

FILED APR 26 1976

Reprinted

SENATE FILE 1314

BY COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 4-29-76 (1645)

Passed House, Date 5/21/95

(P. 3008)

Vote: Ayes 34 Nays 2

Vote: Ayes 86 Nays 1

Approved June 28, 1976

*Motion to reconsider filed 4/29 (1645)
withdrawn 5/12 (p. 1908)*

A BILL FOR

1 An Act making appropriations to the department of social
2 services to fund current programs under the jurisdiction
3 of the department.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. There is appropriated from the general fund
2 of the state for the fiscal year beginning July 1, 1976 and
3 ending June 30, 1977 to the department of social services,
4 the following amounts, or so much thereof as may be necessary,
5 to be used for the purposes designated:

6 1976-1977
7 Fiscal Year

- 8 1. General Administration
- 9 For the administration of district
- 10 and local offices including salaries
- 11 and support \$ 9,500,000
- 12 2. State Administration
- 13 a. For salaries, support, maintenance
- 14 and miscellaneous purposes 4,390,000
- 15 b. For payment of the state's share of
- 16 unemployment benefit claims 160,000
- 17 3. For child support recoveries 150,000
- 18 4. For assistance to child care centers 500,000
- 19 Not more than ten percent of the funds appropriated by
- 20 this subsection and received by a county board of supervisors
- 21 shall be used for the purposes listed in section six (6) of
- 22 this Act.

23 5. The department of social services with the approval
24 of the governor and the state comptroller may transfer funds
25 appropriated by this section from any subsection of this
26 section for a purpose specified by any other subsection of
27 this section.

28 Sec. 2. There is appropriated from the general fund of
29 the state for the fiscal year beginning July 1, 1976 and
30 ending June 30, 1977 to the department of social services,
31 the following amounts, or so much thereof as may be necessary,
32 to be used for the purposes designated:

33 1976-1977
34 Fiscal Year

35 Division of Community Services

1 For the operation of the following
2 institutions:

- 3 1. State juvenile home at Toledo \$ 1,750,000
- 4 2. Boy's training school at Eldora 2,925,000
- 5 3. Girl's training school at Mitchellville 400,000
- 6 4. Iowa veterans home at Marshalltown 5,000,000
- 7 5. For the governor's youth opportunity
- 8 program 750,000
- 9 6. Community Based Juvenile Corrections

10 Program

11 a. For contracting with local nonprofit organizations
12 for community based juvenile corrections
13 programs 160,000

14 b. Funds appropriated by paragraph a of this subsection
15 shall be allocated with consideration being given to providing
16 geographical areas based upon judicial districts the means
17 for implementing community based juvenile corrections programs.

18 c. The person designated as the state youth coordinator
19 for the governor's youth opportunity program shall be primarily
20 responsible for administration of the community based juvenile
21 corrections program. The department of social services shall
22 cooperate with the state youth coordinator in administering
23 this program.

24 d. Contracts executed under the community based juvenile
25 corrections program shall provide that local nonprofit
26 organizations shall contribute at least one-half of the cost
27 of the local program. This local match may be in the form
28 of cash, including local or federal funds, or in-kind
29 contributions, or a combination of such funds and in-kind
30 contributions. The state youth coordinator shall be
31 responsible for determining the value of in-kind contributions
32 and determining the total value of the local organization's
33 contribution.

34 e. The state youth coordinator shall submit a report to
35 the joint committees on appropriations of the general assembly

1 not later than January 24, 1977 outlining the manner of
2 expenditure of funds appropriated by this subsection and
3 containing such other information as will be useful in
4 determining the value of the community based juvenile
5 corrections program.

6 7. The department of social services with the approval
7 of the governor and the state comptroller may transfer funds
8 appropriated by this section from any subsection of this
9 section for a purpose specified by any other subsection of
10 this section.

11 Sec. 3. There is appropriated from the general fund of
12 the state for the fiscal year beginning July 1, 1976 and
13 ending June 30, 1977 to the department of social services,
14 the following amounts, or so much thereof as may be necessary,
15 to be used for the purposes designated:

16 1976-1977
17 Fiscal Year

18 Division of Adult Corrections Institutions

19 1. For community based correctional programs
20 and services:

21 a. To provide assistance in the establishment,
22 and operation of community based correctional
23 programs and services \$ 625,000

24 b. It is the intent of the general assem-
25 bly in making the appropriation in paragraph a
26 of this subsection that community based programs
27 throughout the state should be locally controlled
28 and coordinated to generate community support and
29 resources for an effective program. As far as is
30 practicable, the department of social services
31 shall promote local community control of programs
32 within the guidelines of a contractual relationship
33 with the department of social services.

34 2. Adult Corrections Services--For personnel
35 and operation of the following institutions:

- 1 a. Luster Heights camp at McGregor \$ 155,000
- 2 b. Iowa state penitentiary at Fort Madison 6,750,000
- 3 c. Men's reformatory at Anamosa 4,750,000
- 4 d. Women's reformatory at Rockwell City 700,000
- 5 e. Iowa security medical facility at Oakdale .. 2,200,000
- 6 f. Riverview release center at Newton 900,000

7 3. The department of social services with the
 8 approval of the governor and the state comptroller
 9 may transfer funds appropriated by this section
 10 from any subsection of this section for a
 11 purpose specified by any other subsection of this
 12 section.

13 Sec. 4. There is appropriated from the general fund of
 14 the state for the fiscal year beginning July 1, 1976 and
 15 ending June 30, 1977 to the department of social services,
 16 the following amounts, or so much thereof as may be necessary,
 17 to be used for the purpose designated:

18 1976-1977
 19 Fiscal Year

20 DIVISION OF MENTAL HEALTH RESOURCES INSTITUTIONS

- 21 1. For the mental health institute at Cherokee \$5,800,000
- 22 2. For the mental health institute at Clarinda 4,780,000
- 23 3. For the mental health institute at
 24 Independence 5,850,000
- 25 4. For the mental health institute at Mount
 26 Pleasant 4,700,000
- 27 5. For the Glenwood state hospital-school 9,000,000
- 28 6. For the Woodward state hospital-school 9,100,000
- 29 7. The state mental health institutes daily per diem as

30 determined pursuant to section two hundred thirty point twenty
 31 (230.20) of the Code shall be billed at eighty percent for
 32 the fiscal year. This subsection shall be of no force and
 33 effect if House File one hundred eighty-seven (187) of the
 34 Sixty-sixth General Assembly becomes law prior to or during
 35 the period for which this Act is in effect.

