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REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2463

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2463, a bill for an Act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8289.

2. That House File 2463, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 1, line 22, by striking <10,606,066> and inserting <11,419,732>

2. Page 1, line 23, by striking <28.00> and inserting <~~28.00~~ 31.00>

3. Page 3, line 1, by striking <subsection> and inserting <~~subsection~~ section>

4. Page 3, after line 4 by inserting:

<7. Of the funds appropriated in this section, $813,666 shall be used for the purposes of chapter 231E and section 231.56A, of which $288,666 shall be used to fund the initial reestablishment of the office of substitute decision maker pursuant to chapter 231E, and the remainder shall be distributed equally to the area agencies on aging to administer the prevention of elder abuse, neglect, and exploitation program pursuant to section 231.56A, in accordance with the requirements of the federal Older Americans Act of 1965, 42 U.S.C. §3001 et seq., as amended.

8. The department on aging shall analyze the meal programs coordinated through the area agencies on aging and shall submit

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its findings by December 15, 2014, to the persons designated in this Act for submission of reports.>

5. Page 3, line 19, by striking <821,707> and inserting <929,315>

6. Page 3, line 21, by striking <11.00> and inserting <12.00>

7. Page 3, after line 27 by inserting:

<3. Of the funds appropriated in this section, $107,608 shall be used to provide a discharge specialist to assist residents and tenants with voluntary and involuntary discharges and evictions from health care facilities, elder group homes, and assisted living programs.>

8. Page 4, line 9, by striking <27,088,690> and inserting <27,263,690>

9. Page 4, line 12, by striking <5,073,361> and inserting <5,173,361>

10. Page 8, after line 16 by inserting:

<f. The department of public health shall engage stakeholders to review reimbursement provisions applicable to substance-related disorder providers. The issues considered shall include but not be limited to the adequacy of the reimbursement provisions, whether it is appropriate to rebase reimbursement, equity of the reimbursement provisions as compared to the reimbursement methodologies used for providers of similar behavioral health services, and the effect of health coverage expansion through the Iowa health and wellness plan on such providers. The department shall report its findings and recommendations to the general assembly on or before December 15, 2014.>

11. Page 8, line 23, by striking <3,671,602> and inserting <4,046,602>

12. Page 9, line 5, by striking <1,327,887> and inserting <1,627,887>

13. Page 10, line 4, by striking <137,768> and inserting

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<162,768>

14. Page 10, after line 31 by inserting:

<j. In preparation for the completion of the youth and young adult suicide prevention program (Y-YASP) project funded through the federal Garrett Lee Smith youth suicide prevention grant awarded to the department of public health, the department of public health and the department of education shall submit recommendations by December 15, 2014, to the governor and the general assembly regarding options for continuing the foundation established by the project beyond the project's completion.

k. Of the funds appropriated in this subsection, $50,000 shall be used to support the Iowa effort to address the survey of children who experience adverse childhood experiences known as ACEs.>

15. Page 11, line 2, by striking <5,040,692> and inserting <5,155,692>

16. Page 11, by striking lines 14 through 16 and inserting <basis. Of the amount allocated in this paragraph, ~~$47,500~~ $95,000 shall be used to fund one full-time equivalent position to serve as the state brain injury ~~service~~ services program manager.>

17. Page 11, line 23, by striking <$99,823> and inserting <$149,823>

18. Page 11, line 27, after <families.> by inserting <The amount allocated in this paragraph in excess of $100,000 shall be matched dollar for dollar by the organization specified.>

19. Page 12, line 32, by striking <175,263> and inserting <215,263>

20. Page 12, after line 35 by inserting:

<l. Of the funds appropriated in this subsection, $25,000 shall be used for implementation of chapter 124D, the medical cannabidiol Act, or other provision authorizing the compassionate medical use of cannabidiol, if enacted by the

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2014 regular session of the eighty-fifth general assembly. If no such enactment occurs, the funding allocated by this lettered paragraph shall be transferred to the allocation made in this 2014 Act to implement reductions in the waiting lists of all medical assistance home and community-based services waivers to be used as specified in that allocation.>

21. Page 13, line 6, by striking <9,284,436> and inserting <8,737,910>

22. Page 15, by striking lines 30 through 33 and inserting:

<(8) For continuation of the safety net provider patient access to a specialty health care initiative as described in 2007 Iowa Acts, chapter 218, section 109:

..... $ ~~189,237~~ 378,474>

23. Page 16, line 13, by striking <175,900> and inserting <213,400>

24. Page 16, line 19, by striking <178,875> and inserting <216,375>

25. Page 17, line 10, by striking <150,000> and inserting <250,000>

26. Page 17, line 34, by striking <p.> and inserting <p. (1)>

27. Page 18, after line 18 by inserting:

<(2) The department of human services shall work with the Iowa collaborative safety net provider network and the Iowa primary care association to develop a long-term sustainability plan for the statewide regionally based network to provide the integrated approach to health care delivery as described in this lettered paragraph. The department shall pursue any appropriate payment mechanisms available such as a Medicaid program state plan amendment, Medicaid program waiver, state innovation model funding, or other funding through the centers for Medicare and Medicaid services of the United States department of health and human services to provide options

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for long-term sustainability by incorporating funding of the network into any such appropriate payment mechanism.>

28. Page 18, line 20, by striking <3,000,000> and inserting <2,000,000>

29. Page 18, by striking lines 25 through 30 and inserting <as specified in section 135.176. However, notwithstanding any provision to the contrary in section 135.176, priority in the awarding of grants shall be given to sponsors that propose preference in the use of the grant funds for psychiatric residency positions and family practice residency positions.>

30. Page 19, by striking lines 3 through 10.

31. Page 20, line 4, by striking <3,420,027> and inserting <3,287,127>

32. Page 20, by striking lines 33 and 34.

33. By striking page 21, line 14, through page 22, line 13, and inserting:

<Sec. ___. 2013 Iowa Acts, chapter 138, section 134, subsection 1, is amended to read as follows:

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... $ ~~546,754~~
1,095,951
..... FTEs 13.00

IOWA VETERANS HOME

Sec. ___. 2013 Iowa Acts, chapter 138, section 134, subsection 2, unnumbered paragraph 1, is amended to read as follows:

For salaries, support, maintenance, and miscellaneous purposes:

..... $ ~~3,762,857~~
7,594,996

Sec. ___. 2013 Iowa Acts, chapter 138, section 134,

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subsection 2, is amended by adding the following new paragraph:
NEW PARAGRAPH. e. The Iowa veterans home expenditure report shall be submitted monthly to the legislative services agency.
Sec. ___. 2013 Iowa Acts, chapter 138, section 134, subsection 3, is amended to read as follows:>
34. By striking page 24, line 25, through page 25, line 32.
35. Page 25, line 33, by striking <c.> and inserting <b.>
36. Page 29, line 17, by striking <6,042,834> and inserting <6,192,834>
37. Page 31, line 26, by striking <48,503,875> and inserting <48,693,875>
38. Page 31, line 30, by striking <3,163,854> and inserting <3,313,854>
39. Page 32, line 33, by striking <40,000> and inserting <80,000>
40. Page 33, line 3, after <responsibility> by inserting <headquartered>
41. Page 33, line 7, before <fatherhood> by inserting <multi-county>
42. Page 35, line 7, by striking <1,248,320,932> and inserting <1,250,658,393>
43. Page 36, line 10, by striking <$5,151,477> and inserting <$6,000,000>
44. Page 36, by striking lines 12 through 14 and inserting <community-based services waivers.>
45. Page 36, after line 27 by inserting:
<NEW SUBSECTION. 24. If authorized by the centers for Medicare and Medicaid services of the United States department of health and human services, the department of human services shall expand hospital presumptive eligibility as authorized under 42 C.F.R §435.1110, to include other provider types as qualified entities, including but not limited to federally qualified health centers, upon a center's or other entity's request.>

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46. Page 39, by striking lines 21 through 29.

47. Page 40, line 4, by striking <45,622,828> and inserting <47,132,080>

48. Page 40, line 6, by striking <37,903,401> and inserting <39,412,653>

49. Page 42, after line 26 by inserting:

<12. Of the funds appropriated in this section, $100,000 is transferred to the department of public health to be used for a program to assist parents in this state with costs resulting from the death of a child in accordance with this subsection. If it is less costly than administering the program directly, the department shall issue a request for proposals and issue a grant to an appropriate organization to administer the program.

a. The program funding shall be used to assist parents who reside in this state with costs incurred for a funeral, burial or cremation, cemetery costs, or grave marker costs associated with the unintended death of a child of the parent or a child under the care of a guardian or custodian. The department shall consider the following eligibility factors in developing program requirements:

(1) The child was a stillborn infant or was less than age eighteen at the time of death.

(2) The request for assistance was approved by the local board or department of health or the county general assistance director and may have been referred by a local funeral home.

(3) To be eligible, the parent, guardian, or custodian must have an annual household income that is less than 145 percent of the federal poverty level based on the number of people in the applicant's household as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

(4) The maximum amount of grant assistance provided to a parent, guardian, or custodian associated with the death of a child is $2,000. If the death is a multiple death and the

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infants or children are being cremated, or buried together, the same limitation applies.

(5) To the extent the overall amount of assistance received by a recipient for the costs addressed under this subsection does not exceed the overall total of the costs, the recipient may receive other public or private assistance in addition to grant assistance under this section.

b. Notwithstanding section 8.33, moneys transferred by this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until expended.>

50. Page 43, line 5, by striking <788,531> and inserting <507,766>

51. Page 43, line 17, by striking <11,500,098> and inserting <12,358,285>

52. Page 43, after line 24 by inserting:

<Of the funds appropriated in this subsection, $858,187 shall be used for follow-up services identified by a juvenile court officer in conjunction with the state training school to support children who were placed at a state training school and remain under the jurisdiction of the state court and for expansion of the preparation for adult living program in accordance with section 234.46 as amended by this 2014 Act. The department shall contract for administration of the expansion. Of the amount allocated in this paragraph, $90,000 shall be used for the costs of implementing the youth council approach, known as achieving maximum potential, to provide a support network to males placed at the training school at Eldora.>

53. Page 44, by striking lines 6 through 10 and inserting <child in need of assistance:

..... $ 2,000,000

1. The funds appropriated in this section>

54. Page 44, by striking lines 15 through 20.

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55. Page 44, line 24, after <girls> by inserting <and boys and girls and boys adjudicated as a child in need of assistance who are hard-to-place>

56. Page 44, line 28, after <facilities;> by inserting <the efforts made by and with private providers to ensure the providers can provide adequate services to children adjudicated delinquent or as a child in need of assistance who are hard-to-place;>

57. Page 44, line 29, after <necessary.> by inserting <The department shall engage with representatives designated by the chief juvenile court officers, by the division of criminal and juvenile justice planning of the department of human rights, and by the coalition for family and children's services in Iowa to develop and implement a tracking information system concerning the children adjudicated as delinquent or as a child in need of assistance under chapter 232. The purpose of the system is to identify the outcomes experienced by the children during and immediately following placement in an out-of-home setting and during the two-year period following a child's last such placement. The information shall include but is not limited to demographic information, the types of criminal activity and behavioral health characteristics that contributed to or resulted in the adjudication, the other interventions provided to the children and their families before, during, and after placement, the status of the children following placement, and identification of any patterns identified from the data. The department shall report the data to the general assembly and the governor on or before December 15, 2014, and annually on December 15 thereafter, and at other times upon request.>

58. Page 45, line 15, by striking <95,535,703> and inserting <94,857,554>

59. Page 45, line 32, by striking <36,967,216> and inserting <35,745,187>

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60. Page 51, line 32, by striking <110,000> and inserting <135,000>

61. Page 52, line 6, by striking <$160,000> and inserting <$110,000>

62. Page 52, after line 16 by inserting:

<28. The department shall perform a review of the feasibility of and benefits associated with expanding foster care, kinship guardianships, and subsidized adoptions to be available on a voluntary basis to young adults who become age 18 while receiving child welfare services. The purpose of the review is to determine the extent to which the expansion is covered under the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351, and would draw additional federal support under the Title IV-E of the federal Social Security Act, allow the state to expand the preparation for adult living program to additional young adults, and enhance the services and supports available under the program. The department shall engage national and state experts in structuring such programs under the federal fostering connections Act in addition to young persons with experience in the state's foster care system in performing the review. If the department determines the expansion can be implemented within existing state appropriations and produces additional benefits for the young adults who would be served under the expansion, the department may implement changes to expand the availability of foster care, kinship guardianships, and subsidized adoptions for eligible young adults who become age 21.>

63. Page 57, line 26, by striking <66,670,976> and inserting <65,170,976>

64. Page 58, line 20, by striking <16,304,602> and inserting <16,072,302>

65. Page 58, line 26, by striking <$132,300> and inserting <$150,000>

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66. Page 59, by striking line 21 and inserting <exceed ~~$268,712,511~~ $284,128,824. Of this amount, not more than $1,250,000 shall be used for reimbursement of nursing facilities to supplement the shortfall attributable to the rebasing of nursing facility rates in accordance with this 2013 Act, section 29, subsection 1, paragraph "a", subparagraph (2), beginning July 1, 2014.>

67. Page 61, line 13, by striking <2014> and inserting <~~2014~~ 2015>

68. Page 61, after line 31 by inserting:

<Sec. ___. 2013 Iowa Acts, chapter 138, section 159, subsection 1, paragraph q, is amended to read as follows:

q. For the fiscal year beginning July 1, 2014, the reimbursement rate for emergency medical service providers shall be increased by 10 percent over the ~~rate~~ rates in effect on June 30, 2014.>

69. Page 62, lines 10 and 11, by striking <For the fiscal year beginning> and inserting <Effective>

70. Page 62, lines 18 and 19, by striking <for the fiscal year beginning> and inserting <effective>

71. By striking page 62, line 22, through page 63, line 3, and inserting:

<(1) For service level, community - D1, the daily rate shall be at least $84.17.

(2) For service level, comprehensive - D2, the daily rate shall be at least $119.09.

(3) For service level, enhanced - D3, the daily rate shall be at least $131.09.>

72. Page 66, line 6, after <APPROPRIATIONS> by inserting <AND OTHER PRIOR PROVISIONS>

73. Page 66, after line 6 by inserting:

<SAFETY NET — CARE COORDINATION

Sec. ___. 2013 Iowa Acts, chapter 138, section 3, subsection 4, paragraph p, is amended to read as follows:

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p. Of the funds appropriated in this section, $1,158,150 is allocated to the Iowa collaborative safety net provider network established pursuant to section 135.153 to be used for the development and implementation of a statewide regionally based network to provide an integrated approach to health care delivery through care coordination that supports primary care providers and links patients with community resources necessary to empower patients in addressing biomedical and social determinants of health to improve health outcomes. The Iowa collaborative safety net provider network shall work in conjunction with the department of human services to align the integrated network with the health care delivery system model developed under the state innovation models initiative grant. The Iowa collaborative safety net provider network shall submit a progress report to the individuals designated in this Act for submission of reports by December 31, 2013, including progress in developing and implementing the network, how the funds were distributed and used in developing and implementing the network, and the remaining needs in developing and implementing the network. Notwithstanding section 8.33, moneys allocated in this paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.>

74. Page 66, by striking lines 16 through 21 and inserting <135.176. However, notwithstanding any provision to the contrary in section 135.176, priority in the awarding of grants shall be given to sponsors that propose preference in the use of the grant funds for psychiatric residency positions and family practice residency positions.>

75. Page 66, after line 31 by inserting:

<DISPROPORTIONATE SHARE HOSPITAL PAYMENTS

Sec. ___. 2013 Iowa Acts, chapter 138, section 12, is amended by adding the following new subsection:

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NEW SUBSECTION. 25. The department of human services shall adopt rules pursuant to chapter 17A to require or provide for all of the following relating to qualifications for disproportionate share hospital payments:

a. That only hospitals, including those defined as a children's hospital, located in the state may qualify for disproportionate share hospital payments.

b. That, if a hospital is defined as a children's hospital, the children's hospital may qualify for disproportionate share hospital payments if among other criteria the hospital is a member of, but is not required to be a voting member of, the children's hospital association.>

76. Page 67, after line 28 by inserting:

<FIELD OPERATIONS

Sec. ___. 2013 Iowa Acts, chapter 138, section 26, is amended by adding the following new subsection:

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

NURSING FACILITY OPEN OR UNSETTLED COST REPORTS

Sec. ___. 2013 Iowa Acts, chapter 138, section 29, subsection 1, paragraph a, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (5) For any open or unsettled nursing facility cost report for a fiscal year prior to and including the fiscal year beginning July 1, 2012, including any cost report remanded on judicial review for inclusion of prescription drug, laboratory, or x-ray costs, the department shall offset all reported prescription drug, laboratory, and x-ray costs with any revenue received from Medicare or other revenue source for any purpose. For purposes of this subparagraph, a nursing facility cost report is not

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considered open or unsettled if the facility did not initiate an administrative appeal under chapter 17A or if any appeal rights initiated have been exhausted.>

77. Page 68, after line 35 by inserting:

<Sec. ___. APPLICABILITY. The rules adopted under the section of this division of this Act amending 2013 Iowa Acts, chapter 138, section 12, by enacting subsection 25, relating to disproportionate share hospital payments, shall be applicable beginning October 1, 2014.

Sec. ___. RETROACTIVE APPLICABILITY. The section of this division of this Act amending 2013 Iowa Acts, chapter 138, section 29, subsection 1, paragraph "a", by enacting new subparagraph (5), relating to open or unsettled cost reports, is retroactively applicable to July 1, 2005.>

78. Page 69, line 15, after <this section> by inserting <, and subject to the Medicaid offset amendments in section 426B.3, subsection 5, as amended by this division of this 2014 Act, and related provisions of this division of this Act>

79. Page 71, line 7, after <division.> by inserting <The protocols and program models shall not include provisions that would interfere with the ability of any mental health and disability services region approved under section 331.389 operating as an employment network for the federal social security administration's ticket to work program for persons with disabilities to collect any milestone or outcome payments.>

80. Page 71, after line 13 by inserting:

<Sec. ___. PROVISIONAL REGIONALIZATION AUTHORIZATION.

