human services from the
110 9 health care transformation account for various health care
110 10 reform initiatives. The division makes an additional
110 11 appropriation for distribution to the university of Iowa
110 12 hospitals and clinics based on claims adjudicated and paid.
110 13 The bill includes a supplemental appropriation for FY
110 14 2006=2007 from the IowaCare account for distribution to the
110 15 university of Iowa hospitals and clinics.
110 16 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY
110 17 2007=2008. This division revises the distribution provisions
110 18 for the allowed growth factor adjustment for
110 19 county=administered MH/MR/DD services. Under current law and
110 20 practice in recent years, there are three primary formula
110 21 provisions used to calculate the amount provided to a county:
110 22 "regular" allowed growth under Code section 331.438, "per
110 23 capita" allowed growth under Code section 426B.5, subsection
110 24 1, and MH/DD community services fund under Code section
110 25 225C.7. In addition, there has been an allocation made for
110 26 risk pool funding under Code section 426B.5, subsection 2.
110 27 Code section 225C.7, relating to the MH/DD community
110 28 services fund, is amended to provide that if the allocation
110 29 methodology for distribution of moneys from the fund includes
110 30 a population factor, the most recent population estimates
110 31 issued by the United States bureau of the census are to be
110 32 applied.
110 33 The bill combines the regular and per capita allowed growth
110 34 provisions by renaming the per capita expenditure target pool
110 35 under Code section 426B.5 as the allowed growth funding pool.



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111 1 The incentive pool established pursuant to 2006 Iowa Acts,
111 2 chapter 1115 (HF 2780) is not addressed by the bill. These
111 3 funding pools are all part of the property tax relief fund.
111 4 The first \$12 million in the allowed growth funding pool is
111 5 allocated based upon a county's proportion of the general
111 6 population of all counties in the state, just as is done for
111 7 regular allowed growth in current law.

111 8 To be eligible for the remainder of the allowed growth
111 9 funding pool moneys, a county must levy the maximum amount
111 10 allowed for the county's services fund for the year of
111 11 distribution, the county must have met the requirement for
111 12 reporting of county expenditures for the previous fiscal year
111 13 by December 1, and the county's services fund ending balance
111 14 for the previous fiscal year must be less than 25 percent of
111 15 the county's gross expenditures from the fund for that fiscal
111 16 year. Funds are to be distributed based upon a county's
111 17 general population relative to the combined general population
111 18 of the eligible counties. The most recent population
111 19 estimates issued by the United States bureau of the census
111 20 shall be applied in determining population for purposes of
111 21 Code section 426B.5. The department of human services is
111 22 required to authorize issuance of the warrants in January.

111 23 The allowed growth distribution provisions under Code
111 24 section 331.438 and the per capita expenditure definition in
111 25 Code section 331.438, subsection 1, paragraph "b", are
111 26 stricken. Code section 331.440A, relating to an obsolete
111 27 MH/MR/DD services pilot, is repealed.

111 28 The division also provides mental health, mental
111 29 retardation, developmental disabilities, and brain injury
111 30 (MH/MR/DD/BI) services allowed growth funding payments for FY
111 31 2007=2008.

111 32 The division provides for distribution of the services
111 33 funding previously appropriated for FY 2007=2008, increases
111 34 the amount of the appropriation, and shifts an allocation from
111 35 the risk pool to the per capita expenditure target pool.



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112 1 HEALTH CARE TRUST FUND. This division includes provisions
112 2 relating to health care and makes appropriations from the
112 3 health care trust fund.

112 4 PUBLIC HEALTH APPROPRIATIONS. Appropriations are made from
112 5 the health care trust fund to the department of public health
112 6 for addictive disorders, healthy children and families,
112 7 chronic conditions, community capacity, and environmental
112 8 hazards.

112 9 Under the addictive disorders appropriation, funding is
112 10 allocated for the implementation of culturally competent
112 11 substance abuse treatment pilot projects and for tobacco use
112 12 prevention, cessation, and treatment.

112 13 Under the healthy children and families appropriation,
112 14 additional funding is allocated for the healthy mental
112 15 development of children ages birth through five years of age,
112 16 for the task force on postnatal tissue and fluid banking, if
112 17 enacted, for the dental screening of children program, if
112 18 enacted, and for childhood obesity prevention.

112 19 Under the chronic conditions appropriation, funding is
112 20 allocated for child health specialty clinics, for the Iowa
112 21 consortium for comprehensive cancer control, for the
112 22 hemophilia advisory council if enacted, and for cervical and
112 23 colon cancer screening.

112 24 Under the community capacity appropriation, funding is
112 25 allocated for local public health infrastructure; for the
112 26 mental health professional shortage area program enacted in
112 27 the bill; for the Iowa-Nebraska primary care association for
112 28 statewide coordination of the Iowa collaborative safety net
112 29 provider network; for the Iowa family planning network for
112 30 infrastructure, coordination, provider recruitment, and
112 31 service delivery to assist patients in determining a medical
112 32 home; for local boards of health for pilot programs in three
112 33 counties to assist patients in determining a medical home; for
112 34 maternal and child health centers for pilot programs in three
112 35 counties to assist patients in determining a medical home; for



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House File 909 - Introduced continued

113 1 free clinics for infrastructure, coordination, provider
113 2 recruitment, and service delivery to assist patients in
113 3 determining a medical home; for rural clinics; for the safety
113 4 net provider patient access to specialty care initiative; for
113 5 pharmaceutical infrastructure for safety net providers; to
113 6 continue the contract for the program to develop an Iowa
113 7 collaborative safety net provider network; and to continue the
113 8 incubation grant program to community health centers.

113 9 DEPARTMENT OF HUMAN SERVICES APPROPRIATIONS. Funds are
113 10 appropriated from the health care trust fund to the department
113 11 of human services for medical assistance, the state children's
113 12 health insurance program, and mental health, mental
113 13 retardation, and developmental disability (MH/MR/DD) services
113 14 allowed growth.

113 15 Under the appropriation for the medical assistance program,
113 16 funding is allocated for services costs; to expand access to
113 17 medical assistance for parents by increasing the earned income
113 18 disregard for parents in the family investment program; to
113 19 reduce the waiting list for the children's mental health home
113 20 and community-based services waiver; for the Medicaid for
113 21 independent young adults (MIYA) program; for habilitation
113 22 services; for increased enrollment of Medicaid-eligible
113 23 children in the medical assistance program; for the money
113 24 follows the person demonstration project; for a grant to the
113 25 Iowa healthcare collaborative; and to administer the
113 26 provisions related to the medical assistance income trusts if
113 27 enacted.

113 28 Under the appropriation for the state children's health
113 29 insurance program, funding is allocated to support current
113 30 enrollment and natural growth in the program, to maintain
113 31 current outreach efforts, and for increased enrollment of
113 32 eligible children in the state children's health insurance
113 33 program.

113 34 The appropriation for MH/MR/DD allowed growth is to be
113 35 credited to the property tax relief fund from which it is



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114 1 appropriated in another part of the bill.
114 2 INTERIM COMMISSION ON AFFORDABLE HEALTH CARE. Funds are
114 3 appropriated from the health care trust fund to the
114 4 legislative services agency for the commission to carry out
114 5 the commission's duties and those of the health care data
114 6 research advisory council as both are created in the bill.
114 7 The division provides statutory and other provisions
114 8 related to health care.
114 9 HEALTH CARE PROVIDER ACCESS. An expedited registration
114 10 process is provided in Code section 135.24 for health care
114 11 providers who apply to participate in the volunteer health
114 12 care provider program. The registration is to be completed
114 13 within 15 days of application by the health care provider. In
114 14 addition to the participating health care providers being
114 15 deemed employees of the state for the purposes of the state
114 16 tort claims Act, the participating health care provider is not
114 17 subject to payment of claims arising out of the free care
114 18 provided through the health care provider's own professional
114 19 liability insurance coverage.
114 20 MENTAL HEALTH SHORTAGE AREAS. New Code section 135.80
114 21 directs the department of public health to establish a mental
114 22 health professional shortage area program. The term "mental
114 23 health professional shortage areas" is defined as geographic
114 24 areas that have been designated by the United States
114 25 department of health and human services, health resources and
114 26 services administration, bureau of health professionals, as
114 27 having a shortage of mental health professionals. The purpose
114 28 of the program is to provide stipends to support psychiatrist
114 29 positions with an emphasis on securing and retaining medical
114 30 directors at community mental health centers and alternative
114 31 providers and hospital psychiatric units that are located in
114 32 the designated shortage areas. The bill includes an
114 33 appropriation for the program and to support psychologist
114 34 interns.
114 35 The department of public health is required to work



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115 1 collaboratively during FY 2007=2008 with the departments of
115 2 corrections, education, elder affairs, and human services to
115 3 enhance the workforce competencies of direct care staff who
115 4 work with behavioral health services.

115 5 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK. The Iowa
115 6 collaborative safety net provider network that was previously
115 7 only referred to in session law is codified in new Code
115 8 section 135.153. The network includes community health
115 9 centers, rural health clinics, free clinics, maternal and
115 10 child health centers, the expansion population provider
115 11 network for IowaCare, boards of health that provide direct
115 12 services, Iowa family planning network agencies, child health
115 13 specialty clinics, and other safety net providers. The bill
115 14 directs the network to develop a pharmaceutical infrastructure
115 15 for safety net providers and to implement a specialty care
115 16 initiative in three communities in the state to determine
115 17 various methods of addressing the issue of specialty care
115 18 access in underserved areas.

115 19 MEDICAID, HAWK=I, AND IOWACARE. The premium requirement in
115 20 Code section 249J.8 is eliminated for IowaCare members with
115 21 family incomes equal to or less than 100 percent of the
115 22 federal poverty level subject to approval of a waiver
115 23 amendment by the federal government. School districts are
115 24 required to forward information from the applications for the
115 25 school breakfast or lunch program, for which federal funding
115 26 is provided, to the department of human services to identify
115 27 children eligible for enrollment in Medicaid and hawk=i. The
115 28 use of bright futures for infants, children, and adolescents
115 29 program is added as a consideration in the rules adopted for
115 30 hawk=i recipients, and the director of human services is
115 31 required to aggressively pursue options for expanding the
115 32 provider network under the IowaCare program.

115 33 ELECTRONIC PRESCRIBING. The department of public health,
115 34 in cooperation with the board of pharmacy examiners, the Iowa
115 35 pharmacy association, the Iowa medical society, the Iowa



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116 1 osteopathic medical association, the Iowa hospital
116 2 association, and other interested entities, is required to
116 3 develop a plan to implement the required use of electronic
116 4 prescribing by all practitioners by January 1, 2010. The
116 5 department is required to submit the completed plan to the
116 6 general assembly on or before January 1, 2008.
116 7 HEALTH AND LONG-TERM CARE WORKFORCE REVIEW. The department
116 8 of public health, in collaboration with the department of
116 9 human services, the department of inspections and appeals, the
116 10 department of workforce development, and other state agencies
116 11 involved with relevant health care and workforce issues, is
116 12 required to conduct a comprehensive review of Iowa's health
116 13 and long-term care workforce, and to submit findings and
116 14 recommendations to the general assembly and the governor on or
116 15 before January 15, 2008.
116 16 CHILD WELFARE SERVICES. This division relates to child
116 17 welfare services by requiring services to be provided to
116 18 families of children removed from the home by court order and
116 19 provides a temporary exception under certain circumstances to
116 20 expenditure and budget targets for children placed in group
116 21 foster care.
116 22 The dispositional provisions are amended in Code section
116 23 232.52, relating to delinquency dispositions, and Code section
116 24 232.102, relating to child in need of assistance dispositions.
116 25 The affected dispositional provisions involve court orders for
116 26 out-of-home placement of a child in which the court has made a
116 27 determination that continuing the child in the home would be
116 28 contrary to the child's welfare.
116 29 Code section 232.52 is amended to provide that unless the
116 30 court has made a determination that further reasonable efforts
116 31 are not required, reasonable efforts must be made to prevent
116 32 permanent removal of a child from the child's home and to
116 33 encourage reunification of the child with the child's parents
116 34 and family. The reasonable efforts may include early
116 35 intervention and follow-up programs implemented pursuant to



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117 1 Code section 232.191.
117 2 Code section 232.102 is similarly amended.
117 3 Under current law in Code section 232.143, the general
117 4 assembly annually establishes, in an appropriation made to the
117 5 department of human services, a statewide expenditure target
117 6 for children in group foster care placements. Representatives
117 7 of the department and juvenile court services then allocate
117 8 the statewide target among the department's service areas
117 9 based upon a formula. Local representatives of the department
117 10 and juvenile court services develop a plan for the service
117 11 area to remain within the expenditure target. State payment
117 12 for group foster care services is limited to those placements
117 13 that comply with the plan, and the juvenile court is
117 14 prohibited from ordering a group foster care placement that
117 15 does not comply with the plan.
117 16 An exception is provided to allow a service area's budget
117 17 target to be temporarily exceeded as necessary for placement
117 18 of a child in group foster care when the child is age 13 or
117 19 younger, a dispositional order has been entered for the
117 20 child's placement in group foster care, and the child is
117 21 placed in a juvenile detention facility awaiting placement in
117 22 group foster care.
117 23 If such a placement is made, the department and juvenile
117 24 court services are required to examine the cases of other
117 25 children placed in group foster care for that service area.
117 26 If the examination indicates it may be appropriate to
117 27 terminate the placement for any of the cases, action to
117 28 initiate a dispositional review hearing is required. In the
117 29 dispositional review hearing, the court is required to
117 30 determine whether needed aftercare services are available
117 31 following termination of the placement and whether termination
117 32 is in the best interests of the child and the community.
117 33 While the budget target is being exceeded, a juvenile court
117 34 services office located within that departmental service area
117 35 must notify the department within one business day of changes



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118 1 in dispositional orders involving children placed in group
118 2 foster care.
118 3 FINANCIAL RESPONSIBILITY FOR CERTAIN MEDICAID SERVICES.
118 4 This division addresses state and county financial
118 5 responsibility for certain medical assistance (Medicaid)
118 6 program services provided to adults. Under current law, the
118 7 county of legal settlement is responsible for the nonfederal
118 8 share of the cost of services provided to persons with chronic
118 9 mental illness who receive services under the adult
118 10 rehabilitation option of the state plan for the services. The
118 11 state is responsible for the nonfederal share for state cases.
118 12 The department of human services is in the process of
118 13 eliminating the adult rehabilitation option under Medicaid and
118 14 is instead implementing a new approach. The new approach is
118 15 to offer remedial services and habilitation services as part
118 16 of the regular Medicaid benefit package.
118 17 The bill eliminates Code references to the rehabilitation
118 18 option and the limitation of the option's application to
118 19 persons with chronic mental illness. Code section 249A.26,
118 20 relating to state and county participation in funding for
118 21 services to persons with disabilities, is amended to replace
118 22 the references to the rehabilitation option in the
118 23 requirements for county of legal settlement and state
118 24 financial responsibility with references to remedial services
118 25 and habilitation services.
118 26 Conforming amendments are made in Code section 225C.6,
118 27 relating to the responsibility of the mental health, mental
118 28 retardation, developmental disabilities, and brain injury
118 29 commission to adopt rules for service providers; and Code
118 30 section 331.440A, relating to grounds which may be used for
118 31 delaying implementation of an adult mental health, mental
118 32 retardation, and developmental disabilities services funding
118 33 decategorization pilot project.
118 34 Code section 249.26A, which relates to the same
118 35 requirements addressed in the bill in Code section 249A.26, is



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119 1 repealed.