1 8. Hospital-school charges to counties.

2 a. The state hospital-schools' per-patient-per-day cost
3 as determined pursuant to section two hundred twenty-two point
4 seventy-three (222.73) of the Code shall be billed at eighty
5 percent for the fiscal year, except as otherwise provided
6 by this subsection.

7 b. If more than twenty percent of the cost of a patient's
8 care is initially paid from any source other than state-
9 appropriated funds, the amount so paid shall be subtracted
10 from the per-patient-per-day cost of that patient's care
11 computed pursuant to section two hundred twenty-two point
12 seventy-three (222.73) of the Code and the patient's county
13 of legal settlement shall be billed for the full balance of
14 the cost so computed.

15 c. If House File one hundred eighty-seven (187) of the
16 Sixty-sixth General Assembly becomes law prior to or during
17 the period for which this Act is in effect, paragraph a of
18 this subsection shall be of no force and effect but the
19 provisions of paragraph b shall take precedence over any
20 conflicting provision of House File one hundred eighty-seven
21 (187).

22 9. The department of social services with the approval
23 of the governor and the state comptroller may transfer funds
24 appropriated by this section from any subsection of this
25 section for a purpose specified by any other subsection of
26 this section.

27 Sec. 5. There is appropriated from the general fund of
28 the state for the fiscal year beginning July 1, 1976 and
29 ending June 30, 1977 to the department of social services,
30 the following amounts, or so much thereof as may be necessary,
31 to be used for the purposes designated:

	1976-1977
	<u>Fiscal Year</u>
32	
33	
34	SPECIAL PROGRAMS DIVISION
35	
	1. For aid to the blind \$ 40,000

1 2. For aid to the dependent children 41,000,000

2 3. For aid to Indians residing on a
3 settlement 48,000

4 4. For medical assistance 50,000,000

5 It is the intent of the general assembly in appropriating
6 funds in this subsection that, notwithstanding the provisions
7 of section two hundred forty-nine A point four (249A.4),
8 subsection one (1), of the Code, the department of social
9 services shall not reduce the level of services provided to
10 nor restrict eligibility criteria for current clients in the
11 medical assistance program until the department has received
12 such instructions from the joint appropriations subcommittee
13 on human resources of the committees on appropriations,
14 pursuant to the study mandated by Senate File 1124 as enacted
15 by the 1976 Session of the Sixty-sixth General Assembly.

16 It is the intent of the general assembly that the joint
17 subcommittee, in consultation with the consultants employed
18 for the study, make specific recommendations for the program
19 content and the funding level of the medical assistance program
20 during the 1976 legislative interim in accordance with the
21 intent of Senate File 1124 of the Sixty-sixth General Assembly.

22 It is further the intent of the general assembly that the
23 governor be encouraged to transfer funds to supplement the
24 appropriation made for the medical assistance program by this
25 subsection, should such transfer of funds become necessary.

26 5. For contractual services-medical carrier .. 950,000

27 6. For foster care:

28 a. Foster care and group homes 7,000,000

29 b. For increased level of payments for foster
30 family care 920,000

31 7. For subsidized adoptions 150,000

32 8. For work and training programs 420,000

33 9. For adult and children services 1,300,000

34 10. For homemaker services 350,000

35 11. For state supplementary assistance 4,000,000

1 12. For state supplementary assistance for
2 the blind 275,000

3 13. The department of social services with the approval
4 of the governor and the state comptroller may transfer funds
5 appropriated by this section from any subsection of this
6 section for a purpose specified by any other subsection of
7 this section.

8 14. Notwithstanding the provisions of section eight point
9 thirty-three (8.33) of the Code, unencumbered or unobligated
10 funds appropriated by the Acts of the Sixty-sixth General
11 Assembly, 1975 Session, chapter nine (9), section one (1),
12 subsection six (6), paragraphs d and k, and any supplemental
13 appropriation for medical assistance and state supplementation
14 to supplemental security income remaining on June 30, 1976
15 shall be available for expenditure during the fiscal year
16 beginning July 1, 1976 and the unencumbered or unobligated
17 funds remaining on June 30, 1977 shall revert to the general
18 fund of the state on September 30, 1977.

19 15. It is the intent of the general assembly that funds
20 appropriated by this section may be used to fund services
21 to a child in his or her own home when such service may be
22 an alternative to placement in a foster care home.

23 Sec. 6. Section two hundred thirty-seven A point sixteen
24 (237A.16), Code 1975, is amended by adding the following new
25 subsection:

26 NEW SUBSECTION. To purchase assistance to child care
27 centers for program development and staff development in
28 meeting standards for child care centers established under
29 this chapter.

30 Sec. 7. Acts of the Sixty-sixth General Assembly, 1975
31 Session, chapter sixty-two (62), section two (2), subsection
32 two (2), is amended to read as follows:

33 2. The hospital schools revolving fund shall be composed
34 of moneys appropriated by the general assembly for capital
35 expenditures at the hospital schools and moneys which become

1 available to the hospital schools from the federal government
2 ~~for-such-purposes~~ pursuant to Title nineteen (XIX) of the
3 United States Social Security Act. Moneys in the revolving
4 fund may be expended without regard to order of deposit or
5 source of funds.

6 Sec. 8. The department of social services shall close
7 the girl's training school at Mitchellville not later than
8 January 1, 1977. The department shall transfer persons under
9 the care and custody at the girl's training school to the
10 state juvenile home at Toledo or an appropriate community
11 facility and make suitable arrangements in order that such
12 transfer can be made as expeditiously as possible. The
13 department of social services shall make a report to the joint
14 committees on appropriations of the general assembly not later
15 than January 16, 1978 containing recommendations for the
16 disposal or use of equipment and facilities located at
17 Mitchellville.

18 Sec. 9.

19 1. Unless otherwise provided in this Act, all institutional
20 receipts of the department of social services shall be
21 deposited in the general fund except rentals charged to
22 employees or others for room, apartment, or house and meals,
23 which shall be available to the institutions, and except for
24 receipts from farm products which shall be used for necessary
25 farm expenses and repair.

26 Sec. 10. Each hospital-school shall, upon receipt of any
27 payment made under chapter two hundred forty-nine A (249A)
28 of the Code for the care of any patient, segregate an amount
29 equal to that portion of the payment which is required by
30 law to be made from nonfederal funds. The money segregated
31 shall be deposited in the medical assistance fund of the
32 department of social services.

