

22 time to time be revised by the department of social services. No lien  
 23 imposed by section 230.25 shall exceed the amount of the liability  
 24 which may be incurred under this section on account of any mentally  
 25 ill person.

Approved June 29, 1973.

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## CHAPTER 184

### TERMINATION OF COMMITMENT ORDERS

S. F. 276

AN ACT relating to the termination of commitment orders.

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

1 SECTION 1. Orders for supervision, custody, or commitment under  
 2 section two hundred thirty-two point thirty-five (232.35) of the Code  
 3 entered before July 1, 1973 shall terminate when the person who was  
 4 a minor attains eighteen years of age, regardless of the age of ter-  
 5 mination stated in the order.

Approved May 24, 1973.

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## CHAPTER 185

### SCHOOL CENSUS REPEAL

H. F. 37

AN ACT relating to the census of children of deceased soldiers.

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

1 SECTION 1. Section two hundred forty-four point eight (244.8),  
 2 Code 1973, is repealed.

Approved February 9, 1973.

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## CHAPTER 186

### SOCIAL SERVICES

H. F. 789

AN ACT relating to authority of the department of social services to provide state supplementary cash payments to certain persons and revising the laws of this state relative to federally-assisted categorical welfare assistance programs the operation of which are to be terminated by federal law, providing penalties for certain violations, and making an appropriation.

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

1 SECTION 1. Chapter two hundred forty-nine (249), Code 1973, is  
 2 amended by striking the chapter and inserting in lieu thereof sections  
 3 two (2) through eleven (11) of this Act.

1 SEC. 2. NEW SECTION. **Definitions.** As used in this Act:

2 1. "Federal supplemental security income" means cash payments  
3 made to individuals by the United States government under Title  
4 sixteen (XVI) of the Social Security Act as amended by United  
5 States public law ninety-two dash six hundred three (92-603), or any  
6 other amendments thereto.

7 2. "State supplementary assistance" means cash payments made to  
8 individuals:

9 a. By the United States government on behalf of the state of Iowa  
10 pursuant to section three (3) of this Act.

11 b. By the state of Iowa directly pursuant to sections four (4)  
12 through six (6) of this Act.

13 3. "Previous categorical assistance programs" means the aid to the  
14 blind program authorized by chapter two hundred forty-one (241),  
15 Code 1973, the aid to the disabled program authorized by chapter  
16 two hundred forty-one A (241A), Code 1973, and the old-age assist-  
17 ance program authorized by chapter two hundred forty-nine (249),  
18 Code 1973.

19 4. "Commissioner" means the commissioner of social services.

20 5. "Department" means the department of social services.

1 SEC. 3. The commissioner may enter into an agreement with the  
2 United States secretary of health, education and welfare for federal  
3 administration of a program of state supplementary assistance to  
4 prescribed categories of persons who are, or would be except for the  
5 amount of income they receive from other sources, receiving federal  
6 supplemental security income. The agreement may authorize the  
7 secretary to make such rules, in addition to and not in conflict with  
8 state laws and regulations, respecting eligibility for or the amount  
9 of state supplementary assistance paid under this section as he finds  
10 necessary to achieve efficient and effective administration of both the  
11 basic federal supplemental security income program and the state  
12 supplementary assistance program administered by the secretary  
13 under the agreement. The agreement shall provide for the state of  
14 Iowa to reimburse the federal government, from funds appropriated  
15 for that purpose, for state supplementary assistance paid by the  
16 federal government pursuant to the agreement.

1 SEC. 4. NEW SECTION. **Eligibility.** The persons eligible to re-  
2 ceive state supplementary assistance under section two (2), subsec-  
3 tion two (2), paragraph b, of this Act are:

4 1. Any person whose needs were taken into account in computing  
5 the grant of a recipient, who was eligible for and was receiving  
6 assistance under a previous categorical assistance program during  
7 the month of December, 1973, because the person was deemed essen-  
8 tial to the well-being of the recipient in maintaining a living arrange-  
9 ment in his own home, so long as the person continues to act in the  
10 capacity of essential person to the former recipient and to be in  
11 financial need according to standards established by the department.

12 2. Any person who during the month of December, 1973 was re-  
13 ceiving assistance under a previous categorical assistance program  
14 and who during that month:

15 a. Received care in a licensed adult foster home, boarding home or

16 custodial home, as defined by section one hundred thirty-five C point  
 17 one (135C.1) of the Code, or in another type of protective living  
 18 arrangement, and who continues to be in financial need according to  
 19 standards established by the department; or

20 b. Received an allowance in his assistance grant to cover the cost  
 21 of nursing care in his own home, and who continues to be in financial  
 22 need according to standards established by the department and to  
 23 require nursing care as certified by a physician, so long as the cost  
 24 of the nursing care does not exceed standards established by the  
 25 department.

