

**EIGHTY-FOURTH GENERAL ASSEMBLY
2011 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 26, 2011

HOUSE FILE 561

H-1684

1 Amend House File 561 as follows:
2 1. Page 9, after line 23 by inserting:
3 <Sec. ____ . NEW SECTION. 476A.9A Nuclear facilities
4 -- financial liability -- oversight.
5 In the event of an accident, natural disaster,
6 or other circumstance, condition, or occurrence
7 which compromises the safety and security of a
8 nuclear generating facility and poses a potential or
9 actual threat to public health, safety, or welfare,
10 the utility owning such facility shall bear sole
11 responsibility for the costs associated with the
12 cleanup and disposal of any radioactive material and
13 for resulting damages sustained by individuals and
14 entities. The utility shall not recover such costs
15 through any form of rate increase, and taxpayers
16 shall not bear any responsibility for such costs.
17 The board may establish a commission to provide
18 oversight regarding the aftermath of an incident
19 described in this section and to ensure adherence to
20 the requirements of this section regarding cleanup,
21 disposal, and damages.>
22 2. By renumbering as necessary.

By WESSEL-KROESCHELL of Story

H-1684 FILED APRIL 25, 2011

HOUSE FILE 561

H-1689

1 Amend House File 561 as follows:
2 1. By striking page 6, line 35, through page 7,
3 line 8.
4 2. Page 7, after line 16 by inserting:
5 < (f) Notwithstanding any other provision to the
6 contrary, cost recovery under the ratemaking principles
7 established in this section shall be limited to a
8 revenue increase applied in the same percentage amount
9 to each customer class and designed to recover, on
10 an annual basis, not more than five-tenths of one
11 percent of the electric utility's previous calendar
12 year revenues attributable to billed base rates in this
13 state.>
14 3. By renumbering as necessary.

By KAJTAZOVIC of Black Hawk

H-1689 FILED APRIL 25, 2011

HOUSE FILE 686

H-1687

1 Amend House File 686 as follows:
2 1. Page 2, by striking lines 10 through 20 and
3 inserting <2011. The task force shall adopt rules
4 for the operation of the task force. The task force
5 shall determine any possible efficiencies in marketing
6 or advertising expenditures, and upon a unanimous
7 vote of the task force may agree to collaborations in
8 marketing or advertising expenditures if the task force
9 determines that marketing or advertising efficiencies
10 can be reached by such collaboration. A state agency
11 that is a member of the task force may, subject to any
12 other provision or limitation of law, implement such
13 collaborations agreed to by a unanimous vote of the
14 task force.>

By WAGNER of Linn
RUNNING-MARQUARDT of Linn

H-1687 FILED APRIL 25, 2011

SENATE FILE 313

H-1685

1 Amend Senate File 313, as passed by the Senate, as
2 follows:
3 1. Page 5, after line 10 by inserting:
4 <Sec. _____. Section 514I.5, subsection 3, Code 2011,
5 is amended to read as follows:
6 3. Members appointed by the governor shall
7 serve two-year staggered terms as designated by the
8 governor, and legislative members of the board shall
9 serve two-year terms. The filling of positions
10 reserved for the public representatives, vacancies,
11 membership terms, payment of compensation and expenses,
12 and removal of the members are governed by chapter
13 69. Members of the board are entitled to receive
14 reimbursement of actual expenses incurred in the
15 discharge of their duties. Public members of the
16 board are also eligible to receive compensation as
17 provided in section 7E.6. A majority of the voting
18 members constitutes a quorum and the affirmative vote
19 of a majority of the voting members is necessary for
20 any substantive action to be taken by the board. The
21 members shall select a chairperson on an annual basis
22 from among the membership of the board.>
23 2. By renumbering as necessary.

