

CHAPTER 261**APPROPRIATIONS FOR DESIGNATED SERVICE PROGRAMS***H.F. 571*

AN ACT relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

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

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1985, and ending June 30, 1986, the following amounts, or so much thereof as is necessary, to be used by the following agencies for the purposes designated:

	1985-1986 <u>Fiscal Year</u>
1. COMMISSION ON THE AGING	
a. For salaries and support of not more than twenty-nine and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	\$ 260,117
b. For the administration of area agencies on aging	\$ 120,023
c. For the senior citizen employment program	\$ 110,166
d. For the older Iowans legislature	\$ 13,608
e. For elderly services programs	\$ 816,480
All funds appropriated under this paragraph shall be received and disbursed by the commission in accordance with sections 249B.15 through 249B.21, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this paragraph may be used to supplement federal funds under federal regulations.	
2. IOWA COMMISSION FOR THE BLIND	
For salaries and support of not more than one hundred five and three-one hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes	\$ 1,080,534
3.* OFFICE OF CITIZENS' AIDE	
For salaries and support of not more than eight and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	\$ 244,715

*See ch 65, §11

4. IOWA STATE CIVIL RIGHTS

COMMISSION

For salaries and support of not more than twenty-five full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 776,260

5. SPANISH-SPEAKING PEOPLES

COMMISSION

For salaries and support of not more than one full-time equivalent position annually, maintenance, and miscellaneous purposes

\$ 45,506

6. COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 128,051

7. COMMISSION ON THE STATUS OF WOMEN

For salaries and support of not more than three full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 98,685

8. VOCATIONAL REHABILITATION DIVISION OF THE DEPARTMENT OF PUBLIC INSTRUCTION

For salaries and support of not more than three hundred twenty-six and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 2,723,317

Sec. 2. There is appropriated from the general fund of the state to the state department of health for the fiscal year beginning July 1, 1985, and ending June 30, 1986, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1985-1986
Fiscal Year

1. CENTRAL ADMINISTRATION DIVISION

For salaries and support of not more than sixty-four and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 940,503

2. HEALTH FACILITIES DIVISION

For salaries and support of not more than fifty-five full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 728,895

Notwithstanding Division VII of chapter 135, the department of health shall not begin the hospice licensure procedure until July 1, 1987.

3. HEALTH PLANNING AND DEVELOPMENT DIVISION

For salaries and support of not more than sixteen and seventy-five hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 255,951

4. DISEASE PREVENTION DIVISION

For salaries and support of not more than fifty-six and six-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 1,197,589

5. PROFESSIONAL LICENSURE

For salaries and support of not more than seventeen full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 604,108

Professional licensure shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

6. PERSONAL AND FAMILY HEALTH DIVISION

a. For salaries and support of not more than fifty full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 1,311,431

The department shall allocate from the funds appropriated under this paragraph at least six hundred nine thousand seven hundred sixty-seven (609,767) dollars for the fiscal year beginning July 1, 1985, and ending June 30, 1986, for the birth defects and genetics counseling program and of these funds, forty thousand (40,000) dollars shall be allocated for a central Iowa birth defects registry pilot program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics

\$ 324,000

(2) Muscular dystrophy and related genetic disease programs

\$ 131,657

(3) Statewide perinatal program

\$ 43,740

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health specialty clinics under subparagraph one of this paragraph, seventy-two thousand (72,000) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The university of Iowa hospitals and clinics shall receive an allocation for indirect costs of no more than eight percent from the funds for each program.

b. Sexual abuse investigations.

For medical procedures required by section

709.10 \$ 57,795

c. Sudden infant death syndrome autopsies.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j"

\$ 15,000

7. COMMUNITY HEALTH DIVISION

a. For salaries and support of not more than thirty-eight and twenty-five hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 1,841,897

The department shall allocate from the funds appropriated under this lettered paragraph nine hundred forty thousand nine hundred sixteen (940,916) dollars for the fiscal year beginning July 1, 1985, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

b. For grants to local boards of health for the public health nursing program

\$ 2,207,472

Funds appropriated under this paragraph shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institutionalization. The funds shall not be used for any other purpose. As used in this paragraph, "elderly person" means a person who is sixty years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

One fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of elderly and low-income persons living in that county in relation to the total number of elderly and low-income persons living in the state.

In order to receive allocations under this paragraph, the local board of health having jurisdiction shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. After approval of the proposal by the department, the department shall enter into a contract with the local board of health. The local board of health shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body to use the allocated funds to provide public health nursing care. Local boards of health shall make an effort to subcontract with agencies that are currently providing services to prevent duplication of services.

If by July 30 of each year of the biennium, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. If the unallocated pool is fifty thousand

dollars or more it shall be reallocated to the counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1 and ending June 30 of each fiscal year of the biennium. If the unallocated pool is less than fifty thousand dollars, the department may allocate it to counties with demonstrated special needs for public health nursing.