119 2 Code section 249A.31, relating to providers who are

119 3 reimbursed for 100 percent of the reasonable costs for the

119 4 provision of services, is amended to eliminate the requirement

119 5 for cost-based reimbursement for adult rehabilitation option

119 6 services and to reorganize the section.

119 7 The division may include a state mandate as defined in Code

119 8 section 25B.3. The division makes inapplicable Code section

119 9 25B.2, subsection 3, which would relieve a political

119 10 subdivision from complying with a state mandate if funding for

119 11 the cost of the state mandate is not provided or specified.

119 12 Therefore, political subdivisions are required to comply with

119 13 any state mandate included in the division.

119 14 FAMILY OPPORTUNITY ACT. This division directs the

119 15 department of human services to implement certain provisions

119 16 specified in the federal Deficit Reduction Act of 2005 for

119 17 individuals with disabilities.

119 18 The division directs the department to implement the

119 19 Medicaid buy-in provision for individuals under 19 years of

119 20 age with disabilities whose family income or resources are at

119 21 or below 300 percent of the federal poverty level. In order

119 22 to be eligible for the program the parent of the individual

119 23 would be required to comply with provisions relating to family

119 24 coverage offered by the parent's employer.

119 25 The division also directs the department of human services

119 26 to seek a waiver to participate in a demonstration project to

119 27 test the effectiveness in improving or maintaining a child's

119 28 functional level and the cost effectiveness of providing

119 29 coverage of home and community-based alternatives to

119 30 psychiatric residential treatment for children for individuals

119 31 under 21 years of age who are enrolled in the medical

119 32 assistance program. The department is directed to collaborate

119 33 with directors of psychiatric medical institutions for

119 34 children, community-based services providers, and other

119 35 interested parties in developing and implementing the



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120 1 demonstration project.

120 2 The division requires the department of public health to
120 3 aggressively pursue the establishment of a family-to-family
120 4 health information center in Iowa to provide assistance to
120 5 families of children with disabilities or special health care
120 6 needs to make informed choices about health care in order to
120 7 promote good treatment decisions, cost-effectiveness, and
120 8 improved health outcomes for such children. The center would
120 9 be staffed by families of children with disabilities or
120 10 special health care needs who have expertise in federal and
120 11 state public and private health care systems and by health
120 12 professionals.

120 13 COMMISSION ON AFFORDABLE HEALTH CARE PLANS. This division
120 14 creates a legislative commission on affordable health care
120 15 plans for small businesses and families to review and analyze
120 16 possible health insurance reforms to make health care coverage
120 17 more affordable for small businesses and families in this
120 18 state.

120 19 The commission includes 10 members of the general assembly,
120 20 other members representing various business, health care, and
120 21 insurance interests, and three ex officio members representing
120 22 state agencies. Primary staffing is to be provided by the
120 23 legislative services agency.

120 24 The commission is required to review, analyze, and make
120 25 recommendations on issues relating to the affordability of
120 26 health care for Iowans.

120 27 The commission is authorized to hold public hearings and
120 28 request information from state agencies and officers and to
120 29 employ staff and consultants as necessary to assist it in
120 30 performing its charge.

120 31 The commission is required to complete its deliberations in
120 32 December 2007 and to submit a final report to the general
120 33 assembly for consideration during the 2008 legislative
120 34 session, summarizing the commission's activities, analyzing
120 35 the issues studied, making recommendations for legislative



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121 1 reforms that will make health insurance more affordable for
121 2 small businesses and families, and including any other
121 3 information that the commission deems relevant and necessary.
121 4 A health care data research advisory council is created for
121 5 the purpose of assisting the commission in carrying out the
121 6 commission's duties by conducting research, providing research
121 7 data and analysis, and performing other functions within the
121 8 expertise of members of the council at the direction of the
121 9 commission.
121 10 The division takes effect upon enactment.
121 11 HCBS WAIVER == ZONING. This division provides in new Code
121 12 sections 335.34 and 414.32 that for the purposes of city and
121 13 county zoning, the residence of a recipient of services under
121 14 a medical assistance home and community-based services waiver
121 15 is to be considered a residential use of property, if certain
121 16 limitations are met.
121 17 LSB 1130HV 82
121 18 pf/gg/14



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House File 910 - Introduced

HOUSE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 337)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act relating to the creation of a task force on postnatal
- 2 tissue and fluid banking, related postnatal procedures, and
- 3 providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1705HV 82
- 6 pf/je/5



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1 1 Section 1. POSTNATAL TISSUE AND FLUID BANKING TASK FORCE.
1 2 1. The Iowa department of public health shall convene a
1 3 task force on postnatal tissue and fluid banking and related
1 4 postnatal procedures. The task force shall consist of the
1 5 following members, selected by the institution or association
1 6 specified or, if not specified, selected by the director of
1 7 public health:
1 8 a. The director of public health, or the director's
1 9 designee.
1 10 b. A representative of each of the public and private
1 11 colleges or universities in the state that have interest in
1 12 postnatal tissue and fluid for the purposes of research or
1 13 medical treatment.
1 14 c. A representative of the Iowa hospital association.
1 15 d. A representative of the Iowa osteopathic medical
1 16 association.
1 17 e. A representative of the Iowa medical society.
1 18 f. A physician representing a birthing hospital.
1 19 g. A prenatal healthcare provider.
1 20 h. A representative of the Iowa midwives association.
1 21 i. A representative of the postnatal tissue and fluid
1 22 research community.
1 23 j. A representative of recipients of postnatal tissue and
1 24 fluid transplants.
1 25 k. A representative of a postnatal tissue and fluid
1 26 transplant center.
1 27 l. A representative of a postnatal tissue and fluid bank.
1 28 m. An attorney with expertise in public health or
1 29 biotechnology law, selected by the Iowa state bar association.
1 30 2. Members of the task force shall receive actual expenses
1 31 incurred while serving in their official capacity and may also
1 32 be eligible to receive compensation as provided in section
1 33 7E.6.
1 34 3. The director of public health, or the director's
1 35 designee, shall act as chairperson of the task force. A



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2 1 majority of the members of the task force shall constitute a
2 2 quorum.

2 3 4. The task force shall investigate the optimum method by
2 4 which to establish a network of postnatal tissue and fluid
2 5 banks in partnership with public and private colleges or
2 6 universities, public and private hospitals, or nonprofit
2 7 organizations and private organizations in the state to
2 8 collect and store postnatal tissue and fluid for the purposes
2 9 of scientific research and medical treatment. The
2 10 investigation shall address and make recommendations regarding
2 11 all of the following:

2 12 a. Regulatory requirements for public and private
2 13 postnatal tissue and fluid banks in the state, including
2 14 regulations or protocols to govern donations to the bank and
2 15 the release and use of banked postnatal tissue or fluid.

2 16 b. The development of a statewide network of postnatal
2 17 tissue and fluid banks and birthing hospital collection sites
2 18 in a manner that provides for geographic distribution
2 19 throughout the state.

2 20 c. The development of a statewide postnatal tissue and
2 21 fluid registry to identify, acquire, and distribute donated
2 22 postnatal tissue and fluid to suitably matched candidates
2 23 including documentation of the collection, storage,
2 24 distribution, and transplantation of the postnatal tissue and
2 25 fluid and the clinical outcomes of all transplantations
2 26 related to the network.

2 27 d. Any incentives for donation to public postnatal tissue
2 28 and fluid banks.

2 29 e. Public awareness and encouragement of donation or
2 30 private storage of postnatal tissue and fluid by providing
2 31 information including but not limited to all of the following:

2 32 (1) The current and potential future medical uses of
2 33 postnatal tissue and fluid.

2 34 (2) The benefits and risks associated with postnatal
2 35 tissue and fluid banking.



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3 1 (3) Medical or family history criteria that may impact a
3 2 family's consideration of postnatal tissue and fluid banking.
3 3 (4) An explanation of the differences between private and
3 4 public banking.
3 5 (5) Medically accepted uses and benefits of postnatal
3 6 tissue and fluid collection and transplantation.
3 7 (6) The costs associated with donation and storage, and an
3 8 explanation of the storage, maintenance, and viability for
3 9 transplantation of postnatal tissue and fluid.
3 10 f. Participation in the public cord blood bank network
3 11 established pursuant to the federal Stem Cell Therapeutic and
3 12 Research Act of 2005, Pub. L. No. 109=129, or other national
3 13 or international networks.
3 14 g. Any changes in law or rules necessary to implement a
3 15 postnatal tissue and fluid banking network in the state to
3 16 provide for scientific research and medical treatment.
3 17 h. Consent and privacy protections related to donation or
3 18 private banking of postnatal tissue and fluid.
3 19 i. Any fee structure to be associated with participation
3 20 in the postnatal tissue and fluid bank network.
3 21 j. The costs associated with the operation and maintenance
3 22 of a public postnatal tissue and fluid bank network, including
3 23 the need for public funding.
3 24 5. In addition to postnatal tissue and fluid banking the
3 25 task force shall review the issue of the retention, use, and
3 26 disposition of neonatal metabolic screening specimens,
3 27 including but not limited to the length of time the specimens
3 28 are retained and specimen research use.
3 29 6. The task force shall report its findings and
3 30 recommendations, along with any proposed legislation, to the
3 31 general assembly by November 1, 2007.
3 32 7. For the purposes of this section, "postnatal tissue and
3 33 fluid" means the placenta, umbilical cord, umbilical cord
3 34 blood, and amniotic fluid expelled or extracted in connection
3 35 with the birth of a child.



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House File 911 - Introduced

HOUSE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1134HC)

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

A BILL FOR

1 An Act relating to and making appropriations to state departments
2 and agencies from the rebuild Iowa infrastructure fund,
3 vertical infrastructure fund, the endowment for Iowa's health
4 restricted capitals fund, and the technology reinvestment
5 fund, and related matters, and providing an effective date.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1134HV 82
8 rh/gg/14



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DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For relocation and project costs directly associated with remodeling projects on the capitol complex and for facility lease payments, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 1,824,500

b. For routine maintenance of state buildings and facilities, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 5,000,000

c. For costs associated with capitol interior and exterior restoration:

..... \$ 6,300,000

d. For upgrades to the electrical distribution system serving the capitol complex:

..... \$ 3,460,960

e. For costs associated with the enterprise resource planning system, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 1,500,000

f. For costs associated with the restoration of the west capitol terrace:

..... \$ 1,600,000

g. For the purchase and installation of decorative planters on state property west of the west capitol terrace, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 120,000

h. For costs to repair parking lots and sidewalks on the



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2 1 capitol complex:
2 2 \$ 1,650,000
2 3 i. To provide funding and related services for capitol
2 4 complex property acquisition, notwithstanding section 8.57,
2 5 subsection 6, paragraph "c":
2 6 \$ 1,000,000
2 7 j. For costs associated with the relocation of the vehicle
2 8 dispatch fueling station:
2 9 \$ 350,000
2 10 k. For costs associated with the central energy plant
2 11 addition and improvements:
2 12 \$ 998,000
2 13 l. For heating, ventilating, and air conditioning
2 14 improvements in the Hoover state office building:
2 15 \$ 1,320,000
2 16 m. For a feasibility study relating to renovations to the
2 17 capitol complex utility tunnel system, notwithstanding section
2 18 8.57, subsection 6, paragraph "c":
2 19 \$ 260,000
2 20 n. For costs associated with a feasibility study
2 21 concerning asbestos abatement and related building renovation
2 22 work at the Iowa workforce development building located at
2 23 1000 E. Grand Avenue in Des Moines, notwithstanding section
2 24 8.57, subsection 6, paragraph "c":
2 25 \$ 1,000,000
2 26 o. For allocation to the worker's monument committee for
2 27 costs associated with the construction of a worker's monument
2 28 to be located on the capitol complex:
2 29 \$ 200,000
2 30 p. For capital improvements at the civil commitment unit
2 31 for sexual offenders facility at Cherokee:
2 32 \$ 750,000
2 33 2. DEPARTMENT OF CORRECTIONS
2 34 a. For costs associated with the Cedar Rapids mental
2 35 health facility:



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3 1 \$ 1,300,000
3 2 b. For capital improvement projects at correctional
3 3 facilities:
3 4 \$ 5,495,000
3 5 c. For the master planning process for the possible
3 6 remodel, expansion, and demolition of buildings at the Iowa
3 7 correctional institution for women; to develop, validate, and
3 8 implement custody classification systems; and a research-based
3 9 study of the substance abuse, sex offender, and medical and
3 10 mental health treatment programs to ensure adherence to
3 11 evidence-based practices, notwithstanding section 8.57,
3 12 subsection 6, paragraph "c":
3 13 \$ 500,000
3 14 d. For the lease payment under the lease-purchase
3 15 agreement to connect the electrical system supporting the
3 16 special needs unit at Fort Madison:
3 17 \$ 333,168
3 18 e. For costs associated with boiler improvements at the
3 19 correctional facility located at Anamosa:
3 20 \$ 25,000
3 21 3. DEPARTMENT OF CULTURAL AFFAIRS
3 22 a. For continuation of the project recommended by the Iowa
3 23 battle flag advisory committee to stabilize the condition of
3 24 the battle flag collection, notwithstanding section 8.57,
3 25 subsection 6, paragraph "c":
3 26 \$ 220,000
3 27 The department is authorized an additional 1.50 full-time
3 28 equivalent positions for a conservation assistant and a
3 29 part-time historian for work related to the stabilization and
3 30 preservation of the battle flag collection.
3 31 b. For historical site preservation grants to be used for
3 32 the restoration, preservation, and development of historic
3 33 sites:
3 34 \$ 1,000,000
3 35 In making grants pursuant to this lettered paragraph, the



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4 1 department shall consider the existence and amount of other
4 2 funds available to an applicant for the designated project. A
4 3 grant awarded from moneys appropriated in this lettered
4 4 paragraph shall not exceed \$100,000 per project. Not more
4 5 than two grants may be awarded in the same county.