33 Sec. 11. Chapter two hundred forty-nine A (249A), Code
34 1975, is amended by adding the following new section:

35 NEW SECTION. ASSISTANCE TO MENTALLY RETARDED RESIDENTS

1 OF COUNTY CARE FACILITIES OR CERTAIN OTHER LICENSED FACILITIES.

2 1. Assistance may be furnished under this chapter, in
3 accordance with subsection two (2) of this section, to a
4 mentally retarded person who is otherwise eligible for such
5 assistance, to pay all or a portion of the cost of maintaining
6 that person as a resident of:

7 a. A county care facility, or portion thereof, which is
8 licensed in accordance with the provisions of chapter one
9 hundred thirty-five C (135C) of the Code, and is certified
10 as an intermediate care facility for the mentally retarded
11 in accordance with federal and state standards governing the
12 medical assistance program.

13 b. Another intermediate care facility for the mentally
14 retarded that is so licensed and certified, when the mentally
15 retarded person eligible for assistance is residing in the
16 facility with approval of the county board of supervisors
17 of the county in which that person resided prior to entering
18 the facility.

19 2. Assistance may be furnished under this section only
20 in cases where the county board of supervisors or the operator
21 of the alternative intermediate care facility for the mentally
22 retarded has entered into an agreement with the department
23 to provide services that are in accordance with the
24 department's appropriate district plan for delivery of services
25 to mentally retarded and developmentally disabled citizens,
26 and to upgrade and maintain the facility, or portion thereof,
27 in accordance with the provisions of the technical plan of
28 correction that has been approved for the facility.

29 Each county board entering into an agreement with the
30 department under this subsection shall agree to reimburse
31 the department from the county poor fund or the county mental
32 health and institutions fund, on a monthly basis, for that
33 portion of the cost of assistance furnished under this section
34 which is not paid from federal funds. The department shall
35 place all such reimbursements from counties in the

1 appropriation for medical assistance, and may use the
2 reimbursed funds for any purpose for which the funds so
3 appropriated by the general assembly may lawfully be used.
4 Any county-reimbursed funds remaining unexpended shall revert
5 to the general fund of the state in the same manner as the
6 original appropriation.

7 Sec. 12. All federal grants to and the federal receipts
8 of the agencies appropriated funds under this Act are
9 appropriated for the purposes set forth in such federal grants
10 or receipts except the veterans per diem payable for veterans
11 at the veterans home shall be deposited in the general fund.

12 Sec. 13. Funds appropriated by this Act shall not be used
13 for capital improvements, except funds appropriated in section
14 one (1), subsection four (4) of this Act.

15 EXPLANATION

16 The appropriations contained in this Act to the department
17 of social services for the 1976-77 fiscal year are intended
18 to provide for the continuation of current programs with
19 exceptions as indicated by specific provisions contained in
20 this Act.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

LSB B24
sg/cj/38

SENATE FILE 1314

S-5618

1 Amend Senate File 1314 as follows:
2 1. Page 6, line 1, by striking the figure
3 "41,000,000", and inserting in lieu thereof the
4 figure "44,113,339".
5 2. Page 6, by inserting after line 1 the
6 following:
7 "It is the intent of the general assembly in
8 appropriating funds in this subsection that the depart-
9 ment of social services shall no later than September
10 1, 1976, increase payments for aid to dependent chil-
11 dren by seven (7) per cent."

S-5618 FILED & LOST *Vote 12-28 (p. 1638)*
APRIL 29, 1976

BY WILLIAM E. GLUBA

S-5621

1 Amend Senate File 1314, page 2, by inserting
2 after line 17 the following sentence: "Not more than
3 five percent (5%) of such funds may be used by the
4 state youth coordinator to administer this program
5 and prepare and submit the report required by paragraph
6 e of this subsection."

S-5621 FILED & ADOPTED (1637)
APRIL 29, 1976

BY JOHN S. MURRAY

S-5623

1 Amend Senate File 1314 as follows:
2 1. Page 2, line 5 by striking the figure
3 "400,000" and inserting in lieu thereof the
4 figure "1,057,000".

S-5623 FILED & WITHDRAWN (1643)
APRIL 29, 1976

BY EUGENE M. HILL

S-5624

1 Amend the Curtis amendment, S-5619, to Senate
2 File 1314 as follows:
3 1. Page 3, by striking lines 37 and 38 and
4 inserting in lieu thereof the following:
5 "Sec. ____ . The sections of this Act amending
6 sections two hundred thirty point twenty (230.20), two
7 hundred thirty point twenty-one (230.21), two hundred
8 thirty point twenty-two (230.22), and two hundred
9 thirty point twenty-three (230.23), Code 1975, shall
10 take effect January 1, 1977."

S-5624 FILED & ADOPTED (1645)
APRIL 29, 1976

BY WARREN E. CURTIS

S-5627

1 Amend Senate File 1314, Page 4, line 28 by
2 striking the figure "9,100,000" and inserting in lieu
3 thereof the figure "9,500,000".

S-5627 FILED *Lost 4/29 13-21 (1645)*
APRIL 29, 1976

BY RICHARD J. NORPEL, SR.

S-5606

1 Amend Senate File 1314 as follows:
2 1. Page 6, by inserting after line 1 the fol-
3 lowing:
4 "It is the intent of the general assembly in
5 appropriating funds in this subsection that, notwith-
6 standing the provisions of section two hundred thirty-
7 nine point eighteen (239.18), of the Code, the depart-
8 ment of social services shall not reduce the standard
9 of payment or restrict the eligibility criteria for
10 recipients in the aid to dependent children program
11 until the department has received such instructions
12 from the joint appropriations subcommittee on human
13 resources of the committees on appropriations."

S-5606 FILED - *Act 4/29 (1638) 16-24*
APRIL 28, 1976

BY WILLIAM E. GLUBA
JAMES M. REDMOND
C. JOSEPH COLEMAN
JOAN ORR
MINNETTE DODERER
STEVE SOVERN

SENATE FILE 1314

S-5610

1 Amend Senate File 1314 as follows:
2 1. Page 1, line 11, by striking the figure
3 "9,500,000" and inserting in lieu thereof the figure
4 "10,000,000".
5 2. Page 1, by inserting after line 11 the
6 following:
7 "It is the intent of the general assembly in ap-
8 propriating funds in this subsection that not less
9 than five hundred thousand dollars thereof shall be
10 used, beginning at the earliest practicable time,
11 to employ additional persons at the social worker
12 II level, at the income maintenance worker II level,
13 and as clerical workers, who shall fill either existing
14 vacancies or new positions as client contact personnel
15 at the local level and their necessary supporting
16 clerical personnel and who shall be in addition to
17 the total number of such personnel actually employed
18 by the department of social services on the effective
19 date of this Act."

