

**NINETIETH GENERAL ASSEMBLY
2024 REGULAR SESSION
DAILY
HOUSE CLIP SHEET
February 26, 2024**

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 2250	H-8046	Filed	NORDMAN of Guthrie
HF 2482	H-8045	Filed	KAUFMANN of Cedar
HF 2543	H-8041	Filed	CAHILL of Marshall
HF 2543	H-8042	Filed	CAHILL of Marshall
HF 2585	H-8044	Filed	SRINIVAS of Polk
SF 345	H-8043	Filed	COMMITTEE ON WAYS AND MEANS, et al

Fiscal Notes

[HF 2241](#) — [Sexual Exploitation of Minors, Use of Falsely Created Images](#) (LSB5064HV)

[HF 2250](#) — [Witness and Juror Tampering](#) (LSB5493HV)

[HF 2278](#) — [School Bus Open Enrollment](#) (LSB1362HZ)

[HF 2321](#) — [Assaults on Health Care Providers](#) (LSB5816HV)

[HF 2492](#) — [Biomarker Testing, Health Insurance](#) (LSB6095HV)

[HF 2539](#) — [Public Records, Education and Enforcement](#) (LSB5526HV)

[HF 2583](#) — [Postpartum Coverage, Medicaid](#) (LSB5156HV)

HOUSE FILE 2250

H-8046

1 Amend House File 2250 as follows:

2 1. Page 2, by striking lines 13 through 18 and inserting:

3 <3. A person who tampers with a witness, juror, or reporting
4 party, as described in subsection 2, commits a public offense
5 that shall be classified and punished as an offense one degree
6 higher than the underlying offense, but in no case shall
7 the public offense be classified and punished lower than an
8 aggravated misdemeanor.>

By NORDMAN of Guthrie

H-8046 FILED FEBRUARY 22, 2024

HOUSE FILE 2482

H-8045

1 Amend House File 2482 as follows:

2 1. Page 1, after line 12 by inserting:

3 <Sec. ____ . Section 411.1, Code 2024, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 8A. *“Cost-sharing”* means any coverage
6 limit, copayment, coinsurance, deductible, or other
7 out-of-pocket cost obligation related to an injury or disease
8 incurred while in the performance of duties.>

9 Sec. ____ . Section 411.15, Code 2024, is amended to read as
10 follows:

11 **411.15 Hospitalization and medical attention.**

12 1. Cities shall provide hospital, nursing, and physical
13 or mental medical attention for the members of the police and
14 fire departments of the cities, when injured while in the
15 performance of their duties as members of such department, and
16 shall continue to provide hospital, nursing, and physical or
17 mental medical attention for injuries or diseases incurred
18 while in the performance of their duties for members receiving
19 a retirement allowance under section 411.6, subsection 6.

20 2. Cities may fund the cost of the hospital, nursing, and
21 physical or mental medical attention required by this section
22 through the purchase of insurance, including by processing
23 claims concerning the cancer, heart, and lung or respiratory
24 issues described in section 411.6, subsection 5, paragraph “c”,
25 through their group health insurance plan as long as the member
26 is not responsible for any cost-sharing; by self-insuring
27 the obligation; or through payment of moneys into a local
28 government risk pool established for the purpose of covering
29 the costs associated with the requirements of this section.
30 However, the cost of the hospital, nursing, and physical or
31 mental medical attention required by this section shall not
32 be funded through an employee-paid health insurance policy,
33 except as otherwise specified in this subsection . Cancers,
34 heart disease, and lung or respiratory diseases described in
35 section 411.6, subsection 5, paragraph “c”, shall not be deemed

H-8045 (Continued)

1 work-related for purposes of coverage through the employer's
2 group health insurance plan.

3 3. The cost of the hospital, nursing, and physical or mental
4 medical attention required by this section shall be paid from
5 moneys held in a trust and agency fund established pursuant to
6 section 384.6, or out of the appropriation for the department
7 to which the injured person belongs or belonged⁷, provided
8 that any amounts received by the injured person from any other
9 source for such specific purposes⁷ shall be deducted from the
10 amount paid by the city under the provisions of this section.

11 2. By renumbering as necessary.

By KAUFMANN of Cedar

H-8045 FILED FEBRUARY 22, 2024

HOUSE FILE 2543

H-8041

1 Amend House File 2543 as follows:

2 1. By striking page 1, line 1, through page 2, line 7.

3 2. Title page, by striking lines 1 through 5 and inserting
4 <An Act relating to education, including by establishing a
5 right of first refusal for charter schools to purchase or lease
6 school district property and modifying charter school board
7 member requirements.>

8 3. By renumbering as necessary.