4 6 Notwithstanding the provisions of this lettered paragraph,
4 7 \$200,000 shall be allocated to the last surviving Frank Lloyd
4 8 Wright hotel located in a county with a population between
4 9 46,000 and 47,000.

4 10 4. DEPARTMENT OF ECONOMIC DEVELOPMENT

4 11 a. For infrastructure expenses to support the development
4 12 and expansion of targeted industry areas of advanced
4 13 manufacturing, bioscience, and information technology pursuant
4 14 to 2007 Iowa Acts, House File 829, if enacted, notwithstanding
4 15 section 8.57, subsection 6, paragraph "c":

4 16 \$ 1,750,000

4 17 b. For accelerated career education program capital
4 18 projects at community colleges that are authorized under
4 19 chapter 260G and that meet the definition of "vertical
4 20 infrastructure" in section 8.57, subsection 6, paragraph "c":

4 21 \$ 5,500,000

4 22 The moneys appropriated in this lettered paragraph shall be
4 23 allocated equally among the community colleges in the state.
4 24 If any portion of the equal allocation to a community college
4 25 is not obligated or encumbered by April 1, 2008, the
4 26 unobligated and unencumbered portions shall be available for
4 27 use by other community colleges.

4 28 5. DEPARTMENT OF EDUCATION

4 29 a. To provide resources for structural and technological
4 30 improvements to local libraries and for the enrich Iowa
4 31 program, notwithstanding section 8.57, subsection 6, paragraph
4 32 "c":

4 33 \$ 1,000,000

4 34 Of the amount appropriated in this lettered paragraph,
4 35 \$50,000 shall be allocated equally to each library service



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5 1 area.
5 2 b. To the public broadcasting division to upgrade and
5 3 replace mechanical equipment:
5 4 \$ 1,275,000
5 5 6. DEPARTMENT OF HUMAN SERVICES
5 6 For the renovation and construction of certain nursing
5 7 facilities, consistent with the provisions of chapter 249K, as
5 8 enacted in this Act:
5 9 \$ 1,000,000
5 10 7. IOWA FINANCE AUTHORITY
5 11 a. For grants for distribution for water quality
5 12 improvement projects:
5 13 \$ 4,000,000
5 14 b. For deposit into the housing trust fund created in
5 15 section 16.181:
5 16 \$ 2,500,000
5 17 8. IOWA STATE FAIR
5 18 For infrastructure improvements to the Iowa state
5 19 fairgrounds including but not limited to the construction of
5 20 an agricultural exhibition center on the Iowa state
5 21 fairgrounds:
5 22 \$ 3,000,000
5 23 9. DEPARTMENT OF NATURAL RESOURCES
5 24 a. For state park infrastructure renovations:
5 25 \$ 2,500,000
5 26 b. For implementation of lake projects that have
5 27 established watershed improvement initiatives and community
5 28 support in accordance with the department's annual lake
5 29 restoration plan and report, notwithstanding section 8.57,
5 30 subsection 6, paragraph "c":
5 31 \$ 8,600,000
5 32 Of the moneys appropriated in this lettered paragraph,
5 33 \$200,000 shall be used for the purposes of supporting a low
5 34 head dam public hazard improvement program. The moneys shall
5 35 be used to provide grants to local communities, including



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6 1 counties and cities, for projects approved by the department.
6 2 (1) The department shall establish a grant application
6 3 process and shall require each local community applying for a
6 4 project grant to submit a project plan for the expenditure of
6 5 the moneys, and to file a report with the department regarding
6 6 the project, as required by the department.
6 7 (2) The department shall only award moneys on a matching
6 8 basis, pursuant to which the local community shall contribute
6 9 a dollar for each dollar awarded by the department, in order
6 10 to finance a project.
6 11 c. For infrastructure improvements for a state river
6 12 recreation area located in a county with a population between
6 13 21,900 and 22,100:
6 14 \$ 750,000
6 15 d. For lake dredging and related improvements including
6 16 ongoing dam maintenance and operation on a lake with public
6 17 access that has the support of a benefited lake district
6 18 located in a county with a population between 18,015 and
6 19 18,050 according to the 2005 population estimate issued by the
6 20 federal government, notwithstanding section 8.57, subsection
6 21 6, paragraph "c":
6 22 \$ 100,000
6 23 e. For the construction and installation of an angled
6 24 well, pumps, and piping to connect the existing infrastructure
6 25 from the new well to a lake located in a county with a
6 26 population between 87,500 and 88,000:
6 27 \$ 500,000
6 28 Moneys appropriated in this lettered paragraph are
6 29 contingent upon receipt of matching funds from a state taxing
6 30 authority surrounding such lake.
6 31 10. DEPARTMENT OF PUBLIC DEFENSE
6 32 a. For construction costs associated with the Camp Dodge
6 33 armed forces readiness center:
6 34 \$ 50,000
6 35 b. For construction costs associated with the new Iowa



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7 1 City readiness center:
7 2 \$ 1,200,000
7 3 c. For renovation and modernization of the Waterloo
7 4 aviation readiness center:
7 5 \$ 500,000
7 6 d. For upgrades to the Camp Dodge water distribution
7 7 system:
7 8 \$ 400,000
7 9 e. For major maintenance projects at national guard
7 10 armories and facilities:
7 11 \$ 1,500,000
7 12 f. For renovation and modernization of the national guard
7 13 armory in Ottumwa:
7 14 \$ 1,000,000
7 15 g. For renovation and modernization of the Newton
7 16 readiness center:
7 17 \$ 400,000
7 18 h. For renovation and modernization of the Eagle Grove
7 19 readiness center:
7 20 \$ 400,000
7 21 i. For construction costs associated with the joint public
7 22 defense/Iowa law enforcement academy shoothouse:
7 23 \$ 500,000
7 24 j. For general infrastructure improvements at the gold
7 25 star museum at Camp Dodge:
7 26 \$ 1,000,000
7 27 11. DEPARTMENT OF PUBLIC SAFETY
7 28 a. For construction of an Iowa state patrol post in
7 29 district 8:
7 30 \$ 2,400,000
7 31 b. For construction of a state emergency response training
7 32 facility to be located in merged area XI:
7 33 \$ 2,000,000
7 34 c. To provide grants to regional emergency response
7 35 training centers established under section 100B.22 for



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8 1 infrastructure improvements:
8 2 \$ 900,000
8 3 12. SECRETARY OF STATE
8 4 To provide grants to counties for the purchase of voting
8 5 machines, notwithstanding section 8.57, subsection 6,
8 6 paragraph "c":
8 7 \$ 4,500,000
8 8 13. STATE BOARD OF REGENTS
8 9 a. For allocation by the state board of regents to the
8 10 state university of Iowa, the Iowa state university of science
8 11 and technology, and the university of northern Iowa to
8 12 reimburse the institutions for deficiencies in their operating
8 13 funds resulting from the pledging of tuition, student fees and
8 14 charges, and institutional income to finance the cost of
8 15 providing academic and administrative buildings and facilities
8 16 and utility services at the institutions, notwithstanding
8 17 section 8.57, subsection 6, paragraph "c":
8 18 \$ 10,329,981
8 19 b. For costs associated with the establishment of the Iowa
8 20 institute for biomedical discovery at the state university of
8 21 Iowa:
8 22 \$ 10,000,000
8 23 c. For planning, design, and construction costs associated
8 24 with the construction of a new renewable fuels building at
8 25 Iowa state university of science and technology:
8 26 \$ 5,647,000
8 27 14. DEPARTMENT OF TRANSPORTATION
8 28 a. For acquiring, constructing, and improving recreational
8 29 trails within the state:
8 30 \$ 2,000,000
8 31 b. For infrastructure improvements at the commercial air
8 32 service airports within the state:
8 33 \$ 1,500,000
8 34 Fifty percent of the funds appropriated in this lettered
8 35 paragraph shall be allocated equally between each commercial



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9 1 air service airport, 40 percent of the funds shall be
 9 2 allocated based on the percentage that the number of enplaned
 9 3 passengers at each commercial air service airport bears to the
 9 4 total number of enplaned passengers in the state during the
 9 5 previous fiscal year, and 10 percent of the funds shall be
 9 6 allocated based upon the percentage that the air cargo tonnage
 9 7 at each commercial air service airport bears to the total air
 9 8 cargo tonnage in the state during the previous fiscal year.
 9 9 In order for a commercial air service airport to receive
 9 10 funding under this lettered paragraph, the airport shall be
 9 11 required to submit applications for funding of specific
 9 12 projects to the department for approval by the state
 9 13 transportation commission.

9 14 c. For infrastructure improvements at general aviation
 9 15 airports within the state:

9 16 \$ 750,000

9 17 d. For deposit into the railroad revolving loan and grant
 9 18 fund created in section 327H.20A notwithstanding section 8.57,
 9 19 subsection 6, paragraph "c":
 9 20 \$ 2,000,000

9 21 It is the intent of the general assembly that the moneys
 9 22 appropriated in this lettered paragraph shall be used to
 9 23 generate at least \$10,000,000 in vertical infrastructure
 9 24 capital investments.

9 25 15. TREASURER OF STATE

9 26 For county fair infrastructure improvements for
 9 27 distribution in accordance with chapter 174 to qualified fairs
 9 28 which belong to the association of Iowa fairs:

9 29 \$ 1,590,000

9 30 Sec. 2. REVERSION. Notwithstanding section 8.33, moneys
 9 31 appropriated for the fiscal year beginning July 1, 2007, in
 9 32 this division of this Act that remain unencumbered or
 9 33 unobligated at the close of the fiscal year shall not revert
 9 34 but shall remain available for the purposes designated until
 9 35 the close of the fiscal year that begins July 1, 2010, or



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10 1 until the project for which the appropriation was made is
10 2 completed, whichever is earlier.

10 3 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
10 4 appropriated from the rebuild Iowa infrastructure fund for the
10 5 fiscal year beginning July 1, 2008, and ending June 30, 2009,
10 6 the following amount, or so much thereof as is necessary, to
10 7 be used for the purpose designated:

10 8 For capital improvements at the civil commitment unit for
10 9 the sexual offenders facility at Cherokee:

10 10 \$ 829,000

10 11 Notwithstanding section 8.33, moneys appropriated in this
10 12 section shall not revert at the close of the fiscal year for
10 13 which they were appropriated but shall remain available for
10 14 the purposes designated until the close of the fiscal year
10 15 that begins July 1, 2011, or until the project for which the
10 16 appropriation was made is completed, whichever is earlier.

10 17 Sec. 4. DEPARTMENT OF NATURAL RESOURCES. There is
10 18 appropriated from the rebuild Iowa infrastructure fund for the
10 19 fiscal year beginning July 1, 2008, and ending June 30, 2009,
10 20 the following amount, or so much thereof as is necessary, to
10 21 be used for the purposes designated:

10 22 a. For infrastructure improvements for a state river
10 23 recreation area located in a county with a population between
10 24 21,900 and 22,100:

10 25 \$ 750,000

10 26 b. For the construction and installation of an angled
10 27 well, pumps, and piping to connect the existing infrastructure
10 28 from the new well to a lake located in a county with a
10 29 population between 87,500 and 88,000:

10 30 \$ 500,000

10 31 Moneys appropriated in this lettered paragraph are
10 32 contingent upon receipt of matching funds from a state taxing
10 33 authority surrounding such lake.

10 34 Notwithstanding section 8.33, moneys appropriated in this
10 35 section shall not revert at the close of the fiscal year for



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11 1 which they were appropriated but shall remain available for
11 2 the purposes designated until the close of the fiscal year
11 3 that begins July 1, 2011, or until the project for which the
11 4 appropriation was made is completed, whichever is earlier.

11 5 Sec. 5. DEPARTMENT OF PUBLIC DEFENSE. There is
11 6 appropriated from the rebuild Iowa infrastructure fund for the
11 7 designated fiscal years, the following amounts, or so much
11 8 thereof as is necessary, to be used for the purposes
11 9 designated:

11 10 For infrastructure improvements at the gold star museum at
11 11 Camp Dodge:
11 12 FY 2008=2009..... \$ 2,000,000
11 13 FY 2009=2010..... \$ 1,000,000

11 14 Notwithstanding section 8.33, moneys appropriated in this
11 15 section shall not revert at the close of the fiscal year for
11 16 which they were appropriated but shall remain available for
11 17 the purposes designated until the close of the fiscal year
11 18 that begins July 1, 2012, or until the project for which the
11 19 appropriation was made is completed, whichever is earlier.

11 20 Sec. 6. STATE BOARD OF REGENTS. There is appropriated
11 21 from the rebuild Iowa infrastructure fund for the designated
11 22 fiscal years, the following amounts, or so much thereof as is
11 23 necessary, to be used for the purposes designated:

11 24 1. For costs associated with the establishment of the Iowa
11 25 institute for biomedical discovery at the state university of
11 26 Iowa:
11 27 FY 2008=2009..... \$ 10,000,000
11 28 FY 2009=2010..... \$ 10,000,000

11 29 2. For planning, design, and construction costs associated
11 30 with the construction of a new renewable fuels building at
11 31 Iowa state university of science and technology:
11 32 FY 2008=2009..... \$ 14,756,000
11 33 FY 2009=2010..... \$ 11,597,000

11 34 Notwithstanding section 8.33, moneys appropriated in this
11 35 section shall not revert at the close of the fiscal year for



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12 1 which they were appropriated but shall remain available for
12 2 the purposes designated until the close of the fiscal year
12 3 that begins July 1, 2011, or until the project for which the
12 4 appropriation was made is completed, whichever is earlier.

12 5 DIVISION II

12 6 VERTICAL INFRASTRUCTURE FUND

12 7 Sec. 7. There is appropriated from the vertical
12 8 infrastructure fund to the state board of regents for the
12 9 fiscal year beginning July 1, 2007, and ending June 30, 2008,
12 10 the following amount, or so much thereof as is necessary, to
12 11 be used for the purposes designated:

12 12 For vertical infrastructure projects related to major
12 13 repairs and major maintenance including fire safety
12 14 improvements at state board of regents institutions and
12 15 facilities:
12 16 \$ 1,000,000

12 17 Of the amount appropriated in this section, \$500,000 shall
12 18 be allocated to the state school for the deaf and \$500,000
12 19 shall be allocate to the Iowa braille and sight saving school
12 20 for improvements to existing facilities for both schools.