S-5610 FILED - *Adopted 4/29 (1636) vote-28-16*
APRIL 28, 1976

BY WILLIAM E. GLUBA
WILLIAM D. PALMER

S-5626

1 Amend Senate File 1314 as follows:
2 1. Page 2, line 11, by inserting after the
3 word "local" the words "public or private".
4 2. Page 2, line 25, by inserting after the
5 word "local" the words "public or private".

S-5626 FILED & ADOPTED (1644)
APRIL 29, 1976

JOHN S. MURRAY

S-5619

1 Amend Senate File 1314, page 7, by inserting after
2 line 22 the following new sections:
3 "Sec. _____. Section two hundred thirty point twenty
4 (230.20), Code 1975, is amended by striking the section
5 and inserting in lieu thereof the following:
6 230.20 STATEMENT OF CHARGES TO COUNTIES. The
7 superintendent of each state hospital for the mentally
8 ill established by section two hundred twenty-six
9 point one (226.1) of the Code, or his designee, shall
10 on the tenth day of July, October, January and April
11 of each year, compute the amounts which are due the
12 state from each county for services rendered by the
13 hospital to patients chargeable to those counties.
14 Each hospital's charges for services rendered in a
15 particular quarter shall be based on that hospital's
16 expenditures during the immediately preceding quarter,
17 and shall be computed as follows:
18 1. The expenditures of the hospital during the
19 preceding calendar quarter shall be separately computed
20 by program in accordance with generally accepted
21 accounting procedures. In so doing, the superin-
22 tendent or his designee shall not include any of the
23 following:
24 a. The costs of food, lodging and other maintenance
25 provided to persons not patients of the hospital.
26 b. The costs of certain direct medical services,
27 which shall be charged directly against the patient
28 who received the services. The direct medical services
29 to which this paragraph is applicable shall be
30 specifically identified in rules adopted by the
31 department of social services in accordance with
32 chapter seventeen A (17A) of the Code, and may include
33 but need not be limited to x-ray, laboratory and
34 dental services.
35 c. The cost of outpatient and state placement
36 services, which shall be charged directly against
37 the patient who received the services at a rate to
38 be established by the state director on the basis
39 of the actual cost of the services.
40 2. The total patient days of service provided
41 during the preceding calendar quarter shall be
42 identified and accumulated for each program for which
43 expenditures are separately computed under subsection
44 one (1) of this section.
45 3. The total expenditure during the preceding
46 calendar quarter computed for each program pursuant
47 to subsection one (1) of this section shall be divided
48 by the total patient days of service provided during
49 the calendar quarter by that program, determined
50 pursuant to subsection two (2) of this section, to

1 derive the average daily patient cost for each program.
2 4. Each county shall be charged an amount computed
3 as follows:
4 a. The charges attributable to each inpatient
5 chargeable to that county, calculated by multiplying
6 the average daily patient cost for each program under
7 which the patient was served by the number of days
8 the patient was so served during the calendar quarter,
9 and adding the cost of direct medical services received
10 by the patient during the calendar quarter; and
11 b. The charges attributable to each outpatient
12 chargeable to that county who was served by the
13 hospital during the calendar quarter, calculated at
14 the cost established under subsection one (1),
15 paragraph c of this section.
16 5. An individual statement shall be prepared for
17 any patient on or before the fifteenth day of the
18 month next succeeding the month in which that patient
19 leaves the hospital, and a general statement shall
20 be prepared at least quarterly for each county to
21 which charges are made under this section. Except
22 as otherwise required by sections two hundred twenty-
23 four A point two (224A.2) and two hundred twenty-four
24 A point three (224A.3) of the Code, the general state-
25 ment shall list the name of each patient chargeable
26 to that county who was served by the hospital during
27 the preceding month or calendar quarter and the amount
28 due on account of each patient, and the county shall
29 be billed for one hundred percent of the stated charge
30 for each patient, unless otherwise specified in the
31 current appropriation for support of the state
32 hospitals. The statement prepared for each county
33 shall be certified by the superintendent of the
34 hospital to the state comptroller and a duplicate
35 statement shall be mailed to the auditor of that
36 county.
37 6. All or any reasonable portion of the charges
38 incurred for services rendered to any patient, to
39 the most recent date for which the charges have been
40 computed, may be paid at any time by the patient or
41 by any other person on the patient's behalf. Any
42 payment so made shall be credited against the patient's
43 account and, if the charges so paid have previously
44 been billed to a county, reflected in the hospital's
45 next general statement to that county.
46 Sec. _____. Section two hundred thirty point twenty-
47 one (230.21), Code 1975, is amended to read as follows:
48 230.21 DUTY OF COUNTY AUDITOR AND TREASURER.
49 The county auditor, upon receipt of such certificate
50 the duplicate statement required by section five (5)

1 of this Act, shall ~~thereupon~~ enter the same to the
2 credit of the state in his ledger of state accounts,
3 and at once issue a notice to his county treasurer,
4 authorizing him to transfer the amount billed to the
5 county by the statement from the county mental health
6 and institutions fund to the general state revenue,
7 which notice shall be filed by the treasurer as his
8 authority for making such transfer, ~~and.~~ The auditor
9 shall include promptly remit the amount so transferred
10 ~~in his next remittance of state taxes~~ to the treasurer
11 of state, designating the fund to which it belongs.

12 Sec. _____. Section two hundred thirty point twenty-

13 two (230.22), Code 1975, is amended to read as follows:
14 230.22 PENALTY. Should any county fail to pay
15 ~~these bills~~ the amount billed by a statement submitted
16 pursuant to section five (5) of this Act within sixty
17 days from the date of certificate from the statement
18 is certified by the superintendent, the state comp-
19 troller shall charge the delinquent county the penalty
20 of one percent per month on and after sixty days from
21 the date of certificate the statement is certified
22 until paid. Provided, however, that the penalty shall
23 not be imposed if the county has notified the comp-
24 troller of error or questionable items in the billing,
25 in which event, the comptroller may suspend penalty
26 only during the period of negotiation.

27 Sec. _____. Section two hundred thirty point twenty-

28 three (230.23), Code 1975, is amended to read as
29 follows:
30 230.23 COST PAID FROM ~~INSTITUTION~~ MENTAL HEALTH
31 AND INSTITUTIONS FUND. All expenses required to be
32 paid by counties for the care, admission, commitment,
33 and transportation of mentally ill patients in state
34 hospitals shall be paid by the board of supervisors
35 from the ~~state-institution~~ county mental health and
36 institutions fund.