1. During the time period beginning on the effective date of this section and ending June 30, 2015, upon receiving an application from Mahaska and Marion counties, the director of human services may authorize the counties to form and operate a mental health and disability services region on a provisional basis for up to 12 months in accordance with this section.

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2. Unless the director grants an exception to policy allowing the counties and their region, during the provisional operation time period, to meet a requirement through an alternative means, the counties and their region shall comply with all of the requirements applicable to a mental health and disability services region under chapter 331 and other law applicable to regions including but not limited to the exemption provisions in 441 IAC 25.91.

3. Prior to the end of the provisional operation time period, the director may reauthorize on a one-time basis the region to operate provisionally for an additional time period of up to 12 months.

4. If the director determines the two counties and their region are not in compliance with the requirements under subsection 2 during any provisional operation time period and that compliance will not be achieved through a corrective action plan, the director may assign each county to a region contiguous to the county. The region assigned shall amend its chapter 28E agreement and other operating requirements and policies to accept the assigned county.>

81. By striking page 71, line 14, through page 72, line 2.

82. Page 72, by striking lines 11 and 12 and inserting <persons with serious mental illness. The study shall>

83. Page 72, before line 23 by inserting:

<Sec. ___. Section 230.1, subsection 1, Code 2014, is amended to read as follows:

1. The necessary and legal costs and expenses attending the taking into custody, care, investigation, admission, commitment, and support of a person with mental illness admitted or committed to a state hospital shall be paid by a county or by the state as follows:

a. If the person is eighteen years of age or older, as follows:

(1) The costs attributed to mental illness shall be paid by

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the regional administrator on behalf of the person's county of residence.

(2) The costs attributed to a substance-related disorder shall be paid by the person's county of residence.

(3) The costs attributable to a dual diagnosis of mental illness and a substance-related disorder may be split as provided in section 226.9C.

b. By the state as a state case if such person has no residence in this state, if the person's residence is unknown, or if the person is under eighteen years of age.>

84. Page 73, after line 10 by inserting:

<Sec. ___. Section 331.393, subsection 2, Code 2014, is amended by adding the following new paragraph:

NEW PARAGRAPH. *h.* The financial eligibility requirements for service under the regional service system. A plan that otherwise incorporates the financial eligibility requirements of section 331.395 but allows eligibility for persons with resources above the minimum resource limitations adopted pursuant to section 331.395, subsection 1, paragraph *"c"*, who were eligible under resource limitations in effect prior to July 1, 2014, or are authorized by the region as an exception to policy, shall be deemed by the department to be in compliance with financial eligibility requirements of section 331.395.>

85. Page 73, after line 28 by inserting:

<Sec. ___. Section 331.424A, subsection 7, unnumbered paragraph 1, Code 2014, is amended to read as follows:

Notwithstanding subsection 5, for the fiscal years beginning July 1, 2013, ~~and~~ July 1, 2014, and July 1, 2015, county revenues from taxes levied by the county and credited to the county services fund shall not exceed the lower of the following amounts:

Sec. ___. Section 426B.3, subsection 1, Code 2014, is amended to read as follows:

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1. For the fiscal years beginning July 1, 2013, ~~and~~ July 1, 2014, and July 1, 2015, the state and county funding for the mental health and disability services administered or paid for by counties shall be provided based on a statewide per capita expenditure target amount computed in accordance with this section and section 331.424A.>

86. By striking page 74, line 22, through page 75, line 26, and inserting:

<Sec. ___. Section 426B.3, subsection 5, Code 2014, is amended by striking the subsection and inserting in lieu thereof the following:

5. *a.* For the purposes of this subsection, unless the context otherwise requires:

(1) *"Base year"* means the fiscal year prior to the fiscal year for which a Medicaid offset amount is calculated.

(2) *"Base year amount"* means the actual amount expended from a county's services fund during the base year for the services and supports contained in the code set for the class of persons eligible for the Iowa health and wellness plan under chapter 249N.

(3) *"Calculation year"* means the fiscal year for which a Medicaid offset amount is calculated.

(4) *"Calculation year amount"* means the actual amount expended from a county's services fund during the calculation year for the services and supports contained in the code set for the class of persons eligible for the Iowa health and wellness plan under chapter 249N.

(5) *"Code set"* means the set of current procedural terminology (CPT) medical code set codes and the international classification of diseases, ninth revision (ICD-9) codes identified in accordance with this subsection for calculation of Medicaid offset amounts.

(6) *"Services fund"* means a county's mental health and disabilities services fund created in accordance with section

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331.424A.

b. The department and representatives of mental health and disability services region regional administrators shall identify and agree to a code set for the services and supports provided under regional service management plans for the class of persons eligible for the Iowa health and wellness plan. The initial code set shall be identified and agreed to on or before June 30, 2014. The code set may be modified from time to time by agreement of the department and representatives of mental health and disability services region regional administrators.

c. Commencing with the fiscal year beginning July 1, 2013, and continuing in any succeeding fiscal year in which appropriations are enacted for distribution of equalization payments in the succeeding fiscal year in accordance with subsection 4, Medicaid offset amounts shall be calculated for the counties in accordance with this subsection. The calculation of county Medicaid offset amounts for a fiscal year shall be made and communicated to the counties by the department on or before October 15 following the calculation year. If rules are deemed to be necessary to provide further detail concerning calculation and administration of the Medicaid offset amounts, the rules shall be adopted by the mental health and disability services commission in consultation with the department and representatives of mental health and disability services region regional administrators.

d. (1) A county's Medicaid offset amount for a fiscal year shall be equal to eighty percent of the excess of the county's base year amount over the county's calculation year amount.

(2) In lieu of subparagraph (1), for the fiscal year beginning July 1, 2013, a county's Medicaid offset amount shall be calculated by identifying the excess in the actual amount expended from a county's services fund for the services and supports contained in the code set for the class of persons eligible for the Iowa health and wellness plan during the

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period beginning July 1, 2013, and ending December 31, 2013, over such actual amount expended for the same services and supports for such persons during the period beginning January 1, 2014, and ending June 30, 2014, and doubling the excess identified. A county's Medicaid offset amount for the fiscal year beginning July 1, 2013, shall be equal to eighty percent of the result.

e. A county shall address the county's Medicaid offset amount for a fiscal year in the fiscal year following the calculation year as follows:

(1) If the county receives an equalization payment in the fiscal year following the calculation year, the county shall repay the Medicaid offset amount to the state from that equalization payment. A county's repayment pursuant to this subparagraph shall be remitted on or before January 1 of the fiscal year in which the equalization payment is received and the repayment shall be credited to the property tax relief fund. Moneys credited to the property tax relief fund in accordance with this subparagraph are subject to appropriation by the general assembly to support mental health and disability services administered by the regional system. The department of human services' annual budget shall include recommendations for reinvestment of the amounts credited to the fund to address core and additional core services administered by the regional system.

(2) If the county does not receive an equalization payment in the fiscal year following the calculation year or the equalization payment is less than the Medicaid offset amount, the county shall, for the subsequent fiscal year, reduce the dollar amount certified for the county's services fund levy by the amount of the insufficiency. The initial year for such a reduction to be applied shall be the fiscal year beginning July 1, 2015.>

87. Page 76, after line 15 by inserting:

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<Sec. ___. 2013 Iowa Acts, chapter 138, section 185, is amended to read as follows:

SEC. 185. EMERGENCY RULES. The department of human services may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", during the period beginning July 1, 2013, and ending March 31, 2014, to implement the provisions of this division of this Act and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 7, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. ___. EFFECTIVE UPON ENACTMENT. The following sections of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section providing a provisional regionalization authorization.

2. The section amending 2013 Iowa Acts, chapter 136, section 11.

3. The section amending section 331.393, subsection 2.

4. The section amending section 426B.3.

5. The section amending 2013 Iowa Acts, chapter 138, section 185.

Sec. ___. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply

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retroactively to July 1, 2013:

1. The section amending 2013 Iowa Acts, chapter 138, section 185.>

88. Page 76, after line 21 by inserting:

<Sec. ___. Section 249A.4, subsection 10, Code 2014, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* (1) A nursing facility that utilizes the supplementation option and receives supplementation under this subsection during any calendar year, shall report to the department of human services, annually, by January 15, the following information for the preceding calendar year:

(a) The total number of nursing facility beds available at the nursing facility, the number of such beds available in private rooms, and the number of such beds available in other types of rooms.

(b) The average occupancy rate of the facility on a monthly basis.

(c) The total number of residents for which supplementation was utilized.

(d) The average private pay charge for a private room in the nursing facility.

(e) For each resident for whom supplementation was utilized, the total charge to the resident for the private room, the portion of the total charge reimbursed under the Medicaid program, and the total charge reimbursed through supplementation.

(2) The department shall compile the information received and shall submit the compilation to the general assembly, annually by May 1.>

89. Page 76, by striking lines 24 through 31 and inserting:

<PREPARATION FOR ADULT LIVING SERVICES (PALS)

Sec. ___. Section 234.46, subsection 1, paragraph c, Code 2014, is amended to read as follows:

c. At the time the person became age eighteen, the person

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received foster care services that were paid for by the state under section 234.35, services at a state training school, services at a juvenile shelter care home, or services at a juvenile detention home and the person is no longer receiving such services.

Sec. ___. Section 234.46, subsection 2, unnumbered paragraph 1, Code 2014, is amended to read as follows:

The division shall establish a preparation for adult living program directed to young adults. The purpose of the program is to assist persons who are leaving foster care and other court-ordered services at age eighteen or older in making the transition to self-sufficiency. The department shall adopt rules necessary for administration of the program, including but not limited to eligibility criteria for young adult participation and the services and other support available under the program. The rules shall provide for participation of each person who meets the definition of young adult on the same basis, regardless of whether federal financial participation is provided. The services and other support available under the program may include but are not limited to any of the following:>

90. Page 76, before line 32 by inserting:

<Sec. ___. MEDICAID AND HAWK-I STATE PLAN AMENDMENTS AND WAIVERS — NOTIFICATION. The department of human services shall notify the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the chairpersons and ranking members of the committees on human resources of the senate and house of representatives, the legislative services agency, and the legislative caucus staffs prior to submission of any Medicaid or hawk-i program state plan amendment or waiver to the centers for Medicare and Medicaid services of the United States department of health and human services.

Sec. ___. CHILD WELFARE SERVICES COMMITTEE.

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1. The legislative council is requested to establish a child welfare services committee.

2. The committee membership shall include the following persons:

a. The director of human services or the director's designee.

b. The administrator of child welfare programs under the department of human services or the administrator's designee.

c. The administrator of the division of criminal and juvenile justice planning in the department of human rights or the administrator's designee.

d. The administrator of the child advocacy board in the department of inspections and appeals or the administrator's designee.

e. The chief justice of the supreme court or the chief justice's designee.

f. The director of the department of education or the director's designee.

g. The executive director of the Iowa foster and adoptive parent association or the executive director's designee.

h. The executive director of the coalition for family and children's services in Iowa or the executive director's designee.

i. The presiding officer of the Iowa juvenile court services association or the presiding officer's designee.

j. The director of the child health specialty clinics at the university of Iowa or the director's designee.

k. A youth member of the achieving maximum potential program designated by the program's director.

l. The director of the child and family policy center or the director's designee.

m. Members of the general assembly appointed by the legislative council.

n. Other persons designated by the legislative council.

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3. The committee shall perform the following duties:

a. Review the array of child welfare services in the state.

b. Identify options for improving the coordination and collaboration between the public and private entities involved with child welfare services.

c. Direct special attention to children's mental and behavioral health services.

d. Identify policies to support the growth and expansion of community-based pediatric integrated health homes.

e. Identify options to support continuous improvement of pediatric mental health services and innovation by service providers of such services at the state and community levels.

f. Consider proposals for creation of a center of collaborative children's mental and behavioral health services.

g. Evaluate the adequacy of the public funding of child welfare services and identify options to address shortfalls and for shifting resources.

4. The committee shall submit a final report with findings and recommendations to the governor and general assembly for action in the 2015 legislative session.>

91. Page 78, line 14, after <limited> by inserting <to>

92. Page 78, after line 26 by inserting:

<DIVISION ___

STATE CHILD CARE ASSISTANCE

Sec. ___. Section 237A.13, subsection 7, paragraphs a and c, Code 2014, are amended to read as follows:

a. Families with an income at or below one hundred percent of the federal poverty level whose members ~~are employed~~, for at least twenty-eight hours per week in the aggregate, are employed or are participating at a satisfactory level in an approved training program or educational program, and parents with a family income at or below one hundred percent of the federal poverty level who are under the age of twenty-one years and are participating in an educational program leading to a

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high school diploma or the equivalent.

c. Families with an income of more than one hundred percent but not more than one hundred forty-five percent of the federal poverty level whose members ~~are employed~~, for at least twenty-eight hours per week in the aggregate, are employed or are participating at a satisfactory level in an approved training program or educational program.

Sec. ___. IMPLEMENTATION. The department of human services shall adopt rules and take other actions as necessary to implement, as state child care assistance program eligibility provisions, the amendments to section 237A.13 in this division of this Act, on July 1, 2014.>

93. By striking page 78, line 27, through page 90, line 2, and inserting:

<DIVISION ___
PRIOR AUTHORIZATION

Sec. ___. NEW SECTION. **505.26 Prior authorization for prescription drug benefits — standard process and form.**

1. As used in this section:

a. *"Facility"*, *"health benefit plan"*, *"health care professional"*, *"health care provider"*, *"health care services"*, and *"health carrier"* mean the same as defined in section 514J.102.

b. *"Pharmacy benefits manager"* means the same as defined in section 510B.1.

2. The commissioner shall develop, by rule, a process for use by each health carrier and pharmacy benefits manager that requires prior authorization for prescription drug benefits pursuant to a health benefit plan, to submit, on or before January 1, 2015, a single prior authorization form for approval by the commissioner, that each health carrier or pharmacy benefits manager shall be required to use beginning on July 1, 2015. The process shall provide that if a prior authorization form submitted to the commissioner by a health carrier or

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pharmacy benefits manager is not approved or disapproved within thirty days after its receipt by the commissioner, the form shall be deemed approved.

3. The commissioner shall develop, by rule, a standard prior authorization process which meets all of the following requirements:

a. Health carriers and pharmacy benefits managers shall allow health care providers to submit a prior authorization request electronically.

b. Health carriers and pharmacy benefits managers shall provide that approval of a prior authorization request shall be valid for a minimum length of time in accordance with the rules adopted under this section. In adopting the rules, the commissioner may consult with health care professionals who seek prior authorization for particular types of drugs, and as the commissioner determines to be appropriate, negotiate standards for such minimum time periods with individual health carriers and pharmacy benefits managers.

c. Health carriers and pharmacy benefits managers shall make the following available and accessible on their internet sites:

(1) Prior authorization requirements and restrictions, including a list of drugs that require prior authorization.

(2) Clinical criteria that are easily understandable to health care providers, including clinical criteria for reauthorization of a previously approved drug after the prior authorization period has expired.

(3) Standards for submitting and considering requests, including evidence-based guidelines, when possible, for making prior authorization determinations.

d. Health carriers shall provide a process for health care providers to appeal a prior authorization determination as provided in chapter 514J. Pharmacy benefits managers shall provide a process for health care providers to appeal a prior authorization determination that is consistent with the process

provided in chapter 514J.

4. In adopting a standard prior authorization process, the commissioner shall consider national standards pertaining to electronic prior authorization, such as those developed by the national council for prescription drug programs.

5. A prior authorization form approved by the commissioner shall meet all of the following requirements:

a. Not exceed two pages in length, except that a prior authorization form may exceed that length as determined to be appropriate by the commissioner.

b. Be available in electronic format.

c. Be transmissible in an electronic format or a fax transmission.

6. Beginning on July 1, 2015, each health carrier and pharmacy benefits manager shall use and accept the prior authorization form that was submitted by that health carrier or pharmacy benefits manager and approved for the use of that health carrier or pharmacy benefits manager by the commissioner pursuant to this section. Beginning on July 1, 2015, health care providers shall use and submit the prior authorization form that has been approved for the use of a health carrier or pharmacy benefits manager, when prior authorization is required by a health benefit plan.

7. *a.* If a health carrier or pharmacy benefits manager fails to use or accept the prior authorization form that has been approved for use by the health carrier or pharmacy benefits manager pursuant to this section, or to respond to a health care provider's request for prior authorization of prescription drug benefits within seventy-two hours of the health care provider's submission of the form, the request for prior authorization shall be considered to be approved.

b. However, if the prior authorization request is incomplete or additional information is required, the health carrier or pharmacy benefits manager may request the additional

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information within the seventy-two-hour period and once the additional information is submitted the provisions of paragraph *"a"* shall again apply.

c. Notwithstanding paragraphs *"a"* and *"b"*, the commissioner may develop, by rule, minimum time periods for a health carrier or pharmacy benefits manager to respond to a health care provider's request for prior authorization of prescription drug benefits or for additional information, that are less than, but in no case exceed seventy-two hours, as the commissioner deems appropriate under the circumstances.

Sec. ___. Section 510B.3, subsection 2, Code 2014, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* A process for the submission of forms.

Sec. ___. NEW SECTION. **510B.9 Submission, approval, and use of prior authorization form.**

A pharmacy benefits manager shall file with and have approved by the commissioner a single prior authorization form as provided in section 505.26. A pharmacy benefits manager shall use the single prior authorization form as provided in section 505.26.

Sec. ___. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.>

94. Page 90, before line 3 by inserting:

<DIVISION ___

POISON CONTROL CENTER

Sec. ___. POISON CONTROL CENTER — FEDERAL APPROVAL. The department of human services shall request approval from the centers for Medicare and Medicaid services of the United States department of health and human services to utilize administrative funding under the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, to provide the maximum federal matching funds available to implement a new health services initiative as provided under

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section 2105(a)(1)(D)(ii) of the federal Social Security Act, to fund the state poison control center.

Sec. ___. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ___

AGING AND LONG-TERM CARE DELIVERY INTERIM COMMITTEE

Sec. ___. INTERIM COMMITTEE ON AGING AND LONG-TERM CARE DELIVERY.