12 21 Sec. 8. REVERSION. Notwithstanding section 8.33, moneys
12 22 appropriated for the fiscal year beginning July 1, 2007, in
12 23 this division of this Act that remain unencumbered or
12 24 unobligated at the close of the fiscal year shall not revert
12 25 but shall remain available for the purposes designated until
12 26 the close of the fiscal year that begins July 1, 2010, or
12 27 until the project for which the appropriation was made is
12 28 completed, whichever is earlier.

12 29 DIVISION III

12 30 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND

12 31 Sec. 9. There is appropriated from the endowment for
12 32 Iowa's health restricted capitals fund to the department of
12 33 corrections for the fiscal year beginning July 1, 2007, and
12 34 ending June 30, 2008, the following amounts, or so much
12 35 thereof as is necessary, to be used for the purposes



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13 1 designated:
 13 2 For costs associated with the remodeling of the kitchen
 13 3 facility at the correctional facility located in Anamosa:
 13 4 \$ 1,400,000
 13 5 Sec. 10. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.
 13 6 Payment of moneys from the appropriations in this division of
 13 7 this Act shall be made in a manner that does not adversely
 13 8 affect the tax=exempt status of any outstanding bonds issued
 13 9 by the tobacco settlement authority.
 13 10 Sec. 11. REVERSION. Notwithstanding section 8.33, moneys
 13 11 appropriated for the fiscal year that begins July 1, 2007, in
 13 12 this division of this Act that remain unencumbered or
 13 13 unobligated at the close of the fiscal year shall not revert
 13 14 but shall remain available for the purposes designated until
 13 15 the close of the fiscal year that begins July 1, 2011, or
 13 16 until the project for which the appropriation was made is
 13 17 completed, whichever is earlier.
 13 18 DIVISION IV
 13 19 TECHNOLOGY REINVESTMENT FUND
 13 20 Sec. 12. There is appropriated from the technology
 13 21 reinvestment fund created in section 8.57C to the following
 13 22 departments and agencies for the fiscal year beginning July 1,
 13 23 2007, and ending June 30, 2008, the following amounts, or so
 13 24 much thereof as is necessary, to be used for the purposes
 13 25 designated:
 13 26 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 13 27 a. For technology improvement projects:
 13 28 \$ 4,010,375
 13 29 b. For costs to establish a service-oriented architecture:
 13 30 \$ 254,992
 13 31 2. DEPARTMENT OF CORRECTIONS
 13 32 For costs associated with the Iowa corrections offender
 13 33 network data system:
 13 34 \$ 500,000
 13 35 3. DEPARTMENT OF EDUCATION



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14 1 a. For implementation of the provisions of chapter 280A:
14 2 \$ 500,000
14 3 b. For maintenance and lease costs associated with
14 4 connections for Part III of the Iowa communications network:
14 5 \$ 2,727,000
14 6 c. For the implementation of an educational data warehouse
14 7 that will be utilized by teachers, parents, school district
14 8 administrators, area education agency staff, department of
14 9 education staff, and policymakers:
14 10 \$ 600,000
14 11 4. DEPARTMENT OF HUMAN RIGHTS
14 12 For the cost of equipment and computer software for the
14 13 implementation of Iowa's criminal justice information system:
14 14 \$ 2,881,466
14 15 5. DEPARTMENT OF HUMAN SERVICES
14 16 For the purchase of payment processing equipment for the
14 17 child support recovery unit:
14 18 \$ 272,000
14 19 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
14 20 For replacement of equipment for the Iowa communications
14 21 network:
14 22 \$ 2,067,000
14 23 The commission may continue to enter into contracts
14 24 pursuant to section 8D.13 for the replacement of equipment and
14 25 for operations and maintenance costs of the network.
14 26 7. IOWA WORKFORCE DEVELOPMENT
14 27 a. For costs associated with the automated workers'
14 28 compensation appeal processing system:
14 29 \$ 500,000
14 30 b. For the purchase of computer hardware and software for
14 31 the outcome tracking system:
14 32 \$ 380,000
14 33 8. DEPARTMENT OF PUBLIC DEFENSE
14 34 For information technology upgrades for the Iowa national
14 35 guard:



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15 1 \$ 111,000
 15 2 9. DEPARTMENT OF PUBLIC SAFETY
 15 3 a. For continuation of payments on the lease of the
 15 4 automated fingerprint identification system:
 15 5 \$ 560,000
 15 6 b. For information technology hardware and software
 15 7 upgrades for the department of public safety:
 15 8 \$ 1,900,000
 15 9 10. STATE BOARD OF REGENTS. For allocation by the state
 15 10 board of regents to the university of northern Iowa to
 15 11 purchase mobile computer labs to serve communities statewide,
 15 12 replace technology equipment, and build advanced technology
 15 13 resources associated with MyEntreNet:
 15 14 \$ 235,000
 15 15 Sec. 13. REVERSION. Notwithstanding section 8.33, moneys
 15 16 appropriated for the fiscal year beginning July 1, 2007, in
 15 17 this division of this Act that remain unencumbered or
 15 18 unobligated at the close of the fiscal year shall not revert
 15 19 but shall remain available for the purposes designated until
 15 20 the close of the fiscal year beginning July 1, 2009, or until
 15 21 the project for which the appropriation was made is completed,
 15 22 whichever is earlier.
 15 23 DIVISION V
 15 24 MISCELLANEOUS APPROPRIATIONS
 15 25 Sec. 14. STATE AVIATION FUND == DEPARTMENT OF
 15 26 TRANSPORTATION. There is appropriated from the state aviation
 15 27 fund created in section 328.56, as enacted in 2006 Iowa Acts,
 15 28 chapter 1179, section 57, to the department of transportation
 15 29 to assist an aviation authority that has lost service of a
 15 30 federally funded essential air service carrier to regain daily
 15 31 enplanement rates:
 15 32 \$ 20,000
 15 33 DIVISION VI
 15 34 CHANGES TO PRIOR APPROPRIATIONS
 15 35 Sec. 15. 2001 Iowa Acts, chapter 185, section 30, as



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16 1 amended by 2005 Iowa Acts, chapter 178, section 22, and 2006
16 2 Iowa Acts, chapter 1179, section 27, is amended to read as
16 3 follows:
16 4 SEC. 30. REVERSION.
16 5 1. Except as provided in ~~subsection~~ subsections 2 and 3
16 6 and notwithstanding section 8.33, moneys appropriated in this
16 7 division of this Act shall not revert at the close of the
16 8 fiscal year for which they were appropriated but shall remain
16 9 available for the purposes designated until the close of the
16 10 fiscal year that begins July 1, 2004, or until the project for
16 11 which the appropriation was made is completed, whichever is
16 12 earlier.
16 13 2. Notwithstanding section 8.33, moneys appropriated in
16 14 section 25, subsection 3, paragraph "b", and ~~section 28~~ of
16 15 this division of this Act shall not revert at the close of the
16 16 fiscal year for which they were appropriated but shall remain
16 17 available for the purpose designated until the close of the
16 18 fiscal year that begins July 1, 2006, or until the project for
16 19 which the appropriation was made is completed, whichever is
16 20 earlier.
16 21 3. Notwithstanding section 8.33, moneys appropriated in
16 22 section 28 of this division of this Act shall not revert at
16 23 the close of the fiscal year for which they were appropriated
16 24 but shall remain available for the purpose designated until
16 25 the close of the fiscal year that begins July 1, 2007, or
16 26 until the project for which the appropriation was made is
16 27 completed, whichever is earlier.
16 28 Sec. 16. 2003 Iowa Acts, chapter 177, section 22,
16 29 subsection 13, is amended to read as follows:
16 30 13. REVERSION.
16 31 1. ~~Notwithstanding~~ Except as provided in subsection 2 and
16 32 notwithstanding section 8.33, moneys appropriated in this
16 33 section shall not revert at the close of the fiscal year for
16 34 which they were appropriated but shall remain available for
16 35 the purposes designated until the close of the fiscal year



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17 1 that begins July 1, 2006, or until the project for which the
17 2 appropriation was made is completed, whichever is earlier.
17 3 2. Notwithstanding section 8.33, moneys appropriated in
17 4 subsection 9, paragraph "c", shall not revert at the close of
17 5 the fiscal year for which they were appropriated but shall
17 6 remain available for the purpose designated until the close of
17 7 the fiscal year that begins July 1, 2007, or until the project
17 8 for which the appropriation was made is completed, whichever
17 9 is earlier.

17 10 Sec. 17. 2003 Iowa Acts, chapter 177, section 23,
17 11 subsection 3, as amended by 2004 Iowa Acts, chapter 1175,
17 12 section 309, is amended to read as follows:

17 13 3. Notwithstanding section 8.33, moneys appropriated in
17 14 this section shall not revert at the close of the fiscal year
17 15 for which they were appropriated, but shall remain available
17 16 for the purpose designated until the close of the fiscal year
17 17 that begins July 1, ~~2006~~ 2007, or until the project for which
17 18 the appropriation was made is completed, whichever is earlier.

17 19 Sec. 18. 2005 Iowa Acts, chapter 178, section 19,
17 20 subsection 3, is amended to read as follows:

17 21 3. REVERSION.

17 22 1. ~~Notwithstanding~~ Except as provided in subsection 2 and
17 23 notwithstanding section 8.33, moneys appropriated in this
17 24 section shall not revert at the close of the fiscal year for
17 25 which they were appropriated but shall remain available for
17 26 the purposes designated until the close of the fiscal year
17 27 that begins July 1, 2006, or until the project for which the
17 28 appropriation was made is completed, whichever is earlier.

17 29 2. Notwithstanding section 8.33, moneys appropriated in
17 30 subsection 1, paragraph "a", subparagraph (1), and subsection
17 31 1, paragraph "g", shall not revert at the close of the fiscal
17 32 year for which they were appropriated but shall remain
17 33 available for the purpose designated until the close of the
17 34 fiscal year that begins July 1, 2007, or until the project for
17 35 which the appropriation was made is completed, whichever is



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18 1 earlier.

18 2 Sec. 19. 2006 Iowa Acts, chapter 1179, section 5, is
 18 3 amended to read as follows:

18 4 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
 18 5 appropriated from the rebuild Iowa infrastructure fund to the
 18 6 department of administrative services for the designated
 18 7 fiscal years, the following amounts, or so much thereof as is
 18 8 necessary, to be used for the purposes designated:

18 9	For planning, design, and construction costs associated	
18 10	with the construction of a new approximately	
18 11	350,000=gross=square=foot state office building, including	
18 12	costs associated with furnishings, employee relocation, and	
18 13	the demolition of the Wallace Building:	
18 14	FY 2007=2008.....	\$ <u>16,100,000</u>
18 15		4,100,000
18 16	FY 2008=2009.....	\$ <u>16,800,000</u>
18 17		<u>22,800,000</u>
18 18	FY 2009=2010.....	\$ <u>6,657,100</u>
18 19		<u>12,657,100</u>

18 20 Notwithstanding section 8.33, moneys appropriated in this
 18 21 section shall not revert at the close of the fiscal year for
 18 22 which they were appropriated but shall remain available for
 18 23 the purposes designated until the close of the fiscal year
 18 24 that begins July 1, 2011, or until the project for which the
 18 25 appropriation was made is completed, whichever is earlier.

18 26 The design specifications of the new state office building
 18 27 shall include, at a minimum, energy efficiency specifications
 18 28 that exceed state building code requirements and have the
 18 29 potential for leadership in energy and environmental design
 18 30 silver certification from the United States green building
 18 31 council.

18 32 Sec. 20. 2006 Iowa Acts, chapter 1179, section 16,
 18 33 subsection 12, is amended to read as follows:

18 34 12. DEPARTMENT OF VETERANS AFFAIRS

18 35 For capital improvement projects at the Iowa veterans home:



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19 1 \$ 6,200,000
 19 2 Of the moneys appropriated in this subsection, the
 19 3 department shall use an amount necessary for planning and
 19 4 design services related to the construction of new facilities
 19 5 at the Iowa veterans home consistent with the Iowa veterans
 19 6 home comprehensive plan. The department shall submit a report
 19 7 by January 15, 2008, to the general assembly, the department
 19 8 of management, and the legislative services agency detailing
 19 9 the estimated costs and timing of construction and related
 19 10 improvements associated with the project consistent with the
 19 11 Iowa veterans home comprehensive plan.
 19 12 It is the intent of the general assembly to provide state
 19 13 match requirements necessary for the construction and repair
 19 14 of buildings and facilities at the Iowa veterans home that
 19 15 results in the improved care and living standards of veterans
 19 16 residing at the Iowa veterans home. Upon receipt of the
 19 17 estimated construction and facility improvement costs at the
 19 18 Iowa veterans home, it is the intent of the general assembly
 19 19 to explore funding options for completion of the Iowa veterans
 19 20 home projects including but not limited to bonding.
 19 21 Sec. 21. 2006 Iowa Acts, chapter 1179, section 19, is
 19 22 amended to read as follows:
 19 23 SEC. 19. REPORT. Annually, on or before January 15 of
 19 24 each year, a state agency that received an appropriation from
 19 25 the endowment for Iowa's health restricted capitals fund ~~for~~
 19 26 ~~the preceding fiscal year shall report to the joint~~
 19 27 ~~transportation, infrastructure, and capitals appropriation~~
 19 28 ~~subcommittee, the legislative services agency, and the~~
 19 29 ~~department of management, and the legislative capital projects~~
 19 30 ~~committee of the legislative council the status of all ongoing~~
 19 31 ~~projects for which an appropriation from the fund has been~~
 19 32 ~~made completed or in progress. The report shall include a~~
 19 33 description of the project, the progress of work completed,
 19 34 the total estimated cost of the project, a list of all revenue
 19 35 sources being used to fund the project, the amount of funds



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20 1 expended, the amount of funds obligated, and the date the
 20 2 project was completed or an estimated completion date of the
 20 3 project, where applicable.