1 SEC. 5. NEW SECTION. **Application—amount of grant.** Appli-  
 2 cations for state supplementary assistance shall be made in the form  
 3 and manner prescribed by the commissioner or his designee, with the  
 4 approval of the council on social services, pursuant to chapter seven-  
 5 teen A (17A) of the Code. Each person who so applies and is found  
 6 eligible under section four (4) of this Act shall, so long as his eligi-  
 7 bility continues, receive state supplementary assistance on a monthly  
 8 basis, from funds appropriated to the department for the purpose.

1 SEC. 6. NEW SECTION. **Appeal procedure.** If an application is  
 2 not acted upon within a reasonable time, if it is denied in whole or  
 3 in part, or if any award of assistance is modified, suspended, or can-  
 4 celed under any provision of this Act, the applicant or recipient may  
 5 appeal to the department, which shall give the appellant reasonable  
 6 notice and opportunity for a fair hearing before the commissioner or  
 7 his designee. An applicant or recipient aggrieved by the result of  
 8 such hearing may, within thirty days, appeal to the district court of  
 9 the county in which he resides, by serving notice of such appeal upon  
 10 the commissioner or his designee, in the manner required for the  
 11 service of original notice in a civil action. Upon receipt of such notice,  
 12 the department shall furnish the appellant with a copy of any papers  
 13 filed by him in support of his position, a transcript of any testimony  
 14 taken, and a copy of the department's decision. The district court  
 15 shall review the department's decision to determine its legality.

1 SEC. 7. NEW SECTION. **Charge for cashing warrant unlawful.**  
 2 It shall be unlawful for any person to charge a fee, service charge or  
 3 exchange for the cashing of a warrant issued in payment of state  
 4 supplementary assistance, or to discount or pay less than the face  
 5 value of any warrant drawn in payment of such assistance, when  
 6 cashing such a warrant or accepting it in payment of the purchase  
 7 price of goods, services, rent, taxes or indebtedness.

1 SEC. 8. NEW SECTION. **Assistance inalienable.** All rights to  
 2 state supplementary assistance shall be absolutely inalienable by any  
 3 assignment, sale, execution or otherwise and, in case of bankruptcy,  
 4 the assistance shall not pass to or through any trustees or other  
 5 persons acting on behalf of creditors.

1 SEC. 9. NEW SECTION. **Cancellation of warrants.** The state  
 2 comptroller, as of January, April, July and October first of each year,  
 3 shall stop payment on and issue duplicates of all state supplementary  
 4 assistance warrants which have been outstanding and unredeemed  
 5 by the treasurer of state for six months or longer. No bond of indem-

6 nity shall be required for the issuance of such duplicate warrants  
7 which shall be canceled immediately by the state comptroller. If the  
8 original warrants are subsequently presented for payment, warrants  
9 in lieu thereof shall be issued by the state comptroller at the discretion  
10 of and upon certification by the commissioner or his designee.

1 **SEC. 10. NEW SECTION. Funeral expenses.** The department may  
2 pay, from funds appropriated to it for the purpose, a maximum of  
3 four hundred dollars toward funeral expenses on the death of any  
4 person receiving state supplementary assistance or who received  
5 assistance under a previous categorical assistance program prior to  
6 January 1, 1974, provided:

7 1. The total expense of the person's funeral does not exceed six  
8 hundred fifty dollars.

9 2. That the decedent does not leave an estate which may be pro-  
10 bated, with sufficient proceeds to allow a funeral claim of at least six  
11 hundred fifty dollars.

12 3. That any payment which is due the decedent's estate or bene-  
13 ficiary by reason of the liability of any life insurance or death or  
14 funeral benefit company, association or society, or in the form of  
15 United States social security, railroad retirement, or veterans' bene-  
16 fits, upon the death of the decedent shall be deducted from the de-  
17 partment's liability under this section.

1 **SEC. 11. NEW SECTION. Prior liens, claims and assignments.**  
2 Any lien existing on the effective date of this Act, which lien was  
3 perfected under the provisions of sections two hundred forty-nine  
4 point nineteen (249.19), two hundred forty-nine point twenty  
5 (249.20) or two hundred forty-nine point twenty-one (249.21) as  
6 they appeared in the Code of 1973 and prior Codes, and which liens  
7 have not been satisfied, are void. Any assignment of personal prop-  
8 erty which was made under the provisions of chapter two hundred  
9 forty-nine (249) as it appeared in the Code of 1973 and prior Codes,  
10 is void. The commissioner may in furtherance of this section release  
11 any lien or claim created or existing under that chapter. Each release  
12 made pursuant to this section shall be executed and acknowledged by  
13 the commissioner or his authorized designee, and when recorded shall  
14 be conclusive in favor of any third person dealing with or concerning  
15 the property affected by the release in reliance upon such record.

1 **SEC. 12.** Chapter two hundred seventeen (217), Code 1973, is  
2 amended by adding the following new sections:

3 **NEW SECTION. Confidentiality of records; report of recipients.**

4 1. The following information relative to individuals receiving ser-  
5 vices or assistance from the department shall be held confidential:

6 a. Names and addresses of individuals receiving services or assist-  
7 ance from the department, and the types of services or amounts of  
8 assistance provided, except as otherwise provided in subsection four  
9 (4) of this section.

10 b. Information concerning the social or economic conditions or  
11 circumstances of particular individuals who are receiving or have  
12 received services or assistance from the department.

13 c. Agency evaluations of information about a particular individual.

14 d. Medical or psychiatric data, including diagnosis and past history  
15 of disease or disability, concerning a particular individual.

16 2. Information described in subsection one (1) of this section shall  
17 not be disclosed to or used by any person or agency except for pur-  
18 poses of administration of the programs of services or assistance, and  
19 shall not in any case, except as otherwise provided in paragraph b of  
20 subsection four (4) of this section, be disclosed to or used by persons  
21 or agencies outside the department unless they are subject to stan-  
22 dards of confidentiality comparable to those imposed on the depart-  
23 ment by this Act.

24 3. Nothing in this section shall restrict the disclosure or use of  
25 information regarding the cost, purpose, number of persons served  
26 or assisted by, and results of any program administered by the de-  
27 partment, and other general and statistical information, so long as  
28 the information does not identify particular individuals served or  
29 assisted.

30 4. a. The general assembly finds and determines that the use and  
31 disclosure of information as provided in this subsection are for pur-  
32 poses directly connected with the administration of the programs of  
33 services and assistance referred to in this section and are essential  
34 for their proper administration.

35 b. Confidential information described in subsection one (1), para-  
36 graphs a, b and c of this section shall be disclosed to public officials,  
37 for use in connection with their official duties relating to law enforce-  
38 ment, audits and other purposes directly connected with the admin-  
39 istration of such programs, upon written application to and with  
40 approval of the commissioner or his designee.

41 c. The department shall prepare and file in its office on or before  
42 the thirtieth day of each January, April, July and October a report  
43 showing the names and last known addresses of all recipients of  
44 assistance under sections three (3) through five (5) of this Act or  
45 chapters two hundred thirty-nine (239) or two hundred forty-nine A  
46 (249A) of the Code, together with the amount paid to or for each  
47 recipient during the preceding calendar quarter. The report shall  
48 contain a separate section for each county, including all such recipi-  
49 ents whose last known addresses are in the county. The department  
50 shall prepare and file in the office of each county board of social wel-  
51 fare a copy of the county section of each report for that county, on  
52 or before the same day specified in this paragraph. Each report shall  
53 be securely fixed in a record book to be used only for such reports.  
54 Each record book shall be a public record, open to public inspection  
55 at all times during the regular office hours of the office where filed.  
56 Each person who examines the record shall first sign a written agree-  
57 ment that the signer will not use any information obtained from the  
58 record for commercial or political purposes.

59 d. It shall be unlawful for any person to solicit, disclose, receive,  
60 use, or to authorize or knowingly permit, participate in, or acquiesce  
61 in the use of any information obtained from any such report or record  
62 for commercial or political purposes.

63 5. If it is definitely established that any provision of this section  
64 would cause any of the programs of services or assistance referred  
65 to in this section to be ineligible for federal funds, such provision  
66 shall be limited or restricted to the extent which is essential to make  
67 such program eligible for federal funds. The department shall adopt,

68 pursuant to chapter seventeen A (17A) of the Code, any rules or  
69 regulations necessary to implement this subsection.

70 6. The provisions of this section shall apply to recipients of assist-  
71 ance under chapter two hundred fifty-two (252) of the Code. The  
72 reports required to be prepared by the department under this section  
73 shall, with respect to such assistance or services, be prepared by the  
74 person or officer charged with the oversight of the poor.

75 7. Violation of this section shall constitute a misdemeanor punish-  
76 able by a fine not to exceed two thousand dollars or by imprisonment  
77 in the county jail not to exceed one year, or by both such fine and  
78 imprisonment.