37 Sec. _____. This Act shall take effect January 1,
38 1977."

S-5619 FILED & ADOPTED *as amended by 5624 4/29* BY WARREN E. CURTIS
APRIL 29, 1976 (p. 1643) ROBERT M. CARR

S-5605

1 Amend Senate File 1314 as follows:
2 1. Page 4, line 22 by striking the figure
3 "\$4,780,000" and inserting in lieu thereof the figure
4 "\$4,861,725".

S-5605 FILED - *Last 4/29 (1637)*
APRIL 28, 1976

BY JAMES E. BRILES
CALVIN O. HULTMAN

S-5589

1 Amend Senate File 1314 as follows:
2 Page 9, line 28, by inserting after the word
3 "facility." the words "Assistance shall be furnished
4 only when it is determined that adequate funding is
5 available."

S-5589 FILED - *Adopted 4/29 (1635)*
APRIL 26, 1976

BY COMMITTEE ON APPROPRIATIONS
WILLIAM D. PALMER, Chairperson

S-5594

1 Amend Senate File 1314, page 2, line 13 by
2 adding after the word "programs" the words, "and
3 juvenile interim detention facilities and shelter
4 care facilities".

S-5594 FILED - *Adopted 4/29 (1636)*
APRIL 27, 1976

BY MINNETTE DODERER

S-5597

1 Amend Senate File 1314 as follows:
2 1. Page 6, by inserting after line 3 the fol-
3 lowing:
4 "It is the intent of the general assembly in
5 making the appropriation provided for in this sub-
6 section that the department of social services shall
7 increase the maximum reimbursement for intermediate
8 care facilities to twenty-one dollars per day."

S-5597 FILED - *Lost 4/29 (1639) vote 7-33*
APRIL 28, 1976

BY WILLIAM E. GLUBA

S-5598

1 Amend Senate File 1314 as follows:
2 1. Page 6, line 4, by striking the figure
3 "50,000,000" and inserting in lieu thereof the figure
4 "54,000,000".

S-5598 FILED - *Lost 11-27 4/29 (1640)*
APRIL 28, 1976

BY C. JOSEPH COLEMAN
WILLIAM E. GLUBA

SENATE FILE 1314

S-5599

1 Amend Senate File 1314 as follows:
2 1. Page 6, line 23, by striking the words
3 "be encouraged to" and inserting in lieu thereof
4 the word "shall".

S-5599 FILED - *Lost 4/29 (p. 1640) vote*
APRIL 28, 1976

BY WILLIAM E. GLUBA
C. JOSEPH COLEMAN

S-5902

1 Amend Senate File 1314 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 17, by striking the figure
4 "II" and inserting in lieu thereof the figure
5 "I".

6 2. Page 6, by inserting after line 19 the
7 following:

8 "It is the intent of the general assembly in
9 appropriating funds in this subsection that,
10 notwithstanding the provisions of section two
11 hundred thirty-nine point eighteen (239.18), of
12 the Code, the department of social services
13 shall not reduce the standard of payment for
14 recipients in the aid to dependent children
15 program or establish eligibility criteria for
16 recipients in the aid to dependent children
17 program which are more restrictive than federal
18 regulations."

19 3. Page 6, line 28, by striking the word
20 "current".

21 4. Page 8, by inserting after line 5 the
22 following new sections:

23 "Sec. _____. Section two hundred seventeen
24 point three (217.3), subsection two (2), Code
25 1975, is amended to read as follows:

26 2. Adopt and establish policy for the operation
27 and conduct of the department of social services,
28 subject to any guidelines which may be adopted by
29 the general assembly, and the implementation of
30 all services and programs thereunder.

31 Sec. _____. Section two hundred seventeen point
32 four (217.4), Code 1975, is amended to read as
33 follows:

34 217.4 MEETINGS OF COUNCIL. The council shall
35 meet at least ~~four-times-a-year~~ monthly. ~~Special~~
36 Additional meetings shall be called by the ~~chairman~~
37 chairperson or upon written request of any three
38 members thereof as necessary to carry out the duties
39 of the council. The chairman chairperson shall preside
40 at all meetings or in his the absence of the
41 chairperson the vice chairman chairperson shall
42 preside. The members of the council shall be paid
43 a per diem of forty dollars per day while-in-session,
44 and their reasonable and necessary expenses while
45 attending-such-meetings. The-amount-of-per-diem
46 any-one-member-may-receive-in-any-fiscal-year
47 beginning-with-the-date-of-employment-shall-not-exceed
48 eight-hundred-dollars-

49 Sec. _____. Section two hundred nineteen point
50 fourteen (219.14), Code 1975, is amended by striking

- 1 the section and inserting in lieu thereof the
- 2 following:
- 3 219.14 CONTRIBUTING TO OWN SUPPORT. Every
- 4 member of the home who receives a pension, compen-
- 5 sation or gratuity from the United States
- 6 government, or income from any source of more
- 7 than twenty dollars per month, shall contribute
- 8 to his or her own maintenance or support while
- 9 a member of the home. The amount of the
- 10 contribution and the method of collection shall
- 11 be determined by the director, but the amount
- 12 shall in no case exceed the actual cost of
- 13 keeping and maintaining such a person in the
- 14 home. The director may require any member of
- 15 the home to render such assistance in the care
- 16 of the home and its grounds as his or her
- 17 psychosocial and physical condition will permit,
- 18 as a phase of that member's rehabilitation
- 19 program. The director shall compensate each
- 20 member who furnishes such assistance at rates
- 21 established by the director in accordance with
- 22 the provisions of section fourteen (14) of the
- 23 United States fair labor standards Act (52
- 24 Stat 1068, 29 USC 214), as amended to
- 25 January 1, 1976."
- 26 5. Page 11, line 25, by striking the word
- 27 "January" and inserting in lieu thereof the
- 28 word "July".
- 29 6. Amend the title by inserting after the
- 30 word "Act" the words "relating to and".
- 31 7. By renumbering and correcting internal

S-5902 FILED
MAY 24, 1976

RECEIVED FROM THE HOUSE
Senate concurred 5/25 (2238)

SENATE FILE 1314

S-5628

- 1 Amend Senate File 1314 as follows:
- 2 1. Page 2, line 3 by striking the figure
- 3 "1,750,000" and inserting in lieu thereof the
- 4 figure "1,535,900".
- 5 2. Page 2, line 5 by striking the figure
- 6 "400,000" and inserting in lieu thereof the
- 7 figure "1,057,000".
3. Page 8 by striking lines 6 through 17.