20 4 Sec. 22. 2006 Iowa Acts, chapter 1179, section 24,
 20 5 subsection 1, is amended to read as follows:

20 6 1. DEPARTMENT OF NATURAL RESOURCES

20 7 a. For implementation of lake projects that have
 20 8 established watershed improvement initiatives and community
 20 9 support in accordance with the department's annual lake
 20 10 restoration plan and report:

20 11 \$ 8,600,000

20 12 It is the intent of the general assembly that all lake
 20 13 restoration projects that satisfy the criteria required in
 20 14 section 456A.33B and whose project designers worked with the
 20 15 department to develop an action plan prior to January 1, 2006,
 20 16 shall be funded in the amounts and according to the timeline
 20 17 for fiscal year 2006=2007 provided in the department's Iowa
 20 18 lakes restoration report submitted to the Eighty-first General
 20 19 Assembly.

20 20 Of the amounts appropriated in this ~~subsection~~ lettered
 20 21 paragraph, at least the following amounts shall be allocated
 20 22 as follows:

20 23 ~~a.~~ (1) For clear lake in Cerro Gordo county:
 20 24 \$ 4,000,000

20 25 ~~b.~~ (2) For storm lake in Buena Vista county:
 20 26 \$ 500,000

20 27 ~~c.~~ (3) For crystal lake in Hancock county:
 20 28 \$ 1,400,000

20 29 ~~d.~~ (4) For the purposes of contracting with qualified
 20 30 persons outside the department to conduct use attainability
 20 31 analyses in conformance with section 455B.176A, as enacted in
 20 32 2006 Iowa Acts, Senate File 2363, if enacted, or in any other
 20 33 Act of the Eighty-first General Assembly, 2006 Session:
 20 34 \$ 750,000

20 35 b. Notwithstanding section 8.33, moneys appropriated in



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21 1 this subsection that remain unencumbered or unobligated at the
21 2 close of the fiscal year shall not revert but shall remain
21 3 available for the purposes designated until the close of the
21 4 fiscal year that begins July 1, 2009, or until the project for
21 5 which the appropriation was made is completed, whichever is
21 6 earlier.

21 7

DIVISION VII

21 8

MISCELLANEOUS CODE CHANGES

21 9 Sec. 23. Section 8.57, subsection 6, paragraph h, Code
21 10 2007, is amended to read as follows:

21 11 h. Annually, on or before January 15 of each year, a
21 12 state agency that received an appropriation from the rebuild
21 13 Iowa infrastructure fund ~~for the preceding fiscal year shall~~
21 14 ~~report to the joint transportation, infrastructure, and~~
21 15 ~~capitals appropriation subcommittee, the legislative services~~
21 16 ~~agency, and the department of management, and the legislative~~
21 17 ~~capital projects committee of the legislative council the~~
21 18 ~~status of all ongoing projects for which an appropriation from~~
21 19 ~~the fund has been made completed or in progress. The report~~
21 20 shall include a description of the project, the progress of
21 21 work completed, the total estimated cost of the project, a
21 22 list of all revenue sources being used to fund the project,
21 23 the amount of funds expended, the amount of funds obligated,
21 24 and the date the project was completed or an estimated
21 25 completion date of the project, where applicable.

21 26 Sec. 24. Section 8.57A, subsection 5, Code 2007, is
21 27 amended to read as follows:

21 28 5. Annually, on or before January 15 of each year, a
21 29 state agency that received an appropriation from the
21 30 environment first fund ~~for the preceding fiscal year shall~~
21 31 ~~report to the joint transportation, infrastructure, and~~
21 32 ~~capitals appropriation subcommittee, the legislative services~~
21 33 ~~agency, and the department of management, and the legislative~~
21 34 ~~capital projects committee of the legislative council the~~
21 35 ~~status of all ongoing projects for which an appropriation from~~



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~~22 1 the fund has been made completed or in progress. The report~~
~~22 2 shall include a description of the project, the progress of~~
~~22 3 work completed, the total estimated cost of the project, a~~
~~22 4 list of all revenue sources being used to fund the project,~~
~~22 5 the amount of funds expended, the amount of funds obligated,~~
~~22 6 and the date the project was completed or an estimated~~
~~22 7 completion date of the project, where applicable.~~
~~22 8 Sec. 25. Section 8.57B, subsection 5, Code 2007, is~~
~~22 9 amended to read as follows:~~
~~22 10 5. Annually, on or before January 15 of each year, a~~
~~22 11 state agency that received an appropriation from the vertical~~
~~22 12 infrastructure fund for the preceding fiscal year shall report~~
~~22 13 to the joint transportation, infrastructure, and capitals~~
~~22 14 appropriation subcommittee, the legislative services agency,~~
~~22 15 and the department of management, and the legislative capital~~
~~22 16 projects committee of the legislative council the status of~~
~~22 17 all ongoing projects for which an appropriation from the fund~~
~~22 18 has been made completed or in progress. The report shall~~
~~22 19 include a description of the project, the progress of work~~
~~22 20 completed, the total estimated cost of the project, a list of~~
~~22 21 all revenue sources being used to fund the project, the amount~~
~~22 22 of funds expended, the amount of funds obligated, and the date~~
~~22 23 the project was completed or an estimated completion date of~~
~~22 24 the project, where applicable.~~
~~22 25 Sec. 26. Section 8.57C, subsection 4, Code 2007, is~~
~~22 26 amended to read as follows:~~
~~22 27 4. Annually, on or before January 15 of each year, a~~
~~22 28 state agency that received an appropriation from this fund for~~
~~22 29 the preceding fiscal year shall report to the joint~~
~~22 30 transportation, infrastructure, and capitals appropriation~~
~~22 31 subcommittee, the legislative services agency, and the~~
~~22 32 department of management, and the legislative capital projects~~
~~22 33 committee of the legislative council the status of all ongoing~~
~~22 34 projects for which an appropriation from this fund has been~~
~~22 35 made completed or in progress. The report shall include a~~



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23 1 description of the project, the progress of work completed,
23 2 the total estimated cost of the project, a list of all revenue
23 3 sources being used to fund the project, the amount of funds
23 4 expended, the amount of funds obligated, and the date the
23 5 project was completed or an estimated completion date of the

23 6 project, where applicable.

23 7 Sec. 27. Section 8A.321, subsection 11, Code 2007, is
23 8 amended to read as follows:

23 9 11. Prepare annual status reports for all ~~ongoing~~ capital
23 10 projects in progress of the department, and submit the status
23 11 reports to the joint transportation, infrastructure, and
~~23 12 capitals appropriation subcommittee legislative services~~
23 13 agency and the department of management on or before January
23 14 15 of each year.

23 15 Sec. 28. NEW SECTION. 249K.1 PURPOSE == INTENT.

23 16 The purpose of this chapter is to provide a mechanism to
23 17 support the appropriate number of nursing facility beds for
23 18 the state's citizens and to financially assist nursing
23 19 facilities in remaining compliant with applicable regulations.
23 20 It is the intent of this chapter that the administrative
23 21 burden on both the state and nursing facilities be minimal.

23 22 Sec. 29. NEW SECTION. 249K.2 DEFINITIONS.

23 23 As used in this chapter, unless the context otherwise
23 24 requires:

23 25 1. "Complete replacement" means completed construction on
23 26 a new nursing facility to replace an existing licensed and
23 27 certified facility. The replacement facility shall be located
23 28 in the same geographical service area as the facility that is
23 29 replaced and shall have the same number or fewer licensed beds
23 30 than the original facility.

23 31 2. "Department" means the department of human services.

23 32 3. "Iowa Medicaid enterprise" means Iowa Medicaid
23 33 enterprise as defined in section 249J.3.

23 34 4. "Major renovations" means construction or facility
23 35 improvements to a nursing facility in which the total amount



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24 1 expended exceeds one million five hundred thousand dollars.
24 2 5. "Medical assistance" or "medical assistance program"
24 3 means the medical assistance program created pursuant to
24 4 chapter 249A.
24 5 6. "New construction" means the construction of a new
24 6 nursing facility which does not replace an existing licensed
24 7 and certified facility and requires the provider to obtain a
24 8 certificate of need pursuant to chapter 135, division VI.
24 9 7. "Nondirect care component" means the portion of the
24 10 reimbursement rate under the medical assistance program
24 11 attributable to administrative, environmental, property, and
24 12 support care costs reported on the provider's financial and
24 13 statistical report.
24 14 8. "Nursing facility" means a nursing facility as defined
24 15 in section 135C.1.
24 16 9. "Provider" means a current or future owner or operator
24 17 of a nursing facility that provides medical assistance program
24 18 services.
24 19 10. "Rate determination letter" means the letter that is
24 20 distributed quarterly by the Iowa Medicaid enterprise to each
24 21 nursing facility, which is based on previously submitted
24 22 financial and statistical reports from each nursing facility.
24 23 Sec. 30. NEW SECTION. 249K.3 GENERAL PROVISIONS ==
24 24 INSTANT RELIEF == NONDIRECT CARE LIMIT EXCEPTION.
24 25 1. A provider that constructs a complete replacement,
24 26 makes major renovations to or newly constructs a nursing
24 27 facility may be entitled to the rate relief and exceptions
24 28 provided under this chapter. The total period during which a
24 29 provider may participate in any relief shall not exceed two
24 30 years. The total period during which a provider may
24 31 participate in any nondirect care limit exception shall not
24 32 exceed ten years. A provider seeking assistance under this
24 33 chapter may request both instant relief and the nondirect care
24 34 limit exception.
24 35 2. If the provider requests instant relief, the following



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25 1 provisions shall apply:

25 2 a. The provider shall submit a written request for instant
25 3 relief to the Iowa Medicaid enterprise explaining the nature,
25 4 timing, and goals of the project and the time period during
25 5 which the relief is requested. The written request shall
25 6 clearly state if the provider is also requesting the nondirect
25 7 care limit exception. The written request for instant relief
25 8 shall be submitted no earlier than thirty days prior to the
25 9 placement of the provider's assets in service. The written
25 10 request for relief shall provide adequate details to calculate
25 11 the estimated value of relief including but not limited to the
25 12 total cost of the project, the estimated annual depreciation
25 13 expenses using generally accepted accounting principles, the
25 14 estimated useful life based upon existing medical assistance
25 15 and Medicare provisions, and a copy of the most current
25 16 depreciation schedule. If interest expenses are included, a
25 17 copy of the general terms of the debt service and the
25 18 estimated annual amount of the interest expenses shall be
25 19 submitted with the written request for relief.

25 20 b. The following shall apply to the value of relief
25 21 amount:

25 22 (1) If interest expenses are disclosed, the amount of
25 23 these expenses shall be added to the value of relief.

25 24 (2) The calculation of the estimated value of relief shall
25 25 take into consideration the removal of existing assets and
25 26 debt service.

25 27 (3) The calculation of the estimated value of relief shall
25 28 be demonstrated as an amount per patient day to be added to
25 29 the nondirect care component for the relevant period. The
25 30 estimated annual patient days for this calculation shall be
25 31 determined based upon budgeted amounts or the most recent
25 32 annual total as demonstrated on the provider's Medicaid
25 33 financial and statistical report. For the purposes of
25 34 calculating the per diem relief, total patient days shall be
25 35 the greater of the estimated annual patient days or



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26 1 eighty=five percent of the facility's estimated licensed
26 2 capacity.
26 3 (4) The combination of the nondirect care component and
26 4 the estimated value of relief shall not exceed one hundred and
26 5 ten percent of the nondirect care median for the relevant
26 6 period. If a nondirect care limit exception has been
26 7 requested and granted, the combination of the nondirect care
26 8 component and the estimated value of relief shall not exceed
26 9 one hundred twenty percent of the nondirect care median for
26 10 the relevant period.
26 11 c. Instant relief granted under this subsection shall
26 12 begin the first day of the calendar quarter following
26 13 placement of the provider's assets in service. If the
26 14 required information to calculate the instant relief, as
26 15 specified in paragraph "a", is not submitted prior to the
26 16 first day of the calendar quarter following placement of the
26 17 provider's assets in service, instant relief shall instead
26 18 begin on the first day of the calendar quarter following
26 19 receipt of the required information.
26 20 d. Instant relief granted under this subsection shall be
26 21 terminated at the time of the provider's subsequent biannual
26 22 rebasing when the submission of the annual cost report for the
26 23 provider includes the new replacement costs and the annual
26 24 property costs reflect the new assets.
26 25 e. During the period in which instant relief is granted,
26 26 the Iowa Medicaid enterprise shall recalculate the value of
26 27 the instant relief based on allowable costs and patient days
26 28 reported on the annual financial and statistical report. For
26 29 purposes of calculating the per diem relief, total patient
26 30 days shall be the greater of actual annual patient days or
26 31 eighty=five percent of the facility's licensed capacity. The
26 32 actual value of relief shall be added to the nondirect care
26 33 component for the relevant period, not to exceed one hundred
26 34 ten percent of the nondirect care median for the relevant
26 35 period or not to exceed one hundred twenty percent of the



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27 1 nondirect care median for the relevant period if the nondirect
27 2 care limit exception is requested and granted. The provider's
27 3 quarterly rates for the relevant period shall be retroactively
27 4 adjusted to reflect the revised nondirect care rate. All
27 5 claims with dates of service from the date that instant relief
27 6 is granted to the date that the instant relief is terminated
27 7 shall be repriced to reflect the actual value of the instant
27 8 relief per diem utilizing a mass adjustment.

27 9 3. If the provider requests the nondirect care limit
27 10 exception, all of the following shall apply:

27 11 a. The nondirect care limit for the rate setting period
27 12 shall be increased to one hundred and twenty percent of the
27 13 median for the relevant period.

27 14 b. The exception period shall not exceed a period of two
27 15 years. If the provider is requesting only the nondirect care
27 16 limit exception, the request shall be submitted within sixty
27 17 days of the release of the July 1 rate determination letters
27 18 following each biannual rebasing cycle, and shall be effective
27 19 the first day of the month following receipt of the request.
27 20 If applicable, the provider shall identify any time period in
27 21 which instant relief was granted and shall indicate how many
27 22 times the instant relief or nondirect care limit exception was
27 23 granted previously.

27 24 Sec. 31. NEW SECTION. 249K.4 PRELIMINARY EVALUATION.

27 25 1. A provider preparing cost or other feasibility
27 26 projections for a request for relief or an exception pursuant
27 27 to section 249K.3 may submit a request for preliminary
27 28 evaluation.

27 29 2. The request shall contain all of the information
27 30 required for the type of assistance sought pursuant to section
27 31 249K.3.

27 32 3. The provider shall estimate the timing of the
27 33 initiation and completion of the project to allow the
27 34 department to respond with estimates of both instant relief
27 35 and the nondirect care limit exception.