79 NEW SECTION. Any person may institute a civil action for dam-  
80 ages under chapter twenty-five A (25A) of the Code or to restrain  
81 the dissemination of confidential records set out in subsection one  
82 (1), paragraphs b, c, or d of section twelve (12) of this Act in viola-  
83 tion of that section, and any person, agency or governmental body  
84 proven to have disseminated or to have requested and received con-  
85 fidential records in violation of subsection one (1), paragraphs b, c,  
86 or d of section twelve (12) of this Act shall be liable for actual  
87 damages and exemplary damages for each violation and shall be  
88 liable for court costs, expenses, and reasonable attorneys' fees in-  
89 curred by the party bringing the action. In no case shall the award  
90 for damages be less than one hundred dollars.

91 Any reasonable grounds that a public employee has violated any  
92 provision of this section or section twelve (12) of this Act shall be  
93 grounds for immediate removal from access of any kind to confiden-  
94 tial records or suspension from duty without pay.

95 NEW SECTION. Where the department of social services assigns  
96 personnel to an office located in a county for the purpose of perform-  
97 ing in that county designated duties and responsibilities assigned by  
98 law to the department, it shall be the responsibility of the county to  
99 provide and maintain the necessary office space and office supplies  
100 and equipment for the personnel so assigned in the same manner as  
101 if they were employees of the county. The department shall at least  
102 annually, or more frequently if the department so elects, reimburse  
103 the county for a portion, designated by law, of the cost of maintaining  
104 office space and providing supplies and equipment as required by this  
105 section, and also for a similar portion of the cost of providing the  
106 necessary office space if in order to do so it is necessary for the county  
107 to lease office space outside the courthouse or any other building  
108 owned by the county. The portion of the foregoing costs reimbursed  
109 to the county under this section shall be equivalent to the proportion  
110 of those costs which the federal government authorizes to be paid  
111 from available federal funds, unless the general assembly directs  
112 otherwise when appropriating funds for support of the department.

1 SEC. 13. Section two hundred thirty-four point six (234.6), un-  
2 numbered paragraph one (1), Code 1973, is amended to read as fol-  
3 lows:

4 The state director shall be vested with the authority to administer  
5 ~~old-age assistance, aid to the blind, aid to dependent children, child~~  
6 ~~welfare, and emergency relief, family and adult service programs~~  
7 and any other form of public welfare assistance and institutions that

8 may hereafter be placed under his administration. He shall perform  
 9 such duties, formulate and make such rules and regulations as may  
 10 be necessary; shall outline such policies, dictate such procedure and  
 11 delegate such powers as may be necessary for competent and efficient  
 12 administration. Subject to restrictions that may be imposed upon  
 13 him by the commissioner of the department of social services and the  
 14 council of social services, he shall have power to abolish, alter, con-  
 15 solidate or establish subdivisions and may abolish or change offices  
 16 created in connection therewith. He may employ necessary personnel  
 17 and fix their compensation. He may allocate or reallocate functions  
 18 and duties among any subdivisions now existing or hereafter estab-  
 19 lished. He may promulgate rules and regulations relating to the  
 20 employment of ~~investigators~~ *personnel* and the allocation of their  
 21 functions and duties among the various subdivisions as competent  
 22 and efficient administration may require.

1 SEC. 14. Section two hundred thirty-four point six (234.6), sub-  
 2 section five (5), Code 1973, is amended to read as follows:

3 5. Notwithstanding any provisions to the contrary in ~~chapters~~  
 4 *chapter 239, 241, 241A, and 249* relating to the consideration of  
 5 income and resources of claimants for assistance, the state director,  
 6 with the consent and approval of the commissioner of the department  
 7 of social services and the council of social services, shall make such  
 8 rules and regulations as may be necessary to qualify for federal aid  
 9 in the assistance programs administered by the state director.

1 SEC. 15. Section two hundred thirty-four point six (234.6), Code  
 2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. Have authority to use funds available to the  
 4 department, subject to any limitations placed on the use thereof by  
 5 the legislation appropriating the funds, to provide to or purchase,  
 6 for families and individuals eligible therefor, services including but  
 7 not limited to the following:

8 a. Day care for children or adults, in facilities which are licensed  
 9 or are approved as meeting standards for licensure.

10 b. Foster care, including foster family care, group homes and in-  
 11 stitutions.

12 c. Homemaker services, meeting the standards of the department,  
 13 provided by agency trained or supervised homemakers placed in the  
 14 homes of families or adults to assist with maintenance and manage-  
 15 ment of the home, upgrade the level of living of occupants of the  
 16 home, provide care for children while one or both parents are away,  
 17 or provide personal care for an ill or disabled family member.

18 d. Family planning.

19 e. Protective services.

20 f. Chore services.

21 g. Preparation and delivery of meals to families or individuals liv-  
 22 ing in private homes who, by reason of illness, infirmity or disability  
 23 are unable to prepare nourishing meals and have no spouse or other  
 24 individual living with or responsible for them who are able to do so.