1. The legislative council is requested to establish a study committee for the 2014 interim to examine issues relating to aging Iowans and long-term care. The interim committee shall comprehensively review the existing long-term care delivery system and make recommendations to create a sustainable, person-centered approach that increases health and life outcomes; supports maximum independence by providing the appropriate level of care and services through a balance of facility-based and home and community-based options; addresses medical and social needs in a coordinated, integrated manner; provides for sufficient resources including a stable, well-qualified workforce; and is fiscally accountable.

2. The interim committee shall provide a forum for open and constructive dialogue among stakeholders representing individuals involved in the delivery and financing of long-term care services and supports, consumers and families of consumers in need of such services and supports, legislators, and representatives of agencies responsible for oversight, funding, and regulation of such services and supports.

3. The interim committee shall specifically address the cost and financing of long-term care and services, the coordination of services among providers, the availability of and access to a well-qualified workforce including both the compensated workforce and family and other uncompensated caregivers, and the balance between facility-based and home and

community-based care and services. In addition, the interim committee shall consider methods to educate consumers and enhance engagement of consumers in the broader conversation regarding long-term care issues, including their experiences with, concerns about, and expectations and recommendations for action regarding the long-term care delivery system in the state.

4. Members of the interim committee shall include all of the following:

a. Five members of the senate and five members of the house of representatives including the following:

(1) The chairpersons and ranking members of the committees on human resources of the senate and house of representatives, or a member of the committee designated by the chairperson or ranking member.

(2) The co-chairpersons and ranking members of the joint appropriations subcommittee on health and human services of the senate and house of representatives, or a member of the subcommittee designated by the chairperson or ranking member.

b. Five members of the general public who are individual consumers or a member of a consumer's family, one each to be selected by the following:

(1) The older Iowans legislature.

(2) The Iowa alliance of retired Americans.

(3) The Iowa association of area agencies on aging.

(4) The Iowa caregivers association.

(5) AARP Iowa.

c. The director of the department on aging, or the director's designee.

d. The state long-term care ombudsman, or the ombudsman's designee.

e. Five members who represent those involved in the delivery of long-term care services.

5. The interim committee may request from state agencies

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including the department of human services, the department of public health, the department on aging, the office of long-term care ombudsman, the department of inspections and appeals, the insurance division of the department of commerce, and the department of workforce development, information and assistance as needed to complete its work.

6. The interim committee shall submit its findings and recommendations to the general assembly for consideration during the 2015 legislative session.

DIVISION ___

HEALTHIEST CHILDREN INITIATIVE

Sec. ___. NEW SECTION. **135.181 Iowa healthiest children initiative.**

1. The Iowa healthiest children initiative is established in the department. The purpose of the initiative is to develop and implement a plan for Iowa children to become the healthiest children in the nation by January 1, 2020. The areas of focus addressed by the initiative shall include improvement of physical, dental, emotional, behavioral, and mental health and wellness; access to basic needs such as food security, appropriate nutrition, safe and quality child care settings, and safe and stable housing, neighborhoods, and home environments; and promotion of healthy, active lifestyles by addressing adverse childhood events, reducing exposures to environmental toxins, decreasing exposures to violence, advancing tobacco-free and drug abuse-free living, increasing immunization rates, and improving family well-being.

2. The department shall create a task force, including members who are child health experts external to the department, to develop an implementation plan to achieve the purpose of the initiative. The implementation plan, including findings, recommendations, performance benchmarks, data collection provisions, budget needs, and other implementation provisions shall be submitted to the governor and general

assembly on or before December 15, 2014.

Sec. ___. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ___

POTENTIAL MEDICAID STATE PLAN AMENDMENT — ELDERS

Sec. ___. MEDICAID — POTENTIAL STATE PLAN AMENDMENT — HOME AND COMMUNITY-BASED SERVICES FOR ELDERS. The department of human services shall engage stakeholders with interest or expertise in issues relating to elders to review the potential for development and submission of a Medicaid program state plan amendment in accordance with section 2402 of the federal Patient Protection and Affordable Care Act to cover home and community-based services for eligible elders 65 years of age or older. The department shall make recommendations on or before December 15, 2014, to the governor and the general assembly, detailing provisions for incorporation into such a potential Medicaid program state plan amendment relating to financial eligibility; benefits, including whether individuals receiving such Medicaid services should be eligible for full Medicaid benefits; available services; and the needs-based level of care criteria for determination of eligibility under the state plan amendment.

DIVISION ___

DENTAL COVERAGE — EXTERNAL REVIEW

Sec. ___. Section 514J.102, subsection 1, Code 2014, is amended to read as follows:

1. *a.* *"Adverse determination"* means a determination by a health carrier that an admission, availability of care, continued stay, or other health care service, other than a dental care service, that is a covered benefit has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or

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effectiveness, and the requested service or payment for the service is therefore denied, reduced, or terminated.

b. For the purposes of denial of a dental care service, *"adverse determination"* means a determination by a health carrier that a dental care service that is a covered benefit has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, and the requested service or payment for the service is therefore denied, reduced, or terminated in whole or in part.

c. *"Adverse determination"* does not include a denial of coverage for a service or treatment specifically listed in plan or evidence of coverage documents as excluded from coverage.

Sec. ___. Section 514J.102, Code 2014, is amended by adding the following new subsection:

NEW SUBSECTION. 11A. *"Dental care services"* means diagnostic, preventive, maintenance, and therapeutic dental care that is provided in accordance with chapter 153.

Sec. ___. Section 514J.102, subsection 22, Code 2014, is amended to read as follows:

22. *"Health care services"* means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease. *"Health care services"* includes dental care services.

Sec. ___. Section 514J.103, subsection 2, paragraph a, Code 2014, is amended to read as follows:

a. A policy or certificate that provides coverage only for a specified disease, specified accident or accident-only, credit, disability income, hospital indemnity, long-term care, ~~dental care,~~ vision care, or any other limited supplemental benefit.

Sec. ___. REVIEW OF BASES USED FOR EXTERNAL REVIEW OF ADVERSE DETERMINATIONS. The commissioner of insurance shall engage stakeholders to review the differences in the bases used for external review of adverse determinations under chapter

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514J as applied to health care services relative to dental care services. The commissioner of insurance shall report findings and recommendations to the governor and the general assembly by December 15, 2014.>

95. Title page, line 3, after <appropriations,> by inserting <extending the duration of county mental health and disabilities services fund per capita levy provisions,>

96. By renumbering as necessary.

ON THE PART OF THE HOUSE:

DAVE HEATON, CHAIRPERSON

JOHN FORBES

JOEL FRY

LISA HEDDENS

LINDA MILLER

ON THE PART OF THE SENATE:

JACK HATCH, CHAIRPERSON

JOE BOLKCOM

AMANDA RAGAN

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REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2239

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2239, a bill for an Act relating to elder abuse and providing penalties, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8284.

2. That the House recedes from its amendment, S-5092.

3. That Senate File 2239, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<DIVISION I
ELDER ABUSE RELIEF

Section 1. NEW SECTION. **235F.1 Definitions.**

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

1. *"Attorney in fact"* means an agent under a power of attorney pursuant to chapter 633B or an attorney in fact under a durable power of attorney for health care pursuant to chapter 144B.

2. *"Caretaker"* means a related or nonrelated person who has the responsibility for the protection, care, or custody of a vulnerable elder as a result of assuming the responsibility voluntarily, by contract, through employment, or by order of the court. *"Caretaker"* does not include a caretaker as defined in section 235E.1.

3. *"Coercion"* means communication or conduct which unduly compels a vulnerable elder to act or refrain from acting against the vulnerable elder's will and against the vulnerable elder's best interests.

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4. *"Conservator"* means the same as defined in section 633.3.

5. *a. "Elder abuse"* means any of the following:

(1) Physical injury to, or injury which is at a variance with the history given of the injury, or unreasonable confinement, unreasonable punishment, or assault of a vulnerable elder by a person not otherwise governed by chapter 235E.

(2) The commission of a sexual offense under chapter 709 or section 726.2 with or against a vulnerable elder.

(3) Neglect which is the deprivation of the minimum food, shelter, clothing, supervision, or physical or mental health care, or other care necessary to maintain a vulnerable elder's life or health by a caretaker.

(4) Financial exploitation.

b. "Elder abuse" does not include any of the following:

(1) Circumstances in which the vulnerable elder declines medical treatment if the vulnerable elder holds a belief or is an adherent of a religion whose tenets and practices call for reliance on spiritual means in place of reliance on medical treatment.

(2) Circumstances in which the vulnerable elder's caretaker, acting in accordance with the vulnerable elder's stated or implied consent, declines medical treatment if the vulnerable elder holds a belief or is an adherent of a religion whose tenets and practices call for reliance on spiritual means in place of reliance on medical treatment.

(3) The withholding or withdrawing of health care from a vulnerable elder who is terminally ill in the opinion of a licensed physician, when the withholding or withdrawing of health care is done at the request of the vulnerable elder or at the request of the vulnerable elder's next of kin, attorney in fact, or guardian pursuant to the applicable procedures under chapter 125, 144A, 144B, 222, 229, or 633.

(4) Good faith assistance by a family or household member or

other person in managing the financial affairs of a vulnerable elder at the request of the vulnerable elder or at the request of a family member, guardian, or conservator of the vulnerable elder.

6. *"Family or household member"* means a spouse, a person cohabiting with the vulnerable elder, a parent, or a person related to the vulnerable elder by consanguinity or affinity, but does not include children of the vulnerable elder who are less than eighteen years of age.

7. *"Fiduciary"* means a person or entity with the legal responsibility to make decisions on behalf of and for the benefit of a vulnerable elder and to act in good faith and with fairness. *"Fiduciary"* includes but is not limited to an attorney in fact, a guardian, or a conservator.

8. *"Financial exploitation"* relative to a vulnerable elder means when a person stands in a position of trust or confidence with the vulnerable elder and knowingly and by undue influence, deception, coercion, fraud, or extortion, obtains control over or otherwise uses or diverts the benefits, property, resources, belongings, or assets of the vulnerable elder.

9. *"Guardian"* means the same as defined in section 633.3.

10. *"Peace officer"* means the same as defined in section 801.4.

11. *"Plaintiff"* means a vulnerable elder who files a petition under this chapter and includes a substitute petitioner who files a petition on behalf of a vulnerable elder under this chapter.

12. *"Present danger of elder abuse"* means a situation in which the defendant has recently threatened the vulnerable elder with initial or additional elder abuse, or the potential for misappropriation, misuse, or removal of the funds, benefits, property, resources, belongings, or assets of the vulnerable elder combined with reasonable grounds to believe that elder abuse is likely to occur.

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13. *"Pro se"* means a person proceeding on the person's own behalf without legal representation.

14. *"Stands in a position of trust or confidence"* means the person has any of the following relationships relative to the vulnerable elder:

a. Is a parent, spouse, adult child, or other relative by consanguinity or affinity of the vulnerable elder.

b. Is a caretaker for the vulnerable elder.

c. Is a person who is in a confidential relationship with the vulnerable elder. For the purposes of this paragraph *"c"*, a confidential relationship does not include a legal, fiduciary, or ordinary commercial or transactional relationship the vulnerable elder may have with a bank incorporated under the provisions of any state or federal law, any savings and loan association or savings bank incorporated under the provisions of any state or federal law, any credit union organized under the provisions of any state or federal law, any attorney licensed to practice law in this state, or any agent, agency, or company regulated under chapter 505, 508, 515, or 543B.

15. *"Substitute petitioner"* means a family or household member, guardian, conservator, attorney in fact, or guardian ad litem for a vulnerable elder, or other interested person who files a petition under this chapter.

16. *"Undue influence"* means taking advantage of a person's role, relationship, or authority to improperly change or obtain control over the actions or decision making of a vulnerable elder against the vulnerable elder's best interests.

17. *"Vulnerable elder"* means a person sixty years of age or older who is unable to protect himself or herself from elder abuse as a result of age or a mental or physical condition.

Sec. 2. NEW SECTION. **235F.2 Commencement of actions — waiver to juvenile court.**

1. A vulnerable elder or a substitute petitioner may seek relief from elder abuse by filing a verified petition in the

district court. Venue shall lie where either party resides. The petition shall state all of the following:

a. The name of the vulnerable elder and the name and address of the vulnerable elder's attorney, if any. If the vulnerable elder is proceeding pro se, the petition shall state a mailing address for the vulnerable elder.

b. The name of the substitute petitioner if the petition is being filed on behalf of a vulnerable elder, and the name and address of the attorney of the substitute petitioner. If the substitute petitioner is proceeding pro se, the petition shall state a mailing address for the substitute petitioner.

c. The name and address, if known, of the defendant.

d. The relationship of the vulnerable elder to the defendant.

e. The nature of the alleged elder abuse.

f. The name and age of any other individual whose welfare may be affected.

g. The desired relief, including a request for temporary or emergency orders.

2. A temporary or emergency order may be based on a showing of a prima facie case of elder abuse. If the factual basis for the alleged elder abuse is contested, the court shall issue a protective order based upon a finding of elder abuse by a preponderance of the evidence.

3. *a.* The filing fee and court costs for an order for protection and in a contempt action resulting from an order granted under this chapter or chapter 664A shall be waived for the plaintiff.

b. The clerk of court, the sheriff of any county in this state, and other law enforcement and corrections officers shall perform their duties relating to service of process without charge to the plaintiff.

c. When a permanent order for protection is entered by the court, the court may direct the defendant to pay to the

clerk of court the fees for the filing of the petition and reasonable costs of service of process if the court determines the defendant has the ability to pay the plaintiff's fees and costs.

d. In lieu of personal service of an order for protection issued pursuant to this section, the sheriff of any county in the state, and any other law enforcement and corrections officers may serve a defendant with a short-form notification pursuant to section 664A.4A.

4. If the person against whom relief from elder abuse is being sought is seventeen years of age or younger, the district court shall waive its jurisdiction over the action to the juvenile court.

5. If a substitute petitioner files a petition under this section on behalf of a vulnerable elder, the vulnerable elder shall retain the right to all of the following:

a. To contact and retain counsel.

b. To have access to personal records.

c. To file objections to the protective order.

d. To request a hearing on the petition.

e. To present evidence and cross-examine witnesses at the hearing.

Sec. 3. NEW SECTION. **235F.3 Plaintiffs proceeding pro se — provision of forms and assistance.**

1. By July 1, 2015, the judicial branch shall prescribe standard forms to be used by vulnerable elders or substitute petitioners seeking protective orders by proceeding pro se in actions under this chapter. Beginning July 1, 2015, the standard forms prescribed by the judicial branch shall be the exclusive forms used by plaintiffs proceeding pro se under this chapter. The judicial branch shall distribute the forms to the clerks of the district courts.

2. The clerk of the district court shall furnish the required forms to persons seeking protective orders through pro

se proceedings pursuant to this chapter.

Sec. 4. NEW SECTION. **235F.4 Appointment of guardian ad litem.**

The court may on its own motion or on the motion of a party appoint a guardian ad litem for a vulnerable elder if justice requires. The vulnerable elder´s attorney shall not also serve as the guardian ad litem.

Sec. 5. NEW SECTION. **235F.5 Hearings — temporary orders.**

1. Not less than five and not more than fifteen days after commencing a proceeding and upon notice to the other party, a hearing shall be held at which the plaintiff must prove the allegation of elder abuse by a preponderance of the evidence.

2. The court may enter any temporary order it deems necessary to protect the vulnerable elder from elder abuse prior to the hearing, upon good cause shown in an ex parte proceeding. Present danger of elder abuse constitutes good cause for purposes of this subsection.

3. If a hearing is continued, the court may make or extend any temporary order under subsection 2 that it deems necessary.

4. Upon application of a party, the court shall issue subpoenas requiring attendance and testimony of witnesses and production of papers.

5. The court shall advise the defendant of a right to be represented by counsel of the defendant´s choosing and to have a continuance to secure counsel.

6. The showing required under subsection 1 may be made by, but is not limited to the testimony at the hearing of, any of the following:

a. The vulnerable elder.

b. The guardian, conservator, attorney in fact, or guardian ad litem of the vulnerable elder.

c. Witnesses to the elder abuse.

d. Adult protective services workers who have conducted an investigation.

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7. The court shall exercise its discretion in a manner that protects the vulnerable elder from traumatic confrontation with the defendant.

8. Hearings shall be recorded.

Sec. 6. NEW SECTION. **235F.6 Disposition.**

1. Upon a finding that the defendant has engaged in elder abuse, the court may, if requested by the plaintiff, order any of the following:

a. That the defendant be required to move from the residence of the vulnerable elder if both the vulnerable elder and the defendant are titleholders or contract holders of record of the real property, are named as tenants in the rental agreement concerning the use and occupancy of the dwelling unit, are living in the same residence, or are married to each other.

b. That the defendant provide suitable alternative housing for the vulnerable elder.

c. That a peace officer accompany the party who is leaving or has left the party's residence to remove essential personal effects of the party.

d. That the defendant be restrained from abusing, harassing, intimidating, molesting, interfering with, or menacing the vulnerable elder, or attempting to abuse, harass, intimidate, molest, interfere with, or menace the vulnerable elder.

e. That the defendant be restrained from entering or attempting to enter on any premises when it appears to the court that such restraint is necessary to prevent the defendant from abusing, harassing, intimidating, molesting, interfering with, or menacing the vulnerable elder.

f. That the defendant be restrained from exercising any powers on behalf of the vulnerable elder through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.

g. In addition to the relief provided in subsection 2, other relief that the court considers necessary to provide for the

safety and welfare of the vulnerable elder.

2. If the court finds that the vulnerable elder has been the victim of financial exploitation, the court may order the relief the court considers necessary to prevent or remedy the financial exploitation, including but not limited to any of the following:

a. Directing the defendant to refrain from exercising control over the funds, benefits, property, resources, belongings, or assets of the vulnerable elder.

b. Requiring the defendant to return custody or control of the funds, benefits, property, resources, belongings, or assets to the vulnerable elder.

c. Requiring the defendant to follow the instructions of the guardian, conservator, or attorney in fact of the vulnerable elder.

d. Prohibiting the defendant from transferring the funds, benefits, property, resources, belongings, or assets of the vulnerable elder to any person other than the vulnerable elder.

