

- d. Deductibles.
- e. Maximum annual benefits.

Approved April 29, 2010

CHAPTER 1180

REGULATIONS FOR PEN-REARED PHEASANTS

H.F. 2310

AN ACT relating to raising or releasing pen-reared pheasants originating from a hatchery approved by the department of natural resources.

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

Section 1. NEW SECTION. **481A.6A Pen-reared pheasants — release by landowners and tenants.**

1. As used in this section, “*pen-reared pheasant*” means a pheasant which originates from a captive population and which has been propagated and held by a hatchery.

2. Notwithstanding section 481A.60, an owner or tenant of land may obtain pen-reared pheasants from a hatchery approved by the department, and raise or release the pen-reared pheasants on the owner’s or tenant’s land. A person shall not relocate a pen-reared pheasant to any other land.

3. A person taking a pen-reared pheasant shall comply with all requirements provided in this chapter and chapter 483A.

Sec. 2. NEW SECTION. **484B.15 Pen-reared pheasants — exception.**

This chapter does not apply to an owner or tenant of land raising or releasing pen-reared pheasants on the owner’s or tenant’s land as provided in section 481A.6A, provided that a person taking a pen-reared pheasant complies with all requirements provided in chapters 481A and 483A.

Approved April 29, 2010

CHAPTER 1181

APPROPRIATION REDUCTIONS, TRANSFERS, AND SUPPLEMENTALS — HEALTH AND HUMAN SERVICES

S.F. 2151

AN ACT relating to public funding and regulatory matters by making and revising appropriations made for purposes of health and human services and providing effective dates.

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

Section 1. 2008 Iowa Acts, chapter 1188, section 16, as amended by 2009 Iowa Acts, chapter 182, section 84, is amended to read as follows:

SEC. 16. MEDICAL ASSISTANCE, HAWK-I, AND HAWK-I EXPANSION PROGRAMS — COVERING CHILDREN — APPROPRIATION. There is appropriated from the general fund

of the state to the department of human services for the designated fiscal years, the following amounts, or so much thereof as is necessary, for the purpose designated:

To cover children as provided in this Act under the medical assistance, hawk-i, and hawk-i expansion programs and outreach under the current structure of the programs:

FY 2008-2009	\$	4,800,000
FY 2009-2010	\$	4,207,001
		<u>10,049,532</u>
FY 2010-2011	\$	24,800,000

The amendment to the amount of the appropriation made in this section for FY 2009-2010 incorporates the amount of the uniform reduction made pursuant to executive order number 19¹ issued October 8, 2009. Of the funds appropriated for FY 2009-2010, not more than \$510,249 shall be used for the supplemental dental services under the hawk-i program.

Sec. 2. 2009 Iowa Acts, chapter 182, is amended by adding the following new section:

NEW SECTION. SEC. 5A. EMERGENCY CONTINGENCY FUND FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

1. There is appropriated from the federal recovery and reinvestment fund created in section 8.41A to the department of human services for the fiscal year beginning July 1, 2009, and ending June 30, 2010, an amount sufficient to fully fund the family investment program under chapter 239B for the fiscal year.

2. The appropriation made in this section is from federal funding available from the emergency contingency fund for temporary assistance for needy families state program established pursuant to the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, § 2101. The funding shall be expended only after the funding appropriated for the family investment program in section 5 of this Act has been exhausted. The appropriation shall be expended in accordance with the federal law making the funding available and chapter 239B, notwithstanding section 8.41, 2009 Iowa Acts, chapter 183, section 58, or any other provision to the contrary.

3. The department shall report quarterly to the legislative services agency and the department of management concerning the expenditure of the funding appropriated in this section during the previous quarter.²

Sec. 3. 2009 Iowa Acts, chapter 182, section 9, unnumbered paragraph 2, as amended by 2009 Iowa Acts, chapter 179, section 84, is amended to read as follows:

For medical assistance reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2009, except as otherwise expressly authorized by law, including reimbursement for abortion services which shall be available under the medical assistance program only for those abortions which are medically necessary:

.....	\$	681,949,840
		<u>590,459,096</u>

The amendment to the amount of the appropriation made in this section incorporates the amounts of the uniform reduction made pursuant to executive order number 19³ issued October 8, 2009, and the transfers made to and from this appropriation pursuant to the authority in section 8.39 and addressed in the notice of appropriation transfer from the department of management dated December 11, 2009.