25 h. Transportation services.

26 i. Any services, not otherwise enumerated in this subsection, au-  
 27 thorized by or pursuant to the United States Social Security Act of  
 28 1934, as amended.

1 SEC. 16. Section two hundred thirty-four point eleven (234.11),  
2 Code 1973, is amended to read as follows:

3 **234.11 Duties of the county board—food stamp program.** The  
4 county board shall be vested with the authority to direct in the county  
5 old-age assistance, aid to the blind, aid to dependent children and  
6 emergency relief with only such powers and duties as are prescribed  
7 in the laws relating thereto. *The board shall act in an advisory*  
8 *capacity on programs within the jurisdiction of the department of*  
9 *social services. The board shall review policies and procedures of the*  
10 *local departments of social services and make recommendations for*  
11 *changes to insure that effective services are provided in their respec-*  
12 *tive communities. The county board may also make recommendations*  
13 *for new programs which it is believed would meet needs in the com-*  
14 *munity. The state department shall establish a procedure to insure*  
15 *that county board recommendations receive appropriate review at the*  
16 *level of policy determination.*

17 Each county shall participate in federal commodity or food stamp  
18 program.

1 SEC. 17. Section two hundred thirty-four point twenty-one  
2 (234.21), Code 1973, is amended to read as follows:

3 **234.21 Services to be offered.** The state division may offer, pro-  
4 vide, pay for, and offer or purchase family planning and birth control  
5 services to every parent or married person who is a public assistance  
6 an eligible applicant or recipient where it deems necessary of service  
7 or any financial assistance from the department of social services, or  
8 who is receiving federal supplementary security income as defined in  
9 section two (2) of this Act.

1 SEC. 18. Section two hundred forty-nine A point two (249A.2),  
2 subsections five (5) and six (6), Code 1973, are amended to read as  
3 follows:

4 5. "Medical assistance" shall mean payment of all or part of the  
5 costs of the care and services enumerated in Title XIX, United States  
6 Social Security Act, section 1905(a), paragraphs (1) through (5),  
7 inclusive [Title XLII, United States Code, section 1396d(a), para-  
8 graphs (1) through (5), inclusive], as amended to January 1, 1970  
9 1973.

10 6. "Additional medical assistance" shall mean payment of all or  
11 part of the costs of any or all of the care and services enumerated in  
12 Title XIX, United States Social Security Act, section 1905(a), para-  
13 graphs (6), (7), and (9) through ~~(15)~~ (17), inclusive [Title XLII,  
14 United States Code, section 1396d(a), paragraphs (6), (7), and (9)  
15 through ~~(15)~~ (17), inclusive], as amended to January 1, 1970 1973.

1 SEC. 19. Section two hundred forty-nine A point three (249A.3),  
2 Code 1973, is amended to read as follows:

3 **249A.3 Eligibility.** The extent of and the limitations upon eli-  
4 gibility for assistance under this chapter shall be as prescribed by  
5 this section, and by laws appropriating funds therefor.

6 1. Medical assistance shall be provided to, or on behalf of, any  
7 individual or family residing in the state of Iowa, including those  
8 residents who are temporarily absent from the state, to whom the  
9 state is required to make such assistance available, by Title XIX,



10 United States Social Security Act, section 1902 [Title XLII, United  
 11 States Code, section 1396a], as amended to January 1, 1970, and by  
 12 the regulations and directives issued pursuant thereto, as a minimum  
 13 condition of federal financial participation in the program of assist-  
 14 ance provided under this chapter who is a recipient of federal supple-  
 15 mentary security income or who would be eligible for federal supple-  
 16 mental security income if living in their own home, as defined in sec-  
 17 tion two (2) of this Act, or is a recipient of aid to dependent children  
 18 payments under chapter two hundred thirty-nine (239) of the Code,  
 19 and who have having no spouse or parent responsible under the law  
 20 of this state and found by the county board to be able to provide him  
 21 or them with needed medical care and services.

22 2. Medical assistance may also, within the limits of available funds  
 23 and in accordance with section 249A.4, subsections 1 and 2 be pro-  
 24 vided to, or on behalf of, other individuals and families who are not  
 25 excluded under subsection 4 of this section and whose incomes and  
 26 resources are insufficient to meet the cost of necessary medical care  
 27 and services, and who have no spouse or parent responsible under the  
 28 law of this state and found by the county board to be able to provide  
 29 him or them with such necessary medical care and services, in accord-  
 30 ance with the following order of priorities:

31 a. *Individuals who are receiving care in a hospital or in a basic*  
 32 *nursing home, intermediate nursing home, skilled nursing home or*  
 33 *extended care facility, as defined by section one hundred thirty-five C*  
 34 *point one (135C.1) of the Code, and who meet all eligibility require-*  
 35 *ments for federal supplementary security income except that their*  
 36 *income exceeds the allowable maximum, but whose income is insuffi-*  
 37 *cient to meet the full cost of their care in the hospital or health care*  
 38 *facility on the basis of standards established by the department, and*  
 39 *who were receiving assistance under a previous categorical assistance*  
 40 *program during the month of December, 1973.*

41 b. *Individuals under twenty-one years of age living in a licensed*  
 42 *foster home, or in a private home pursuant to a subsidized adoption*  
 43 *arrangement, for whom the department accepts financial responsi-*  
 44 *bility in whole or in part and who are not eligible under subsection*  
 45 *one (1) of this section.*

46 c. *Individuals and families whose incomes and resources are such*  
 47 *that they are eligible for old-age assistance, federal supplementary*  
 48 *security income or aid to dependent children, aid to the disabled, or*  
 49 *aid to the blind, but who are not actually receiving such public*  
 50 *assistance.*

51 d. *Individuals who are receiving state supplementary assistance as*  
 52 *defined by section two (2) of this Act.*

53 e. *Individuals and families who are ineligible under paragraph*  
 54 *"a" c of this subsection solely because of their incomes and resources,*  
 55 *but who would otherwise be eligible under paragraph "a" c of this*  
 56 *subsection.*

57 f. ~~Children~~ *Persons under twenty-one years of age whose incomes*  
 58 *and resources are comparable to those receiving aid to dependent*  
 59 *children who qualify on a financial basis for, but who are otherwise*  
 60 *ineligible to receive aid to dependent children.*

61 g. *Individuals who have attained the age of twenty-one but have*  
 62 *not yet attained the age of sixty-five who qualify on a financial basis*

63 *for, but who are otherwise ineligible to receive, federal supplementary*  
 64 *security income or aid to dependent children.*

65 ~~d. Individuals sixty-five years of age or older who are patients in~~  
 66 ~~institutions for mental diseases.~~

67 ~~e. Individuals and families whose incomes and resources make them~~  
 68 ~~ineligible for old-age assistance, aid to dependent children, aid to the~~  
 69 ~~disabled, or aid to the blind.~~

70 3. Additional medical assistance may, within the limits of available  
 71 funds and in accordance with section 249A.4, subsections 1 and 2,  
 72 be provided to, or on behalf of, either:

73 a. Only those individuals and families described in subsection 1 of  
 74 this section; or

75 b. Those individuals and families described in both subsection 1  
 76 and subsection 2 of this section.

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

78 a. Any individual whose income, after deduction of health care  
 79 expenses incurred by the applicant, exceeds one thousand ~~six~~ *eight*  
 80 hundred dollars annually, or any family living together whose com-  
 81 bined income, after deduction of health care expenses incurred by the  
 82 family, exceeds one thousand ~~six~~ *eight* hundred dollars for the first  
 83 adult member plus ~~eight~~ *nine* hundred dollars for the second member  
 84 and six hundred ~~seventy-five~~ dollars for each additional member of  
 85 the family. Income shall not include the value of gifts or services  
 86 contributed in kind to the individual or family.

87 b. Any individual whose resources, after deduction of health care  
 88 expenses incurred by the applicant, exceeds two thousand dollars, or  
 89 any family living together whose combined resources exceed two  
 90 thousand dollars for the first member, one thousand dollars for the  
 91 second member, plus two hundred dollars for each additional mem-  
 92 ber. The value of resources shall be the current market value minus  
 93 any encumbrances against such resource or resources. In determin-  
 94 ing the foregoing, the following resources shall be excluded: Real  
 95 property occupied as a residence, household goods and furnishings,  
 96 an automobile, personal effects and tools necessary for the pursuit  
 97 of a trade, occupation or profession of a market value not to exceed  
 98 six thousand dollars and the cash surrender value of life insurance  
 99 not to exceed one thousand dollars, however, if the face value of such  
 100 individual's life insurance does not exceed one thousand dollars, it  
 101 shall be excluded without necessity for determining its cash sur-  
 102 render value.