3. The court shall not use an order issued under this section to do any of the following:

a. To allow any person other than the vulnerable elder to assume responsibility for the funds, benefits, property, resources, belongings, or assets of the vulnerable elder.

b. For relief that is more appropriately obtained in a protective proceeding filed under chapter 633 including but not limited to giving control and management of the funds, benefits, property, resources, belongings, or assets of the vulnerable elder to a guardian, conservator, or attorney in fact for any purpose other than the relief granted under subsection 2.

4. The court may approve a consent agreement between the parties entered to bring about the cessation of elder abuse. A consent agreement approved under this section shall not contain any of the following:

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a. A provision that prohibits any party to the action from contacting or cooperating with any government agency including the department of human services, the department of inspections and appeals, the department on aging, the department of justice, law enforcement, and the office of long-term care ombudsman; a licensing or regulatory agency that has jurisdiction over any license or certification held by the defendant; a protection and advocacy agency recognized in section 135C.2; or the defendant's current employer if the defendant's professional responsibilities include contact with vulnerable elders, dependent adults, or minors, if the party contacting or cooperating has a good-faith belief that the information is relevant to the duties or responsibilities of the entity.

b. A provision that prohibits any party to the action from filing a complaint with or reporting a violation of law to any government agency including the department of human services, the department of inspections and appeals, the department on aging, the department of justice, law enforcement, and the office of long-term care ombudsman; a licensing or regulatory agency that has jurisdiction over any license or certification held by the defendant; a protection and advocacy agency recognized in section 135C.2; or the defendant's current employer.

c. A provision that requires any party to the action to withdraw a complaint filed with or a violation reported to any government agency including the department of human services, the department of inspections and appeals, the department on aging, the department of justice, law enforcement, and the office of long-term care ombudsman; a licensing or regulatory agency that has jurisdiction over any license or certification held by the defendant; a protection and advocacy agency recognized in section 135C.2; or the defendant's current employer.

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5. A protective order or approved consent agreement shall be for a fixed period of time not to exceed one year. The court may amend or extend its order or a consent agreement at any time upon a petition filed by either party and after notice and hearing. The court may extend the order if the court, after hearing at which the defendant has the opportunity to be heard, finds that the defendant continues to pose a threat to the safety of the vulnerable elder, persons residing with the vulnerable elder, or members of the vulnerable elder's immediate family, or continues to present a risk of financial exploitation of the vulnerable elder. The number of extensions that may be granted by the court is not limited.

6. The order shall state whether a person is to be taken into custody by a peace officer for a violation of the terms stated in the order.

7. The court may order that the defendant pay the attorney fees and court costs of the vulnerable elder or substitute petitioner.

8. An order or approved consent agreement under this section shall not affect title to real property.

9. A copy of any order or approved consent agreement shall be issued to the plaintiff, the defendant, the county sheriff of the county in which the order or consent decree is initially entered, and the twenty-four-hour dispatcher for the county sheriff. Any subsequent amendment or revocation of an order or consent agreement shall be forwarded by the clerk to all individuals previously notified.

10. The clerk shall notify the county sheriff and the twenty-four-hour dispatcher for the county sheriff in writing so that the county sheriff and the county sheriff's dispatcher receive written notice within six hours of filing the order, approved consent agreement, amendment, or revocation. The clerk may fulfill this requirement by sending the notice by facsimile or other electronic transmission which reproduces the

notice in writing within six hours of filing the order.

11. The county sheriff's dispatcher shall notify all law enforcement agencies having jurisdiction over the matter and the twenty-four-hour dispatcher for the law enforcement agencies upon notification by the clerk.

Sec. 7. NEW SECTION. **235F.7 Emergency orders.**

1. When the court is unavailable from the close of business at the end of the day or week to the resumption of business at the beginning of the day or week, a petition may be filed before a district judge, or district associate judge designated by the chief judge of the judicial district, who may grant emergency relief in accordance with section 235F.6, subsection 1 or 2, if the district judge or district associate judge deems it necessary to protect the vulnerable elder from elder abuse, upon good cause shown in an ex parte proceeding. Present danger of elder abuse constitutes good cause for purposes of this subsection.

2. An emergency order issued under subsection 1 shall expire seventy-two hours after issuance. When the order expires, the plaintiff may seek a temporary order from the court pursuant to section 235F.5.

3. A petition filed and emergency order issued under this section and any documentation in support of the petition and order shall be immediately certified to the court. The certification shall commence a proceeding for purposes of section 235F.2.

Sec. 8. NEW SECTION. **235F.8 Procedure.**

1. A proceeding under this chapter shall be held in accordance with the rules of civil procedure, except as otherwise set forth in this chapter and in chapter 664A, and is in addition to any other civil or criminal remedy.

2. The plaintiff's right to relief under this chapter is not affected by leaving the vulnerable elder's home to avoid elder abuse.

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DIVISION II

ADDITIONAL PROVISIONS AND CONFORMING AMENDMENTS

Sec. 9. Section 13.2, subsection 1, Code 2014, is amended by adding the following new paragraph:

NEW PARAGRAPH. *o.* Develop written procedures and policies to be followed by prosecuting attorneys in the prosecution of elder abuse of a vulnerable elder under chapter 235F.

Sec. 10. Section 135B.7, Code 2014, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The department shall also adopt rules requiring hospitals to establish and implement protocols for responding to the needs of patients who are victims of elder abuse, as defined in section 235F.1.

Sec. 11. Section 235B.6, subsection 2, paragraph e, subparagraph (5), Code 2014, is amended to read as follows:

(5) The office of the attorney ~~for the department who is responsible for representing the department~~ general.

Sec. 12. Section 235B.6, subsection 3, Code 2014, is amended to read as follows:

3. Access to unfounded dependent adult abuse information is authorized only to those persons identified in subsection 2, paragraph *"a"*, paragraph *"b"*, subparagraphs (2), (5), and (6), and paragraph *"e"*, subparagraphs (2), (5), and (10).

Sec. 13. Section 235B.7, subsection 3, Code 2014, is amended to read as follows:

3. Subsections 1 and 2 do not apply to dependent adult abuse information that is disseminated to an employee of the department or to the office of the attorney ~~representing the department~~ general as authorized by section 235B.6.

Sec. 14. Section 331.424, subsection 1, paragraph a, subparagraph (6), Code 2014, is amended to read as follows:

(6) The maintenance and operation of the courts, including but not limited to the salary and expenses of the clerk of the district court and other employees of the clerk's office, and

bailiffs, court costs if the prosecution fails or if the costs cannot be collected from the person liable, costs and expenses of prosecution under section 189A.17, salaries and expenses of juvenile court officers under chapter 602, court-ordered costs in domestic abuse cases under section 236.5 and elder abuse cases under section 235F.6, the county's expense for confinement of prisoners under chapter 356A, temporary assistance to the county attorney, county contributions to a retirement system for bailiffs, reimbursement for judicial magistrates under section 602.6501, claims filed under section 622.93, interpreters' fees under section 622B.7, uniform citation and complaint supplies under section 805.6, and costs of prosecution under section 815.13.

Sec. 15. Section 562A.27A, subsection 3, paragraph a, subparagraph (1), Code 2014, is amended to read as follows:

(1) The tenant seeks a protective order, restraining order, order to vacate the homestead, or other similar relief pursuant to chapter 235F, 236, 598, 664A, or 915, or any other applicable provision which would apply to the person conducting the activities causing the clear and present danger.

Sec. 16. Section 562B.25A, subsection 3, paragraph a, subparagraph (1), Code 2014, is amended to read as follows:

(1) The tenant seeks a protective order, restraining order, order to vacate the homestead, or other similar relief pursuant to chapter 235F, 236, 598, 664A, or 915, or any other applicable provision which would apply to the person conducting the activities causing the clear and present danger.

Sec. 17. Section 598.7, subsection 1, Code 2014, is amended to read as follows:

1. The district court may, on its own motion or on the motion of any party, order the parties to participate in mediation in any dissolution of marriage action or other domestic relations action. Mediation performed under this section shall comply with the provisions of chapter 679C.

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The provisions of this section shall not apply if the action involves a child support or medical support obligation enforced by the child support recovery unit. The provisions of this section shall not apply to actions which involve elder abuse as defined in section 235F.1 or domestic abuse pursuant to chapter 236. The provisions of this section shall not affect a judicial district's or court's authority to order settlement conferences pursuant to rules of civil procedure. The court shall, on application of a party, grant a waiver from any court-ordered mediation under this section if the party demonstrates that a history of domestic abuse exists as specified in section 598.41, subsection 3, paragraph "j".

Sec. 18. Section 598.16, subsection 7, Code 2014, is amended to read as follows:

7. Upon application, the court shall grant a waiver from the requirements of this section if a party demonstrates that a history of elder abuse, as defined in section 235F.1, or domestic abuse, as defined in section 236.2, exists.

a. In determining whether a history of elder abuse exists, the court's consideration shall include but is not limited to commencement of an action pursuant to section 235F.2, the issuance of a court order or consent agreement pursuant to section 235F.6, the issuance of an emergency order pursuant to section 235F.7, the holding of a party in contempt pursuant to section 664A.7, the response of a peace officer to the scene of alleged elder abuse, or the arrest of a party following response to a report of alleged elder abuse.

b. In determining whether a history of domestic abuse exists, the court's consideration shall include but is not limited to commencement of an action pursuant to section 236.3, the issuance of a protective order against a party or the issuance of a court order or consent agreement pursuant to section 236.5, the issuance of an emergency order pursuant to section 236.6, the holding of a party in contempt pursuant to

section 664A.7, the response of a peace officer to the scene of alleged domestic abuse or the arrest of a party following response to a report of alleged domestic abuse, or a conviction for domestic abuse assault pursuant to section 708.2A.

Sec. 19. Section 598.42, Code 2014, is amended to read as follows:

598.42 Notice of certain orders by clerk of court.

The clerk of the district court shall provide notice and copies of temporary or permanent protective orders and orders to vacate the homestead entered pursuant to this chapter to the applicable law enforcement agencies and the twenty-four hour dispatcher for the law enforcement agencies, in the manner provided for protective orders under section 235F.6 or 236.5. The clerk shall provide notice and copies of modifications or vacations of these orders in the same manner.

Sec. 20. Section 602.6306, subsection 2, Code 2014, is amended to read as follows:

2. District associate judges also have jurisdiction in civil actions for money judgment where the amount in controversy does not exceed ten thousand dollars; jurisdiction over involuntary commitment, treatment, or hospitalization proceedings under chapters 125 and 229; jurisdiction of indictable misdemeanors, class "D" felony violations, and other felony arraignments; jurisdiction to enter a temporary or emergency order of protection under chapter 235F or 236, and to make court appointments and set hearings in criminal matters; jurisdiction to enter orders in probate which do not require notice and hearing and to set hearings in actions under chapter 633 or 633A; and the jurisdiction provided in section 602.7101 when designated as a judge of the juvenile court. While presiding in these subject matters a district associate judge shall employ district judges' practice and procedure.

Sec. 21. Section 611.23, Code 2014, is amended to read as follows:

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611.23 Civil actions involving allegations of elder abuse, sexual abuse, or domestic abuse — counseling.

In a civil case in which a plaintiff is seeking relief or damages for alleged elder abuse as defined in section 235F.1, sexual abuse as defined in section 709.1, or domestic abuse as defined in section 236.2, the plaintiff may seek, and the court may grant, an order requiring the defendant to receive professional counseling, in addition to any other appropriate relief or damages.

Sec. 22. Section 664A.1, subsection 2, Code 2014, is amended to read as follows:

2. *"Protective order"* means a protective order issued pursuant to chapter 232, a court order or court-approved consent agreement entered pursuant to this chapter or chapter 235F, a court order or court-approved consent agreement entered pursuant to chapter 236, including a valid foreign protective order under section 236.19, subsection 3, a temporary or permanent protective order or order to vacate the homestead under chapter 598, or an order that establishes conditions of release or is a protective order or sentencing order in a criminal prosecution arising from a domestic abuse assault under section 708.2A, or a civil injunction issued pursuant to section 915.22.

Sec. 23. Section 664A.2, subsection 2, Code 2014, is amended to read as follows:

2. A protective order issued in a civil proceeding shall be issued pursuant to chapter 232, 235F, 236, 598, or 915. Punishment for a violation of a protective order shall be imposed pursuant to section 664A.7.

Sec. 24. Section 664A.4, subsection 2, Code 2014, is amended to read as follows:

2. The clerk of the district court shall provide a notice and copy of the no-contact order to the appropriate law enforcement agencies and the twenty-four-hour dispatcher for

the law enforcement agencies in the same manner as provided in section 235F.6 or 236.5, as applicable. The clerk of the district court shall provide a notice and copy of a modification or vacation of a no-contact order in the same manner.

Sec. 25. Section 664A.5, Code 2014, is amended to read as follows:

664A.5 Modification — entry of permanent no-contact order.

If a defendant is convicted of, receives a deferred judgment for, or pleads guilty to a public offense referred to in section 664A.2, subsection 1, or is held in contempt for a violation of a no-contact order issued under section 664A.3 or for a violation of a protective order issued pursuant to chapter 232, 235F, 236, 598, or 915, the court shall either terminate or modify the temporary no-contact order issued by the magistrate. The court may enter a no-contact order or continue the no-contact order already in effect for a period of five years from the date the judgment is entered or the deferred judgment is granted, regardless of whether the defendant is placed on probation.

Sec. 26. Section 664A.7, subsections 1 and 5, Code 2014, are amended to read as follows:

1. Violation of a no-contact order issued under this chapter or a protective order issued pursuant to chapter 232, 235F, 236, or 598, including a modified no-contact order, is punishable by summary contempt proceedings.

5. Violation of a no-contact order entered for the offense or alleged offense of domestic abuse assault in violation of section 708.2A or a violation of a protective order issued pursuant to chapter 232, 235F, 236, 598, or 915 constitutes a public offense and is punishable as a simple misdemeanor. Alternatively, the court may hold a person in contempt of court for such a violation, as provided in subsection 3.

Sec. 27. Section 915.23, subsection 1, Code 2014, is amended

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to read as follows:

1. An employer shall not discharge an employee, or take or fail to take action regarding an employee's promotion or proposed promotion, or take action to reduce an employee's wages or benefits for actual time worked, due to the service of an employee as a witness in a criminal proceeding or as a plaintiff, defendant, or witness in a civil proceeding pursuant to chapter 235F or 236.

Sec. 28. NEW SECTION. **915.50A General rights of elder abuse victims.**

In addition to other victim rights provided in this chapter, victims of elder abuse shall have the following rights:

1. The right to file a pro se petition for relief from elder abuse in the district court, pursuant to chapter 235F.

2. The right to receive a criminal no-contact order upon a finding of probable cause, pursuant to section 664A.3.

Sec. 29. CODE EDITOR DIRECTIVE. The Code editor shall revise the subchapter VI heading under chapter 915 to read "Victims of domestic abuse, elder abuse, and human trafficking".

DIVISION III

AGENCY COLLABORATION AND REPORT

Sec. 30. AGENCY COLLABORATION AND REPORT. The department on aging, department of human services, department of inspections and appeals, department of public health, and the office of the attorney general shall collaborate and provide written recommendations on strengthening Iowa's elder abuse prevention, detection, and intervention efforts. To the extent possible, the departments and the office shall also include relevant budgetary considerations including staff and system needs, in their recommendations. If the departments and the office cannot reach consensus to develop a unified recommendation, the director of each department and the attorney general shall each provide a separate written report and an explanation of

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the differences in the proposed recommendations. The written recommendations and reports shall be submitted to the general assembly, the governor, and the department of management on or before August 15, 2014.>

ON THE PART OF THE SENATE:	ON THE PART OF THE HOUSE:
MARY JO WILHELM, CHAIRPERSON	CHIP BALTIMORE, CHAIRPERSON
ROBERT E. DVORSKY	LISA HEDDENS
DAVID JOHNSON	MEGAN HESS
AMANDA RAGAN	BOBBY KAUFMANN
ROBY SMITH	MARY WOLFE

House File 2473

H-8329

1 Amend the amendment, H-8315, to House File 2473 as
2 follows:
3 1. By striking page 17, line 31, through page 22,
4 line 21.
5 2. By renumbering as necessary.

SODERBERG of Plymouth

House File 2473

H-8330

1 Amend the amendment, H-8315, to House File 2473 as
2 follows:
3 1. Page 3, after line 24 by inserting:
4 <Sec. ___. VETERANS.
5 1. There is appropriated from the general fund of
6 the state to the department of workforce development
7 for the fiscal year beginning July 1, 2014, and
8 ending June 30, 2015, the following amount, or so much
9 thereof as is necessary, to be used for the purposes
10 designated:
11 For funding research linking military occupational
12 education, training, and service to existing licensing
13 requirements in this state, for funding implementation
14 of this Act, and for meeting additional demand for
15 workforce development services provided to veterans:
16 ..... $ 1,000,000
17 2. There is appropriated from the general fund of
18 the state to the department of workforce development
19 for the fiscal year beginning July 1, 2014, and
20 ending June 30, 2015, the following amount, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:
23 For awarding a grant, in the amount appropriated,
24 to a nonprofit workforce services foundation exempt
25 from federal taxation under section 501(c)(3) of the
26 Internal Revenue Code that is administered by an agency
27 of this state for the purposes of paying for the direct
28 expenses of marketing this state to veterans through
29 public-private partnerships:
30 ..... $ 1,000,000>
31 2. By renumbering as necessary.