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28 1 4. The department shall respond to a request for
28 2 preliminary evaluation under this section within thirty days
28 3 of receipt of the request. A preliminary evaluation does not
28 4 guarantee approval of instant relief or the nondirect care
28 5 limit exception upon submission of a formal request. A
28 6 preliminary evaluation provides only an estimate of value of
28 7 the instant relief or nondirect care limit exception based
28 8 only on the projections.

28 9 Sec. 32. NEW SECTION. 249K.5 PARTICIPATION CRITERIA.

28 10 1. The Iowa Medicaid enterprise shall administer this
28 11 chapter. The department of human services shall adopt rules,
28 12 pursuant to chapter 17A, to administer this chapter.

28 13 2. A provider requesting instant relief or a nondirect
28 14 care limit exception under this chapter shall meet one of the
28 15 following criteria:

28 16 a. The nursing facility for which relief or an exception
28 17 is requested is in violation of life safety code requirements
28 18 and changes are necessary to meet regulatory compliance.

28 19 b. The nursing facility for which relief or an exception
28 20 is requested is proposing development of a home and
28 21 community-based services waiver program service that meets the
28 22 following requirements:

28 23 (1) The service is provided on the direct site and is a
28 24 nonnursing service.

28 25 (2) The service is provided in an underserved area, which
28 26 may include a rural area, and the nursing facility provides
28 27 documentation of this.

28 28 (3) The service meets all federal and state requirements.

28 29 (4) The service is adult day care, consumer directed
28 30 attendant care, assisted living, day habilitation, home
28 31 delivered meals, personal emergency response, or respite.

28 32 3. In addition to any other factors to be considered in
28 33 determining if a provider is eligible to participate under
28 34 this chapter, the Iowa Medicaid enterprise shall consider all
28 35 of the following:



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29 1 a. The history of the provider's regulatory compliance.
29 2 b. The historical access to nursing facility services for
29 3 medical assistance program beneficiaries.
29 4 c. The provider's dedication to and participation in
29 5 quality of care, considering all quality programs in which the
29 6 provider has participated.
29 7 d. The provider's plans to facilitate person-directed
29 8 care.
29 9 e. The provider's plans to facilitate dementia units and
29 10 specialty post-acute services.
29 11 4. a. Any relief or exception granted under this chapter
29 12 is temporary and shall be immediately terminated if all of the
29 13 participation requirements under this chapter are not met.
29 14 b. If a provider's medical assistance program or Medicare
29 15 certification is revoked, any existing exception or relief
29 16 shall be terminated and the provider shall not be eligible to
29 17 request subsequent relief or an exception under this chapter.
29 18 5. Following a change in ownership, relief or an exception
29 19 previously granted shall continue and future rate calculations
29 20 shall be determined under the provisions of 441 IAC 81.6(12)
29 21 relating to termination or change of ownership of a nursing
29 22 facility.
29 23 Sec. 33. Section 328.56, subsection 2, as enacted by 2006
29 24 Iowa Acts, chapter 1179, section 57, is amended to read as
29 25 follows:
29 26 2. Moneys in the state aviation fund in a fiscal year
~~29 27 shall be used as appropriated by the general assembly are~~
29 28 appropriated to the department of transportation for use by
29 29 the department for airport engineering studies, construction
29 30 or improvements, and the windsock program for public airports
29 31 and marketing at commercial service airports. In awarding
29 32 moneys, the department shall give preference to projects that
29 33 demonstrate a collaborative effort between airports.
29 34 Sec. 34. IMPLEMENTATION == LIMITATION.
29 35 1. Chapter 249K, as enacted by this division of this Act,



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30 1 shall only be implemented if the department of human services
30 2 receives approval from the centers for Medicare and Medicaid
30 3 services of the United States department of health and human
30 4 services for a medical assistance state plan amendment. If
30 5 approval is received, the chapter shall not be implemented
30 6 retroactively to the effective date of the chapter in this
30 7 division of this Act, but shall be implemented only on or
30 8 after the date of approval.

30 9 2. The Iowa Medicaid enterprise shall only approve instant
30 10 relief or a nondirect care limit exception under chapter 249K,
30 11 as enacted by this division of this Act, to the extent funding
30 12 is available.

30 13 Sec. 35. Section 8A.330, Code 2007, is repealed.

30 14 Sec. 36. EFFECTIVE DATE. The sections of this division
30 15 creating new chapter 249K, being deemed of immediate
30 16 importance, take effect upon enactment.

30 17 EXPLANATION

30 18 This bill makes appropriations from the rebuild Iowa
30 19 infrastructure fund, the vertical infrastructure fund, the
30 20 endowment for Iowa's health restricted capitals fund, and the
30 21 technology reinvestment fund for various capital and other
30 22 projects. The bill also makes changes to related matters.

30 23 REBUILD IOWA INFRASTRUCTURE FUND. This division
30 24 appropriates project funding for FY 2007=2008 from the rebuild
30 25 Iowa infrastructure fund, including projects for the
30 26 departments of administrative services, corrections, cultural
30 27 affairs, economic development, education, human services,
30 28 natural resources, public defense, public safety, and
30 29 transportation, and the Iowa finance authority, Iowa state
30 30 fair, secretary of state, state board of regents, and
30 31 treasurer of state. The division also appropriates project
30 32 funding from the rebuild Iowa infrastructure fund for FY
30 33 2008=2009 to the departments of administrative services,
30 34 natural resources, public defense, and the state board of
30 35 regents, and for FY 2009=2010 to the department of public



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31 1 defense and the state board of regents.
31 2 VERTICAL INFRASTRUCTURE FUND. This division appropriates
31 3 funding from the vertical infrastructure fund to the state
31 4 board of regents.
31 5 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND. This
31 6 division appropriates funding from the endowment for Iowa's
31 7 health restricted capitals fund to the department of
31 8 corrections.
31 9 TECHNOLOGY REINVESTMENT FUND. This division appropriates
31 10 funding from the technology reinvestment fund to the
31 11 departments of administrative services, corrections,
31 12 education, human rights, human services, public defense, and
31 13 public safety, the Iowa telecommunications and technology
31 14 commission, Iowa workforce development, and the state board of
31 15 regents.
31 16 MISCELLANEOUS APPROPRIATIONS. This division appropriates
31 17 funding from the state aviation fund to the department of
31 18 transportation.
31 19 CHANGES TO PRIOR APPROPRIATIONS. This division makes
31 20 changes to prior appropriations from the tax-exempt bond
31 21 proceeds restricted capitals fund account of the tobacco
31 22 settlement trust fund to the department of administrative
31 23 services, the department of corrections, and the department of
31 24 transportation for the 2002=2003, 2004=2005, and 2006=2007
31 25 fiscal years. This division also makes changes to prior
31 26 appropriations from the endowment for Iowa's health account to
31 27 the department of natural resources for the 2006=2007 fiscal
31 28 year.
31 29 MISCELLANEOUS CODE CHANGES. This division makes changes to
31 30 the statute relating to the state aviation fund. The bill
31 31 specifies that moneys in the fund are appropriated to the
31 32 department of transportation for use by the department.
31 33 The division makes changes to certain reporting
31 34 requirements for capital projects in progress for certain
31 35 state agencies that received an appropriation including



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32 1 appropriations from the rebuild Iowa infrastructure fund, the
32 2 environment first fund, the vertical infrastructure fund, or
32 3 the technology reinvestment fund.
32 4 The division provides for financial assistance to nursing
32 5 facility providers under new Code chapter 249K. A provider
32 6 may request either instant relief, which is a per-patient day
32 7 amount to be added to the current direct care component, or a
32 8 nondirect care limit exception, which is an increase in the
32 9 nondirect care limit for the relevant period to 120 percent of
32 10 the median for the relevant period. The assistance may be
32 11 requested by a provider who constructs a complete replacement,
32 12 makes major renovations, or newly constructs a nursing
32 13 facility. The total period during which a provider may
32 14 participate in any relief is a maximum of two years. The
32 15 total period during which a provider may participate in the
32 16 nondirect care limit exception is a maximum of 10 years. The
32 17 division also provides for the requesting of a preliminary
32 18 evaluation for providers preparing cost or other feasibility
32 19 projections. The provisions are to be administered by the
32 20 department of human services. The division provides
32 21 participation criteria and provides for contingent
32 22 implementation and only to the extent funding is available.
32 23 The sections adding new Code chapter 249K take effect upon
32 24 enactment.
32 25 LSB 1134HV 82
32 26 rh:mg/gg/14



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House Resolution 46 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
 1 2 BY MASCHER
 1 3 A Resolution honoring the life and accomplishments of
 1 4 Kurt Vonnegut.
 1 5 WHEREAS, the world lost one of its most interesting
 1 6 writers with the passing of Kurt Vonnegut on April 11,
 1 7 2007; and
 1 8 WHEREAS, Mr. Vonnegut, who served in the Army
 1 9 during World War II and was captured by Germany during
 1 10 the Battle of the Bulge, survived the Allied bombing
 1 11 of Dresden where he was held prisoner; and
 1 12 WHEREAS, Mr. Vonnegut was a teacher and lecturer at
 1 13 the University of Iowa's renowned Writers' Workshop
 1 14 from 1965 to 1967; and
 1 15 WHEREAS, Mr. Vonnegut is viewed as a key influence
 1 16 in the shaping of twentieth-century American
 1 17 literature; and
 1 18 WHEREAS, Mr. Vonnegut, a self-described religious
 1 19 skeptic and freethinking humanist, used his
 1 20 protagonists to create social commentary about culture
 1 21 and history; and
 1 22 WHEREAS, Mr. Vonnegut authored more than a dozen
 1 23 novels, including the literary classics
 1 24 "Slaughterhouse-Five" and "Cat's Cradle" and the 2005
 1 25 best seller "A Man Without a Country"; NOW THEREFORE,
 1 26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 1 27 That the House of Representatives honors the memory of
 1 28 author Kurt Vonnegut and celebrates both his life and
 1 29 accomplishments.
 1 30 LSB 2912HH 82



**Iowa General Assembly
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April 17, 2007**

House Resolution 46 - Introduced continued

2 1 ak:rj/es/88



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 17, 2007**

House Resolution 47 - Introduced continued

2 1 WHEREAS, in 2007, the green jacket, the coveted
2 2 symbol of a Masters Tournament victory, has gone to
2 3 Iowa-born and raised Zach Johnson, who is the first
2 4 Iowan to win the Masters golf tournament; and
2 5 WHEREAS, Mr. Johnson won the Masters, his second
2 6 victory on the Professional Golfers Association (PGA)
2 7 tour, by taking control with three birdies on Augusta
2 8 National's back nine, winning with a 1-over-par 289
2 9 score; and
2 10 WHEREAS, Mr. Johnson grew up in Cedar Rapids,
2 11 taking up the game of golf at the age of 10, learning
2 12 and perfecting his game at Regis High School in Cedar
2 13 Rapids and then Drake University in Des Moines; and
2 14 WHEREAS, in 1998, Mr. Johnson graduated from Drake
2 15 University and took a bold step by turning
2 16 professional; and
2 17 WHEREAS, in 2003, according to PGA biographical
2 18 information, Mr. Johnson earned Nationwide Tour Player
2 19 of the Year honors after making the cut in 19 of 20
2 20 tournament events, including the last 17 and finishing
2 21 first on the final list of money earners; and
2 22 WHEREAS, in 2004, Mr. Johnson had an incredible
2 23 rookie season, becoming just the second player in PGA
2 24 tour history to surpass \$2 million in earnings in his
2 25 first season, making 24 of 30 cuts and picking up his
2 26 first tour win in just his 13th career tournament; and
2 27 WHEREAS, in the next two years, Mr. Johnson built
2 28 on his growing record; in 2005 he placed third at the
2 29 Ford Championship at Doral and in 2006 he posted
2 30 runner-up finishes at the BellSouth Classic and the



**Iowa General Assembly
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House Resolution 47 - Introduced continued

3 1 Memorial, posted third at the World Golf
3 2 Championships=Accenture Match Play Championship, and
3 3 made the 2006 United States Ryder Cup team; NOW
3 4 THEREFORE,
3 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
3 6 That the House of Representatives, on behalf of all
3 7 Iowans, honors our own Zach Johnson, the 2007 Masters
3 8 golf tournament champion, a man who by his own words
3 9 is "a Midwest guy from Iowa" and whose open and
3 10 friendly manner, dedication to his craft, and
3 11 understated competence embody the qualities that are
3 12 so dear to Iowans; and
3 13 BE IT FURTHER RESOLVED, That upon adoption the
3 14 Chief Clerk of the House of Representatives is
3 15 directed to prepare an official copy of this
3 16 Resolution for presentation to Zach Johnson.
3 17 LSB 2905HH 82
3 18 jr:nh/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3350

PAG LIN

1 1 Amend Senate File 414, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, by striking line 1 and inserting the
1 4 following: <prizes in any games of skill, games of
1 5 chance, or card games>.
1 6 #2. Page 6, line 2, by inserting before the word
1 7 <amount> the following: <aggregate>.
1 8 SF 414.H
1 9 ec/jg/25
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Iowa General Assembly
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Senate Amendment 3351

PAG LIN

1 1 Amend Senate File 585 as follows:
1 2 #1. Page 2, by inserting after line 17 the
1 3 following:
1 4 <Sec. _____. NEW SECTION. 657B.1 DEFINITIONS.
1 5 For the purposes of this chapter:
1 6 1. "Builder" means a builder or developer of a new
1 7 residential unit that is sold on or after July 1,
1 8 2007.
1 9 2. "Claimant" includes an individual owner of a
1 10 single-family home, an individual unit owner of an
1 11 attached dwelling, and, in the case of a horizontal
1 12 property regime or common interest development, a
1 13 council or an association. "Claimant" does not
1 14 include a person not in privity of contract with a
1 15 builder.
1 16 Sec. _____. NEW SECTION. 657B.2 NOTICE OF CLAIM ==
1 17 CLAIMANT.
1 18 Prior to filing an action for recovery of property
1 19 damages arising out of, or related to deficiencies in,
1 20 the repair or construction of the claimant's residence
1 21 against a builder, a claimant shall provide written
1 22 notice by certified mail, overnight mail, or personal
1 23 delivery to the builder that the repair or
1 24 construction of the claimant's residence is deficient
1 25 or violates the applicable housing code or city
1 26 ordinance. The notice shall state the claimant's
1 27 name, address, and contact information, and shall
1 28 describe the nature of the claim in sufficient detail
1 29 in order to determine the nature and location of the
1 30 alleged deficiency or violation.
1 31 Sec. _____. NEW SECTION. 657B.3 REPAIRS OR
1 32 CONSTRUCTION.
1 33 Within ten business days of the builder's receipt
1 34 of a claimant's notice of claim, the claimant shall
1 35 provide the builder with access to the claimant's
1 36 residence and the builder shall inspect the alleged
1 37 deficiency or violation and make an offer in writing
1 38 which shall include either of the following:
1 39 1. A bona fide offer to compensate the claimant
1 40 for repair of the alleged deficiency or violation and
1 41 property damages caused by the alleged deficiency or
1 42 violation.
1 43 2. An offer to repair with a detailed statement
1 44 identifying the particular deficiency or violation to
1 45 be repaired, an explanation of the nature, scope, and
1 46 location of the repair needed, and the estimated
1 47 completion date of the repair, which shall occur
1 48 within either twenty-one business days of the
1 49 builder's receipt of the claimant's notice of claim,
1 50 or within reasonable weather-related construction