S-5628 FILED & ADOPTED (1644) *vote 27-10 4/29*
APRIL 29, 1976

BY EUGENE M. HILL
C. JOSEPH COLEMAN

S-5625

- 1 Amend Senate File 1314 as follows:
- 2 1. Page 2, line 3 by striking the figure
- 3 "1,750,000" and inserting in lieu thereof the
- 4 figure "1,535,900".
- 5 2. Page 2, line 5 by striking the figure
- 6 "400,000" and inserting in lieu thereof the
- 7 figure "1,057,000".

S-5625 FILED & WITHDRAWN (1643)
APRIL 29, 1976

BY EUGENE M. HILL
C. JOSEPH COLEMAN

1 Section 1. There is appropriated from the general fund
2 of the state for the fiscal year beginning July 1, 1976 and
3 ending June 30, 1977 to the department of social services,
4 the following amounts, or so much thereof as may be necessary,
5 to be used for the purposes designated:

6 1976-1977

7 Fiscal Year

8 1. General Administration

9 For the administration of district
10 and local offices including salaries
11 and support \$ 10,000,000

12 It is the intent of the general assembly in appropriating
13 funds in this subsection that not less than five hundred
14 thousand dollars thereof shall be used, beginning at the
15 earliest practicable time, to employ additional persons at
16 the social worker II level, at the income maintenance worker
17 II level, and as clerical workers, who shall fill either
18 existing vacancies or new positions as client contact personnel
19 at the local level and their necessary supporting clerical
20 personnel and who shall be in addition to the total number
21 of such personnel actually employed by the department of
22 social services on the effective date of this Act.

23 2. State Administration

24 a. For salaries, support, maintenance
25 and miscellaneous purposes 4,390,000

26 b. For payment of the state's share of
27 unemployment benefit claims 160,000

28 3. For child support recoveries 150,000

29 4. For assistance to child care centers 500,000

30 Not more than ten percent of the funds appropriated by
31 this subsection and received by a county board of supervisors
32 shall be used for the purposes listed in section eleven (11) of
33 this Act.

34 5. The department of social services with the approval
35 of the governor and the state comptroller may transfer funds

1 appropriated by this section from any subsection of this
 2 section for a purpose specified by any other subsection of
 3 this section.

4 Sec. 2. There is appropriated from the general fund of
 5 the state for the fiscal year beginning July 1, 1976 and
 6 ending June 30, 1977 to the department of social services,
 7 the following amounts, or so much thereof as may be necessary,
 8 to be used for the purposes designated:

	1976-1977
	<u>Fiscal Year</u>
9	
10	
11 Division of Community Services	
12 For the operation of the following	
13 institutions:	
14 1. State juvenile home at Toledo	\$ 1,535,900
15 2. Boy's training school at Eldora	2,925,000
16 3. Girl's training school at Mitchellville	1,057,000
17 4. Iowa veterans home at Marshalltown	5,000,000
18 5. For the governor's youth opportunity	
19 program	750,000
20 6. Community Based Juvenile Corrections	
21 Program	
22 a. For contracting with local <u>public or private</u>	
23 nonprofit organizations	
24 for community based juvenile corrections	
25 programs <u>and</u>	
26 <u>juvenile interim detention facilities and shelter</u>	
27 <u>care facilities</u>	160,000

28 b. Funds appropriated by paragraph a of this subsection
 29 shall be allocated with consideration being given to providing
 30 geographical areas based upon judicial districts the means
 31 for implementing community based juvenile corrections programs.
 32 Not more than five percent (5%) of such funds may be used
 33 by the state youth coordinator to administer this program
 34 and prepare and submit the report required by paragraph e
 35 of this subsection.

1 c. The person designated as the state youth coordinator
2 for the governor's youth opportunity program shall be primarily
3 responsible for administration of the community based juvenile
4 corrections program. The department of social services shall
5 cooperate with the state youth coordinator in administering
6 this program.

7 d. Contracts executed under the community based juvenile
8 corrections program shall provide that local public or private
9 nonprofit organizations shall contribute at least one-half
10 of the cost of the local program. This local match may be
11 in the form of cash, including local or federal funds, or
12 in-kind contributions, or a combination of such funds and
13 in-kind contributions. The state youth coordinator shall
14 be responsible for determining the value of in-kind
15 contributions and determining the total value of the local
16 organization's contribution.

17 e. The state youth coordinator shall submit a report to
18 the joint committees on appropriations of the general assembly
19 not later than January 24, 1977 outlining the manner of
20 expenditure of funds appropriated by this subsection and
21 containing such other information as will be useful in
22 determining the value of the community based juvenile
23 corrections program.

24 7. The department of social services with the approval
25 of the governor and the state comptroller may transfer funds
26 appropriated by this section from any subsection of this
27 section for a purpose specified by any other subsection of
28 this section.

29 Sec. 3. There is appropriated from the general fund of
30 the state for the fiscal year beginning July 1, 1976 and
31 ending June 30, 1977 to the department of social services,
32 the following amounts, or so much thereof as may be necessary,
33 to be used for the purposes designated:

34
35

	1976-1977
	<u>Fiscal Year</u>

1 Division of Adult Corrections Institutions

2 1. For community based correctional programs
3 and services:

4 a. To provide assistance in the establishment,
5 and operation of community based correctional
6 programs and services \$ 625,000

7 b. It is the intent of the general assem-
8 bly in making the appropriation in paragraph a
9 of this subsection that community based programs
10 throughout the state should be locally controlled
11 and coordinated to generate community support and
12 resources for an effective program. As far as is
13 practicable, the department of social services
14 shall promote local community control of programs
15 within the guidelines of a contractual relationship
16 with the department of social services.

17 2. Adult Corrections Services--For personnel
18 and operation of the following institutions:

- 19 a. Luster Heights camp at McGregor \$ 155,000
- 20 b. Iowa state penitentiary at Fort Madison 6,750,000
- 21 c. Men's reformatory at Anamosa 4,750,000
- 22 d. Women's reformatory at Rockwell City 700,000
- 23 e. Iowa security medical facility at Oakdale .. 2,200,000
- 24 f. Riverview release center at Newton 900,000

25 3. The department of social services with the
26 approval of the governor and the state comptroller
27 may transfer funds appropriated by this section
28 from any subsection of this section for a
29 purpose specified by any other subsection of this
30 section.

