

633.591 VOLUNTARY PETITION FOR APPOINTMENT OF CONSERVATOR –
STANDBY BASIS.

Any person of full age and sound mind may execute a verified petition for the voluntary appointment of a conservator of the person's property upon the express condition that such petition shall be acted upon by the court only upon the occurrence of an event specified or the existence of a described condition of the mental or physical health of the petitioner, the occurrence of which event, or the existence of which condition, shall be established in the manner directed in said the petition. The petition, if executed on or after ~~July 1, 1989~~ January 1, 1991, shall advise the proposed ward of a conservator's powers as provided in section 633.576.

Approved April 22, 1991

CHAPTER 37

CONTROLLED SUBSTANCES – ANABOLIC STEROIDS

S.F. 308

AN ACT relating to the Iowa uniform controlled substances Act.

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

Section 1. Section 204.208, Code 1991, is amended by adding the following new subsection:
NEW SUBSECTION. 5A. Anabolic steroids as defined in section 203B.2 and rules of the board adopted pursuant to chapter 17A.

Approved April 22, 1991

CHAPTER 38

STATE PROGRAMS FOR PERSONS WITH MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, OR MENTAL ILLNESS

S.F. 345

AN ACT relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

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

Section 1. Section 225C.21, subsection 2, Code 1991, is amended to read as follows:

2. The department shall adopt rules pursuant to chapter 17A establishing minimum standards for the programming of community, supervised apartment living arrangements. The department shall approve annually all community, supervised apartment living arrangements which meet the minimum standards.

Sec. 2. Section 225C.38, subsection 1, paragraph c, Code 1991, is amended to read as follows:

c. Except as provided in section 225C.41, a family support subsidy for a fiscal year shall be in an amount equivalent to the monthly maximum supplemental security income payment available in Iowa on July 1 of that fiscal year for an adult recipient living in the household of another, as formulated under federal regulations. In addition, the parent or legal guardian of a family member who is in an out-of-home placement at the time of application may receive

a one-time lump-sum advance payment of twice the monthly family support subsidy amount for the purpose of meeting the special needs of the family in preparing for in-home care.

Sec. 3. Section 225C.38, subsection 2, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

2. The department shall administer the family support subsidy program and the payments made under the program as follows:

a. In each fiscal year, the department shall establish a figure for the number of family members for whom a family support subsidy shall be provided at any one time during the fiscal year. The figure shall be established by dividing the amount appropriated by the general assembly for family support subsidy payments during the fiscal year by the family support subsidy payment amount established in subsection 1, paragraph "c".

b. On or before July 15 in each fiscal year, the department shall approve the provision of a number of family support subsidies equal to the figure established in paragraph "a". During any thirty-day period, the number of family members for whom a family support subsidy is provided shall not be less than this figure.

Sec. 4. Section 225C.41, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, funds remaining unexpended on June 30 of any fiscal year shall not revert to the general fund of the state but shall remain available to provide family support subsidy payments in the succeeding fiscal year.

Sec. 5. Section 225C.42, Code 1991, is amended to read as follows:
225C.42 ANNUAL EVALUATION OF PROGRAM.

1. The department shall conduct an annual evaluation of the family support subsidy program and shall submit the evaluation report with recommendations to the governor and general assembly ~~prior to~~ by September 30 following the end of the fiscal year. ~~The evaluation shall include, but not be limited to,~~ all of the following:

2. The evaluation content shall include but is not limited to all of the following items:

a. A statement of the number of children and families served by the program during the fiscal year and the number remaining on the waiting list at the end of the fiscal year.

b. A description of the children and family needs to which payments were applied.

c. An analysis of the extent to which payments enabled children to remain in their homes. The analysis shall include but is not limited to all of the following items concerning children affected by the payments: the number and percentage of children who remained with their families; the number and percentage of children who returned to their home from an out-of-home placement and the type of placement from which the children returned; and the number of children who received an out-of-home placement during the fiscal year and the type of placement.

d. An analysis of parent satisfaction with the program.

e. An analysis of efforts to encourage program participation by eligible families.

f. The results of a survey of families participating in the program in order to assess the adequacy of subsidy payment amounts and the degree of unmet need for services and supports.

3. The evaluation content may include any of the following items:

1. The impact of the family support subsidy program upon children covered by this division in institutions and residential care programs including, to the extent possible, sample case reviews of families who choose not to participate.

2 a. Case reviews of An overview of the reasons families who voluntarily terminate terminated participation in the family support subsidy program for any reason, particularly when the family member is placed out of the family home, including and the involvement of the department in offering suitable alternatives.

3. Sample assessments of families receiving family support subsidy payments including adequacy of subsidy and need for services not available.

4. The efforts to encourage program participation of eligible families.

5 b. The geographic distribution of families receiving subsidy payments and, to the extent possible, family members presumed to be eligible for family support subsidy payments.

6. Programmatic and legislative recommendations to further assist families in providing care for family members including eligibility criteria, availability of family support services and parent satisfaction with the program.

7 c. Problems that occur in identifying family members through diagnostic evaluations An overview of problems encountered by families in applying for the program, including obtaining documentation of eligibility.

8. The number of beds reduced in state institutions and foster care facilities serving severely mentally, multiply, and autistically impaired children when the children return home to natural families as a result of the subsidy program.

The department shall report caseload figures by eligibility category as defined by administrative rule.

Sec. 6. Section 226.12, Code 1991, is amended by striking the section and inserting in lieu thereof the following:

226.12 MONTHLY REPORTS.

The administrator shall assure that the superintendent of each institute provides monthly reports concerning the programmatic, environmental, and fiscal condition of the institute. The administrator or the administrator's designee shall periodically visit each institute to validate the information.

Approved April 22, 1991

CHAPTER 39

SPECIAL EDUCATION WEIGHTING PLAN

S.F. 378

AN ACT relating to the weighting plan to be used to provide funds for the excess cost of instruction of children requiring special education.

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

Section 1. Section 281.9, subsection 1, paragraphs b, c, and d, Code 1991, are amended to read as follows:

b. Children requiring special education who require special adaptations while assigned to a regular classroom for basic instructional purposes and handicapped pupils placed in a special education class who receive part of their instruction in regular classrooms are assigned a weighting of one and eight-tenths for the school year commencing July 1, 1975.

Effective July 1, 1991, this paragraph also applies to children requiring special education who require specially designed instruction while assigned to a regular classroom for basic instructional purposes.

c. Children requiring special education who require full-time, self-contained special education placement with little integration into a regular classroom are assigned a weighting of two and two-tenths for the school year commencing July 1, 1975.

Effective July 1, 1991, this paragraph also applies to children requiring special education who require substantial modifications, adaptations, or special education accommodations in order to benefit from instruction in an integrated classroom.

d. Children requiring special education who are severely handicapped or who have multiple handicaps are assigned a weighting of four and four-tenths for the school year commencing July 1, 1975.