OURTH of Warren

ABDUL-SAMAD of Polk

ANDERSON of Polk

BEARINGER of Fayette

BERRY of Black Hawk

COHOON of Des Moines

DAWSON of Woodbury

DUNKEL of Dubuque

FORBES of Polk

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

JACOBY of Johnson

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LUNDBY of Linn

LYKAM of Scott

MASCHER of Johnson

MEYER of Polk

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

T. OLSON of Linn

PRICHARD of Floyd

RIDING of Polk

RUFF of Clayton

RUNNING-MARQUARDT of Linn

M. SMITH of Marshall

STAED of Linn

STECKMAN of Cerro Gordo

STUTSMAN of Johnson

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WINCKLER of Scott

WOLFE of Clinton

WOOD of Scott

House File 2109

H-8331

Amend the Senate amendment, H-8327, to House File 2109, as amended, passed, and reprinted by the House, as follows:

1. Page 1, before line 3 by inserting:

<___. Page 1, line 6, by striking <cigarettes, alternative nicotine products,> and inserting <cigarettes>

___. Page 1, by striking lines 10 through 18.>>

2. Page 1, after line 19 by inserting:

<___. Page 1, line 32, by striking <alternative nicotine products,>

___. Page 2, line 2, by striking <alternative nicotine products,>

___. Page 2, line 5, by striking <alternative nicotine products,>

___. Page 2, line 9, by striking <alternative nicotine products,>

___. Page 2, line 17, by striking <alternative nicotine products,>

___. Page 2, lines 24 and 25, by striking <alternative nicotine products,>

___. Page 3, line 6, by striking <alternative nicotine products,>

___. Page 4, line 1, by striking <alternative nicotine products,>

___. Page 4, line 5, by striking <alternative nicotine products,>

___. Page 4, line 14, by striking <alternative nicotine products or>

___. Page 4, lines 21 and 22, by striking <cigarettes, alternative nicotine products,> and inserting <cigarettes>

___. Page 4, lines 29 and 30, by striking <cigarettes, alternative nicotine products,> and inserting <cigarettes>

___. Page 5, line 5, by striking <alternative nicotine products,>

___. Page 5, line 10, by striking <alternative nicotine products,>

___. Page 5, line 16, by striking <alternative nicotine products,>

___. Page 5, line 19, by striking <alternative nicotine products,>

___. Page 5, line 28, by striking <alternative nicotine products,>

___. Page 5, line 30, by striking <alternative nicotine products,>

___. Page 5, line 35, by striking <alternative nicotine products,>

___. Page 6, line 12, by striking <alternative

nicotine products,>
___. Page 6, line 27, by striking <alternative nicotine products,>
___. Page 6, lines 32 and 33, by striking <alternative nicotine products,>
___. Page 7, lines 22 and 23, by striking <alternative nicotine products,>
___. Page 7, line 35, by striking <alternative nicotine>
___. Page 8, line 1, by striking <products,>
___. Page 8, line 6, by striking <alternative nicotine products,>
___. Page 8, line 10, by striking <alternative nicotine products,>
___. Page 8, line 16, by striking <*alternative nicotine products,*>
___. Page 8, line 23, by striking <alternative nicotine products,>
___. Page 8, lines 28 and 29, by striking <alternative nicotine products,>
___. Page 9, line 5, by striking <alternative nicotine products,>
___. Page 9, line 10, by striking <*alternative nicotine products,*>
___. Page 10, line 14, by striking <Alternative Nicotine Products and>>
3. Title page, lines 1 and 2, by striking <and alternative nicotine products,>
4. By renumbering as necessary.

T. OLSON of Linn

House File 2109

H-8332

1 Amend the Senate amendment, H-8327, to House File
2 2109, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, after line 19 by inserting:
5 <___. Page 9, after line 6 by inserting:
6 <Sec. ___. Section 453A.56, Code 2014, is amended
7 to read as follows:
8 **453A.56 ~~Uniform~~ Implementation, application, and**
9 **enforcement.**
10 1. Enforcement of this chapter relating to
11 cigarettes and tobacco products shall be implemented
12 in an equitable manner throughout the state. For
13 the purpose of equitable and uniform implementation,
14 application, and enforcement of state and local
15 laws and regulations, the provisions of this chapter
16 relating to cigarettes and tobacco products shall
17 supersede any local law or regulation which is
18 inconsistent with or conflicts with the provisions
19 of this chapter relating to cigarettes or tobacco
20 products.
21 2. For the purposes of implementation, application,
22 and enforcement of this chapter relating to vapor
23 products and alternative nicotine products, nothing
24 in this chapter shall be construed to supersede the
25 jurisdiction of any city, county, township, school
26 district, or other political subdivision to adopt and
27 enforce any local law or regulation relating to vapor
28 products or alternative nicotine products that is
29 at least as restrictive as those imposed under this
30 chapter relating to vapor products or alternative
31 nicotine products.>>
32 2. By renumbering as necessary.

T. OLSON of Linn

Senate File 2360

H-8333

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. By striking page 4, line 33, through page 5,
4 line 6.
5 2. Page 6, by striking lines 6 through 9 and
6 inserting:
7 *<b.* The rules adopted pursuant to this subsection
8 shall include but not be limited to rules to establish
9 all of the following:
10 (1) Rules to establish the manner in which the
11 department shall consider applications for new and
12 renewal cannabidiol registration cards.
13 (2) Rules to establish the manner in which
14 an out-of-state patient who possesses a written
15 recommendation of a treating neurologist that
16 specifically allows the patient to possess or
17 use cannabidiol to treat or alleviate symptoms of
18 intractable epilepsy in the jurisdiction of issuance
19 shall apply for and may be issued a temporary
20 cannabidiol registration card.>
21 3. Page 7, after line 16 by inserting:
22 *<0c.* (1) The defenses afforded a patient under
23 paragraph *"a"* apply to a patient only if the quantity
24 of cannabidiol oil possessed by the patient does not
25 exceed thirty-two ounces.
26 (2) The defenses afforded a primary caregiver
27 under paragraph *"b"* apply to a primary caregiver only
28 if the quantity of cannabidiol oil possessed by the
29 primary caregiver does not exceed thirty-two ounces per
30 patient.>
31 4. Page 7, after line 33 by inserting:
32 <Sec. ___. STUDY. The university of Iowa school
33 of medicine shall establish and conduct a clinical
34 research study to determine the outcomes and results
35 of cannabidiol on patients diagnosed with intractable
36 epilepsy. The university shall submit its findings and
37 recommendations to the department of public health and
38 the general assembly on or before July 1, 2017.>
39 5. By renumbering as necessary.

COMMITTEE ON PUBLIC SAFETY
BAUDLER of Adair, Chairperson

Senate File 2360

H-8334

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 1, line 20, by striking <three> and
4 inserting <three-tenths of one>

_____
BALTIMORE of Boone

Senate File 2360

H-8335

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 29 through 31 and
4 inserting <licensed under chapter 148.>

_____
BALTIMORE of Boone

Senate File 2360

H-8336

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 8, before line 1 by inserting:
4 <Sec. ___. IMPLEMENTATION. This chapter shall not
5 be implemented until the federal government or the
6 Congress of the United States reclassifies cannabidiol
7 from a schedule I controlled substance to a schedule II
8 controlled substance.>
9 2. By renumbering as necessary.

_____
BALTIMORE of Boone

Senate File 2360

H-8337

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. NEW SECTION. **124D.1 Definitions.**
6 As used in this chapter:
7 1. *"Bona fide physician-patient relationship"* means
8 a relationship in which a neurologist has ongoing
9 responsibility for the assessment, care, and treatment
10 of a patient's intractable epilepsy.
11 2. *"Cannabidiol"* means a nonpsychoactive
12 cannabinoid found in the plant Cannabis sativa L. or
13 any other preparation thereof that is free from plant
14 material, and has a tetrahydrocannabinol level of no
15 more than three percent.
16 3. *"Intractable epilepsy"* means an epileptic seizure
17 disorder from which a person suffers and which has not
18 responded to adequate trials of at least two seizure
19 medications in order to become and stay seizure free.
20 4. *"Neurologist"* means an allopathic physician or
21 osteopathic physician who is licensed under chapter 148
22 and is board-certified in neurology.
23 5. *"Primary caregiver"* means a person, at least
24 eighteen years of age, who has been designated by
25 a patient's neurologist as being necessary to take
26 responsibility for managing the well-being of the
27 patient with respect to the medical use of cannabidiol
28 pursuant to the provisions of this chapter. A patient
29 may have one or more designated primary caregivers.
30 Sec. 2. NEW SECTION. **124D.2 Affirmative defenses.**
31 1. In a prosecution for the unlawful possession
32 of marijuana under the laws of this state, it is
33 an affirmative defense that the defendant used or
34 possessed cannabidiol because the defendant suffers
35 from intractable epilepsy that has been diagnosed by
36 a neurologist with whom the defendant has a bona fide
37 physician-patient relationship and the cannabidiol is
38 likely to provide the defendant with therapeutic relief
39 from the intractable epilepsy.
40 2. In a prosecution for the unlawful possession
41 of marijuana under the laws of this state, it is an
42 affirmative defense that the defendant possessed
43 cannabidiol because the defendant is the primary
44 caregiver of a patient who was recommended cannabidiol
45 for therapeutic relief from intractable epilepsy by
46 a neurologist with whom the patient has a bona fide
47 physician-patient relationship.>
48 2. Title page, by striking lines 1 and 2 and
49 inserting <An Act relating to the use or possession of
50 medical cannabidiol.>

L. MILLER of Scott

Senate File 2360

H-8338

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 6, after line 9 by inserting:
4 <3. The department shall maintain a database of
5 qualified neurologists who prescribe cannabidiol to
6 patients under the age of eighteen, including the
7 qualifications of each neurologist.>
8 2. By renumbering as necessary.

L. MILLER of Scott

Senate File 2360

H-8339

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 7, line 31, before <A> by inserting <1.>
4 2. Page 7, after line 33 by inserting:
5 <2. A person who does not hold a valid cannabidiol
6 registration card and who possesses or uses cannabidiol
7 commits a class "C" felony.>

L. MILLER of Scott

Senate File 2360

H-8340

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 4, after line 28 by inserting:
4 <5A. *Card revocation.* The department shall revoke
5 a cannabidiol registration card issued pursuant to
6 this section upon proof that the person to whom the
7 registration card was issued did any of the following:
8 *a.* Misused medical cannabidiol in violation of the
9 requirements of this chapter.
10 *b.* Is arrested for or convicted of a violation of
11 chapter 124.>
12 2. By renumbering as necessary.

ROGERS of Black Hawk

Senate File 2360

H-8341

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 4, after line 28 by inserting:
4 <5A. *Renewal cards.* The department shall require
5 a patient or primary caregiver applying for a renewal
6 registration card to provide proof of the place
7 cannabidiol was previously purchased prior to issuing
8 the renewal registration card.>
9 2. By renumbering as necessary.

ROGERS of Black Hawk

Senate File 2360

H-8342

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 8, by striking lines 1 through 3 and
4 inserting:
5 <Sec. ___. EFFECTIVE DATE. This Act takes effect
6 July 1, 2015.>
7 2. By renumbering as necessary.

_____
ROGERS of Black Hawk

Senate File 2360

H-8343

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. NEW SECTION. **124.401G Medical**
6 **cannabidiol — affirmative defense.**
7 1. In a prosecution for the unlawful possession
8 of marijuana under the laws of this state, it is an
9 affirmative and complete defense to the prosecution
10 that a patient has been diagnosed with intractable
11 epilepsy and used or possessed medical cannabidiol to
12 treat or alleviate symptoms of intractable epilepsy.
13 2. In a prosecution for the unlawful possession
14 of marijuana under the laws of this state, it is an
15 affirmative and complete defense to the prosecution
16 that the person possessed medical cannabidiol because
17 the person is a primary caregiver of a patient who
18 has been diagnosed with intractable epilepsy, where
19 the primary caregiver's possession of the medical
20 cannabidiol is on behalf of the patient and for the
21 patient's use only.
22 3. *a.* For purposes of this section, *"primary*
23 *caregiver"* means a person, at least eighteen years of
24 age, who has been designated by a patient's neurologist
25 or a person having custody of a patient, as being
26 necessary to take responsibility for managing the
27 well-being of the patient with respect to the medical
28 use of cannabidiol. A patient may have one or more
29 designated primary caregivers.
30 *b.* *"Primary caregiver"* includes but is not limited
31 to the following:
32 (1) An employee of a hospice program, if the
33 employee meets the definition of a primary caregiver
34 under paragraph *"a"*.
35 (2) An individual providing home and
36 community-based services, and including a home health
37 agency, licensed, certified, or otherwise authorized
38 or permitted by the law of this state or another state
39 to administer health care in the ordinary course of
40 business or in the practice of a profession, if the
41 individual meets the definition of a primary caregiver
42 under paragraph *"a"*.
43 4. This section is repealed July 1, 2017.>
44 2. Title page, by striking lines 1 and 2 and
45 inserting <An Act providing an affirmative defense for
46 the medical use of cannabidiol.>

ROGERS of Black Hawk

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-1- rh/rj 1/1

Senate File 2360

H-8344

Amend the amendment, H-8333, to Senate File 2360, as passed by the Senate, as follows:

1. Page 1, after line 4 by inserting:

<___. By striking page 5, line 31, through page 6, line 9, and inserting:

<2. The department, in consultation with the department of transportation, shall adopt rules to administer this chapter which shall include but not be limited to rules to establish the manner in which the department shall consider applications for new and renewal cannabidiol registration cards.>>

2. Page 1, after line 38 by inserting:

<___. Page 8, by striking lines 1 through 3

___. Title page, by striking line 2 and inserting <penalties.>>

3. By renumbering as necessary.

_____
PETTENGILL of Benton

Senate File 2360

H-8345

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 1, after line 20 by inserting:
4 <1A. *"Debilitating disease"* means the following:
5 *a.* Intractable epilepsy.
6 *b.* Glaucoma.>
7 2. Page 2, line 18, by striking <intractable
8 epilepsy> and inserting <a debilitating disease>
9 3. Page 2, line 21, by striking <intractable
10 epilepsy> and inserting <a debilitating disease>
11 4. Page 2, line 26, by striking <intractable
12 epilepsy> and inserting <a debilitating disease>
13 5. Page 5, line 2, by striking <intractable
14 epilepsy> and inserting <a debilitating disease>
15 6. Page 6, line 15, by striking <intractable
16 epilepsy> and inserting <a debilitating disease>
17 7. Page 6, line 22, by striking <intractable
18 epilepsy> and inserting <a debilitating disease>
19 8. Page 6, line 25, by striking <intractable
20 epilepsy> and inserting <a debilitating disease>
21 9. Page 6, line 32, by striking <intractable
22 epilepsy> and inserting <a debilitating disease>
23 10. Page 7, line 2, by striking <intractable
24 epilepsy> and inserting <a debilitating disease>
25 11. Page 7, line 12, by striking <intractable
26 epilepsy> and inserting <a debilitating disease>
27 12. By renumbering as necessary.

L. MILLER of Scott

Senate File 2360

H-8346

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 3, by striking line 4 and inserting:
4 *<c.* Requests the patient´s neurologist to submit a
5 written recommendation to the department>
6 2. Page 3, line 5, by striking <a> and inserting
7 <the>
8 3. Page 3, by striking line 34 and inserting:
9 *<b.* Requests a patient´s neurologist to submit a
10 written recommendation to the department>
11 4. Page 3, line 35, by striking <a neurologist> and
12 inserting <the neurologist>
13 5. By renumbering as necessary.

L. MILLER of Scott

Senate File 2360

H-8347

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 5, after line 6 by inserting:
4 <8. *Prohibited issuance.* A person shall not be
5 issued a cannabidiol registration card pursuant to this
6 section if the person has previously been convicted of
7 a controlled substance-related violation of chapter
8 124. In determining if a violation is a conviction
9 for purposes of denying the issuance of a registration
10 card to a person, a conviction in this state or under
11 statutes substantially corresponding to chapter 124
12 in another state, or in a federal, military, tribal,
13 or foreign court, shall be counted as a previous
14 controlled substance-related conviction.>
15 2. By renumbering as necessary.

_____
L. MILLER of Scott

Senate File 2360

H-8348

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:
3 1. Page 6, line 18, by striking <oral or>
4 2. Page 6, line 19, after <administration.>
5 by inserting <The recommendation for transdermal
6 administration shall specify the exact portion of
7 the patient's body on which the cannabidiol should be
8 transdermally administered.>
9 3. By renumbering as necessary.

L. MILLER of Scott

Senate Amendment to
House File 2460

H-8349

1 Amend House File 2460, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 6, line 11, through page 7,
4 line 2, and inserting:
5 <SEC. 21. WORKFORCE DEVELOPMENT FUND ACCOUNT.
6 1. ~~There~~ Notwithstanding section 15.342A, as
7 amended by this Act, there is appropriated from the
8 workforce development fund account created in section
9 15.342A to the ~~workforce development fund created in~~
10 ~~section 15.343~~ following funds for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015,
12 the following ~~amount~~ amounts, ~~for purposes of the~~
13 ~~workforce development fund~~ to be used for the purposes
14 designated:
15 a. JOB TRAINING FUND
16 For deposit in the job training fund created in
17 section 260F.6, as amended in this Act:
18 ..... $ ~~2,000,000~~
19 3,000,000
20 b. APPRENTICESHIP TRAINING PROGRAM FUND
21 For deposit in the apprenticeship training program
22 fund created in section 15B.3, as enacted in this Act:
23 ..... $ 2,750,000
24 2. The first $250,000 of any unexpended or
25 unobligated moneys accruing to the workforce
26 development fund created in section 15.343, Code
27 2014, as a result of section 260F.6A, as repealed
28 by this Act, shall be allocated for purposes of the
29 apprenticeship training program. Any unexpended
30 or unobligated moneys accruing to the workforce
31 development fund created in section 15.343, Code 2014,
32 as a result of section 260F.6A, as repealed by this
33 Act, after the first $250,000, shall be allocated
34 equally between the job training program and the
35 apprenticeship training program.>
36 2. Page 11, line 18, before <For> by inserting <a.>
37 3. Page 11, after line 21 by inserting:
38 <b. From the moneys appropriated in this
39 subsection, the economic development authority may use
40 not more than $1,000,000 for purposes of providing
41 infrastructure grants to mainstreet communities under
42 the main street Iowa program.>
43 4. Page 11, line 22, before <As> by inserting <c.>
44 5. Page 15, by striking lines 31 through 33 and
45 inserting <subsection 3, paragraph "c", as enacted by
46 this Act:>
47 6. Page 16, line 20, before <A> by inserting <1.>
48 7. Page 16, after line 23 by inserting:
49 <2. For the fiscal year beginning July 1, 2014,
50 and for each fiscal year thereafter, there is annually

appropriated from the workforce development fund account to the apprenticeship training program fund created in section 15B.3 three million dollars for the purposes of chapter 15B.