Iowa General Assembly
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Senate Amendment 3351 continued

2 1 conditions, or as otherwise agreed to by the parties.
2 2 Sec. _____. NEW SECTION. 657B.4 REQUIREMENTS.
2 3 A builder shall provide a claimant with a written
2 4 notice of the requirements of this chapter at the time
2 5 of closing for the sale of the property or at the time
2 6 of the completion of the repair.
2 7 Sec. _____. NEW SECTION. 657B.5 APPLICABILITY.
2 8 The provisions of this chapter apply only to those
2 9 builders who have registered and are in compliance
2 10 with the requirements of chapter 91C.>
2 11 #2. Title page, line 1, by inserting after the
2 12 word <contractors> the following: <and the claims of
2 13 residential construction claimants>.
2 14
2 15
2 16
2 17 RON WIECK
2 18 SF 585.202 82
2 19 ak/es/6860



Iowa General Assembly
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Senate Amendment 3352

PAG LIN

1 1 Amend Senate File 575 as follows:
1 2 #1. Page 1, line 22, by striking the figure
1 3 <150,000> and inserting the following: <500,000>.
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1 7 JEFF ANGELO
1 8 NANCY J. BOETTGER
1 9 MARK ZIEMAN
1 10 PAT WARD
1 11 DAVID JOHNSON
1 12 DAVE MULDER
1 13 BRAD ZAUN
1 14 PAUL MCKINLEY
1 15 LARRY NOBLE
1 16 JAMES A. SEYMOUR
1 17 E. THURMAN GASKILL
1 18 JERRY BEHN
1 19 MARY A. LUNDBY
1 20 LARRY MCKIBBEN
1 21 JOHN PUTNEY
1 22 RON WIECK
1 23 JAMES F. HAHN
1 24 SF 575.201 82
1 25 jm/es/8730
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3353

PAG LIN

1 1 Amend Senate File 575 as follows:
1 2 #1. Page 4, by inserting after line 18 the
1 3 following:
1 4 <If the United States court of appeals or the
1 5 United States supreme court declares the value-based
1 6 treatment program at the Newton correctional facility
1 7 to be unconstitutional, the program shall be permitted
1 8 to continue operating and counseling inmates at the
1 9 facility through donations made to the program.>
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1 13 JEFF ANGELO
1 14 NANCY J. BOETTGER
1 15 MARK ZIEMAN
1 16 DAVID L. HARTSUCH
1 17 PAT WARD
1 18 DAVID JOHNSON
1 19 BRAD ZAUN
1 20 DAVE MULDER
1 21 PAUL McKINLEY
1 22 LARRY NOBLE
1 23 JAMES A. SEYMOUR
1 24 E. THURMAN GASKILL
1 25 JERRY BEHN
1 26 MARY A. LUNDBY
1 27 LARRY McKIBBEN
1 28 JOHN PUTNEY
1 29 RON WIECK
1 30 STEVE KETTERING
1 31 HUBERT HOUSER
1 32 JAMES F. HAHN
1 33 SF 575.204 82
1 34 jm/es/9001
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Iowa General Assembly
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Senate Amendment 3354

PAG LIN

1 1 Amend House File 742, as passed by the House, as
1 2 follows:
1 3 #1. Page 29, by inserting after line 9 the
1 4 following:
1 5 <Sec. _____. Section 423.3, subsection 8, paragraph
1 6 a, Code 2007, is amended to read as follows:
1 7 a. The farm machinery and equipment shall be
1 8 directly and primarily used in production of
1 9 agricultural products. All-terrain vehicles that are
1 10 exempt from registration under chapter 321I as farm
1 11 implements and under section 321.18 and used
1 12 exclusively for purposes of fence inspection or
1 13 repair, livestock monitoring or maintenance, or
1 14 viewing or inspection of crops are directly and
1 15 primarily used in production of agricultural products
1 16 for purposes of this paragraph.>
1 17 #2. Title page, line 1, by striking the words <the
1 18 regulation of>.
1 19 #3. Title page, line 2, by inserting after the
1 20 word <vehicles,> the following: <including the
1 21 regulation of such vehicles and the sales tax on
1 22 all-terrain vehicles purchased for use as farm
1 23 implements,>.
1 24 #4. By renumbering as necessary.
1 25
1 26
1 27
1 28 NANCY J. BOETTGER
1 29 HF 742.201 82
1 30 dea/es/8946
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3355

PAG LIN

1 1 Amend Senate File 586 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 Section 1. Section 35A.11, Code 2007, is amended
1 5 to read as follows:
1 6 35A.11 VETERANS LICENSE FEE FUND.
1 7 A veterans license fee fund is created in the state
1 8 treasury under the control of the commission. ~~The~~
~~1 9 fund shall include the fees credited by the treasurer~~
~~1 10 of state from the sale of special veteran license~~
~~1 11 plates pursuant to section 321.34, subsection 13,~~
~~1 12 paragraph "d".~~ Notwithstanding section 12C.7,
1 13 interest or earnings on moneys in the veterans license
1 14 fee fund shall be credited to the veterans license fee
1 15 fund. Moneys in the fund are appropriated to the
1 16 commission to be used to fulfill the responsibilities
1 17 of the commission. The fund shall include the fees
1 18 credited by the treasurer of state from the sale of
1 19 the following special motor vehicle registration
1 20 plates:
1 21 1. Veteran special plates issued pursuant to
1 22 section 321.34, subsection 13, paragraph "d".
1 23 2. Gold star special plates issued pursuant to
1 24 section 321.34, subsection 24.
1 25 Sec. 2. Section 321.34, Code 2007, is amended by
1 26 adding the following new subsection:
1 27 NEW SUBSECTION. 24. GOLD STAR PLATES. An owner
1 28 referred to in subsection 12 who is the surviving
1 29 spouse, parent, child, or sibling of a deceased member
1 30 of the United States armed forces who died while
1 31 serving on active duty during a time of military
1 32 conflict may order special registration plates bearing
1 33 a gold star emblem upon written application to the
1 34 department accompanied by satisfactory supporting
1 35 documentation as determined by the department. The
1 36 gold star emblem shall be designed by the department
1 37 in cooperation with the commission of veterans
1 38 affairs. The special plate fees collected by the
1 39 director under subsection 12, paragraph "a", from the
1 40 issuance and annual validation of letter=number
1 41 designated and personalized gold star plates shall be
1 42 paid monthly to the treasurer of state and credited to
1 43 the road use tax fund. Notwithstanding section
1 44 423.43, and prior to the crediting of revenues to the
1 45 road use tax fund under section 423.43, subsection 1,
1 46 paragraph "b", the treasurer of state shall transfer
1 47 monthly from those revenues to the veterans license
1 48 fee fund created in section 35A.11 the amount of the
1 49 special fees collected in the previous month for gold
1 50 star plates.



Iowa General Assembly
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Senate Amendment 3355 continued

2 1 Sec. 3. EFFECTIVE DATE. This Act takes effect
2 2 January 1, 2008.>
2 3 #2. Title page, line 2, by inserting after the
2 4 word <fees> the following: <and an effective date>.
2 5
2 6
2 7
2 8 DARYL BEALL
2 9 SF 586.301 82
2 10 dea/cf/8950



Iowa General Assembly
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Senate Amendment 3356

PAG LIN

1 1 Amend House File 817, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 35, by striking the word <If> and
1 4 inserting the following: <Unless>.
1 5 #2. Page 2, line 1, by striking the words <does
1 6 not> and inserting the following: <votes to>.
1 7 #3. Page 2, line 2, by striking the word
1 8 <unanimous> and inserting the following:
1 9 <two-thirds>.
1 10 #4. Page 2, line 2, by inserting after the words
1 11 <at the> the following: <earlier of the>.
1 12 #5. Page 2, line 3, by inserting after the word
1 13 <commission> the following: <or a special meeting of
1 14 the commission called by the commission within thirty
1 15 days of the date the proposed rule is submitted>.
1 16 #6. Page 2, line 27, by striking the word
1 17 <Provide> and inserting the following: <Provide After
1 18 consultation with the commission, provide>.
1 19 #7. Page 3, line 8, by striking the figure <2007>
1 20 and inserting the following: <2007 2008>.
1 21 #8. Page 5, line 15, by striking the words
1 22 <development and implementation> and inserting the
1 23 following: <administration>.
1 24 #9. Title page, line 4, by striking the word
1 25 <affairs> and inserting the following: <affairs,>.
1 26
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1 29 DARYL BEALL
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1 32
1 33 STEVE WARNSTADT
1 34
1 35
1 36
1 37 JAMES A. SEYMOUR
1 38 HF 817.301 82
1 39 ec/cf/8794
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Iowa General Assembly
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Senate Amendment 3357

PAG LIN

1 1 Amend Senate File 585 as follows:
1 2 #1. Page 1, line 27, by striking the words <radio,
1 3 television,>.
1 4 #2. Page 1, line 31, by striking the word <and>.
1 5 #3. Page 1, line 33, by inserting after the word
1 6 <organizations> the following: <; and materials
1 7 listing multiple contractors for exhibitions>.
1 8
1 9
1 10
1 11 WILLIAM DOTZLER
1 12 SF 585.702 82
1 13 ak/gg/6861
1 14
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3358

PAG LIN

1 1 Amend Senate File 588 as follows:
1 2 #1. Page 3, by inserting after line 7 the
1 3 following:
1 4 <If the funds appropriated by the general assembly
1 5 to the college student aid commission for the
1 6 2007=2008 fiscal year for purposes of the all Iowa
1 7 opportunity scholarship program exceed \$500,000,
1 8 "eligible institution" as defined in section 261.88,
1 9 as enacted by this Act, shall, during the 2007=2008
1 10 fiscal year, include accredited private institutions
1 11 as defined in section 261.9, subsection 1.>
1 12
1 13
1 14
1 15 Dr. JOE M. SENG
1 16 SF 588.211 82
1 17 kh/es/8239
1 18
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3359

PAG LIN

1 1 Amend Senate File 588 as follows:
1 2 #1. Page 33, line 25, by inserting after the
1 3 figure <260C> the following: <, an accredited private
1 4 institution as defined in section 261.9, subsection
1 5 1,>.
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1 9 NANCY J. BOETTGER
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1 13 JAMES A. SEYMOUR
1 14 MARY A. LUNDBY
1 15 JEFF ANGELO
1 16 RON WIECK
1 17 DAVID L. HARTSUCH
1 18 LARRY NOBLE
1 19 JOHN PUTNEY
1 20 DAVID JOHNSON
1 21 BRAD ZAUN
1 22 JAMES F. HAHN
1 23 PAUL McKINLEY
1 24 STEVE KETTERING
1 25 MARK ZIEMAN
1 26 HUBERT HOUSER
1 27 JERRY BEHN
1 28 E. THURMAN GASKILL
1 29 PAT WARD
1 30 LARRY McKIBBEN
1 31 DAVE MULDER
1 32 SF 588.205 82
1 33 kh/es/8218
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Iowa General Assembly
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Senate Amendment 3360

PAG LIN

1 1 Amend Senate File 472, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 20 the
1 4 following:
1 5 <____. This section does not apply to railroad
1 6 spurs constructed or under construction prior to July
1 7 1, 2007.>
1 8 #2. Page 1, by inserting after line 30 the
1 9 following:
1 10 <Sec. _____. The sections of 2007 Iowa Acts, Senate
1 11 File 403, amending section 260C.14, subsection 6, and
1 12 section 313.2, unnumbered paragraph 5, if enacted, are
1 13 repealed.
1 14 Sec. _____. EFFECTIVE DATE. The section of this Act
1 15 repealing sections of 2007 Iowa Acts, Senate File 403,
1 16 if enacted, being deemed of immediate importance,
1 17 takes effect upon enactment.>
1 18 #3. Title page, line 1, by inserting after the
1 19 word <Act> the following: <concerning financial and
1 20 regulatory matters, including by>.
1 21 #4. Title page, line 2, by inserting after the
1 22 word <penalty> the following: <, and providing an
1 23 effective date>.
1 24 #5. By renumbering as necessary.
1 25 SF 472.H
1 26 dea/jg/25
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Iowa General Assembly
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Senate File 589 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 506)
(SUCCESSOR TO SSB 1300)

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

A BILL FOR

- 1 An Act relating to certain distress criteria under the enterprise
- 2 zone program.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1526SZ 82
- 5 tm/gg/14



Iowa General Assembly
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Senate File 589 - Introduced continued

PAG LIN

1 1 Section 1. Section 15E.194, subsection 1, paragraph c,
1 2 Code 2007, is amended to read as follows:
1 3 c. The county has experienced a percentage population loss
1 4 that ranks among the top twenty-five counties in the state
1 5 between 1995 and 2000. For purposes of this paragraph, prison
1 6 population shall not be included in the population
1 7 calculations.