1 SEC. 20. Section two hundred forty-nine A point four (249A.4),  
 2 unnumbered paragraph one (1), Code 1973, is amended to read as  
 3 follows:

4 The commissioner shall be responsible for the effective and impar-  
 5 tial administration of this chapter and shall, in accordance with the  
 6 standards and priorities established by this chapter, by applicable  
 7 federal law, particularly Title XIX of the United States Social Secu-  
 8 rity Act [Title XLII, United States Code, sections 1396 through  
 9 1396g], as amended to January 1, ~~1970~~ *1973*, by the regulations and  
 10 directives issued pursuant thereto, and by the state plan approved in  
 11 accordance therewith, make rules and regulations, establish policies,  
 12 and prescribe procedures to implement this chapter. Without limit-

13 ing the generality of the foregoing delegation of authority, the  
14 commissioner is hereby specifically empowered and directed to:

1 SEC. 21. Section two hundred forty-nine A point four (249A.4),  
2 subsection six (6), Code 1973, is amended to read as follows:

3 6. Shall co-operate with any agency of the state or federal govern-  
4 ment in any manner as may be necessary to qualify for federal aid  
5 and assistance for medical assistance in conformity with the pro-  
6 visions of this chapter and ~~Title~~ *Titles sixteen (XVI) and XIX* of the  
7 federal Social Security Act, as amended.

1 SEC. 22. Section two hundred fifty-nine point two (259.2), un-  
2 numbered paragraph two (2), Code 1973, is amended to read as fol-  
3 lows:

4 The treasurer of state is hereby designated and appointed custo-  
5 dian of all moneys paid by the federal government to the state for the  
6 purpose of carrying out the agreement relative to making determina-  
7 tions of disability under Title II *and Title sixteen (XVI)* of the  
8 federal Social Security Act as amended [42 U.S.C. ch 7] and is  
9 authorized to receive the same and make disbursements therefrom  
10 upon the requisition of the state board for vocational education.

1 SEC. 23. Section two hundred fifty-nine point four (259.4), sub-  
2 section sixteen (16), Code 1973, is amended to read as follows:

3 16. Enter into an agreement with the secretary of the United  
4 States department of health, education and welfare relating to the  
5 matter of making determinations of disability under Title II *and*  
6 *Title sixteen (XVI)* of the federal Social Security Act as amended  
7 [42 U.S.C. ch 7].

1 SEC. 24. Section four hundred three A point twenty-three  
2 (403A.23), Code 1973, is amended to read as follows:

3 **403A.23 Eligibility of persons receiving public assistance.** Any  
4 statute to the contrary notwithstanding, no person otherwise eligible  
5 to be a tenant in a municipal housing project, shall be declared ineli-  
6 gible therefor or denied occupancy therein merely because he is  
7 receiving in some form, public assistance such as ~~old age assistance,~~  
8 ~~aid to dependent children, blind assistance, federal supplemental secu-~~  
9 ~~rity income or state supplementary payments, as defined by section~~  
10 ~~two (2) of this Act, or welfare assistance, unemployment compensa-~~  
11 ~~tion, social security payments, etc.~~

1 SEC. 25. Section four hundred twenty-seven point nine (427.9),  
2 Code 1973, is amended to read as follows:

3 **427.9 Suspension of taxes.** Whenever a person ~~has been issued a~~  
4 ~~certificate of old age assistance and is receiving monthly or quarterly~~  
5 ~~payments of assistance from the old age assistance fund is a recipient~~  
6 ~~of federal supplementary security income or state supplementary~~  
7 ~~assistance, as defined in section two (2) of this Act, or is a resident~~  
8 ~~of a health care facility, as defined by section one hundred thirty-five~~  
9 ~~C point one (135C.1) of the Code, which is receiving payment from~~  
10 ~~the department of social services for his care, such person shall be~~  
11 ~~deemed to be unable to contribute to the public revenue. The director~~  
12 ~~of the division of child and family services of the department commis-~~  
13 ~~sioner of social services shall thereupon notify the board of super-~~

14 visors, of the county in which such assisted person owns property, of  
 15 the aforesaid fact, giving a statement of property, real and personal,  
 16 owned, possessed, or upon which said person is paying taxes as a  
 17 purchaser under contract. It shall then be the duty of the board of  
 18 supervisors so notified, without the filing of a petition and statement  
 19 as specified in section 427.8, to order the county treasurer to suspend  
 20 the collection of all the taxes assessed against said property and  
 21 remaining unpaid by such person or contractually payable by him,  
 22 for such time as such person shall remain the owner or contractually  
 23 prospective owner of such property, and during the period such  
 24 person receives ~~monthly or quarterly payments of assistance from the~~  
 25 ~~old-age assistance fund as described in this section.~~

1 SEC. 26. Chapters two hundred forty-one (241) and two hundred  
 2 forty-one A (241A), Code 1973, are repealed except with respect to  
 3 rights and duties which matured, penalties which were incurred and  
 4 proceedings which were begun before the effective date of this Act.

5 Sections two hundred thirty-nine point ten (239.10) and two hun-  
 6 dred forty-nine A point eight (249A.8), Code 1973, are repealed.