By CAHILL of Marshall

H-8041 FILED FEBRUARY 22, 2024

HOUSE FILE 2543

H-8042

- 1 Amend House File 2543 as follows:
- 2 1. By striking page 2, line 8 through page 5, line 8.
- 3 2. Title page, by striking lines 1 through 5 and inserting
- 4 <An Act relating to education, including by modifying
- 5 provisions related to charter school open enrollment funding
- 6 and charter school board member requirements.>
- 7 3. By renumbering as necessary.

By CAHILL of Marshall

H-8042 FILED FEBRUARY 22, 2024

HOUSE FILE 2585

H-8044

1 Amend House File 2585 as follows:

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

4 <Section 1. Section 135C.16, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. In addition to the inspections required by sections
7 135C.9 and 135C.38, the department shall make or cause to
8 be made such further unannounced inspections as it deems
9 necessary to adequately enforce this chapter. At least one
10 general unannounced inspection shall be conducted for each
11 health care facility, that is other than a nursing facility,
12 within a thirty-month period. On average, at least one general
13 unannounced inspection shall be conducted for each nursing
14 facility within a twelve-month period. The inspector shall
15 show identification to the person in charge of the facility
16 and state that an inspection is to be made before beginning
17 the inspection. An employee of the department who gives
18 unauthorized advance notice of an inspection made or planned
19 to be made under this subsection or section 135C.38 shall be
20 disciplined as determined by the director, except that if the
21 employee is employed pursuant to the merit system provisions of
22 chapter 8A, subchapter IV, the discipline shall not exceed the
23 discipline authorized pursuant to that subchapter.

24 Sec. 2. NEW SECTION. 135C.35C **Nursing facilities — joint**
25 **training sessions.**

26 The department shall semiannually provide joint training
27 sessions for inspectors and nursing facilities to review at
28 least three of the ten most frequently issued federal citations
29 in the state during the immediately preceding calendar year.
30 The department shall develop a protocol to identify regional
31 citation patterns relating to complaints, standards, and
32 outcomes in the nursing facility inspection process. The
33 department shall include the state long-term care ombudsman,
34 or the state long-term care ombudsman's designee, and
35 representatives of each nursing facility provider association

1 in the state in the planning process for the joint training
2 sessions.

3 Sec. 3. Section 135C.38, subsection 1, paragraph a,
4 subparagraph (1), Code 2024, is amended to read as follows:

5 (1) For nursing facilities, an on-site inspection shall be
6 initiated as follows:

7 (a) Within ~~two~~ one working ~~days~~ day for a complaint
8 determined by the department to be an alleged immediate
9 jeopardy situation.

10 (b) Within ~~ten~~ five working days for a complaint determined
11 by the department to be an alleged high-level, nonimmediate
12 jeopardy situation.

13 (c) Within forty-five calendar days for a complaint
14 determined by the department to be an alleged nonimmediate
15 jeopardy situation, other than a high-level situation.

16 Sec. 4. 2023 Iowa Acts, chapter 108, section 7, subsection
17 4, is amended to read as follows:

18 4. HEALTH FACILITIES

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

22	\$	4,862,971
23		<u>6,262,971</u>
24	FTEs	115.00
25		<u>145.00</u>

26 b. The department shall make all of the following
27 information available to the public as part of the department's
28 development efforts to revise the department's internet site:

29 (1) The number of inspections of health facilities
30 conducted by the department annually by type of service
31 provider and type of inspection.

32 (2) The total annual operations budget for the department
33 that is associated with health facilities regulation, including
34 general fund appropriations and federal contract dollars
35 received by type of service provider inspected.

1 (3) The total number of full-time equivalent positions
2 in the department that are associated with health facilities
3 regulation, to include the number of full-time equivalent
4 positions serving in a supervisory capacity, and serving as
5 surveyors, inspectors, or monitors in the field by type of
6 service provider inspected.

7 (4) Identification of state and federal survey trends,
8 cited regulations, the scope and severity of deficiencies
9 identified, and federal and state fines assessed and collected
10 concerning nursing and assisted living facilities and programs.

11 c. It is the intent of the general assembly that the
12 department continuously solicit input from health facilities
13 regulated by the department to assess and improve the
14 department's level of collaboration and to identify new
15 opportunities for cooperation.

16 d. Of the funds appropriated in this subsection, \$2,400,000
17 shall be used to employ additional nursing facility inspectors
18 and assisted living program monitors to perform additional
19 safety inspections.