The department shall maintain rules governing the expenditure of funds appropriated by paragraph "b". The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

The department shall annually evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program increased the availability of public health nursing care to elderly and low-income persons, and the extent of public health nursing care provided to elderly and low-income persons. The department shall submit a report of each annual evaluation to the governor and the general assembly.

c. For grants to county boards of supervisors for the homemaker-home health aide

program \$ 7,389,200

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and low-income persons and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition, up to fifteen percent of the funds appropriated under this paragraph may be used to provide chore services. The funds shall not be used for any other purposes. As used in this paragraph:

(1) "Chore services" means services provided to individuals or families, who, due to absence, incapacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shoveling walks; window and door maintenance such as hanging screen windows and doors, replacing window panes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(2) "Elderly person" means a person who is sixty years of age or older.

(3) "Homemaker-home health aide services" means services intended to enhance the capacity of household members to attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, household management and learning experiences.

(4) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(5) "Protective services" means those homemaker-home health aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

(a) The department shall initiate the following allocation process unless determined unfeasible. In that event, the department shall utilize the allocation process in subparagraph (b). The amount appropriated under this paragraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. The following percentages of the remaining amount shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics compared to all state residents with the same demographic characteristics: sixty percent according to the number of elderly persons living in the county; twenty percent according to the number of low-income persons living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

(b) In the event subparagraph (a) is determined unfeasible, the amount appropriated under this paragraph shall be allocated for use in the counties of the state. The entire amount shall be allocated based on a range determined from the formula based on subparagraph (a). However a county shall not receive less than ninety-four point seventy-eight percent nor more than one hundred three percent of the funding allocated to the county in the previous fiscal year. If a county is calculated to receive less than the determined range, the department shall increase the level of funding to the lowest level of the determined range by using no more than forty percent of the funds from counties calculated to receive more than two thousand dollars above the highest level of the determined range.

In order to receive allocations under this paragraph, the county board of supervisors, after consultation with the local boards of health, county board of social welfare, area agency on aging advisory council, local office of the department of human services, and other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services in the jurisdiction. The proposal may provide that a maximum of fifteen percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for homemaker-home health aide services and that the appropriate local agencies have participated in the formulation of the proposal. After approval of the proposal by the department, the department shall enter into a contract with the county board of supervisors or a governmental body designated by the county board of supervisors. The county board of supervisors or its designee shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body to use the allocated funds to provide homemaker-home health aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department.

If by July 30 of each year of the biennium, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. The department shall also identify any allocated funds which the counties do not anticipate spending during each fiscal year of the biennium. If the anticipated excess funds to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall prior to February 15 of each fiscal year of the biennium, reallocate the funds in the unallocated pool among the counties in which

the department has concluded contracts under this paragraph. The department shall also review the first ten months' expenditures for each county in May of each year, to determine if any counties have contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1 of each year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated by this paragraph. The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually evaluate the success of the homemaker-home health aide program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state. The department shall submit a report of the annual evaluation to the governor and the general assembly.

d. For the development and maintenance of well-elderly clinics in the state \$ 216,367

Sec. 3. There is appropriated from the general fund of the state to the Iowa department of veterans affairs for the fiscal year beginning July 1, 1985, and ending June 30, 1986, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1985-1986
Fiscal Year

1. For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes \$ 114,866

2. For the war orphans educational aid fund \$ 15,000

3. For a chemical exposure reporting program \$ 34,593

It is the intent of the general assembly that for the fiscal year beginning July 1, 1986, and every fiscal year thereafter, this additional funding for a chemical exposure reporting program shall not be appropriated.

Sec. 4. There is appropriated from the general fund of the state to the Iowa department of substance abuse for the fiscal year beginning July 1, 1985, and ending June 30, 1986, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1985-1986
Fiscal Year

1. For salaries and support of not more than twenty and five-tenths full-time equivalent positions annually funded from both state and federal funds, maintenance, and miscellaneous purposes \$ 385,129

2. For program grants \$ 7,348,958

Sec. 5. The licensing boards for which general fund appropriations have been provided for in section 2, subsection 5 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 2, subsection 5 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the state comptroller shall approve the expenditure or encumbrance. Before approval is given, the state comptroller shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the state comptroller the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 6. The amount of the funds appropriated under sections 1, 2, 3, and 4 of this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall be reduced by one percent, rounded to the nearest whole dollar, and the provisions of this section shall prevail over any other provisions of this Act. However, the funds appropriated in section 1, subsections 3, 4, and 8 and section 4 shall not be so reduced.

Sec. 7. All federal grants to and federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time equivalent positions provided in this Act, except for the department of substance abuse pursuant to section 4 of this Act, but are approved only for the period of time for which the federal funds are available for the position.

Sec. 8. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent.

Approved May 3, 1985