1 SEC. 27. The fund for aid to the blind established in the state  
 2 treasury by section two hundred forty-one point twenty (241.20),  
 3 Code 1973, and the fund for aid to the disabled established in the  
 4 state treasury by section two hundred forty-one A point fourteen  
 5 (241A.14), Code 1973, shall be maintained until all obligations of  
 6 counties to the state arising under these sections prior to the effective  
 7 date of this Act have been satisfied. Each of these funds shall then be  
 8 closed and all monies remaining in them transferred to the general  
 9 fund of the state.

10 The old-age assistance revolving fund existing pursuant to section  
 11 two hundred forty-nine point thirty-nine (249.39), Code 1973, shall  
 12 be maintained in the state treasury until such time as the property  
 13 heretofore managed by the department pursuant to that section has  
 14 been disposed of in total. The fund shall then be closed and all money  
 15 remaining in the fund transferred to the general fund of the state.

1 SEC. 28. Section three hundred forty-nine point eighteen (349.18),  
 2 Code 1973, is amended to read as follows:

3 **349.18 Supervisors' proceedings—each payee listed—publication.**  
 4 All proceedings of each regular, adjourned, or special meeting of  
 5 boards of supervisors, including the schedule of bills allowed, shall be  
 6 published immediately after the adjournment of such meeting of said  
 7 boards, and the publication of the schedule of the bills allowed shall  
 8 show the name of each individual to whom the allowance is made and  
 9 for what such bill is filed and the amount allowed thereon, *except that*  
 10 *names of persons receiving relief from the county poor fund shall not*  
 11 *be published.* The county auditor shall furnish a copy of such proceed-  
 12 ings to be published, within one week following the adjournment of  
 13 the board.

1 SEC. 29. Nothing in this Act shall be construed to make any  
 2 person liable for the payment of property taxes which were sus-  
 3 pended under section four hundred twenty-seven point nine (427.9)  
 4 of the Code at any time prior to the effective date of this Act.

1 SEC. 30. There is appropriated from the general fund of the state  
 2 to the department of social services for state supplementary assist-  
 3 ance to the blind pursuant to section three (3) of this Act for the six  
 4 months beginning January 1, 1974 and ending June 30, 1974 the sum  
 5 of one hundred fifteen thousand (115,000) dollars, and for the fiscal  
 6 year beginning July 1, 1974 and ending June 30, 1975 the sum of two  
 7 hundred thirty-five thousand (235,000) dollars.

1 SEC. 31. This Act shall take effect January 1, 1974.

Approved July 20, 1973.

This Act was passed by the G. A. before July 1, 1973.

## CHAPTER 187

### COMMISSION ON THE AGING

S. F. 447

AN ACT relating to the commission on the aging.

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

1 SECTION 1. Section two hundred forty-nine B point one (249B.1),  
 2 Code 1973, is amended to read as follows:

3 **249B.1 Commission created.** There is hereby created the commis-  
 4 sion on the aging of the state of Iowa which shall consist of ~~thirteen~~  
 5 *nine* members. ~~Three~~ *Two* members shall be appointed by the presi-  
 6 dent of the senate from the members of the senate with no more than  
 7 ~~two members~~ *one member* being appointed from the same political  
 8 party. ~~Three~~ *Two* members shall be appointed by the speaker of the  
 9 house of representatives from the members of the house with no more  
 10 than ~~two members~~ *one member* being appointed from the same political  
 11 party. ~~Seven~~ *Five* members shall be appointed by the governor.

1 SEC. 2. Section two hundred forty-nine B point two (249B.2),  
 2 Code 1973, is amended to read as follows:

3 **249B.2 Terms.** All members of the commission shall be appointed  
 4 for terms of four years except the terms of the ~~thirteen~~ *nine* initial  
 5 appointees shall be as follows:

6 1. One member appointed from the senate shall serve from the date  
 7 of appointment to June 30, ~~1967~~ *1975*, and ~~two members~~ *one member*  
 8 appointed from the senate shall serve from the date of appointment to  
 9 June 30, ~~1969~~ *1977*.

10 2. ~~Two members~~ *One member* appointed from the house of repre-  
 11 sentatives shall serve from the date of appointment to June 30, ~~1967~~  
 12 *1975*, and one member appointed from the house of representatives  
 13 shall serve from the date of appointment to June 30, ~~1969~~ *1977*.

14 3. ~~Three~~ *Two* members appointed by the governor shall serve from  
 15 the date of appointment to June 30, ~~1967~~ *1975*, and ~~four~~ *three* mem-  
 16 bers appointed by the governor shall serve from the date of appoint-  
 17 ment to June 30, ~~1969~~ *1977*.

18 The terms of office of all members shall thereafter commence on the  
 19 first day of July following the convening of the general assembly. Any  
 20 vacancy on the commission shall be filled for the unexpired term of the