20 Sec. 5. EFFECTIVE DATE. The following, being deemed of
21 immediate importance, takes effect upon enactment:

22 The section of this Act amending 2023 Iowa Acts, chapter 108,
23 section 7, subsection 4, relating to health facilities.

24 Sec. 6. RETROACTIVE APPLICABILITY. The following applies
25 retroactively to July 1, 2023:

26 The section of this Act amending 2023 Iowa Acts, chapter 108,
27 section 7, subsection 4, relating to health facilities.>

28 2. Title page, by striking lines 2 through 4 and inserting
29 <training sessions and inspection requirements, making an
30 appropriation, and including effective date and retroactive
31 applicability provisions.>

By SRINIVAS of Polk

SENATE FILE 345

H-8043

- 1 Amend Senate File 345, as amended, passed, and reprinted by
2 the Senate, as follows:
- 3 1. Page 5, by striking lines 3 through 6 and inserting
4 <retailer permit to the department within thirty days of
5 issuance of a device retailer permit. The department shall
6 submit the current list of>
- 7 2. Page 12, by striking lines 26 and 27 and inserting
8 <device delivery sale permit under this section to the
9 department within thirty>
- 10 3. Page 13, by striking lines 16 and 17 and inserting:
11 <Sec. ____ . EFFECTIVE DATE. This Act takes effect January 1,
12 2025.>
- 13 4. By renumbering as necessary.

By COMMITTEE ON WAYS AND MEANS
KAUFMANN of Cedar, Chairperson

H-8043 FILED FEBRUARY 22, 2024



[HF 2241](#) – Sexual Exploitation of Minors, Use of Falsely Created Images (LSB5064HV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2241](#) expands the definition of the sexual exploitation of a minor under Iowa Code section [728.12\(3\)](#) to include any type of visual depiction that has been created, adapted, or modified to give the appearance that an identifiable minor is engaging in a prohibited sexual act or in the simulation of a prohibited sexual act.

Background

Iowa Code section 728.12 establishes the penalties for the sexual exploitation of a minor. Under current law, a person who commits a violation of Iowa Code section 728.12(3) (purchase or possession of visual depictions) commits a Class D felony for a first offense and a Class C felony for a second or subsequent offense.

In FY 2023, 40 individuals were convicted of the sexual exploitation of a minor under Iowa Code section 728.12(3). In the same fiscal year, 6 individuals were admitted to prison and 15 individuals were admitted to probation on the most serious offense under Iowa Code section 728.12(3).

A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,370 but not more than \$13,660. A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but not more than \$10,245.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

House File 2241 expands the definition of an existing offense. The correctional impact cannot be estimated because it is not known how many additional convictions would result from the changes in definitions. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class C felonies and Class D felonies. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
C Felony (Sex)	93.5%	65.2	\$24.94	28.6%	41.5	\$ 7.67	5.4%	\$ 20.00	39.6%	\$ 50.00	10.5	\$ 7.67
D Felony (Sex)	91.5%	32.3	\$24.94	45.4%	40.1	\$ 7.67	2.8%	\$ 20.00	39.7%	\$ 50.00	8.7	\$ 7.67

Minority Impact

The minority impact cannot be determined since it is not known how many additional crimes would result from the changes in definitions. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2241 may increase the number of offenders admitted to prison under Iowa Code section 728.12(3). However, the extent of the increase in costs to the Department of Corrections (DOC) is unknown.

Figure 2 shows the average State cost per offense for a Class D and Class C felony. The estimated impact to the General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Class C Felony	\$14,300 to \$27,500
Class D Felony	\$12,600 to \$18,200

Sources

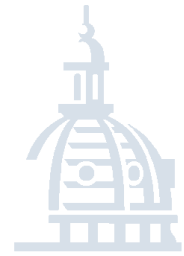
Department of Corrections
 Criminal and Juvenile Justice Planning, Department of Management
 Legislative Services Agency

/s/ Jennifer Acton

February 22, 2024

Doc ID 1445708

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2250](#) – Witness and Juror Tampering (LSB5493HV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2250](#) establishes definitions and increases penalties for witness and juror tampering.

The Bill establishes the following definitions:

- “Tampering” is defined as acts of bribery, threats, forcible or fraudulent detaining or restraining, harassment as described in Iowa Code section [708.7](#)(1), assault as described in Iowa Code section [708.1](#)(2), or any public offense.
- “Witness” is defined as a person who has been summoned to testify in any judicial proceeding, arbitration, or legislative hearing, or who is listed in the minutes of evidence.
- “Reporting party” is defined as a person who reports or attempts to report a public offense to any fire department, law enforcement agency, emergency communications center, or other public safety entity or a person who assists or attempts to assist a law enforcement agency or prosecuting agency in any criminal investigation or judicial proceeding.