31 Sec. 4. There is appropriated from the general fund of
32 the state for the fiscal year beginning July 1, 1976 and
33 ending June 30, 1977 to the department of social services,
34 the following amounts, or so much thereof as may be necessary,
35 to be used for the purpose designated:

1976-1977

Fiscal Year

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

DIVISION OF MENTAL HEALTH RESOURCES INSTITUTIONS

1. For the mental health institute at Cherokee	\$5,800,000
2. For the mental health institute at Clarinda	4,780,000
3. For the mental health institute at Independence	5,850,000
4. For the mental health institute at Mount Pleasant	4,700,000
5. For the Glenwood state hospital-school	9,000,000
6. For the Woodward state hospital-school	9,100,000
7. The state mental health institutes daily per diem as	

determined pursuant to section two hundred thirty point twenty (230.20) of the Code shall be billed at eighty percent for the fiscal year. This subsection shall be of no force and effect if House File one hundred eighty-seven (187) of the Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect.

8. Hospital-school charges to counties.

a. The state hospital-schools' per-patient-per-day cost as determined pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code shall be billed at eighty percent for the fiscal year, except as otherwise provided by this subsection.

b. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

c. If House File one hundred eighty-seven (187) of the Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect, paragraph a of

1 this subsection shall be of no force and effect but the
2 provisions of paragraph b shall take precedence over any
3 conflicting provision of House File one hundred eighty-seven
4 (187).

5 9. The department of social services with the approval
6 of the governor and the state comptroller may transfer funds
7 appropriated by this section from any subsection of this
8 section for a purpose specified by any other subsection of
9 this section.

10 Sec. 5. There is appropriated from the general fund of
11 the state for the fiscal year beginning July 1, 1976 and
12 ending June 30, 1977 to the department of social services,
13 the following amounts, or so much thereof as may be necessary,
14 to be used for the purposes designated:

	1976-1977
	<u>Fiscal Year</u>
17 SPECIAL PROGRAMS DIVISION	
18 1. For aid to the blind	\$ 40,000
19 2. For aid to the dependent children	41,000,000
20 3. For aid to Indians residing on a	
21 settlement	48,000
22 4. For medical assistance	50,000,000

23 It is the intent of the general assembly in appropriating
24 funds in this subsection that, notwithstanding the provisions
25 of section two hundred forty-nine A point four (249A.4),
26 subsection one (1), of the Code, the department of social
27 services shall not reduce the level of services provided to
28 nor restrict eligibility criteria for current clients in the
29 medical assistance program until the department has received
30 such instructions from the joint appropriations subcommittee
31 on human resources of the committees on appropriations,
32 pursuant to the study mandated by Senate File 1124 as enacted
33 by the 1976 Session of the Sixty-sixth General Assembly.

34 It is the intent of the general assembly that the joint
35 subcommittee, in consultation with the consultants employed

1 for the study, make specific recommendations for the program
2 content and the funding level of the medical assistance program
3 during the 1976 legislative interim in accordance with the
4 intent of Senate File 1124 of the Sixty-sixth General Assembly.
5 It is further the intent of the general assembly that the
6 governor be encouraged to transfer funds to supplement the
7 appropriation made for the medical assistance program by this
8 subsection, should such transfer of funds become necessary.

- 9 5. For contractual services-medical carrier .. 950,000
- 10 6. For foster care:
 - 11 a. Foster care and group homes 7,000,000
 - 12 b. For increased level of payments for foster
13 family care 920,000
- 14 7. For subsidized adoptions 150,000
- 15 8. For work and training programs 420,000
- 16 9. For adult and children services 1,300,000
- 17 10. For homemaker services 350,000
- 18 11. For state supplementary assistance 4,000,000
- 19 12. For state supplementary assistance for
20 the blind 275,000

21 13. The department of social services with the approval
22 of the governor and the state comptroller may transfer funds
23 appropriated by this section from any subsection of this
24 section for a purpose specified by any other subsection of
25 this section.

26 14. Notwithstanding the provisions of section eight point
27 thirty-three (8.33) of the Code, unencumbered or unobligated
28 funds appropriated by the Acts of the Sixty-sixth General
29 Assembly, 1975 Session, chapter nine (9), section one (1),
30 subsection six (6), paragraphs d and k, and any supplemental
31 appropriation for medical assistance and state supplementation
32 to supplemental security income remaining on June 30, 1976
33 shall be available for expenditure during the fiscal year
34 beginning July 1, 1976 and the unencumbered or unobligated
35 funds remaining on June 30, 1977 shall revert to the general

1 fund of the state on September 30, 1977.

2 15. It is the intent of the general assembly that funds
3 appropriated by this section may be used to fund services
4 to a child in his or her own home when such service may be
5 an alternative to placement in a foster care home.

6 Sec. 6. Section two hundred thirty point twenty (230.20),
7 Code 1975, is amended by striking the section and inserting
8 in lieu thereof the following:

9 230.20 STATEMENT OF CHARGES TO COUNTIES. The
10 superintendent of each state hospital for the mentally ill
11 established by section two hundred twenty-six point one (226.1)
12 of the Code, or his designee, shall on the tenth day of July,
13 October, January and April of each year, compute the amounts
14 which are due the state from each county for services rendered
15 by the hospital to patients chargeable to those counties.
16 Each hospital's charges for services rendered in a particular
17 quarter shall be based on that hospital's expenditures during
18 the immediately preceding quarter, and shall be computed as
19 follows:

20 1. The expenditures of the hospital during the preceding
21 calendar quarter shall be separately computed by program in
22 accordance with generally accepted accounting procedures.
23 In so doing, the superintendent or his designee shall not
24 include any of the following:

25 a. The costs of food, lodging and other maintenance
26 provided to persons not patients of the hospital.

27 b. The costs of certain direct medical services, which
28 shall be charged directly against the patient who received
29 the services. The direct medical services to which this
30 paragraph is applicable shall be specifically identified in
31 rules adopted by the department of social services in
32 accordance with chapter seventeen A (17A) of the Code, and
33 may include but need not be limited to x-ray, laboratory and
34 dental services.

35 c. The cost of outpatient and state placement services,

1 which shall be charged directly against the patient who
2 received the services at a rate to be established by the state
3 director on the basis of the actual cost of the services.

4 2. The total patient days of service provided during the
5 preceding calendar quarter shall be identified and accumulated
6 for each program for which expenditures are separately computed
7 under subsection one (1) of this section.