3. For the fiscal year beginning July 1, 2014, and for each fiscal year thereafter, there is annually appropriated from the workforce development fund account to the job training fund created in section 260F.6 three million dollars for the purposes of chapter 260F.>

8. Page 17, after line 18 by inserting:

<DIVISION ___

JOBS TRAINING AND APPRENTICESHIP TRAINING

Sec. ___. NEW SECTION. **15B.1 Title.**

This chapter shall be known and may be cited as the *"Iowa Apprenticeship Act"*.

Sec. ___. NEW SECTION. **15B.2 Definitions.**

For purposes of this chapter, unless the context otherwise requires:

1. *"Apprentice"* means a person who is at least sixteen years of age, except where a higher minimum age is required by law, who is employed in an apprenticeable occupation, and is registered in Iowa with the United States department of labor, office of apprenticeship.

2. *"Apprenticeable occupation"* means an occupation approved for apprenticeship by the United States department of labor, office of apprenticeship.

3. *"Apprenticeship program"* means a program registered with the United States department of labor, office of apprenticeship, which includes terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including the requirement for a written apprenticeship agreement.

4. *"Apprenticeship sponsor"* means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which is registered with or approved by the United States department of labor, office of apprenticeship.

5. *"Authority"* means the economic development authority created in section 15.105.

6. *"Financial assistance"* means assistance provided only from the funds, rights, and assets legally available to the authority and includes but is not limited to assistance in the forms of grants, loans, forgivable loans, and royalty payments.

7. *"Fund"* means the apprenticeship training program fund created in section 15B.3.

8. *"Lead apprenticeship sponsor"* means a trade

1 organization, labor organization, employer association,
2 or other incorporated entity representing a group of
3 apprenticeship sponsors.
4 Sec. ___. NEW SECTION. **15B.3 Apprenticeship**
5 **training program — fund.**
6 1. An apprenticeship training program fund is
7 created as a revolving fund in the state treasury under
8 the control of the authority.
9 2. The fund shall consist of moneys appropriated
10 for purposes of the apprenticeship training program,
11 and any other moneys lawfully available to the
12 authority for purposes of this chapter.
13 3. Moneys in the fund are appropriated to the
14 authority for the purposes of this chapter.
15 4. No more than two percent of the total moneys
16 deposited in the fund on July 1 of a fiscal year is
17 appropriated to the authority for the purposes of
18 administering this chapter.
19 5. Notwithstanding section 8.33, moneys in the
20 fund at the close of the fiscal year shall not revert
21 but shall remain available for expenditure for the
22 purposes designated for subsequent fiscal years.
23 Notwithstanding section 12C.7, subsection 2, interest
24 or earnings on moneys in the fund shall be credited to
25 the fund.
26 6. The authority shall adopt rules to administer
27 this chapter.
28 Sec. ___. NEW SECTION. **15B.4 Financial assistance**
29 **for an apprenticeship program.**
30 1. *a.* An apprenticeship sponsor or lead
31 apprenticeship sponsor conducting apprenticeship
32 programs registered with the United States department
33 of labor, office of apprenticeship, through Iowa, for
34 apprentices who will be employed at Iowa worksites may
35 apply to the authority for a training grant under this
36 section.
37 *b.* Financial assistance received by an
38 apprenticeship sponsor or lead apprenticeship sponsor
39 under this section shall be used only for the cost of
40 conducting and maintaining an apprenticeship program.
41 2. The authority shall provide financial assistance
42 in the form of training grants to apprenticeship
43 sponsors or lead apprenticeship sponsors in the
44 following manner:
45 *a.* By determining the total amount of funding
46 allocated for purposes of training grants for
47 apprenticeship programs pursuant to section 15B.3.
48 *b.* By adding together all of the following:
49 (1) The total number of apprentices trained by all
50 applying apprenticeship sponsors or lead apprenticeship

1 sponsors during the most recent training year as
2 calculated on the last day of the training year.
3 (2) The total number of contact hours that
4 apprenticeship instructors for all applying
5 apprenticeship sponsors or lead apprenticeship
6 sponsors spent in contact with apprentices during
7 the most recent training year. For purposes of this
8 subparagraph, *"contact hours"* includes the time spent
9 instructing apprentices in person or, in the case of
10 a lead apprenticeship sponsor with programs totaling
11 one hundred or more total instructional hours, *"contact*
12 *hours"* includes the time spent in online training if
13 the total amount of online instruction does not account
14 for more than thirty percent of the total instructional
15 hours.
16 *c.* By adding together all of the following:
17 (1) The total number of apprentices trained by
18 a single applying apprenticeship sponsor or lead
19 apprenticeship sponsor during the most recent training
20 year as calculated on the last day of the training
21 year.
22 (2) The total number of contact hours that
23 apprenticeship instructors for a single applying
24 apprenticeship sponsor or lead apprenticeship
25 sponsor spent in contact with apprentices during
26 the most recent training year. For purposes of this
27 subparagraph, *"contact hours"* includes the time spent
28 instructing apprentices in person or, in the case of
29 a lead apprenticeship sponsor with programs totaling
30 one hundred or more total instructional hours, *"contact*
31 *hours"* includes the time spent in online training if
32 the total amount of online instruction does not account
33 for more than thirty percent of the total instructional
34 hours.
35 *d.* By determining the proportion, stated as a
36 percentage, that a single applying apprenticeship
37 sponsor's or lead apprenticeship sponsor's total
38 calculated pursuant to paragraph *"c"* bears to
39 all applying apprenticeship sponsors' or lead
40 apprenticeship sponsors' total calculated pursuant to
41 paragraph *"b"*.
42 *e.* By multiplying the percentage calculated in
43 paragraph *"d"* by the amount determined in paragraph
44 *"a"*.
45 3. An apprenticeship sponsor or lead apprenticeship
46 sponsor seeking financial assistance under this
47 section shall provide the following information to the
48 authority:
49 *a.* The federal apprentice registration number of
50 each apprentice in the apprenticeship program.

1 *b.* The address and a description of the physical
2 location where in-person training is conducted.
3 *c.* A certification of the apprenticeship sponsor's
4 training standards as most recently approved by
5 the United States department of labor, office of
6 apprenticeship or, in the case of a lead apprenticeship
7 sponsor, a representative sample of participating
8 members' training standards.
9 *d.* A certification of the apprenticeship sponsor's
10 compliance review or quality assessment as most
11 recently conducted by the United States department
12 of labor, office of apprenticeship, unless the
13 apprenticeship sponsor has not been subjected to
14 a compliance review or quality assessment. In the
15 case of a lead apprenticeship sponsor, a sampling
16 of compliance reviews or quality assessments from
17 participating members shall be sufficient.
18 *e.* Any other information the authority reasonably
19 determines is necessary.
20 4. The apprenticeship sponsor or lead
21 apprenticeship sponsor and the authority shall
22 enter into an agreement regarding the provision of any
23 financial assistance to the apprenticeship sponsor or
24 lead apprenticeship sponsor.
25 5. Notwithstanding the provisions of this section,
26 an apprenticeship program receiving funds from section
27 260F.6 or other community college funding sources in
28 the fiscal year beginning July 1, 2013, and ending June
29 30, 2014, shall receive no less than that amount from
30 the fund in the fiscal year beginning July 1, 2014, and
31 ending June 30, 2015.
32 Sec. ___. NEW SECTION. **15B.5 Apprenticeship**
33 **training program advisory board.**
34 1. An apprenticeship training program advisory
35 board is established to advise the authority on issues
36 concerning the apprenticeship training program.
37 2. The advisory board shall consist of the
38 following members:
39 *a.* One member of the master builders of Iowa.
40 *b.* One member of the associated builders and
41 contractors of Iowa.
42 *c.* One member of the heavy highway contractors
43 association domiciled in Iowa.
44 *d.* One member of the associated general contractors
45 of Iowa.
46 *e.* One member of the technology association of
47 Iowa.
48 *f.* One member of the Iowa association of business
49 and industry.
50 *g.* One member representing the mechanical

1 contractors association of Iowa.
2 *h.* Five members, one member each from different
3 labor organizations. The Iowa state building and
4 construction trades council shall select five
5 members from different labor organizations within the
6 construction trade.
7 *i.* One member from the Iowa federation of labor.
8 *j.* One member representing community college
9 apprenticeship programs.
10 *k.* One member representing the authority.
11 *l.* One member representing the department of
12 education.
13 *m.* One member of the United States department
14 of labor, office of apprenticeship, serving as an
15 ex-officio, nonvoting member.
16 *n.* Four members of the general assembly serving
17 as ex officio, nonvoting members, one representative
18 to be appointed by the speaker of the house of
19 representatives, one representative to be appointed by
20 the minority leader of the house of representatives,
21 one senator to be appointed by the majority leader of
22 the senate, and one senator to be appointed by the
23 minority leader of the senate.
24 3. *a.* The voting members of the advisory board
25 and the member from the United States department of
26 labor, office of apprenticeship, shall be selected by
27 the named entity or entities. The member representing
28 the community college apprenticeship programs shall be
29 selected by the Iowa association of community college
30 trustees.
31 *b.* The voting members of the advisory board and
32 the member from the United States department of labor,
33 office of apprenticeship, shall serve three-year
34 staggered terms. If a vacancy occurs a successor shall
35 be selected in the same manner and subject to the same
36 qualifications as the original selection to serve the
37 remainder of the term.
38 *c.* The legislative members of the advisory board
39 shall serve terms as provided in section 69.16B. A
40 legislative member may designate another person to
41 attend an advisory board meeting if the member is
42 unavailable.
43 4. The voting members shall elect a chairperson and
44 vice chairperson annually from the voting membership of
45 the advisory board. A majority of the voting members
46 of the advisory board constitute a quorum. If the
47 chairperson and vice chairperson are unable to preside
48 over the advisory board due to absence or disability,
49 a majority of the voting members present may elect a
50 temporary chairperson providing a quorum is present.

5. The advisory board shall do all of the following:

a. Advise the authority on issues related to apprenticeship programs supported pursuant to this chapter.

b. Promote the development of new and the expansion of existing apprenticeship programs in Iowa.

c. In collaboration with the department of education, educate students about apprenticeship training opportunities and promote apprenticeship training in middle school and high school.

Sec. ___. Section 260C.18A, subsection 2, paragraph b, Code 2014, is amended to read as follows:

b. Projects in which an agreement between a community college and a business meet all the requirements of the Iowa jobs training Act under chapter 260F. ~~However, projects funded by moneys provided by a local workforce training and economic development fund of a community college are not subject to the maximum advance or award limitations contained in section 260F.6, subsection 2, or the allocation limitations contained in section 260F.8, subsection 1.~~

Sec. ___. Section 260F.2, subsections 4, 5, 10, and 11, Code 2014, are amended to read as follows:

4. *"Date of ~~commencement of the project"~~ commencement"* means the date of the ~~preliminary~~ signed agreement ~~or the date an application for assistance is received by the authority~~.

5. *"Eligible business"* or *"business"* means a business training employees which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, commercial construction, or providing services in interstate commerce including electronic commerce, but excludes retail, health, or professional services and which meets the other criteria established by the authority. *"Eligible business"* does not include a business whose training costs can be economically funded under chapter 260E, a business which closes or substantially reduces its employment base in order to relocate substantially the same operation to another area of the state, or a business which is involved in a strike, lockout, or other labor dispute in Iowa.

10. *"Program services"* includes but is not limited to the following:

a. Training of employees.

b. Adult basic education and job-related instruction.

c. Vocational and skill-assessment services and

testing.

d. Training facilities, equipment, materials, and supplies.

e. Administrative expenses incurred by community colleges for the jobs training program, in an amount not to exceed five percent of the total project cost.

f. Subcontracted services with institutions governed by the state board of regents, private colleges or universities, or other federal, state, or local agencies.

g. Contracted or professional services.

11. *"Project"* means a training arrangement which is the subject of an agreement entered into between the community college and a business to provide program services. ~~*"Project"* also means an authority-sponsored training arrangement which is sponsored by the authority and administered under sections 260F.6A and 260F.6B.~~

Sec. ___. Section 260F.3, Code 2014, is amended by adding the following new subsections:

NEW SUBSECTION. 4A. Type of training to be delivered.

NEW SUBSECTION. 4B. Amount of employer match.

Sec. ___. Section 260F.3, subsection 5, Code 2014, is amended to read as follows:

5. Other criteria established by the ~~department~~ authority.

Sec. ___. NEW SECTION. **260F.4 Financial assistance — restrictions.**

1. The maximum award of financial assistance for any one project is fifty thousand dollars.

2. A business may be approved for multiple projects, but the total financial assistance award to a business shall not exceed one hundred thousand dollars within a three-year period.

3. An award of financial assistance does not include reimbursement to the business for employee wages while the employee is in training.

4. An award of financial assistance is based on the actual cost of services.

5. A business's request for financial assistance shall be commensurate with training needs.

6. Community colleges shall provide financial assistance to a business on a reimbursement basis or by directly paying for training expenses from an account administered by the community college.

7. *a.* A business shall provide a cash match or in-kind match in order to be eligible for financial assistance pursuant to this section.

b. A business requesting financial assistance of

less than five thousand dollars for a program shall provide an in-kind match.

c. A business requesting financial assistance of five thousand dollars or more for a program shall provide cash to pay at least twenty-five percent of the total project cost, including training and administration costs.

d. An in-kind match includes employee wages paid by the business during the training period, the value of business-provided facilities and equipment used for training, or the value of any other resource provided by the business to facilitate the training program.

Sec. ___. NEW SECTION. **260F.5 Community college annual report.**

1. Each community college shall submit an annual report to the governor, the general assembly, and the authority by September 1 documenting the job training programs funded and the community college training fund during the previous fiscal year.

2. The report shall address the performance metrics established by the authority for the job training program pursuant to section 260F.8.

3. The report shall include the following information concerning the community college training fund created pursuant to section 260F.6 for that community college:

a. The number of projects and the amount paid for each project out of the fund.

b. The amount of money remaining in the fund at the end of the fiscal year.

c. An accounting of any other moneys spent out of the fund in the fiscal year.

4. The report shall be submitted in a manner and form prescribed by the authority.

Sec. ___. Section 260F.6, subsection 1, Code 2014, is amended to read as follows:

1. There is ~~established~~ created as a revolving fund for the community colleges a job training fund ~~in the economic development authority in the workforce development fund~~ to be administered by the authority. The job training fund consists of moneys appropriated for the purposes of this chapter~~plus the interest and principal from repayment of advances made to businesses for program costs, plus the repayments, including interest, of loans made from that retraining fund, and interest earned from moneys in the job training fund~~. Moneys in the fund are appropriated to the authority for purposes of this chapter.

Sec. ___. Section 260F.6, subsections 2 and 3, Code 2014, are amended by striking the subsections and

1 inserting in lieu thereof the following:
2 2. A community college training fund is created for
3 each community college. Moneys in the job training
4 fund shall be allocated to each community college
5 training fund pursuant to the formula established in
6 section 260C.18C. A project meeting the criteria of
7 an eligible business established by the authority is
8 funded upon the approval of the community college's
9 board of directors.
10 3. Notwithstanding section 8.33, moneys in the
11 community college training funds and the job training
12 fund created in this section at the close of the
13 fiscal year shall not revert to the general fund of the
14 state but shall remain available for expenditure for
15 the purpose designated for subsequent fiscal years.
16 Notwithstanding section 12C.7, subsection 2, interest
17 or earnings on moneys in the funds shall be credited
18 to the funds.
19 Sec. ___. Section 260F.7, Code 2014, is amended to
20 read as follows:
21 **260F.7 Economic development authority to coordinate.**
22 The economic development authority, in consultation
23 with the department of education and the department
24 of workforce development, shall coordinate the jobs
25 training program. ~~A project shall not be funded~~
26 ~~under this chapter unless the economic development~~
27 ~~authority approves the project.~~ The authority shall
28 adopt rules pursuant to chapter 17A governing the
29 program's operation and eligibility for participation
30 in the program. The authority shall establish by rule
31 criteria for determining what constitutes an eligible
32 business.
33 Sec. ___. Section 260F.8, Code 2014, is amended by
34 striking the section and inserting in lieu thereof the
35 following:
36 **260F.8 Program assessment, development, and**
37 **coordination.**
38 1. The authority shall establish performance
39 metrics for the job training programs funded under this
40 chapter and assess program outcomes on an annual basis.
41 2. A community college may retain up to ten percent
42 of the total project cost for the following purposes:
43 *a.* Outreach to employers by community college
44 business and industry outreach staff.
45 *b.* Monitoring the performance of training
46 agreements and accountability measures.
47 *c.* Development of training project and program
48 plans.
49 *d.* Business development activities.
50 Sec. ___. Section 403.21, subsections 1 and 3, Code

2014, are amended to read as follows:

1. In order to promote communication and cooperation among cities, counties, and community colleges with respect to the allocation and division of taxes, no jobs training projects as defined in chapter 260E~~or 260F~~ shall be undertaken within the area of operation of a municipality after July 1, 1995, unless the municipality and the community college have entered into an agreement or have jointly adopted a plan relating to a community college's new jobs training program which shall provide for a procedure for advance notification to each affected municipality, for exchange of information, for mutual consultation, and for procedural guidelines for all such new jobs training projects, including related project financing to be undertaken within the area of operation of the municipality. The joint agreement or the plan shall state its precise duration and shall be binding on the community college and the municipality with respect to all new jobs training projects, including related project financing undertaken during its existence. The joint agreement or plan shall be effective upon adoption and shall be placed on file in the office of the secretary of the board of directors of the community college and such other location as may be stated in the joint agreement or plan. The joint agreement or plan shall also be sent to each school district which levied or certified for levy a property tax on any portion of the taxable property located in the area of operation of the municipality in the fiscal year beginning prior to the calendar year in which the plan is adopted or the agreement is reached. If no such agreement is reached or plan adopted, the community college shall not use incremental property tax revenues to fund jobs training projects within the area of operation of the municipality. Agreements entered into between a community college and a city or county pursuant to chapter 28E shall not apply.