The Bill provides the following penalties:

- A person who tampers with a witness with the intent to prevent an individual from testifying; encourages an individual to disobey or avoid a subpoena or other legal process; or encourages an individual to withhold evidence, information, or documents commits a Class D felony.
- A person who prevents an individual from serving in a judicial proceeding with the intent to improperly influence the individual, or tampers with a juror in retaliation for lawful action taken by the individual, commits a Class D felony.
- A person who prevents an individual from becoming a reporting party with the intent to improperly influence the statements of an individual; encourages an individual to disobey or avoid a subpoena or other legal process; encourages the individual to withhold evidence, information, or documents; or tampers with a reporting party commits a Class D felony.
- A person who tampers with a witness, juror, or reporting party in a judicial proceeding in which a defendant has been charged with a Class A or Class B felony commits a Class C felony.

Background

Under Iowa Code section [720.4](#), a person who offers a bribe, makes a threat, or forcibly detains or restrains a person who the aggressor believes has been or may have been summoned as a witness or juror commits an aggravated misdemeanor.

In FY 2023, 18 individuals were convicted of witness and jury tampering under Iowa Code section 720.4. In the same fiscal year, there were no prison admissions, and three individuals were admitted to Community-Based Corrections (CBC) supervision for probation or parole. Of the three individuals, one offense would move from an aggravated misdemeanor to a Class D felony under the Bill.

A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,370 but not more than \$13,660. A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but not more than \$10,245. An aggravated misdemeanor is punishable by up to two years in confinement and a fine of at least \$855, but not more than \$8,540.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

The correctional impact of HF 2250 cannot be determined due to the low number of convictions and admissions to DOC supervision for witness and jury tampering. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or CBC residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class C felonies, Class D felonies, and aggravated misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
C Felony (Persons)	89.9%	50.3	\$24.94	27.2%	41.3	\$ 7.67	4.3%	\$ 20.00	52.0%	\$ 50.00	22.3	\$ 7.67
C Felony (Non-Persons)	86.0%	19.4	\$24.94	64.2%	42.2	\$ 7.67	13.0%	\$ 20.00	34.0%	\$ 50.00	21.3	\$ 7.67
D Felony (Persons)	82.6%	20.5	\$24.94	53.9%	35.3	\$ 7.67	9.8%	\$ 20.00	36.9%	\$ 50.00	15.6	\$ 7.67
D Felony (Non-Persons)	84.4%	13.0	\$24.94	69.8%	39.5	\$ 7.67	14.5%	\$ 20.00	32.2%	\$ 50.00	15.7	\$ 7.67
Aggravated Misdemeanor (Persons)	47.6%	10.6	\$24.94	67.6%	25.1	\$ 7.67	5.2%	\$ 20.00	55.9%	\$ 50.00	6.7	\$ 7.67
Aggravated Misdemeanor (Non-Persons)	30.4%	7.5	\$24.94	45.0%	25.1	\$ 7.67	3.6%	\$ 20.00	71.7%	\$ 50.00	11.9	\$ 7.67

Minority Impact

Due to the low number of convictions for this crime in FY 2023, Criminal Juvenile Justice Planning (CJJP) of the Department of Management (DOM) cannot use existing conviction data to determine a minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for more information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact cannot be determined, but is anticipated to be minimal. **Figure 2** shows the average State cost per offense for a Class C felony, a Class D felony, and an aggravated misdemeanor. Potential impacts to the State General Fund include operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. Any costs would be incurred across multiple fiscal years for prison and parole supervision.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Class C Felony	\$14,300 to \$27,500
Class D Felony	\$12,600 to \$18,200
Aggravated Misdemeanor	\$7,500 to \$10,800

Sources

Department of Corrections
Legislative Services Agency

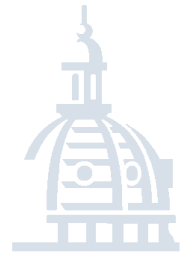
/s/ Jennifer Acton

February 22, 2024

Doc ID 1445476

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2278](#) – School Bus Open Enrollment (LSB1362HZ)
Staff Contact: Jacob Ludwig (515.725.0155) jacob.ludwig@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2278](#) establishes new standards for the transportation of students between districts based on the size of the districts, contiguity, and proximity of pupils to their respective attendance centers in the districts where they are open enrolling. The Bill also removes the requirement that the school boards of the resident and receiving school district agree to the arrangement.

Background

Current law authorizes a receiving school district to send school vehicles into the district of residence of a student who open enrolls and to transport the student to and from school in the receiving school district. However, districts are not required to transport students who do not reside in the district. A district may transport a nonresident student, but if it does, the district must charge that student's parent a fee under Iowa Code section [285.1](#) unless the open-enrolled student is entitled to transportation. The fee is determined by the average actual cost for all the children transported in all school buses in the district.

Open-enrolled students are entitled to transportation only if they fall below certain income thresholds. Those students' resident districts are required to provide transportation and have three options for providing that transportation:

- Provide bus transportation to the receiving school district.
- Allow buses from the receiving school district to enter the resident district's lines to pick up the student.
- Provide reimbursement based on the formula in Iowa Code section 285.1.

Approximately 39,000 Iowa students were open-enrolled when certified enrollments were determined on October 1, 2022, for the 2022-2023 school year. Each of the 327 school districts in the State reported at least one student served through an open enrollment arrangement.

Assumptions

- The statewide average cost of transporting a student is \$669 for the 2023-2024 school year.
- It is unknown how many students wish to receive transportation services from the school district into which they have open enrolled but have been denied by their resident school district.

Fiscal Impact

There is no fiscal impact to the State.

There may be a fiscal impact to school districts that choose to provide transportation to students who open enroll. This cost cannot be determined since it would vary across school districts and specific student situations. Additionally, the cost would be voluntarily incurred by school districts since they are not required to provide the transportation. Those school districts could be reimbursed for at least part of the transportation cost by fees paid by the parents of the students.

Source

Department of Education

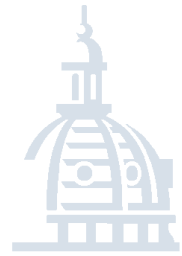
/s/ Jennifer Acton

February 22, 2024

Doc ID 1445589

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2321](#) – Assaults on Health Care Providers (LSB5816HV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2321](#) modifies the definition of a “health care provider” under Iowa Code section [708.3A\(5\)](#) (assaults on persons engaged in certain occupations). Under the Bill, a “health care provider” would include a person working, volunteering, or participating in an educational course of instruction at a hospital, or rural emergency hospital as defined in Iowa Code chapter [135B](#).

Background

Iowa Code chapter [708](#) establishes the penalties for assault, and assault is defined under Iowa Code section [708.1](#). Under Iowa Code section [708.3A\(5\)](#), a health care provider means an emergency medical provider as defined in Iowa Code chapter [147A](#), or a person licensed or registered under Iowa Code chapter [148](#) (medicine, surgery, and osteopathic medicine and surgery), [148C](#) (physician assistants), [148D](#) (resident physicians), or [152](#) (nursing) who is providing emergency medical services.

In FY 2023, there were 627 individuals convicted for assault under Iowa Code section 708.3A. In the same fiscal year, 26 individuals were admitted to prison, 10 individuals were admitted to parole, and 101 individuals were admitted to probation for the most serious offense, a Class D felony, under Iowa Code section 708.3A.

A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but no more than \$10,245. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$865, but no more than \$8,540. A serious misdemeanor is punishable by confinement for up to one year and a fine of \$430, but no more than \$2,560.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The marginal cost per day in prison is \$24.94.

Correctional Impact

House File 2321 modifies the definition of a “health care provider” in regard to the assault of persons engaged in certain occupations. It is not known how many additional convictions of assault under Iowa Code section 708.3A would result from the expanded definition. Therefore, the correctional impact cannot be estimated.

Figure 1 shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class D felonies. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
D Felony (Persons)	82.6%	20.5	\$24.94	53.9%	35.3	\$ 7.67	9.8%	\$ 20.00	36.9%	\$ 50.00	15.6	\$ 7.67
Aggravated Misdemeanor (Persons)	47.6%	10.6	\$24.94	67.6%	25.1	\$ 7.67	5.2%	\$ 20.00	55.9%	\$ 50.00	6.7	\$ 7.67
Serious Misdemeanor	1.7%	6.6	\$24.94	53.0%	19.2	\$ 7.67	1.2%	\$ 20.00	74.2%	\$ 50.00	N/A	\$ 7.67

Minority Impact

House File 2321 expands the definition of an offense, and the minority impact is not able to be determined since it is not known how many additional convictions would result from the changes to the definition. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2321 may increase the number of offenders admitted to prison under Iowa Code section 708.3A. However, the extent of the increase in costs to the Department of Corrections (DOC) is unknown. **Figure 2** shows the average State cost per offense for a Class D felony, an aggravated misdemeanor, and a serious misdemeanor. The estimated impact to the General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Class D Felony	\$12,600 to \$18,200
Aggravated Misdemeanor	\$7,500 to \$10,800
Serious Misdemeanor	\$400 to \$6,900