1 8 EXPLANATION
1 9 This bill relates to certain distress criteria under the
1 10 enterprise zone program.
1 11 Currently, an enterprise zone may be designated by a county
1 12 that meets two of four possible distress criteria. One of the
1 13 criteria is that the county has experienced a percentage
1 14 population loss that ranks among the top 25 counties in the
1 15 state between 1995 and 2000.
1 16 The bill qualifies the population criterion by prohibiting
1 17 the inclusion of prison population in the population
1 18 calculations.
1 19 LSB 1526SZ 82
1 20 tm:sc/gg/14



Iowa General Assembly
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Senate Resolution 40 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY RIELLY
1 3 A Resolution to recognize the sesquicentennial of the
1 4 city of Williamsburg.
1 5 WHEREAS, the city of Williamsburg in Iowa County,
1 6 was founded 150 years ago and is located in east
1 7 central Iowa near Interstate 80, with a population of
1 8 2,800; and
1 9 WHEREAS, excellent recreational opportunities and
1 10 facilities are plentiful with a recreation center and
1 11 sports complex, an aquatic center, the Heritage
1 12 Museum, and an award-winning nine-hole golf course;
1 13 and
1 14 WHEREAS, Williamsburg thrives economically with the
1 15 Tanger Outlet Mall, the Highland Ridge Adult Living
1 16 Community, and a beautiful Town Square, as well as
1 17 numerous other employers; and
1 18 WHEREAS, the city of Williamsburg has a proud
1 19 120-year tradition of educating its youth: its
1 20 district is composed of 205 square miles; the
1 21 Williamsburg Community Preschool is licensed by the
1 22 Iowa Department of Human Services; and Kirkwood
1 23 Community College Center offers two-year college
1 24 degrees; and
1 25 WHEREAS, the city government is served by dedicated
1 26 and exceptional civic leaders and employees who have
1 27 been instrumental in maintaining and growing the
1 28 community, including a modern library, a volunteer
1 29 fire and rescue department, and a professional police
1 30 department; and



Iowa General Assembly
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Senate Resolution 40 - Introduced continued

2 1 WHEREAS, the community is active and diverse with
2 2 more than 40 groups and organizations regularly
2 3 meeting; and
2 4 WHEREAS, the city of Williamsburg is commemorating
2 5 its 150th anniversary with celebrations scheduled from
2 6 June 30 to July 4, 2007; NOW THEREFORE,
2 7 BE IT RESOLVED BY THE SENATE, That the Senate
2 8 recognizes and extends its congratulations to the city
2 9 of Williamsburg on its sesquicentennial and invites
2 10 all Iowans to make a visit to the Williamsburg
2 11 celebrations as part of their summer plans.
2 12 LSB 2918SS 82
2 13 ak:nh/je/5



Iowa General Assembly
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Senate Study Bill 1355

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the determination of the escrow amount to be
2 paid by nonparticipating manufacturers in the tobacco master
3 settlement agreement.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2916SC 82
6 pf/cf/24



Iowa General Assembly
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Senate Study Bill 1355 continued

PAG LIN

1 1 Section 1. Section 453C.1, subsection 10, Code 2007, is
1 2 amended to read as follows:
1 3 10. "Units sold" means the number of individual cigarettes
1 4 sold in the state by the applicable tobacco product
1 5 manufacturer, whether directly or through a distributor,
1 6 retailer, or similar intermediary or intermediaries, during
1 7 the year in question, as measured by excise taxes collected by
1 8 the state on packs bearing the excise stamp of the state or on
1 9 roll-your-own tobacco containers. The department of revenue
1 10 shall adopt rules as are necessary to ascertain the amount of
1 11 state excise tax paid on the cigarettes of such tobacco
1 12 product manufacturer for each year.

1 13 EXPLANATION

1 14 This bill provides a more specific definition of "units
1 15 sold" for the purposes of the tobacco product
1 16 manufacturers=financial obligations, Code chapter 453C, which
1 17 is the basis for determining the amount that a
1 18 nonparticipating manufacturer in the tobacco master settlement
1 19 agreement must place in escrow. Present law provides that
1 20 "units sold" is measured by the excise taxes collected by the
1 21 state. The amended definition provides that "units sold" is
1 22 measured based on only those packs bearing the excise stamp of
1 23 the state.
1 24 LSB 2916SC 82
1 25 pf:mg/cf/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Study Bill 1356

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the percentage of actual value at which
2 residential property and certain commercial property are
3 assessed for purposes of property taxation and providing an
4 annual appropriation for a specified number of years to
5 replace commercial property tax revenues lost to counties and
6 cities.

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

8 TLSB 2910SC 82

9 sc/es/88



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1 1 Section 1. NEW SECTION. 426C.1 COMMERCIAL PROPERTY TAX
1 2 REPLACEMENT FUND CREATED.
1 3 A commercial property tax replacement fund is created under
1 4 the control of the department of revenue. For the fiscal
1 5 period beginning July 1, 2009, and ending June 30, 2014, there
1 6 is appropriated annually from the general fund of the state to
1 7 the department of revenue to be credited to the commercial
1 8 property tax replacement fund the sum of eighteen million
1 9 dollars. Any balance in the fund on June 30 shall revert to
1 10 the general fund of the state.
1 11 Sec. 2. NEW SECTION. 426C.2 REPLACEMENT.
1 12 For the fiscal year beginning July 1, 2009, through the
1 13 fiscal year ending June 30, 2014, each county treasurer shall
1 14 be paid from the commercial property tax replacement fund an
1 15 amount equal to the amount of the commercial property tax
1 16 replacement claim calculated in section 426C.3.
1 17 If the amount appropriated to the commercial property tax
1 18 replacement fund for a fiscal year is insufficient to pay all
1 19 claims, the director shall prorate the disbursements to the
1 20 county treasurers and shall notify the county auditors of the
1 21 pro rata percentage on or before September 30.
1 22 Sec. 3. NEW SECTION. 426C.3 COMPUTATION OF REPLACEMENT
1 23 CLAIM.
1 24 1. On or before July 1, 2009, the county auditor shall
1 25 prepare a statement listing for the county and each city in
1 26 the county:
1 27 a. The difference between the assessed value of the
1 28 property defined in section 441.21, subsection 5, paragraph
1 29 "c", as assessed on January 1, 2007, and the assessed value of
1 30 such property as assessed pursuant to section 441.21,
1 31 subsection 5, paragraph "b", for the assessment year beginning
1 32 January 1, 2008.
1 33 b. The tax levy rate for the county and each city
1 34 certified for the fiscal year beginning July 1, 2008.
1 35 c. The commercial property tax replacement claim for the



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2 1 county and each city, which is equal to the amount determined
2 2 pursuant to paragraph "a" multiplied by the tax levy rate
2 3 specified in paragraph "b".

2 4 2. The county auditor shall certify and forward one copy
2 5 of the statement to the department of revenue not later than
2 6 July 1, 2009. The amount certified by the auditor for the
2 7 fiscal year beginning July 1, 2009, shall be the amount of the
2 8 replacement claim for each fiscal year of the fiscal period
2 9 beginning July 1, 2008, and ending June 30, 2014.

2 10 Sec. 4. NEW SECTION. 426C.4 REIMBURSEMENT.

2 11 Each county treasurer shall be reimbursed an amount equal
2 12 to the commercial property tax replacement claim for that
2 13 county determined pursuant to section 426C.3, subsection 1,
2 14 paragraph "c". The reimbursement shall be made in two equal
2 15 installments on or before September 30 and March 31 of each
2 16 year. The county treasurer shall apportion the disbursement
2 17 to the county and to each city in the county, as applicable,
2 18 in the manner provided in section 445.57.

2 19 Sec. 5. Section 441.21, subsection 4, Code 2007, is
2 20 amended by adding the following new unnumbered paragraph:

2 21 NEW UNNUMBERED PARAGRAPH. For valuations established as of
2 22 January 1, 2008, and each year thereafter, the percentage of
2 23 actual value, as equalized by the director of revenue as
2 24 provided in section 441.49, at which residential property
2 25 shall be assessed shall not be less than forty=five and
2 26 fifty=six hundredths percent. If the percentage of actual
2 27 value of residential property as calculated in accordance with
2 28 this subsection is less than forty=five and fifty=six
2 29 hundredths percent, the director of revenue shall increase the
2 30 percentage to forty=five and fifty=six hundredths percent.
2 31 For purposes of determining valuations in the assessment year
2 32 beginning January 1, 2009, and for each subsequent assessment
2 33 year, the percentage for the prior year as determined under
2 34 this subsection before adjustment under this paragraph, if
2 35 necessary, shall be the percentage used in making the



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3 1 calculation of the dividend for that assessment year.
3 2 Sec. 6. Section 441.21, subsection 5, Code 2007, is
3 3 amended to read as follows:
3 4 5. a. For valuations established as of January 1, 1979,
3 5 commercial property and industrial property, excluding
3 6 properties referred to in section 427A.1, subsection 7, shall
3 7 be assessed as a percentage of the actual value of each class
3 8 of property. The percentage shall be determined for each
3 9 class of property by the director of revenue for the state in
3 10 accordance with the provisions of this section. For
3 11 valuations established as of January 1, 1979, the percentage
3 12 shall be the quotient of the dividend and divisor as defined
3 13 in this section. The dividend for each class of property
3 14 shall be the total actual valuation for each class of property
3 15 established for 1978, plus six percent of the amount so
3 16 determined. The divisor for each class of property shall be
3 17 the valuation for each class of property established for 1978,
3 18 as reported by the assessors on the abstracts of assessment
3 19 for 1978, plus the amount of value added to the total actual
3 20 value by the revaluation of existing properties in 1979 as
3 21 equalized by the director of revenue pursuant to section
3 22 441.49. For valuations established as of January 1, 1979,
3 23 property valued by the department of revenue pursuant to
3 24 chapters 428, 433, 437, and 438 shall be considered as one
3 25 class of property and shall be assessed as a percentage of its
3 26 actual value. The percentage shall be determined by the
3 27 director of revenue in accordance with the provisions of this
3 28 section. For valuations established as of January 1, 1979,
3 29 the percentage shall be the quotient of the dividend and
3 30 divisor as defined in this section. The dividend shall be the
3 31 total actual valuation established for 1978 by the department
3 32 of revenue, plus ten percent of the amount so determined. The
3 33 divisor for property valued by the department of revenue
3 34 pursuant to chapters 428, 433, 437, and 438 shall be the
3 35 valuation established for 1978, plus the amount of value added



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4 1 to the total actual value by the revaluation of the property
4 2 by the department of revenue as of January 1, 1979. For
4 3 valuations established as of January 1, 1980, commercial
4 4 property and industrial property, excluding properties
4 5 referred to in section 427A.1, subsection 7, shall be assessed
4 6 at a percentage of the actual value of each class of property.
4 7 The percentage shall be determined for each class of property
4 8 by the director of revenue for the state in accordance with
4 9 the provisions of this section. For valuations established as
4 10 of January 1, 1980, the percentage shall be the quotient of
4 11 the dividend and divisor as defined in this section. The
4 12 dividend for each class of property shall be the dividend as
4 13 determined for each class of property for valuations
4 14 established as of January 1, 1979, adjusted by the product
4 15 obtained by multiplying the percentage determined for that
4 16 year by the amount of any additions or deletions to actual
4 17 value, excluding those resulting from the revaluation of
4 18 existing properties, as reported by the assessors on the
4 19 abstracts of assessment for 1979, plus four percent of the
4 20 amount so determined. The divisor for each class of property
4 21 shall be the total actual value of all such property in 1979,
4 22 as equalized by the director of revenue pursuant to section
4 23 441.49, plus the amount of value added to the total actual
4 24 value by the revaluation of existing properties in 1980. The
4 25 director shall utilize information reported on the abstracts
4 26 of assessment submitted pursuant to section 441.45 in
4 27 determining such percentage. For valuations established as of
4 28 January 1, 1980, property valued by the department of revenue
4 29 pursuant to chapters 428, 433, 437, and 438 shall be assessed
4 30 at a percentage of its actual value. The percentage shall be
4 31 determined by the director of revenue in accordance with the
4 32 provisions of this section. For valuations established as of
4 33 January 1, 1980, the percentage shall be the quotient of the
4 34 dividend and divisor as defined in this section. The dividend
4 35 shall be the total actual valuation established for 1979 by



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5 1 the department of revenue, plus eight percent of the amount so
5 2 determined. The divisor for property valued by the department
5 3 of revenue pursuant to chapters 428, 433, 437, and 438 shall
5 4 be the valuation established for 1979, plus the amount of
5 5 value added to the total actual value by the revaluation of
5 6 the property by the department of revenue as of January 1,
5 7 1980. For valuations established as of January 1, 1981, and
5 8 each year thereafter, the percentage of actual value as
5 9 equalized by the director of revenue as provided in section
5 10 441.49 at which commercial property and industrial property,
5 11 excluding properties referred to in section 427A.1, subsection
5 12 7, shall be assessed shall be calculated in accordance with
5 13 the methods provided herein, except that any references to six
5 14 percent in this subsection shall be four percent. For
5 15 valuations established as of January 1, 1981, and each year
5 16 thereafter, the percentage of actual value at which property
5 17 valued by the department of revenue pursuant to chapters 428,
5 18 433, 437, and 438 shall be assessed shall be calculated in
5 19 accordance with the methods provided herein, except that any
5 20 references to ten percent in this subsection shall be eight
5 21 percent. Beginning with valuations established as of January
5 22 1, 1979, and each year thereafter, property valued by the
5 23 department of revenue pursuant to chapter 434 shall also be
5 24 assessed at a percentage of its actual value which percentage
5 25 shall be equal to the percentage determined by the director of
5 26 revenue for commercial property, industrial property, or
5 27 property valued by the department of revenue pursuant to
5 28 chapters 428, 433, 437, and 438, whichever is lowest.

5 29 b. Notwithstanding paragraph "a", commercial property that
5 30 is an apartment building, a mobile home park, a manufactured
5 31 home community, or a land=leased community shall be assessed
5 32 at a percentage of its actual value, as equalized by the
5 33 director of revenue as provided in section 441.49, as follows:

5 34 (1) For valuations established for the assessment year
5 35 beginning January 1, 2008, ninety percent of actual value.



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7 1 the percentage of actual value at which commercial property
7 2 that is an apartment building, a mobile home park, a
7 3 manufactured home community, or a land=leased community shall
7 4 be assessed is 90 percent of actual value. For the 2009
7 5 assessment year, the percentage is 80 percent of actual value.
7 6 For the 2010 assessment year, the percentage is 70 percent of
7 7 actual value. For the 2011 assessment year, the percentage is
7 8 60 percent of actual value. For the 2012 assessment year, and
7 9 subsequent assessment years, the percentage is 45.56 percent
7 10 of actual value.
7 11 The bill creates the commercial property tax replacement
7 12 fund and appropriates \$18 million annually to the fund for the
7 13 fiscal period beginning July 1, 2009, and ending June 30,
7 14 2014. A county, on behalf of the county and each city in the
7 15 county, may, for those fiscal years, claim reimbursement for
7 16 revenues lost due to the phaseout of the assessment down to 46
7 17 percent on commercial property that is an apartment building,
7 18 a mobile home park, a manufactured community, or a land=leased
7 19 community.
7 20 LSB 2910SC 82
7 21 sc:rj/es/88