By L. MILLER of Scott

H-1685 FILED APRIL 25, 2011

SENATE FILE 313

H-1686

1 Amend Senate File 313, as passed by the Senate, as
2 follows:

3 1. Page 5, after line 10 by inserting:

4 <Sec. _____. Section 249J.24A, subsection 1, Code
5 2011, is amended to read as follows:

6 1. A nonparticipating provider may be reimbursed
7 for covered expansion population services provided to
8 an expansion population member ~~by a nonparticipating~~
9 ~~provider if the nonparticipating provider contacts the~~
10 ~~appropriate participating provider prior to providing~~
11 ~~covered services to verify consensus regarding one of~~
12 ~~the following courses of action~~ if any of the following
13 conditions is met:

14 ~~a. If the nonparticipating provider and the~~
15 ~~participating provider agree that the medical status~~
16 ~~of the expansion population member indicates it~~
17 ~~is medically possible to postpone provision of~~
18 ~~services, the nonparticipating provider shall direct~~
19 ~~the expansion population member to the appropriate~~
20 ~~participating provider for services.~~

21 ~~b. a.~~ a. If the nonparticipating provider ~~and the~~
22 ~~participating provider agree~~ determines that the
23 medical status of the expansion population member
24 indicates it is not medically ~~possible~~ advisable to
25 postpone provision of services, the nonparticipating
26 provider shall provide medically necessary services.

27 ~~e. b.~~ b. If the nonparticipating provider and the
28 participating provider agree that transfer of the
29 expansion population member is not possible due to lack
30 of available inpatient capacity, the nonparticipating
31 provider shall provide medically necessary services.

32 ~~d. c.~~ c. If the medical status of the expansion
33 population member indicates a medical emergency and the
34 nonparticipating provider is not able to contact the
35 appropriate participating provider prior to providing
36 medically necessary services, the nonparticipating
37 provider shall document the medical emergency
38 and inform the appropriate participating provider
39 immediately after the member has been stabilized of any
40 covered services provided.

41 Sec. _____. Section 249J.24A, subsection 2, paragraph
42 a, Code 2011, is amended to read as follows:

43 a. If the nonparticipating provider meets
44 the requirements specified in subsection 1, the
45 nonparticipating provider shall be reimbursed for
46 covered expansion population services, limited to
47 emergency and other inpatient hospital services
48 provided to the expansion population member up to the
49 point of transfer to another provider, discharge,
50 or transfer to another level of care, through the

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1 nonparticipating provider reimbursement fund in
2 accordance with rules adopted by the department of
3 human services. However, any funds received from
4 participating providers, appropriated to participating
5 providers, or deposited in the IowaCare account
6 pursuant to section 249J.24, shall not be transferred
7 or appropriated to the nonparticipating provider
8 reimbursement fund or otherwise used to reimburse
9 nonparticipating providers.>
10 2. By renumbering as necessary.

By HEATON of Henry

H-1686 FILED APRIL 25, 2011

SENATE FILE 313

H-1688

1 Amend Senate File 313, as passed by the Senate, as
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I
5 MEDICAL ASSISTANCE ---- GENERAL PROVISIONS>

6 2. Page 5, after line 10 by inserting:

7 <DIVISION II
8 MEDICAID PRESCRIPTION DRUGS

9 Sec. _____. Section 249A.20A, subsection 4, Code
10 2011, is amended to read as follows:

11 4. With the exception of drugs prescribed for the
12 treatment of human immunodeficiency virus or acquired
13 immune deficiency syndrome, transplantation, or cancer
14 and drugs prescribed for mental illness with the
15 exception of drugs and drug compounds that do not
16 have a significant variation in a therapeutic profile
17 or side effect profile within a therapeutic class,
18 prescribing and dispensing of prescription drugs not
19 included on the preferred drug list shall be subject to
20 prior authorization.

21 Sec. _____. 2010 Iowa Acts, chapter 1031, section
22 348, is amended to read as follows:

23 SEC. 348. MEDICAID NONPREFERRED DRUG LIST
24 PRESCRIBING.

25 ~~1-~~ The department shall adopt rules pursuant
26 to chapter 17A to restrict physicians and other
27 prescribers to prescribing not more than a 72-hour
28 or three-day supply of a prescription drug not
29 included on the medical assistance preferred drug list
30 while seeking approval to continue prescribing the
31 medication.