Sec. 4. 2009 Iowa Acts, chapter 182, section 9, subsection 11, is amended to read as follows:

11. ~~Of the funds appropriated to the medical assistance program in this section~~ 2009 Iowa Acts, chapter 183, section 61, subsection 8, paragraph "a", the following amounts shall be transferred to appropriations made in this division of this Act to the state mental health institutes:

a. Cherokee mental health institute	\$	9,098,425
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¹ Published in IAB XXXII, No. 9, (10/21/09) p. 1139
² See chapter 1192, §69, 73 herein
³ Published in IAB XXXII, No. 9, (10/21/09) p. 1139

b. Clarinda mental health institute.....	\$	1,977,305
c. Independence mental health institute.....	\$	9,045,894
d. Mount Pleasant mental health institute.....	\$	5,752,587

Sec. 5. 2009 Iowa Acts, chapter 182, section 9, is amended by adding the following new subsection:

NEW SUBSECTION. 23. Of the funds appropriated in this section, \$6,000,000 is allocated for rebasing of nursing facility reimbursement and \$237,173 for interpreter services associated with 2009 Iowa Acts, chapter 118, section 29.

Sec. 6. 2009 Iowa Acts, chapter 182, section 16, subsection 1, unnumbered paragraph 2, is amended to read as follows:

For child and family services:

.....	\$	90,591,451
		<u>84,032,306</u>

The amendment to the amount of the appropriation made in this section incorporates the amounts of the uniform reduction made pursuant to executive order number 19⁴ issued October 8, 2009, and the transfer made to this appropriation pursuant to the authority in section 8.39 and addressed in the notice of appropriation transfer from the department of management dated December 11, 2009.

Sec. 7. 2009 Iowa Acts, chapter 182, section 16, subsection 7, is amended to read as follows:

7. Notwithstanding section 234.35 or any other provision of law to the contrary, state funding for shelter care shall be limited to ~~\$7,686,460~~ \$8,186,460. The department may continue or amend shelter care provider contracts to include the child welfare emergency services for children who might otherwise be served in shelter care that were implemented pursuant to 2008 Iowa Acts, chapter 1187, section 16, subsection 7.

Sec. 8. 2009 Iowa Acts, chapter 182, section 24, subsection 1, unnumbered paragraph 2, is amended to read as follows:

For distribution to counties for state case services for persons with mental illness, mental retardation, and developmental disabilities in accordance with section 331.440:

.....	\$	11,446,288
		<u>10,008,418</u>

The amendment to the amount of the appropriation made in this section incorporates the amount of the uniform reduction made pursuant to executive order number 19⁵ issued October 8, 2009.

Sec. 9. 2009 Iowa Acts, chapter 182, section 27, unnumbered paragraph 2, is amended to read as follows:

For field operations, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	63,032,831
		<u>57,410,144</u>
.....	FTEs	2,000.13

The amendment to the amount of the appropriation made in this section incorporates the amounts of the uniform reduction made pursuant to executive order number 19⁶ issued October 8, 2009, and the transfer made from this appropriation pursuant to the authority in section 8.39 and addressed in the notice of appropriation transfer from the department of management dated December 23, 2009.

⁴ Published in IAB XXXII, No. 9, (10/21/09) p. 1139

⁵ Published in IAB XXXII, No. 9, (10/21/09) p. 1139

⁶ Published in IAB XXXII, No. 9, (10/21/09) p. 1139

Sec. 10. 2009 Iowa Acts, chapter 182, section 48, is amended by adding the following new subsection:

NEW SUBSECTION. 4. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For distribution to a publicly owned acute care teaching hospital located in a county with a population over 350,000:

..... \$ 2,500,000

Sec. 11. 2009 Iowa Acts, chapter 183, section 61, subsection 8, is amended to read as follows:

8. From funding designated for government stabilization, for the department of human services:

a. For the medical assistance program:

..... \$ 6,237,173
25,874,211

~~Of the funds appropriated in this lettered paragraph, \$6,000,000 is allocated for rebasing of nursing facility reimbursement and \$237,173 for interpreter services associated with 2009 Iowa Acts, Senate File 389, if enacted.~~

b. For coverage of children under the medical assistance and hawk-i programs and for additional coverage provisions for children under 2009 Iowa Acts, Senate File 389,⁷ if enacted:

..... \$ 6,263,231
0

~~Of the funds appropriated in this lettered paragraph, \$510,249 is allocated for supplemental dental services under the hawk-i program.~~

c. For transfer to the department of public health to be used for 0.25 full-time equivalent position and other costs associated with the volunteer health care provider program:

..... \$ 20,000

d. For the property tax relief fund in lieu of an equal amount of the appropriation made from the general fund of the state in section 426B.1, subsection 2:

..... \$ 10,480,000
0

Notwithstanding section 426B.1, subsection 2, for the fiscal year beginning July 1, 2009, the amount of the appropriation made from the general fund of the state in section 426B.1, subsection 2, shall be reduced by ~~\$2,964,543~~ \$3,328,089 and the appropriation made from the property tax relief fund and for the fiscal year to supplement the medical assistance program in section 426B.1, subsection 3, shall be reduced by the same amount.

e. For the risk pool created in the property tax relief fund in accordance with section 426B.5:

..... \$ 10,000,000

f. For a demonstration project providing health care coverage premium assistance for direct care workers to implement recommendations developed pursuant to 2008 Iowa Acts, chapter 1188, section 72:

..... \$ 400,000

g. For the department's field operations, if 2009 Iowa Acts, ~~Senate File 389~~, chapter 118, is enacted:

..... \$ 680,596
0

The funds appropriated in this lettered paragraph shall be used for 17.00 additional full-time equivalent positions for implementation costs associated with 2009 Iowa Acts, ~~Senate File 389, if enacted~~ chapter 118.

h. For child and family services:

..... \$ 2,500,000

⁷ 2009 Iowa Acts, chapter 118

Of the amount appropriated in this lettered paragraph, \$500,000 shall be used for additional funding of shelter care.

i. For distribution to counties for state case services for persons with mental illness, mental retardation, and developmental disabilities in accordance with section 331.440, to supplement the amount appropriated in 2009 Iowa Acts, chapter 182, section 24:

..... \$ 286,789

Sec. 12. RISK POOL — STATE CASE SERVICES. For the fiscal year beginning July 1, 2009, the moneys available in the risk pool created in section 426B.5 that remain unencumbered or unobligated on or after the effective date of this division of this Act and are attributed to appropriations made for the fiscal year beginning July 1, 2009, or a previous fiscal year shall be transferred to the appropriation made in 2009 Iowa Acts, chapter 182, section 24, to be used by the department of human services for distribution to counties for state case services for persons with mental illness, mental retardation, and developmental disabilities for the fiscal year beginning July 1, 2009, and ending June 30, 2010.

Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 3, 2010

CHAPTER 1182

MISCELLANEOUS APPROPRIATION REDUCTIONS, TRANSFERS, AND SUPPLEMENTALS

S.F. 2366

AN ACT relating to public funding and regulatory matters and making, reducing, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2009, and including effective date and retroactive applicability provisions.

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

DIVISION I
ADMINISTRATION AND REGULATION

Section 1. ELDERLY AND DISABLED TAX CREDIT. After applying the reduction made pursuant to executive order number 19¹ issued October 8, 2009, to the appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For implementing the elderly and disabled tax credit and reimbursement pursuant to sections 425.16 through 425.39, to supplement the amount appropriated in 2009 Iowa Acts, chapter 179, section 9, subsection 2, paragraph "d":

..... \$ 1,426,000

Sec. 2. Section 8A.504, subsection 2, Code 2009, is amended by adding the following new paragraph:

NEW PARAGRAPH. k. If the alleged liability is owing and payable to a community college and setoff pursuant to this section is sought, both of the following shall apply:

¹ Published in IAB Vol. XXXII, No. 9, (10/21/09) p. 1139