Sources

Department of Corrections
 Criminal and Juvenile Justice Planning, Department of Management
 Legislative Services Agency

/s/ Jennifer Acton

February 22, 2024

Doc ID 1445997

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2492](#) – Biomarker Testing, Health Insurance (LSB6095HV)
Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2492](#) relates to insurance coverage for biomarker testing and does the following:

- Requires a policy, contract, or plan providing third-party payment or prepayment of medical expenses to provide coverage for biomarker testing for select purposes when the biomarker testing has demonstrated clinical utility.
- Provides requirements for demonstrating clinical utility in biomarker testing.
- Provides additional coverage requirements for biomarker testing covered by the Bill.
- Provides applicability standards to policies, contracts, or plans delivered, issued for delivery, continued, or renewed in the State on or after January 1, 2025.

Background

The Bill defines “biomarker testing” as an analysis of an individual’s tissue, blood, or other biospecimen for the presence of a biomarker. The Bill defines “biomarker” as a characteristic that is objectively measured and evaluated as an indicator of normal biological processes, pathogenic processes, or pharmacologic responses to a specific therapeutic intervention.

Federal fiscal year (FFY) 2025 Federal Medical Assistance Percentage (FMAP) rates are based on per capita personal incomes for calendar years 2020 through 2022. Iowa’s FFY 2025 FMAP rate decreased by 0.88% to 63.25%, meaning that beginning October 1, 2024, for every dollar spent on the Medicaid program, the federal government will pay \$0.6325 and Iowa will pay \$0.3675.

Assumptions

- For State FY 2025, the State share for provider reimbursement is approximately 36.53%, which is a blended FMAP rate consisting of 25.0% of the FFY 2024 FMAP rate and 75.0% of the FFY 2025 FMAP rate. In FY 2025, the enhanced rate to providers is expected to cost \$2.4 million total, with the State paying \$874,000 and the federal government paying \$1.5 million.
- For State FY 2026, the State share for provider reimbursement is approximately 36.75%, or the State share of FY 2025 Medicaid costs via the FMAP rate. Beginning in FY 2026 and continuing annually, the enhanced rate is expected to cost \$2.4 million total, with the State paying \$880,000 and the federal government paying \$1.5 million.
- An increase in the General Fund appropriation to the Department of Health and Human Services (HHS) for Medicaid will be necessary to pay for the costs in the Bill.
- According to the HHS, potential contracting updates that may be required could be absorbed by the HHS.
- According to the HHS, increased access to biomarker testing may generate savings in the long term as a result of earlier intervention. Data to estimate potential cost savings is not currently available to estimate the amount; therefore, potential cost savings as a result of the Bill are not included.

Fiscal Impact

House File 2492 is estimated to increase costs to the State by approximately \$874,000 in FY 2025 and \$880,000 annually beginning in FY 2026.

Figure 1 — Annual Fiscal Impact Summary of HF 2492

Cost	FY 2025	FY 2026
State	\$ 874,000	\$ 880,000
State + Federal	2,394,000	2,394,000

Sources

Department of Health and Human Services
Legislative Services Agency analysis

/s/ Jennifer Acton

February 21, 2024

Doc ID 1447125

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2539](#) – Public Records, Education, and Enforcement (LSB5526HV)
Staff Contact: Joey Lovan (515.242.5925) joey.lovan@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2539](#) increases the penalty for violation by a member of a governmental body of Iowa Code chapter [21](#) to no more than \$2,500 and no less than \$500 in damages. This Bill also increases the penalty for a member of a governmental body who knowingly violates Iowa Code chapter 21 to no more than \$12,500 and no less than \$5,000 in damages. The Bill also removes the requirement that damages need to have been assessed due to a previous violation of Iowa Code chapter 21 for a court to issue an order removing a member of a governmental body from office.

The Bill adds a requirement for newly elected or appointed members to a governmental body to complete an educational course on the provisions of Iowa Code chapters 21 and [22](#) that are relevant to the member's position. The training is required to take place no later than 90 days after one of the following:

- Member takes oath of office.
- Member assumes the responsibilities if not required to take oath.
- Member is reelected or reappointed to the position.

The Bill requires the Iowa Public Information Board (IPIB) to approve training and to ensure at least one training course is available at no cost. The Bill requires the IPIB or other entity providing the training to provide a certificate of course completion to a person who completes the required training and to make the certificate public for inspection. The Bill also provides that if training is not completed, the failure in training does not affect the validity of an action taken by the governmental body. However, training is required to be completed within 60 days or the member may be assessed penalties or damages.