32 ~~2. Notwithstanding subsection 1, the department~~
33 ~~shall adopt rules pursuant to chapter 17A to restrict a~~
34 ~~physician or other prescriber prescribing a chemically~~
35 ~~unique mental health prescription drug to prescribing~~
36 ~~not more than a seven day supply of the prescription~~
37 ~~drug while requesting approval to continue to prescribe~~
38 ~~the medication. The rules shall provide that if~~
39 ~~an approval or disapproval is not received by the~~
40 ~~physician or other prescriber within 48 hours of the~~
41 ~~request, the request is deemed approved.~~

42 Sec. _____. REPEAL. 2010 Iowa Acts, chapter 1031,
43 section 349, is repealed.

44 Sec. _____. RESCINDING AND ADOPTION OF RULES. The
45 department of human services shall rescind the rules
46 adopted pursuant to 2010 Iowa Acts, chapter 1031,
47 section 347, chapter 1031, section 349, subsection
48 2, and chapter 1031, section 349, and shall instead
49 adopt emergency rules under section 17A.4, subsection
50 3, and section 17A.5, subsection 2, paragraph "b",

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1 to implement section 249A.20A, as amended in this
2 division of this Act, and the rules shall be effective
3 immediately upon filing and retroactively applicable to
4 January 1, 2011, unless a later date is specified in
5 the rules. Any rules adopted in accordance with this
6 section shall also be published as a notice of intended
7 action as provided in section 17A.4.

8 Sec. ____ . EFFECTIVE UPON ENACTMENT AND RETROACTIVE
9 APPLICABILITY. This division of this Act, being deemed
10 of immediate importance, takes effect upon enactment
11 and applies retroactively to January 1, 2011.>

12 3. Title page, line 2, after <provisions> by
13 inserting <and providing effective date and retroactive
14 applicability provisions>

15 4. By renumbering as necessary.

By SCHULTE of Linn

H-1688 FILED APRIL 25, 2011

SENATE FILE 519

H-1690

1 Amend Senate File 519, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 5, by striking lines 28 through 32 and
4 inserting <maintained by the governing board of the
5 organization and required or authorized to be kept
6 confidential by law.

7 (2) Discussions with, or the work product of, an
8 attorney of the governing board of the organization
9 required or authorized to be kept confidential by law.>

10 2. By renumbering as necessary.

By HAGENOW of Polk

PETERSEN of Polk

H-1690 FILED APRIL 25, 2011

SENATE FILE 519

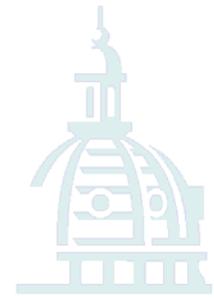
H-1691

1 Amend Senate File 519, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, lines 1 and 2, by striking <in the same
4 manner as school corporations>

By HAGENOW of Polk

H-1691 FILED APRIL 25, 2011



HF 688 – Economic Development Tax Credits (LSB 2759HV)
Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)
Fiscal Note Version – New
Requested by Representative Erik Helland

Description

House File 688 makes additional tax credits available for investments in qualifying businesses and community-based seed capital funds. The Bill eliminates the current \$10.0 million lifetime cap for the program and requires the Department of Economic Development to allocate \$2.0 million of the existing annual \$125.0 million tax credit cap to this purpose.

The change is effective July 1, 2011, and is retroactive to tax year 2011.

Assumptions

- The change first impacts the tax credit cap for FY 2012.
- The current \$125.0 million annual Department of Economic Development tax credit cap will be achieved in FY 2012, with or without the \$2.0 million addition in this Bill.

Fiscal Impact

Although the Bill directs the Department of Economic Development to allocate a new \$2.0 million in tax credits annually to qualifying businesses and community-based seed capital funds, the \$2.0 million is made part of a \$125.0 million pool that is not enlarged, so any tax credits awarded for investments in these activities necessitate the award of reduced tax credits through some other tax credit program currently under the \$125.0 million cap.

Sources

Legislative Services Agency analysis

/s/ Holly M. Lyons

April 25, 2011

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to Code [Section 2.56](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