3. ~~The community college shall send a copy of the final agreement prepared pursuant to section 260F.3 to the economic development authority.~~ For each year in which incremental property taxes are used to retire debt service on a jobs training advance issued for a project creating new jobs, the community college shall provide to the economic development authority a report of the incremental property taxes and new jobs credits from withholding generated for that year, a specific description of the training conducted, the number of employees provided ~~program~~ services under the project, the median wage of employees in the new jobs

in the project, and the administrative costs directly attributable to the project.

Sec. ___. Section 558.1, Code 2014, is amended to read as follows:

558.1 "Instruments affecting real estate" defined — revocation.

All instruments containing a power to convey, or in any manner relating to real estate, including certified copies of petitions in bankruptcy with or without the schedules appended, of decrees of adjudication in bankruptcy, and of orders approving trustees' bonds in bankruptcy, and a jobs training agreement entered into under chapter 260E~~or 260F~~ between an employer and community college which contains a description of the real estate affected, shall be held to be instruments affecting the same; and no such instrument, when acknowledged or certified and recorded as in this chapter prescribed, can be revoked as to third parties by any act of the parties by whom it was executed, until the instrument containing such revocation is acknowledged and filed for record in the same office in which the instrument containing such power is recorded, except that uniform commercial code financing statements and financing statement changes as provided in chapter 554 need not be thus acknowledged.

Sec. ___. REPEAL. Sections 15.343, 260F.6A, and 260F.6B, Code 2014, are repealed.

Sec. ___. RULES. The economic development authority shall adopt rules to administer this Act.

Sec. ___. TRANSFER OF FUNDS. Except as otherwise provided in this Act, all moneys in the workforce development fund, created in section 15.343, Code 2014, as of the effective date of this division of this Act and any moneys accruing to the workforce development fund, created in section 15.343, Code 2014, after the effective date of this division of this Act, shall be distributed equally between the job training fund created in section 260F.6, as amended in this Act, and the apprenticeship training program fund created in section 15B.3, as enacted in this Act, and deposited in the job training fund and the apprenticeship training program fund.>

9. Page 17, after line 26 by inserting:

<DIVISION ___
STEM INTERNSHIPS

Sec. ___. Section 15.411, subsection 3, Code 2014, is amended to read as follows:

3. *a.* The authority shall establish and administer an ~~innovative businesses~~ internship program with two components for Iowa students. For purposes of this

1 subsection, *"Iowa student"* means a student of an Iowa
2 community college, private college, or institution of
3 higher learning under the control of the state board of
4 regents, or a student who graduated from high school in
5 Iowa but now attends an institution of higher learning
6 outside the state of Iowa.
7 *b.* The purpose of the first component of the
8 program is to link Iowa students to small and medium
9 sized Iowa firms through internship opportunities. An
10 Iowa employer may receive financial assistance in an
11 amount of one dollar for every two dollars paid by
12 the employer to an intern. The amount of financial
13 assistance shall not exceed three thousand one hundred
14 dollars for any single internship, or nine thousand
15 three hundred dollars for any single employer. In
16 order to be eligible to receive financial assistance
17 under this ~~subsection~~ paragraph, the employer must
18 have five hundred or fewer employees and must be an
19 innovative business. The authority shall encourage
20 youth who reside in economically distressed areas,
21 youth adjudicated to have committed a delinquent
22 act, and youth transitioning out of foster care to
23 participate in the first component of the internship
24 program.
25 *c.* (1) The purpose of the second component of the
26 program is to assist in placing Iowa students studying
27 in the fields of science, technology, engineering, and
28 mathematics into internships that lead to permanent
29 positions with Iowa employers. The authority shall
30 collaborate with eligible employers, including but not
31 limited to innovative businesses, to ensure that the
32 interns hired are studying in such fields. An Iowa
33 employer may receive financial assistance in an amount
34 of one dollar for every dollar paid by the employer to
35 an intern. The amount of financial assistance shall
36 not exceed five thousand dollars per internship. The
37 authority may adopt rules to administer this component.
38 (2) The requirement to administer this component of
39 the internship program is contingent upon the provision
40 of funding for such purposes by the general assembly.
41 DIVISION ___
42 FINANCIAL ASSISTANCE FOR BORDER COUNTY HOSPITALS
43 Sec. ___. FINANCIAL ASSISTANCE FOR BORDER COUNTY
44 HOSPITALS.
45 1. Notwithstanding the purposes provided under
46 section 16.182, subsection 1, section 16.183,
47 subsection 1, section 16.184, subsection 1, and section
48 16.185, subsection 1, the Iowa finance authority
49 created in section 16.1A shall use moneys from the
50 funds created in sections 16.182, 16.183, 16.184, and

1 16.185 to provide financial assistance directly to
2 hospitals in counties that border other states. A
3 border county hospital may apply to the authority for
4 financial assistance and the authority shall provide
5 financial assistance pursuant to this section if the
6 applying hospital meets the criteria described in
7 subsection 2 and funding is available.
8 2. To qualify for financial assistance pursuant
9 to this section, a hospital shall meet the following
10 criteria:
11 a. The hospital is licensed in this state and is
12 located in a county bordering two states.
13 b. The hospital is located in a county with a
14 population of greater than 25,000 persons, but less
15 than 50,000 persons.
16 c. Not less than ninety percent of the operations
17 of the hospital are located within this state.
18 d. Based upon the hospital's net worth, cash flow,
19 debt-to-asset ratio, and other criteria prescribed by
20 the authority, the applying hospital has determined
21 that without receiving financial assistance pursuant
22 to this section, the hospital could not reasonably be
23 expected to obtain, retain, restructure, or service
24 loans or other financing for operating expenses or cash
25 flow requirements on a reasonable and affordable basis.
26 3. a. The Iowa finance authority shall provide
27 financial assistance pursuant to this section in the
28 form of a loan. The loan may be a secured or unsecured
29 direct loan to the qualifying hospital.
30 b. The amount of financial assistance provided
31 pursuant to this section as a secured or unsecured
32 direct loan to a qualifying border hospital shall not
33 exceed five million dollars.
34 c. Any loan provided pursuant to this section shall
35 be fully amortized and repaid over a five-year period.
36 d. Repayments of any loan provided pursuant to
37 this section shall be made to the authority and the
38 authority shall credit the moneys to the account from
39 which it was provided.
40 4. Notwithstanding the purposes provided under
41 section 16.182, subsection 1, section 16.183,
42 subsection 1, section 16.184, subsection 1, and section
43 16.185, subsection 1, moneys in the funds established
44 in sections 16.182, 16.183, 16.184, and 16.185 may be
45 commingled and transferred for the purpose of providing
46 financial assistance pursuant to this section or for
47 the purposes provided under section 16.182, subsection
48 1, section 16.183, subsection 1, section 16.184,
49 subsection 1, and section 16.185, subsection 1. Moneys
50 in the funds established in sections 16.182, 16.183,

16.184, and 16.185 shall be commingled or transferred if the moneys in any of the funds individually are insufficient to provide financial assistance pursuant to this section, or to provide assistance for the purposes provided in section 16.182, subsection 1, section 16.183, subsection 1, section 16.184, subsection 1, and section 16.185, subsection 1.

5. As used in this section, unless the context otherwise requires, "hospital" means the same as defined in section 135B.1.

Sec. ___. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ___

PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

Sec. ___. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a condition made to any appropriation to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents, Iowa state university, the state university of Iowa, or the university of northern Iowa as provided in this Act, moneys appropriated and any other moneys available for use by that entity under this Act shall not be used for the payment of a personnel settlement agreement between that entity and a state employee that contains a confidentiality provision intended to prevent public disclosure of the agreement or any terms of the agreement.>

10. Title page, line 6, after <matters> by inserting <, and including effective date provisions>

11. By renumbering, redesignating, and correcting internal references as necessary.

House Amendment to
Senate File 383

S-5191

1 Amend Senate File 383, as passed by the Senate, as
2 follows:
3 1. Page 1, line 2, by striking <2013> and inserting
4 <2014>
5 2. Page 1, line 15, by striking <2013> and
6 inserting <2014>

House File 2460

S-5192

Amend House File 2460, as amended, passed, and reprinted by the House, as follows:

1. By striking page 6, line 11, through page 7, line 2, and inserting:

<SEC. 21. WORKFORCE DEVELOPMENT FUND ACCOUNT.

1. ~~There~~ Notwithstanding section 15.342A, as amended by this Act, there is appropriated from the workforce development fund account created in section 15.342A to the ~~workforce development fund created in section 15.343~~ following funds for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following ~~amount~~ amounts, ~~for purposes of the workforce development fund~~ to be used for the purposes designated:

a. JOB TRAINING FUND

For deposit in the job training fund created in section 260F.6, as amended in this Act:

..... $ ~~2,000,000~~
3,000,000

b. APPRENTICESHIP TRAINING PROGRAM FUND

For deposit in the apprenticeship training program fund created in section 15B.3, as enacted in this Act:

..... $ 2,750,000

2. The first $250,000 of any unexpended or unobligated moneys accruing to the workforce development fund created in section 15.343, Code 2014, as a result of section 260F.6A, as repealed by this Act, shall be allocated for purposes of the apprenticeship training program. Any unexpended or unobligated moneys accruing to the workforce development fund created in section 15.343, Code 2014, as a result of section 260F.6A, as repealed by this Act, after the first $250,000, shall be allocated equally between the job training program and the apprenticeship training program.>

2. Page 11, line 18, before <For> by inserting <a.>

3. Page 11, after line 21 by inserting:

<b. From the moneys appropriated in this subsection, the economic development authority may use not more than $1,000,000 for purposes of providing infrastructure grants to mainstreet communities under the main street Iowa program.>

4. Page 11, line 22, before <As> by inserting <c.>

5. Page 15, by striking lines 31 through 33 and inserting <subsection 3, paragraph "c", as enacted by this Act:>

6. Page 16, line 20, before <A> by inserting <1.>

7. Page 16, after line 23 by inserting:

<2. For the fiscal year beginning July 1, 2014, and for each fiscal year thereafter, there is annually

appropriated from the workforce development fund account to the apprenticeship training program fund created in section 15B.3 three million dollars for the purposes of chapter 15B.

3. For the fiscal year beginning July 1, 2014, and for each fiscal year thereafter, there is annually appropriated from the workforce development fund account to the job training fund created in section 260F.6 three million dollars for the purposes of chapter 260F.>

8. Page 17, after line 18 by inserting:

<DIVISION ___

JOBS TRAINING AND APPRENTICESHIP TRAINING

Sec. ___. NEW SECTION. **15B.1 Title.**

This chapter shall be known and may be cited as the *"Iowa Apprenticeship Act"*.

Sec. ___. NEW SECTION. **15B.2 Definitions.**

For purposes of this chapter, unless the context otherwise requires:

1. *"Apprentice"* means a person who is at least sixteen years of age, except where a higher minimum age is required by law, who is employed in an apprenticeable occupation, and is registered in Iowa with the United States department of labor, office of apprenticeship.

2. *"Apprenticeable occupation"* means an occupation approved for apprenticeship by the United States department of labor, office of apprenticeship.

3. *"Apprenticeship program"* means a program registered with the United States department of labor, office of apprenticeship, which includes terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including the requirement for a written apprenticeship agreement.

4. *"Apprenticeship sponsor"* means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which is registered with or approved by the United States department of labor, office of apprenticeship.

5. *"Authority"* means the economic development authority created in section 15.105.

6. *"Financial assistance"* means assistance provided only from the funds, rights, and assets legally available to the authority and includes but is not limited to assistance in the forms of grants, loans, forgivable loans, and royalty payments.

7. *"Fund"* means the apprenticeship training program fund created in section 15B.3.

8. *"Lead apprenticeship sponsor"* means a trade

1 organization, labor organization, employer association,
2 or other incorporated entity representing a group of
3 apprenticeship sponsors.
4 Sec. ___. NEW SECTION. **15B.3 Apprenticeship**
5 **training program — fund.**
6 1. An apprenticeship training program fund is
7 created as a revolving fund in the state treasury under
8 the control of the authority.
9 2. The fund shall consist of moneys appropriated
10 for purposes of the apprenticeship training program,
11 and any other moneys lawfully available to the
12 authority for purposes of this chapter.
13 3. Moneys in the fund are appropriated to the
14 authority for the purposes of this chapter.
15 4. No more than two percent of the total moneys
16 deposited in the fund on July 1 of a fiscal year is
17 appropriated to the authority for the purposes of
18 administering this chapter.
19 5. Notwithstanding section 8.33, moneys in the
20 fund at the close of the fiscal year shall not revert
21 but shall remain available for expenditure for the
22 purposes designated for subsequent fiscal years.
23 Notwithstanding section 12C.7, subsection 2, interest
24 or earnings on moneys in the fund shall be credited to
25 the fund.
26 6. The authority shall adopt rules to administer
27 this chapter.
28 Sec. ___. NEW SECTION. **15B.4 Financial assistance**
29 **for an apprenticeship program.**
30 1. *a.* An apprenticeship sponsor or lead
31 apprenticeship sponsor conducting apprenticeship
32 programs registered with the United States department
33 of labor, office of apprenticeship, through Iowa, for
34 apprentices who will be employed at Iowa worksites may
35 apply to the authority for a training grant under this
36 section.
37 *b.* Financial assistance received by an
38 apprenticeship sponsor or lead apprenticeship sponsor
39 under this section shall be used only for the cost of
40 conducting and maintaining an apprenticeship program.
41 2. The authority shall provide financial assistance
42 in the form of training grants to apprenticeship
43 sponsors or lead apprenticeship sponsors in the
44 following manner:
45 *a.* By determining the total amount of funding
46 allocated for purposes of training grants for
47 apprenticeship programs pursuant to section 15B.3.
48 *b.* By adding together all of the following:
49 (1) The total number of apprentices trained by all
50 applying apprenticeship sponsors or lead apprenticeship

1 sponsors during the most recent training year as
2 calculated on the last day of the training year.
3 (2) The total number of contact hours that
4 apprenticeship instructors for all applying
5 apprenticeship sponsors or lead apprenticeship
6 sponsors spent in contact with apprentices during
7 the most recent training year. For purposes of this
8 subparagraph, *"contact hours"* includes the time spent
9 instructing apprentices in person or, in the case of
10 a lead apprenticeship sponsor with programs totaling
11 one hundred or more total instructional hours, *"contact*
12 *hours"* includes the time spent in online training if
13 the total amount of online instruction does not account
14 for more than thirty percent of the total instructional
15 hours.
16 *c.* By adding together all of the following:
17 (1) The total number of apprentices trained by
18 a single applying apprenticeship sponsor or lead
19 apprenticeship sponsor during the most recent training
20 year as calculated on the last day of the training
21 year.
22 (2) The total number of contact hours that
23 apprenticeship instructors for a single applying
24 apprenticeship sponsor or lead apprenticeship
25 sponsor spent in contact with apprentices during
26 the most recent training year. For purposes of this
27 subparagraph, *"contact hours"* includes the time spent
28 instructing apprentices in person or, in the case of
29 a lead apprenticeship sponsor with programs totaling
30 one hundred or more total instructional hours, *"contact*
31 *hours"* includes the time spent in online training if
32 the total amount of online instruction does not account
33 for more than thirty percent of the total instructional
34 hours.
35 *d.* By determining the proportion, stated as a
36 percentage, that a single applying apprenticeship
37 sponsor's or lead apprenticeship sponsor's total
38 calculated pursuant to paragraph *"c"* bears to
39 all applying apprenticeship sponsors' or lead
40 apprenticeship sponsors' total calculated pursuant to
41 paragraph *"b"*.
42 *e.* By multiplying the percentage calculated in
43 paragraph *"d"* by the amount determined in paragraph
44 *"a"*.
45 3. An apprenticeship sponsor or lead apprenticeship
46 sponsor seeking financial assistance under this
47 section shall provide the following information to the
48 authority:
49 *a.* The federal apprentice registration number of
50 each apprentice in the apprenticeship program.

