

**NEW PARAGRAPH.** e. The allocation of cost-share moneys as financial incentives for the same purposes that are supported from the soil and water enhancement account of the resources enhancement and protection fund as provided in section 455A.19, or by the water protection practices account of the water protection fund established pursuant to section 161C.4. The financial incentives shall not exceed fifty percent of the estimated cost of establishing the practices, or fifty percent of the actual cost, whichever is less.

Sec. 6. **APPLICABILITY.** Notwithstanding section 1 of this Act, a person who has been elected or appointed to serve as a soil and water conservation district commissioner prior to the effective date of this Act shall continue to serve for the member's term as provided in section 161A.5, subsection 2, Code 1995.

Approved April 10, 1996

---

## CHAPTER 1084

### PROGRAMS FOR PERSONS WITH DISABILITIES

S.F. 2307

**AN ACT** relating to programs available to persons with disabilities which are administered by the department of human services.

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

Section 1. Section 225C.47, subsection 1, Code 1995, is amended by adding the following new paragraph before paragraph a and relettering the subsequent paragraphs:

**NEW PARAGRAPH.** a. "Family" means a group of interdependent persons living in the same household. A family consists of an individual with a disability and any of the following:

- (1) The individual's parent.
- (2) The individual's sibling.
- (3) The individual's grandparent, aunt, or uncle.
- (4) The individual's legal custodian.
- (5) A person who is providing short-term foster care to the individual subject to a case permanency plan which provides for reunification between the individual and the individual's parent.

"Family" does not include a person who is employed to provide services to an individual with a disability in an out-of-home setting, including but not limited to a hospital, nursing facility, personal care home, board and care home, group foster care home, or other institutional setting.

Sec. 2. Section 225C.47, subsection 2, Code 1995, is amended to read as follows:

2. A comprehensive family support program is created in the department of human services to provide a statewide system of services and support to eligible families. The program shall be implemented in a manner which enables a family member of an individual with a disability to identify the services and support needed to enable the individual to reside with the individual's family, to function more independently, and to increase the individual's integration into the community.

Sec. 3. Section 225C.47, subsection 5, paragraphs a, b, and f, Code 1995, are amended to read as follows:

a. (1) An application process incorporating the eligibility determination processes of other disability services programs to the extent possible.

(2) Eligible families maintain control of decisions which affect the families' children who are individuals with a disability.

b. (1) Existing local agencies are utilized to provide facilities and a single entry point for comprehensive family support program applicants.

(2) Services and support are provided in a timely manner and emergency access to needed services and support is provided.

f. (1) Identification of the services and support and service provider components included in the comprehensive family support program.

(2) Upon request by a family member, provision of assistance in locating a service provider.

Sec. 4. Section 225C.47, subsection 5, Code 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. i. The utilization of a voucher system for payment provisions for the children-at-home component of the program under subsection 7.

Sec. 5. Section 225C.47, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The comprehensive family support program shall include a children-at-home component developed by the department in accordance with this subsection. A family eligible for the comprehensive family support program may choose the children-at-home component. Under the children-at-home component, a family member of an individual with a disability shall be assisted by department staff in identifying the services and support to be provided to the family under the program. The identification of services and support shall be based upon the specific needs of the individual and the individual's family which are not met by other service programs available to the individual and the individual's family. Based upon the services and support identified, the department shall develop a contract for direct payment of the services and support provided to the family.

Sec. 6. Section 225C.48, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. The council shall perform the following duties in consultation with the department and any department staff with duties associated with the personal assistance services and comprehensive family support programs:

a. Oversee the operations of the programs.

b. Coordinate with the department of education and programs administered by the department of education to individuals with a disability, in providing information to individuals and families eligible for the programs under sections 225C.46 and 225C.47.

c. Work with the department and counties regarding managed care provisions utilized by the department and counties for services to individuals with a disability to advocate the inclusion of personal assistance services and the comprehensive family support program as approved service provisions under managed care.

d. Develop and oversee implementation of evaluation processes for the programs.

e. Oversee statewide training of department staff regarding the two programs.

f. Oversee efforts to promote public awareness of the programs.

Sec. 7. NEW SECTION. 225C.49 DEPARTMENTAL DUTIES CONCERNING SERVICES TO INDIVIDUALS WITH A DISABILITY.

1. The department shall provide coordination of the programs administered by the department which serve individuals with a disability and the individuals' families, including but not limited to the following juvenile justice and child welfare services: family-centered and intensive family preservation services described under section 232.102, decategorization of child welfare funding provided for under section 232.188, and foster care services paid under section 234.35, subsection 3. The department shall regularly review administrative rules associated with such programs and make recommendations to the

council on human services, governor, and general assembly for revisions to remove barriers to the programs for individuals with a disability and the individuals' families including the following:

a. Eligibility prerequisites which require declaring the individual at risk of abuse, neglect, or out-of-home placement.

b. Time limits on services which restrict addressing ongoing needs of individuals with a disability and their families.

2. The department shall coordinate the department's programs and funding utilized by individuals with a disability and their families with other state and local programs and funding directed to individuals with a disability and their families.

3. In implementing the provisions of this section, the department shall do all of the following:

a. Compile information concerning services and other support available to individuals with a disability and their families. Make the information available to individuals with a disability and their families and department staff.

b. Utilize internal training resources or contract for additional training of staff concerning the information under paragraph "a" and training of families and individuals as necessary to develop plans and contracts under sections 225C.46 and 225C.47.

4. The department shall designate one individual whose sole duties are to provide central coordination of the programs under sections 225C.46 and 225C.47 and to work with the personal assistance and family support services council to oversee development and implementation of the programs.

Approved April 10, 1996

---

## CHAPTER 1085

### DEPARTMENT OF GENERAL SERVICES – MISCELLANEOUS DUTIES

S.F. 2387

**AN ACT** relating to the department of general services, by providing for the sale or disposal of unwanted state personal property and by establishing a monument maintenance account.

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

Section 1. Section 18.8, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The director shall provide necessary voice or data communications, including telephone, and telegraph, lighting, fuel, and water services for the state buildings and grounds located at the seat of government, except the buildings and grounds referred to in section 216B.3, subsection 6.

Sec. 2. Section 18.12, subsection 3, Code Supplement 1995, is amended to read as follows:

3. Institute, in the name of the state, and with the advice and consent of the attorney general, civil and criminal proceedings against any person for injury or threatened injury to any public property, including but not limited to intangible and intellectual property, under the person's control.

Sec. 3. Section 18.12, subsection 8, Code Supplement 1995, is amended to read as follows: