

**CHAPTER 183**

**HEALTHY IOWANS TOBACCO TRUST  
AND TOBACCO SETTLEMENT TRUST FUND — APPROPRIATIONS**

*H.F. 685*

**AN ACT** relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

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

Section 1. HEALTHY IOWANS TOBACCO TRUST — APPROPRIATIONS TO DEPARTMENTS. There is appropriated from the healthy Iowans tobacco trust created in section 12.65 to the following departments for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. To the department of human services:
  - a. Unless otherwise provided, to maintain the reimbursement rate for all noninstitutional medical assistance providers, with the exception of anesthesia and dental services, at the rate provided under the federal Medicare program for such providers during the fiscal year beginning July 1, 2000, and ending June 30, 2001, as specified in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “a”, for the fiscal year July 1, 2003, through June 30, 2004, and to continue the resource-based relative value system of reimbursement under the medical assistance program:
 

.....	\$ 8,095,718
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  - b. To maintain the reimbursement rate at the usual and customary rate as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “b”, for the fiscal year July 1, 2003, through June 30, 2004, for dental services under the medical assistance program:
 

.....	\$ 3,814,973
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  - c. To maintain the reimbursement rate as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “e”, for the fiscal year July 1, 2003, through June 30, 2004, for hospitals under the medical assistance program:
 

.....	\$ 3,035,278
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  - d. To maintain the reimbursement rate as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “f”, for the fiscal year July 1, 2003, through June 30, 2004, for home health care services under the medical assistance program:
 

.....	\$ 2,108,279
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  - e. To maintain the reimbursement rate as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “g”, for the fiscal year July 1, 2003, through June 30, 2004, for critical access hospitals under the medical assistance program:
 

.....	\$ 250,000
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  - f. To maintain the expansion of home health care services and habilitative day care as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “h”, under the medical assistance program for children with special needs:
 

.....	\$ 1,975,496
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  - g. To maintain the expansion of respite care services provided through home and community-based waivers as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “i”, under the medical assistance program:
 

.....	\$ 1,137,309
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  - h. To maintain the cost-of-living adjustment as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph “c”, for the fiscal year July 1, 2003, through June 30, 2004, for rehabilitative treatment and support services providers under child and family services:
 

.....	\$ 3,243,026
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i. To maintain the cost-of-living adjustment as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph "d", for the fiscal year July 1, 2003, through June 30, 2004, for adoption, independent living, shelter care, and home studies services providers:

..... \$ 468,967

j. To maintain the reimbursement rate as established in 2000 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph "j", for the fiscal year July 1, 2003, through June 30, 2004, to service providers under the purview of the department of human services:

..... \$ 545,630

2. To the department of human services to continue the supplementation of the children's health insurance program appropriation:

..... \$ 200,000

3. To the department of human services to provide coverage under the medical assistance program to women who require treatment for breast or cervical cancer as provided in section 249A.3, subsection 2, paragraph "b":

..... \$ 250,000

4. To the department of human services to continue the supplementation of the medical assistance appropriation:

..... \$ 14,346,750

Of the amount appropriated in this subsection, \$100,000 shall be used to continue the efforts of the Iowa chronic care consortium.

5. To the Iowa department of public health:

a. For the tobacco use prevention and control initiative, including efforts at the state and local levels, as provided in chapter 142A and for not more than the following full-time equivalent positions:

..... \$ 5,000,000

..... FTEs 7.00

(1) The director of public health shall dedicate sufficient resources to promote and ensure retailer compliance with tobacco laws and ordinances relating to persons under 18 years of age, and shall prioritize the state's compliance in the allocation of available funds to comply with 42 U.S.C. § 300x-26 and section 453A.2.

(2) Of the full-time equivalent positions funded under this section, two full-time equivalent positions shall be utilized to provide for enforcement of tobacco laws, regulations, and ordinances under a chapter 28D agreement entered into between the Iowa department of public health and the alcoholic beverages division of the department of commerce.

(3) Of the funds appropriated in this paragraph "a", not more than \$525,759 shall be expended on administration and management of the program.

(4) Of the funds appropriated in this paragraph "a", not less than 80 percent of the amount expended in the fiscal year beginning July 1, 2001, for community partnerships shall be expended in the fiscal year beginning July 1, 2003, for that purpose.

b. For a grant to a program that utilizes high school mentors to teach life skills, violence prevention, and character education in an effort to reduce the illegal use of alcohol, tobacco, and other substances:

..... \$ 400,000

c. For provision of smoking cessation products as provided in this paragraph:

..... \$ 75,000

The department shall award grants to free health clinics that are tax-exempt organizations pursuant to 26 U.S.C. § 501(c)(3) to fund the provision of smoking cessation products to patients. The department shall adopt a methodology for the awarding of the grants to the health clinics based upon the order of receipt of applications.

d. For additional substance abuse treatment under the substance abuse treatment program:

..... \$ 11,800,000

(1) The department shall use funds appropriated in this paragraph "d" to enhance the quality of and to expand the capacity to provide 24-hour substance abuse treatment programs.

(2) The department shall use funds appropriated in this paragraph "d" to expand the length

of individual client substance abuse treatment plans, as necessary to reduce program recidivism.

(3) The department shall use funds appropriated in this paragraph "d" to share research-based best practices for treatment with substance abuse treatment facilities.

(4) The department shall use funds appropriated in this paragraph "d" to develop a results-based funding approach for substance abuse treatment services.

(5) The department shall use funds appropriated in this paragraph "d" to develop a program to encourage individuals who are successfully managing their substance abuse problems to serve as role models.

(6) The department shall submit a report annually by March 1, to the governor and the general assembly delineating the success rates of the substance abuse treatment programs that receive funding under this paragraph "d".

e. For the healthy Iowans 2010 plan within the Iowa department of public health and for not more than the following full-time equivalent positions:

.....	\$	2,346,960
.....	FTEs	4.00

(1) Of the funds appropriated in this paragraph "e", not more than \$1,157,482 shall be used for core public health functions, including home health care and public health nursing services, contracted through a formula by local boards of health, to enhance disease and injury prevention services.

(2) Of the funds appropriated in this paragraph "e", not more than \$387,320 shall be used for the continuation and support of a coordinated system of delivery of trauma and emergency medical services.

(3) Of the funds appropriated in this paragraph "e", not more than \$437,000 shall be used for the state poison control center.

(4) Of the funds appropriated in this paragraph "e", not more than \$288,770 shall be used for the development of scientific and medical expertise in environmental epidemiology.

(5) Of the funds appropriated in this paragraph "e", not more than \$76,388 shall be used for the childhood lead poisoning prevention program.

6. To the department of corrections:  
..... \$ 920,000

a. Of the funds appropriated in this subsection, \$127,217 is allocated to the second judicial district department of correctional services to replace expired federal funding for day programming.

b. Of the funds appropriated in this subsection \$35,359 is allocated to the third judicial district department of correctional services to replace expired federal funding for the drug court program.

c. Of the funds appropriated in this subsection, \$191,731 is allocated to the fourth judicial district department of correctional services for a drug court program.

d. Of the funds appropriated in this subsection, \$255,693 is allocated to the fifth judicial district department of correctional services to replace expired funding for the drug court program.

e. Of the funds appropriated in this subsection \$310,000 is allocated to the Newton correctional facility for a value-based treatment program. A portion of the funds allocated in this paragraph may be used to establish a similar value-based treatment program at the Iowa correctional institution for women at Mitchellville.

Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS — REIMBURSEMENT INCREASE. There is appropriated from the healthy Iowans tobacco trust created in section 12.65 to the property tax relief fund created in section 426B.1 for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For assistance to the counties with limited county mental health, mental retardation, and developmental disabilities services fund balances which were selected in accordance with 2000

Iowa Acts, chapter 1221, section 3, to receive such assistance in the same amount provided during the fiscal year beginning July 1, 2000, and ending June 30, 2001, to pay reimbursement increases in accordance with 2000 Iowa Acts, chapter 1221, section 3:

..... \$ 146,750

Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from the healthy Iowans tobacco trust created in section 12.65, to the Iowa empowerment fund created in section 28.9 for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for deposit in the school ready children grants account and for distribution as provided in this section:

..... \$ 2,153,250

Sec. 4. DEPARTMENT OF CORRECTIONS — SPECIAL NEEDS UNIT. There is appropriated from the healthy Iowans tobacco trust created in section 12.65, to the department of corrections for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For operating the special needs unit at the Fort Madison correctional facility and for not more than the following full-time equivalent positions:

..... \$ 1,100,000  
..... FTEs 17.87

Sec. 5. RISK POOL APPROPRIATION — TRANSFER. Notwithstanding 2002 Iowa Acts, chapter 1175, section 104, subsection 1, paragraph “b”, as amended by 2003 Iowa Acts, House File 667,<sup>1</sup> section 41, if enacted, moneys appropriated for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for deposit in the risk pool pursuant to that paragraph shall be transferred to the medical assistance appropriation for the same fiscal year.

Sec. 6. ENDOWMENT FOR IOWA’S HEALTH ACCOUNT — TRANSFER. In addition to the amount transferred pursuant to section 12E.12, subsection 1, paragraph “b”, subparagraph (2), subparagraph subdivision (b), \$5,206,960 is transferred from the endowment for Iowa’s health account of the tobacco settlement trust fund created in section 12E.12 to the healthy Iowans tobacco trust created in section 12.65 for the fiscal year beginning July 1, 2003, and ending June 30, 2004.

Approved May 30, 2003

**CHAPTER 184**

**WORLD FOOD PRIZE AWARDS CEREMONY**

*S.J.R. 1*

**A JOINT RESOLUTION** authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

WHEREAS, the State of Iowa has the honor of being the home of the World Food Prize Foundation which annually presents an international award recognizing outstanding individual achievement in improving the quality, quantity, or availability of food in the world; and

WHEREAS, Iowa’s unique State Capitol is an optimal location for this awards ceremony of the World Food Prize Foundation and previously served as the ceremony location; and

<sup>1</sup> Chapter 175 herein