

8 "The warden may retain up to one half of the cash allowance so  
9 determined and remit it to the prisoner within twenty-one days after  
10 his discharge."

Approved April 10, 1970.

## CHAPTER 1102

### MEDICAL ASSISTANCE

H. F. 1346

AN ACT relating to the furnishing of medical care and services to individuals and families whose income and resources are insufficient to meet the cost of necessary medical care and services.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter two hundred twenty-three (223), section three  
2 (3), Acts of the Sixty-second General Assembly, as amended by chap-  
3 ter two hundred nine (209), section four hundred eighteen (418), Acts  
4 of the Sixty-second General Assembly, and further amended by chap-  
5 ter one hundred fifty-two (152), section fifty-two (52), Acts of the  
6 Sixty-third General Assembly, First Session, is hereby further amend-  
7 ed as follows:

8 1. By inserting after subsection one (1) the following new subsection:  
9 "2. The term 'commissioner' shall mean the commissioner of the  
10 department of social services."

11 2. By renumbering the succeeding subsections accordingly.

12 3. By adding thereto the following new subsections:

13 "5. 'Medical assistance' shall mean payment of all or part of the  
14 costs of the care and services enumerated in Title XIX, United States  
15 Social Security Act, section 1905(a), paragraphs (1) through (5), in-  
16 clusive [Title XLII, United States Code, section 1396d(a), paragraphs  
17 (1) through (5), inclusive], as amended to January 1, 1970.

18 6. 'Additional medical assistance' shall mean payment of all or  
19 part of the costs of any or all of the care and services enumerated in  
20 Title XIX, United States Social Security Act, section 1905(a), para-  
21 graphs (6), (7), and (9) through (15), inclusive [Title XLII, United  
22 States Code, section 1396d(a), paragraphs (6), (7), and (9) through  
23 (15), inclusive], as amended to January 1, 1970."

1 SEC. 2. Chapter two hundred twenty-three (223), section four (4),  
2 Acts of the Sixty-second General Assembly, is hereby amended as  
3 follows:

4 1. By striking lines one (1) through nine (9), inclusive, and in-  
5 serting in lieu thereof the following:

6 "The extent of and the limitations upon eligibility for assistance  
7 under this chapter shall be as prescribed by this section, and by laws  
8 appropriating funds therefor.

9 1. Medical assistance shall be provided to, or on behalf of, any  
10 individual or family residing in the state of Iowa, including those resi-  
11 dents who are temporarily absent from the state, to whom the state is  
12 required to make such assistance available, by Title XIX, United

13 States Social Security Act, section 1902 [Title XLII, United States  
14 Code, section 1396a], as amended to January 1, 1970, and by the  
15 regulations and directives issued pursuant thereto, as a minimum con-  
16 dition of federal financial participation in the program of assistance  
17 provided under this chapter, and who have no spouse or parent re-  
18 sponsible under the law of this state and found by the county board  
19 to be able to provide him or them with needed medical care and  
20 services.

21 2. Medical assistance may also, within the limits of available funds  
22 and in accordance with section five (5), subsections one (1) and two  
23 (2), of this chapter, be provided to, or on behalf of, other individuals  
24 and families who are not excluded under subsection four (4) of this  
25 section four (4) of said chapter two hundred twenty-three (223) as  
26 amended by this Act and whose incomes and resources are insufficient  
27 to meet the cost of necessary medical care and services, and who have  
28 no spouse or parent responsible under the law of this state and found  
29 by the county board to be able to provide him or them with such neces-  
30 sary medical care and services, in accordance with the following order  
31 of priorities:

32 a. Individuals and families whose incomes and resources are such  
33 that they are eligible for old age assistance, aid to dependent children,  
34 aid to the disabled, or aid to the blind, but who are not actually re-  
35 ceiving such public assistance.

36 b. Children under twenty-one years of age whose incomes and re-  
37 sources are comparable to those receiving aid to dependent children.

38 c. Individuals sixty-five years of age or older who are patients  
39 in institutions for mental diseases.

40 d. Individuals and families whose incomes and resources make them  
41 ineligible for old age assistance, aid to dependent children, aid to the  
42 disabled, or aid to the blind.

43 3. Additional medical assistance may, within the limits of avail-  
44 able funds and in accordance with section five (5), subsections one (1)  
45 and two (2), of this chapter, be provided to, or on behalf of, either:

46 a. Only those individuals and families described in subsection one  
47 (1) of this section; or

48 b. Those individuals and families described in both subsection one  
49 (1) and subsection two (2) of this section.

50 4. No assistance shall be granted under this chapter to:"

51 2. By striking from line ten (10) the figure "1" and inserting in  
52 lieu thereof the letter "a".

53 3. By striking from line nineteen (19) the figure "2" and insert-  
54 ing in lieu thereof the letter "b".

1 SEC. 3. Chapter two hundred twenty-three (223), section five (5),  
2 Acts of the Sixty-second General Assembly, as amended by chapter  
3 two hundred nine (209), section four hundred nineteen (419), Acts  
4 of the Sixty-second General Assembly, and further amended by chap-  
5 ter one hundred fifty-two (152), section fifty-three (53), Acts of the  
6 Sixty-third General Assembly, First Session, is hereby further amend-  
7 ed as follows:

8 1. By striking lines one (1) through twenty-four (24), inclusive,  
9 and inserting in lieu thereof the following new sentences and sub-  
10 sections:

11 "The commissioner shall be responsible for the effective and impar-  
12 tial administration of this chapter and shall, in accordance with the  
13 standards and priorities established by this chapter, by applicable fed-  
14 eral law, particularly Title XIX of the United States Social Security  
15 Act [Title XLII, United States Code, sections 1396 through 1396g], as  
16 amended to January 1, 1970, by the regulations and directives issued  
17 pursuant thereto, and by the state plan approved in accordance there-  
18 with, make rules and regulations, establish policies, and prescribe  
19 procedures to implement this chapter. Without limiting the generality  
20 of the foregoing delegation of authority, the commissioner is hereby  
21 specifically empowered and directed to:

22 1. Determine the greatest amount, duration, and scope of assistance  
23 which may be provided, and the broadest range of eligible individuals  
24 to whom assistance may effectively be provided, under this chapter  
25 within the limitations of available funds. In so doing, he shall at least  
26 every six months evaluate the scope of the program currently being  
27 provided under this chapter, project the probable cost of continuing a  
28 like program, compare such probable cost with the remaining balance  
29 of the state appropriation made for payment of assistance under this  
30 chapter during the current appropriation period, and expand or cur-  
31 tail the program accordingly; provided that in no event shall the scope  
32 of the program be less than payment of all costs of the care and  
33 services to which reference is made in section three (3), subsection  
34 five (5) of said chapter two hundred twenty-three (223) as amended  
35 by this Act, which are provided to the individuals and families de-  
36 scribed in section four (4), subsection one (1) of said chapter two  
37 hundred twenty-three (223) as amended by this Act. After each  
38 evaluation of the scope of the program, the commissioner shall report  
39 his conclusions and his action thereon to the general assembly through  
40 the legislative council or in such other manner as the general assembly  
41 may by resolution direct.

42 2. Have authority to determine, when available funds permit expan-  
43 sion of the program provided under this chapter beyond the minimum  
44 scope required by subsection one (1) of this section of this Act, wheth-  
45 er priority shall be given to providing additional medical assistance  
46 to the individuals and families described in section four (4), subsec-  
47 tion one (1) of said chapter two hundred twenty-three (223) as  
48 amended by this Act, or to providing medical assistance to some or all  
49 of the individuals and families described in section four (4), subsection  
50 two (2) of said chapter two hundred twenty-three (223) as amended  
51 by this Act, unless the general assembly has by law made such deter-  
52 mination.

53 3. Have authority to provide for payment under this chapter of as-  
54 sistance rendered to any applicant prior to the date his application is  
55 filed.

56 4. Have authority to contract with any corporation or corporations,  
57 authorized to engage in this state in insuring groups or individuals for  
58 all or part of the cost of medical, hospital, or other health care or with  
59 any corporation or corporations maintaining and operating a medical,  
60 hospital, or health service prepayment plan or plans under the pro-  
61 visions of chapter five hundred fourteen (514) of the Code, for any or  
62 all of the benefits to which any recipients are entitled under this chap-

63 ter to be provided by such corporation or corporations on a prepaid  
64 individual or group basis.”

65 2. By renumbering the succeeding subsections of section five (5)  
66 in accordance with the foregoing amendment.

67 3. By inserting in line forty-nine (49) after the word “Associa-  
68 tion” the words “Iowa Ophthalmic Dispensers, Inc. (opticians)”.

69 4. By striking from lines fifty-four (54) and fifty-five (55) the  
70 words “one public representative appointed by the governor, each for  
71 a period of two years”, and inserting in lieu thereof the following:

72 “each for a term of two years; four public representatives, two of  
73 whom shall be appointed each year by the governor for terms of two  
74 years each and none of whom shall be members of, or practitioners of  
75 or have a pecuniary interest in any of the professions or businesses  
76 represented by, any of the several professional groups and associations  
77 specifically represented on the council under this subsection”.

78 5. By striking from line sixty-three (63) the word “representative”  
79 and inserting in lieu thereof the word “representatives”.

1 SEC. 4. In making the first appointments of public representatives  
2 to the medical assistance advisory council after the effective date of  
3 this Act, the governor shall appoint two such representatives for terms  
4 of two years each and two for terms of one year each. Thereafter, all  
5 such appointments shall be made for terms of two years.

1 SEC. 5. Section five hundred nine point one (509.1), Code 1966,  
2 is hereby amended by adding thereto the following new subsection:

3 “A policy issued to the department of social services, which shall  
4 be deemed the policyholder, to insure eligible persons for medical  
5 assistance, or for both medical assistance and additional medical assis-  
6 tance, as defined by chapter two hundred twenty-three (223), Acts of  
7 the Sixty-second General Assembly, as amended by this Act or as here-  
8 after amended.”

1 SEC. 6. Section five hundred fourteen point one (514.1), Code 1966,  
2 as amended by chapter three hundred sixty-nine (369), section one  
3 (1), Acts of the Sixty-second General Assembly, and further amended  
4 by chapter two hundred seventy-one (271), sections one (1) and two  
5 (2), Acts of the Sixty-third General Assembly, First Session, is hereby  
6 further amended by adding thereto the following new sentence:

7 “For the purposes of chapter five hundred fourteen (514) of the  
8 Code, the term ‘subscriber’ shall include any person eligible for medi-  
9 cal assistance or additional medical assistance as defined under chapter  
10 two hundred twenty-three (223), Acts of the Sixty-second General  
11 Assembly, as amended by this Act or as hereafter amended, with re-  
12 spect to whom the department of social services has entered into a  
13 contract with any firm operating under said chapter five hundred  
14 fourteen (514).”

Approved May 5, 1970.