Background

Currently, Iowa Code section [21.6](#) requires a court to assess damages to a member of a governmental body in an amount no less than \$100 and no more than \$500. For a violation that is knowingly committed, damages are assessed in an amount no less than \$1,000 and no more than \$2,500. To remove a member of a governmental body from the member's position for a violation of Iowa Code chapter 21, damages must have been assessed due to a previous violation of Iowa Code chapter 21 against that member during that member's term.

The IPIB provides training on Iowa Code chapters 21 and 22.

There are approximately 13,800 elected and appointed officials in Iowa.

Assumptions

- House File 2539 requires the IPIB to facilitate mandatory training which will require an additional 1.0 full-time equivalent (FTE) position for a Staff Attorney 2.
- The total costs for one Staff Attorney 2 FTE position is \$104,000.

Fiscal Impact

The fiscal impact of HF 2539 to the IPIB is an increase of \$104,000 and 1.0 Staff Attorney 2 FTE position.

Source

Iowa Public Information Board

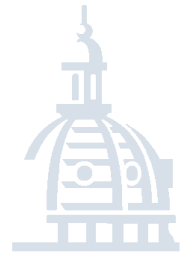
/s/ Jennifer Acton

February 21, 2024

Doc ID 1447130

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2583](#) – Postpartum Coverage, Medicaid (LSB5156HV)
Staff Contact: Eric Richardson (515.281.6767) eric.richardson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2583](#) extends postpartum Medicaid coverage for women. The Bill does the following:

- Extends postpartum Medicaid coverage from 60 days to 12 months after a pregnancy ends.
- Amends the income eligibility threshold for infants and pregnant women to 215.0% of the federal poverty level (FPL) for postpartum Medicaid coverage.
- Requires the Iowa Department of Health and Human Services (HHS) to submit a Medicaid State plan amendment to the Centers for Medicare and Medicaid Services (CMS) to provide continuous Medicaid eligibility to pregnant women until 12 months after a pregnancy ends, beginning January 1, 2025.
- Requires the HHS to submit a Children’s Health Insurance Program (CHIP) State plan amendment to the CMS to update infant eligibility consistent with provisions of the Bill, beginning January 1, 2025.

The section of the Bill directing the HHS to submit a Medicaid State plan amendment to the CMS takes effect upon enactment. The eligibility measures in the Bill for infants and pregnant women take effect January 1, 2025.

Background

Iowa Code section [249A.3\(1\)\(h\)](#) provides Medicaid coverage to women who meet eligibility requirements, except for income, for 60 days after a pregnancy ends. Currently in Iowa, children under one year of age and pregnant women are eligible for postpartum coverage with income eligibility requirements up to 375.0% of the FPL (\$117,000 for a family of four in calendar year 2024). The [American Rescue Plan Act of 2021](#) allowed states to submit a Medicaid State plan amendment, effective for five years, to provide postpartum Medicaid coverage for 12 months after a pregnancy ends. Subsequently, a provision in the [Consolidated Appropriations Act of 2023](#) removed the five-year limitation period for the State plan amendment. As of January 2024, 44 states (including Washington, D.C.) have [extended postpartum coverage](#) to 12 months, with Alaska, Nevada, Utah, and Wisconsin having submitted State plan amendments to the CMS to implement a 12-month extension. Arkansas, Idaho, and Iowa have not formally submitted amendments to the CMS to increase postpartum coverage to 12 months.

Income eligibility for Medicaid for pregnant women and infants under one year of age is specified in [441 IAC 75.1\(28\)](#) at a maximum of 375.0% of the FPL. The Healthy and Well Kids in Iowa (Hawki) program has an income eligibility limit of 302.0% of the FPL. Currently, pregnant women who lose Medicaid coverage after 60 days may be eligible to enroll in the Iowa Health and Wellness Program (IHAWP), which has an income limit of up to 133.0% of the FPL. [42 C.F.R. §435.116](#) details minimum and maximum federal income eligibility requirements for pregnant women who are eligible to receive Medicaid benefits.