1 *b.* The address and a description of the physical
2 location where in-person training is conducted.
3 *c.* A certification of the apprenticeship sponsor's
4 training standards as most recently approved by
5 the United States department of labor, office of
6 apprenticeship or, in the case of a lead apprenticeship
7 sponsor, a representative sample of participating
8 members' training standards.
9 *d.* A certification of the apprenticeship sponsor's
10 compliance review or quality assessment as most
11 recently conducted by the United States department
12 of labor, office of apprenticeship, unless the
13 apprenticeship sponsor has not been subjected to
14 a compliance review or quality assessment. In the
15 case of a lead apprenticeship sponsor, a sampling
16 of compliance reviews or quality assessments from
17 participating members shall be sufficient.
18 *e.* Any other information the authority reasonably
19 determines is necessary.
20 4. The apprenticeship sponsor or lead
21 apprenticeship sponsor and the authority shall
22 enter into an agreement regarding the provision of any
23 financial assistance to the apprenticeship sponsor or
24 lead apprenticeship sponsor.
25 5. Notwithstanding the provisions of this section,
26 an apprenticeship program receiving funds from section
27 260F.6 or other community college funding sources in
28 the fiscal year beginning July 1, 2013, and ending June
29 30, 2014, shall receive no less than that amount from
30 the fund in the fiscal year beginning July 1, 2014, and
31 ending June 30, 2015.
32 Sec. ___. NEW SECTION. **15B.5 Apprenticeship**
33 **training program advisory board.**
34 1. An apprenticeship training program advisory
35 board is established to advise the authority on issues
36 concerning the apprenticeship training program.
37 2. The advisory board shall consist of the
38 following members:
39 *a.* One member of the master builders of Iowa.
40 *b.* One member of the associated builders and
41 contractors of Iowa.
42 *c.* One member of the heavy highway contractors
43 association domiciled in Iowa.
44 *d.* One member of the associated general contractors
45 of Iowa.
46 *e.* One member of the technology association of
47 Iowa.
48 *f.* One member of the Iowa association of business
49 and industry.
50 *g.* One member representing the mechanical

1 contractors association of Iowa.
2 *h.* Five members, one member each from different
3 labor organizations. The Iowa state building and
4 construction trades council shall select five
5 members from different labor organizations within the
6 construction trade.
7 *i.* One member from the Iowa federation of labor.
8 *j.* One member representing community college
9 apprenticeship programs.
10 *k.* One member representing the authority.
11 *l.* One member representing the department of
12 education.
13 *m.* One member of the United States department
14 of labor, office of apprenticeship, serving as an
15 ex-officio, nonvoting member.
16 *n.* Four members of the general assembly serving
17 as ex officio, nonvoting members, one representative
18 to be appointed by the speaker of the house of
19 representatives, one representative to be appointed by
20 the minority leader of the house of representatives,
21 one senator to be appointed by the majority leader of
22 the senate, and one senator to be appointed by the
23 minority leader of the senate.
24 3. *a.* The voting members of the advisory board
25 and the member from the United States department of
26 labor, office of apprenticeship, shall be selected by
27 the named entity or entities. The member representing
28 the community college apprenticeship programs shall be
29 selected by the Iowa association of community college
30 trustees.
31 *b.* The voting members of the advisory board and
32 the member from the United States department of labor,
33 office of apprenticeship, shall serve three-year
34 staggered terms. If a vacancy occurs a successor shall
35 be selected in the same manner and subject to the same
36 qualifications as the original selection to serve the
37 remainder of the term.
38 *c.* The legislative members of the advisory board
39 shall serve terms as provided in section 69.16B. A
40 legislative member may designate another person to
41 attend an advisory board meeting if the member is
42 unavailable.
43 4. The voting members shall elect a chairperson and
44 vice chairperson annually from the voting membership of
45 the advisory board. A majority of the voting members
46 of the advisory board constitute a quorum. If the
47 chairperson and vice chairperson are unable to preside
48 over the advisory board due to absence or disability,
49 a majority of the voting members present may elect a
50 temporary chairperson providing a quorum is present.

5. The advisory board shall do all of the following:

a. Advise the authority on issues related to apprenticeship programs supported pursuant to this chapter.

b. Promote the development of new and the expansion of existing apprenticeship programs in Iowa.

c. In collaboration with the department of education, educate students about apprenticeship training opportunities and promote apprenticeship training in middle school and high school.

Sec. ___. Section 260C.18A, subsection 2, paragraph b, Code 2014, is amended to read as follows:

b. Projects in which an agreement between a community college and a business meet all the requirements of the Iowa jobs training Act under chapter 260F. ~~However, projects funded by moneys provided by a local workforce training and economic development fund of a community college are not subject to the maximum advance or award limitations contained in section 260F.6, subsection 2, or the allocation limitations contained in section 260F.8, subsection 1.~~

Sec. ___. Section 260F.2, subsections 4, 5, 10, and 11, Code 2014, are amended to read as follows:

4. *"Date of ~~commencement of the project"~~ commencement"* means the date of the ~~preliminary~~ signed agreement ~~or the date an application for assistance is received by the authority~~.

5. *"Eligible business"* or *"business"* means a business training employees which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, commercial construction, or providing services in interstate commerce including electronic commerce, but excludes retail, health, or professional services and which meets the other criteria established by the authority. *"Eligible business"* does not include a business whose training costs can be economically funded under chapter 260E, a business which closes or substantially reduces its employment base in order to relocate substantially the same operation to another area of the state, or a business which is involved in a strike, lockout, or other labor dispute in Iowa.

10. *"Program services"* includes but is not limited to the following:

a. Training of employees.

b. Adult basic education and job-related instruction.

c. Vocational and skill-assessment services and

testing.

d. Training facilities, equipment, materials, and supplies.

e. Administrative expenses incurred by community colleges for the jobs training program, in an amount not to exceed five percent of the total project cost.

f. Subcontracted services with institutions governed by the state board of regents, private colleges or universities, or other federal, state, or local agencies.

g. Contracted or professional services.

11. *"Project"* means a training arrangement which is the subject of an agreement entered into between the community college and a business to provide program services. ~~*"Project"* also means an authority-sponsored training arrangement which is sponsored by the authority and administered under sections 260F.6A and 260F.6B.~~

Sec. ___. Section 260F.3, Code 2014, is amended by adding the following new subsections:

NEW SUBSECTION. 4A. Type of training to be delivered.

NEW SUBSECTION. 4B. Amount of employer match.

Sec. ___. Section 260F.3, subsection 5, Code 2014, is amended to read as follows:

5. Other criteria established by the ~~department~~ authority.

Sec. ___. NEW SECTION. **260F.4 Financial assistance — restrictions.**

1. The maximum award of financial assistance for any one project is fifty thousand dollars.

2. A business may be approved for multiple projects, but the total financial assistance award to a business shall not exceed one hundred thousand dollars within a three-year period.

3. An award of financial assistance does not include reimbursement to the business for employee wages while the employee is in training.

4. An award of financial assistance is based on the actual cost of services.

5. A business's request for financial assistance shall be commensurate with training needs.

6. Community colleges shall provide financial assistance to a business on a reimbursement basis or by directly paying for training expenses from an account administered by the community college.

7. *a.* A business shall provide a cash match or in-kind match in order to be eligible for financial assistance pursuant to this section.

b. A business requesting financial assistance of

less than five thousand dollars for a program shall provide an in-kind match.

c. A business requesting financial assistance of five thousand dollars or more for a program shall provide cash to pay at least twenty-five percent of the total project cost, including training and administration costs.

d. An in-kind match includes employee wages paid by the business during the training period, the value of business-provided facilities and equipment used for training, or the value of any other resource provided by the business to facilitate the training program.

Sec. ___. NEW SECTION. **260F.5 Community college annual report.**

1. Each community college shall submit an annual report to the governor, the general assembly, and the authority by September 1 documenting the job training programs funded and the community college training fund during the previous fiscal year.

2. The report shall address the performance metrics established by the authority for the job training program pursuant to section 260F.8.

3. The report shall include the following information concerning the community college training fund created pursuant to section 260F.6 for that community college:

a. The number of projects and the amount paid for each project out of the fund.

b. The amount of money remaining in the fund at the end of the fiscal year.

c. An accounting of any other moneys spent out of the fund in the fiscal year.

4. The report shall be submitted in a manner and form prescribed by the authority.

Sec. ___. Section 260F.6, subsection 1, Code 2014, is amended to read as follows:

1. There is ~~established~~ created as a revolving fund for the community colleges a job training fund ~~in the economic development authority in the workforce development fund~~ to be administered by the authority. The job training fund consists of moneys appropriated for the purposes of this chapter ~~plus the interest and principal from repayment of advances made to businesses for program costs, plus the repayments, including interest, of loans made from that retraining fund, and interest earned from moneys in the job training fund~~. Moneys in the fund are appropriated to the authority for purposes of this chapter.

Sec. ___. Section 260F.6, subsections 2 and 3, Code 2014, are amended by striking the subsections and

1 inserting in lieu thereof the following:
2 2. A community college training fund is created for
3 each community college. Moneys in the job training
4 fund shall be allocated to each community college
5 training fund pursuant to the formula established in
6 section 260C.18C. A project meeting the criteria of
7 an eligible business established by the authority is
8 funded upon the approval of the community college's
9 board of directors.
10 3. Notwithstanding section 8.33, moneys in the
11 community college training funds and the job training
12 fund created in this section at the close of the
13 fiscal year shall not revert to the general fund of the
14 state but shall remain available for expenditure for
15 the purpose designated for subsequent fiscal years.
16 Notwithstanding section 12C.7, subsection 2, interest
17 or earnings on moneys in the funds shall be credited
18 to the funds.
19 Sec. ___. Section 260F.7, Code 2014, is amended to
20 read as follows:
21 **260F.7 Economic development authority to coordinate.**
22 The economic development authority, in consultation
23 with the department of education and the department
24 of workforce development, shall coordinate the jobs
25 training program. ~~A project shall not be funded~~
26 ~~under this chapter unless the economic development~~
27 ~~authority approves the project.~~ The authority shall
28 adopt rules pursuant to chapter 17A governing the
29 program's operation and eligibility for participation
30 in the program. The authority shall establish by rule
31 criteria for determining what constitutes an eligible
32 business.
33 Sec. ___. Section 260F.8, Code 2014, is amended by
34 striking the section and inserting in lieu thereof the
35 following:
36 **260F.8 Program assessment, development, and**
37 **coordination.**
38 1. The authority shall establish performance
39 metrics for the job training programs funded under this
40 chapter and assess program outcomes on an annual basis.
41 2. A community college may retain up to ten percent
42 of the total project cost for the following purposes:
43 *a.* Outreach to employers by community college
44 business and industry outreach staff.
45 *b.* Monitoring the performance of training
46 agreements and accountability measures.
47 *c.* Development of training project and program
48 plans.
49 *d.* Business development activities.
50 Sec. ___. Section 403.21, subsections 1 and 3, Code

2014, are amended to read as follows:

1. In order to promote communication and cooperation among cities, counties, and community colleges with respect to the allocation and division of taxes, no jobs training projects as defined in chapter 260E ~~or 260F~~ shall be undertaken within the area of operation of a municipality after July 1, 1995, unless the municipality and the community college have entered into an agreement or have jointly adopted a plan relating to a community college's new jobs training program which shall provide for a procedure for advance notification to each affected municipality, for exchange of information, for mutual consultation, and for procedural guidelines for all such new jobs training projects, including related project financing to be undertaken within the area of operation of the municipality. The joint agreement or the plan shall state its precise duration and shall be binding on the community college and the municipality with respect to all new jobs training projects, including related project financing undertaken during its existence. The joint agreement or plan shall be effective upon adoption and shall be placed on file in the office of the secretary of the board of directors of the community college and such other location as may be stated in the joint agreement or plan. The joint agreement or plan shall also be sent to each school district which levied or certified for levy a property tax on any portion of the taxable property located in the area of operation of the municipality in the fiscal year beginning prior to the calendar year in which the plan is adopted or the agreement is reached. If no such agreement is reached or plan adopted, the community college shall not use incremental property tax revenues to fund jobs training projects within the area of operation of the municipality. Agreements entered into between a community college and a city or county pursuant to chapter 28E shall not apply.

3. ~~The community college shall send a copy of the final agreement prepared pursuant to section 260F.3 to the economic development authority.~~ For each year in which incremental property taxes are used to retire debt service on a jobs training advance issued for a project creating new jobs, the community college shall provide to the economic development authority a report of the incremental property taxes and new jobs credits from withholding generated for that year, a specific description of the training conducted, the number of employees provided ~~program~~ services under the project, the median wage of employees in the new jobs

in the project, and the administrative costs directly attributable to the project.

Sec. ___. Section 558.1, Code 2014, is amended to read as follows:

558.1 "Instruments affecting real estate" defined — revocation.

All instruments containing a power to convey, or in any manner relating to real estate, including certified copies of petitions in bankruptcy with or without the schedules appended, of decrees of adjudication in bankruptcy, and of orders approving trustees' bonds in bankruptcy, and a jobs training agreement entered into under chapter 260E ~~or 260F~~ between an employer and community college which contains a description of the real estate affected, shall be held to be instruments affecting the same; and no such instrument, when acknowledged or certified and recorded as in this chapter prescribed, can be revoked as to third parties by any act of the parties by whom it was executed, until the instrument containing such revocation is acknowledged and filed for record in the same office in which the instrument containing such power is recorded, except that uniform commercial code financing statements and financing statement changes as provided in chapter 554 need not be thus acknowledged.

Sec. ___. REPEAL. Sections 15.343, 260F.6A, and 260F.6B, Code 2014, are repealed.

Sec. ___. RULES. The economic development authority shall adopt rules to administer this Act.

Sec. ___. TRANSFER OF FUNDS. Except as otherwise provided in this Act, all moneys in the workforce development fund, created in section 15.343, Code 2014, as of the effective date of this division of this Act and any moneys accruing to the workforce development fund, created in section 15.343, Code 2014, after the effective date of this division of this Act, shall be distributed equally between the job training fund created in section 260F.6, as amended in this Act, and the apprenticeship training program fund created in section 15B.3, as enacted in this Act, and deposited in the job training fund and the apprenticeship training program fund.>

9. Page 17, after line 26 by inserting:

<DIVISION ___
STEM INTERNSHIPS

Sec. ___. Section 15.411, subsection 3, Code 2014, is amended to read as follows:

3. *a.* The authority shall establish and administer an ~~innovative businesses~~ internship program with two components for Iowa students. For purposes of this

1 subsection, *"Iowa student"* means a student of an Iowa
2 community college, private college, or institution of
3 higher learning under the control of the state board of
4 regents, or a student who graduated from high school in
5 Iowa but now attends an institution of higher learning
6 outside the state of Iowa.
7 *b.* The purpose of the first component of the
8 program is to link Iowa students to small and medium
9 sized Iowa firms through internship opportunities. An
10 Iowa employer may receive financial assistance in an
11 amount of one dollar for every two dollars paid by
12 the employer to an intern. The amount of financial
13 assistance shall not exceed three thousand one hundred
14 dollars for any single internship, or nine thousand
15 three hundred dollars for any single employer. In
16 order to be eligible to receive financial assistance
17 under this ~~subsection~~ paragraph, the employer must
18 have five hundred or fewer employees and must be an
19 innovative business. The authority shall encourage
20 youth who reside in economically distressed areas,
21 youth adjudicated to have committed a delinquent
22 act, and youth transitioning out of foster care to
23 participate in the first component of the internship
24 program.
25 *c.* (1) The purpose of the second component of the
26 program is to assist in placing Iowa students studying
27 in the fields of science, technology, engineering, and
28 mathematics into internships that lead to permanent
29 positions with Iowa employers. The authority shall
30 collaborate with eligible employers, including but not
31 limited to innovative businesses, to ensure that the
32 interns hired are studying in such fields. An Iowa
33 employer may receive financial assistance in an amount
34 of one dollar for every dollar paid by the employer to
35 an intern. The amount of financial assistance shall
36 not exceed five thousand dollars per internship. The
37 authority may adopt rules to administer this component.
38 (2) The requirement to administer this component of
39 the internship program is contingent upon the provision
40 of funding for such purposes by the general assembly.
41 DIVISION ___
42 FINANCIAL ASSISTANCE FOR BORDER COUNTY HOSPITALS
43 Sec. ___. FINANCIAL ASSISTANCE FOR BORDER COUNTY
44 HOSPITALS.
45 1. Notwithstanding the purposes provided under
46 section 16.182, subsection 1, section 16.183,
47 subsection 1, section 16.184, subsection 1, and section
48 16.185, subsection 1, the Iowa finance authority
49 created in section 16.1A shall use moneys from the
50 funds created in sections 16.182, 16.183, 16.184, and

1 16.185 to provide financial assistance directly to
2 hospitals in counties that border other states. A
3 border county hospital may apply to the authority for
4 financial assistance and the authority shall provide
5 financial assistance pursuant to this section if the
6 applying hospital meets the criteria described in
7 subsection 2 and funding is available.
8 2. To qualify for financial assistance pursuant
9 to this section, a hospital shall meet the following
10 criteria:
11 a. The hospital is licensed in this state and is
12 located in a county bordering two states.
13 b. The hospital is located in a county with a
14 population of greater than 25,000 persons, but less
15 than 50,000 persons.
16 c. Not less than ninety percent of the operations
17 of the hospital are located within this state.
18 d. Based upon the hospital's net worth, cash flow,
19 debt-to-asset ratio, and other criteria prescribed by
20 the authority, the applying hospital has determined
21 that without receiving financial assistance pursuant
22 to this section, the hospital could not reasonably be
23 expected to obtain, retain, restructure, or service
24 loans or other financing for operating expenses or cash
25 flow requirements on a reasonable and affordable basis.
26 3. a. The Iowa finance authority shall provide
27 financial assistance pursuant to this section in the
28 form of a loan. The loan may be a secured or unsecured
29 direct loan to the qualifying hospital.
30 b. The amount of financial assistance provided
31 pursuant to this section as a secured or unsecured
32 direct loan to a qualifying border hospital shall not
33 exceed five million dollars.
34 c. Any loan provided pursuant to this section shall
35 be fully amortized and repaid over a five-year period.
36 d. Repayments of any loan provided pursuant to
37 this section shall be made to the authority and the
38 authority shall credit the moneys to the account from
39 which it was provided.
40 4. Notwithstanding the purposes provided under
41 section 16.182, subsection 1, section 16.183,
42 subsection 1, section 16.184, subsection 1, and section
43 16.185, subsection 1, moneys in the funds established
44 in sections 16.182, 16.183, 16.184, and 16.185 may be
45 commingled and transferred for the purpose of providing
46 financial assistance pursuant to this section or for
47 the purposes provided under section 16.182, subsection
48 1, section 16.183, subsection 1, section 16.184,
49 subsection 1, and section 16.185, subsection 1. Moneys
50 in the funds established in sections 16.182, 16.183,

16.184, and 16.185 shall be commingled or transferred if the moneys in any of the funds individually are insufficient to provide financial assistance pursuant to this section, or to provide assistance for the purposes provided in section 16.182, subsection 1, section 16.183, subsection 1, section 16.184, subsection 1, and section 16.185, subsection 1.

5. As used in this section, unless the context otherwise requires, "hospital" means the same as defined in section 135B.1.

Sec. ___. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ___

PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

Sec. ___. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a condition made to any appropriation to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents, Iowa state university, the state university of Iowa, or the university of northern Iowa as provided in this Act, moneys appropriated and any other moneys available for use by that entity under this Act shall not be used for the payment of a personnel settlement agreement between that entity and a state employee that contains a confidentiality provision intended to prevent public disclosure of the agreement or any terms of the agreement.>

10. Title page, line 6, after <matters> by inserting <, and including effective date provisions>

11. By renumbering, redesignating, and correcting internal references as necessary.

_____
WILLIAM A. DOTZLER, JR.