Assumptions

- It is assumed that the State plan amendment will be approved by the CMS to begin on January 1, 2025.
- Postpartum coverage would remain without interruption for Medicaid members with an income level of 215.0% of the FPL or lower.
- According to the HHS, one-time information technology (IT) costs totaling \$1.2 million are necessary due to enrollment changes in Medicaid and the IHAWP and would be expended in FY 2025. The State will pay for approximately 25.0% of these costs, or \$297,000, out of the Family Investment Program General Fund appropriation.
 - IT costs include hiring contractors for a total cost of \$107,000 for 438 total hours at \$125 per hour to update the data warehouse, 29 total hours at \$125 per hour for project management, 97 total hours at \$125 per hour for a business analyst, and 288 total hours at \$125 per hour for enterprise architecture.
 - IT costs also include \$1.1 million to update the HHS's Eligibility Integrated Application Solution (ELIAS) system to determine Medicaid eligibility for pregnant women.
- An actuarial services contract may be necessary to determine the impact of enrollment changes on managed care organization (MCO) capitation rates and maternal and infant health care payments to the MCOs. The costs of this contract are anticipated to be absorbed within the existing Health Program Operations General Fund appropriation.
- There are currently 10,800 Medicaid members with postpartum coverage. The HHS reports that approximately 15.8%, or 1,700 members per month on average, may lose coverage under the provisions of the Bill, including approximately 1,300 women with income between 215.0% and 375.0% of the FPL and 400 infants in families with income between 302.0% and 375.0% of the FPL.
- A monthly average of approximately 1,100 infants in families with income between 215.0% and 302.0% of the FPL may have coverage shifted from Medicaid to Hawki if they are not covered by other insurance.
- A monthly average of approximately 2,300 pregnant women are anticipated to maintain Medicaid coverage beyond the current two months postpartum instead of transferring to the IHAWP, which has income eligibility up to 133.0% of the FPL. Beginning in FY 2025, the State is estimated to pay for 36.75% of expenses under Medicaid for pregnant women and 11.61% of expenses for the IHAWP, creating increased net State costs of \$86 per month for these members beginning in FY 2026.
- An estimated 2,700 women with an income level of 215.0% of the FPL or lower who otherwise would have lost Medicaid coverage after 60 days may be eligible for Medicaid coverage.
- Combined with program savings due to an estimated 1,300 women losing Medicaid coverage, the estimated fiscal impact related to pregnant women under Medicaid is a decrease in total costs of \$3.7 million in FY 2025 (\$855,000 decrease in State costs), a decrease in total costs of \$1.5 million in FY 2026 (\$2.3 million increase in State costs), and a decrease in total costs of \$963,000 beginning in FY 2027 (\$2.6 million increase in State costs) and continuing annually. Costs are anticipated to be funded from the Medical Assistance (Medicaid) General Fund appropriation.
- An additional monthly cost of \$6.60 per person was added to account for dental costs paid outside of MCO capitation rates.
- Approximately 400 infants may no longer receive Medicaid coverage due to the Bill, causing a decrease in total infant costs under Medicaid of \$5.0 million in FY 2025 (\$1.9 million decrease in State costs) and \$10.1 million annually beginning in FY 2026 (\$3.7 million in State costs). State savings equal 36.75% of total savings beginning in FY 2025, and any savings are anticipated to be applied to the Medicaid General Fund appropriation.

- Approximately 1,100 infants' coverage may shift from Medicaid to Hawki due to the Bill, causing an increase in total costs by \$2.7 million (\$707,000 in State costs) in FY 2025 and \$5.5 million annually (\$1.4 million in State costs) beginning in FY 2026. Costs are anticipated to be funded from the CHIP General Fund appropriation.
- According to the HHS, costs of the Bill beginning in FY 2027 will require a General Fund appropriation.

Fiscal Impact

House File 2583 is estimated to decrease State costs by approximately \$1.7 million in FY 2025 and \$40,000 in FY 2026 and will increase State costs by \$286,000 beginning in FY 2027 and continuing annually.

Figure 1 — Medicaid Postpartum Coverage Fiscal Impact

Expense Category	FY 2025		FY 2026		FY 2027	
	Total	State	Total	State	Total	State
Information Technology	\$ 1,187,000	\$ 297,000	\$ 0	\$ 0	\$ 0	\$ 0
Medicaid — Pregnant Women	-3,723,000	-855,000	-1,450,000	2,251,000	-963,000	2,577,000
Medicaid — Infants	-5,041,000	-1,853,000	-10,083,000	-3,705,000	-10,083,000	-3,705,000
Hawki — Infants	2,748,000	707,000	5,496,000	1,414,000	5,496,000	1,414,000
Total Fiscal Impact	\$ -4,829,000	\$ -1,704,000	\$ -6,037,000	\$ -40,000	\$ -5,550,000	\$ 286,000

Sources

Iowa Department of Health and Human Services
Centers for Medicare and Medicaid Services
Legislative Services Agency analysis

/s/ Jennifer Acton

February 22, 2024

Doc ID 1446983

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