8 3. The total expenditure during the preceding calendar
9 quarter computed for each program pursuant to subsection one
10 (1) of this section shall be divided by the total patient
11 days of service provided during the calendar quarter by that
12 program, determined pursuant to subsection two (2) of this
13 section, to derive the average daily patient cost for each
14 program.

15 4. Each county shall be charged an amount computed as
16 follows:

17 a. The charges attributable to each inpatient chargeable
18 to that county, calculated by multiplying the average daily
19 patient cost for each program under which the patient was
20 served by the number of days the patient was so served during
21 the calendar quarter, and adding the cost of direct medical
22 services received by the patient during the calendar quarter;
23 and

24 b. The charges attributable to each outpatient chargeable
25 to that county who was served by the hospital during the
26 calendar quarter, calculated at the cost established under
27 subsection one (1), paragraph c of this section.

28 5. An individual statement shall be prepared for any
29 patient on or before the fifteenth day of the month next
30 succeeding the month in which that patient leaves the hospital,
31 and a general statement shall be prepared at least quarterly
32 for each county to which charges are made under this section.
33 Except as otherwise required by sections two hundred twenty-
34 four A point two (224A.2) and two hundred twenty-four A point
35 three (224A.3) of the Code, the general statement shall list

1 the name of each patient chargeable to that county who was
2 served by the hospital during the preceding month or calendar
3 quarter and the amount due on account of each patient, and
4 the county shall be billed for one hundred percent of the
5 stated charge for each patient, unless otherwise specified
6 in the current appropriation for support of the state
7 hospitals. The statement prepared for each county shall be
8 certified by the superintendent of the hospital to the state
9 comptroller and a duplicate statement shall be mailed to the
10 auditor of that county.

11 6. All or any reasonable portion of the charges incurred
12 for services rendered to any patient, to the most recent date
13 for which the charges have been computed, may be paid at any
14 time by the patient or by any other person on the patient's
15 behalf. Any payment so made shall be credited against the
16 patient's account and, if the charges so paid have previously
17 been billed to a county, reflected in the hospital's next
18 general statement to that county.

19 Sec. 7. Section two hundred thirty point twenty-one
20 (230.21), Code 1975, is amended to read as follows:

21 230.21 DUTY OF COUNTY AUDITOR AND TREASURER. The county
22 auditor, upon receipt of ~~such certificate~~ the duplicate
23 statement required by section five (5) of this Act, shall
24 thereupon enter the same to the credit of the state in his
25 ledger of state accounts, and at once issue a notice to his
26 county treasurer, authorizing him to transfer the amount
27 billed to the county by the statement from the county mental
28 health and institutions fund to the general state revenue,
29 which notice shall be filed by the treasurer as his authority
30 for making such transfer, and. The auditor shall include
31 promptly remit the amount so transferred ~~in his next remittance~~
32 ~~of state taxes~~ to the treasurer of state, designating the
33 fund to which it belongs.

34 Sec. 8. Section two hundred thirty point twenty-two
35 (230.22), Code 1975, is amended to read as follows:

1 230.22 PENALTY. Should any county fail to pay these bills
2 the amount billed by a statement submitted pursuant to section
3 five (5) of this Act within sixty days from the date of
4 certificate from the statement is certified by the
5 superintendent, the state comptroller shall charge the
6 delinquent county the penalty of one percent per month on
7 and after sixty days from the date of certificate the statement
8 is certified until paid. Provided, however, that the penalty
9 shall not be imposed if the county has notified the comp-
10 troller of error or questionable items in the billing, in
11 which event, the comptroller may suspend penalty only during
12 the period of negotiation.

13 Sec. 9. Section two hundred thirty point twenty-three
14 (230.23), Code 1975, is amended to read as follows:

15 230.23 COST PAID FROM INSTITUTION MENTAL HEALTH AND
16 INSTITUTIONS FUND. All expenses required to be paid by
17 counties for the care, admission, commitment, and
18 transportation of mentally ill patients in state hospitals
19 shall be paid by the board of supervisors from the state
20 institution county mental health and institutions fund.

21 Sec. 10. The sections of this Act amending sections two
22 hundred thirty point twenty (230.20), two hundred thirty point
23 twenty-one (230.21), two hundred thirty point twenty-two
24 (230.22), and two hundred thirty point twenty-three (230.23),
25 Code 1975, shall take effect January 1, 1977.

26 Sec. 11. Section two hundred thirty-seven A point sixteen
27 (237A.16), Code 1975, is amended by adding the following new
28 subsection:

29 NEW SUBSECTION. To purchase assistance to child care
30 centers for program development and staff development in
31 meeting standards for child care centers established under
32 this chapter.

33 Sec. 12. Acts of the Sixty-sixth General Assembly, 1975
34 Session, chapter sixty-two (62), section two (2), subsection
35 two (2), is amended to read as follows:

1 2. The hospital schools revolving fund shall be composed
2 of moneys appropriated by the general assembly for capital
3 expenditures at the hospital schools and moneys which become
4 available to the hospital schools from the federal government
5 ~~for such purposes~~ pursuant to Title nineteen (XIX) of the
6 United States Social Security Act. Moneys in the revolving
7 fund may be expended without regard to order of deposit or
8 source of funds.

9 Sec. 9.

10 1. Unless otherwise provided in this Act, all institutional
11 receipts of the department of social services shall be
12 deposited in the general fund except rentals charged to
13 employees or others for room, apartment, or house and meals,
14 which shall be available to the institutions, and except for
15 receipts from farm products which shall be used for necessary
16 farm expenses and repair.

17 Sec. 13. Each hospital-school shall, upon receipt of any
18 payment made under chapter two hundred forty-nine A (249A)
19 of the Code for the care of any patient, segregate an amount
20 equal to that portion of the payment which is required by
21 law to be made from nonfederal funds. The money segregated
22 shall be deposited in the medical assistance fund of the
23 department of social services.

24 Sec. 14. Chapter two hundred forty-nine A (249A), Code
25 1975, is amended by adding the following new section:

26 NEW SECTION. ASSISTANCE TO MENTALLY RETARDED RESIDENTS
27 OF COUNTY CARE FACILITIES OR CERTAIN OTHER LICENSED FACILITIES.

28 1. Assistance may be furnished under this chapter, in
29 accordance with subsection two (2) of this section, to a
30 mentally retarded person who is otherwise eligible for such
31 assistance, to pay all or a portion of the cost of maintaining
32 that person as a resident of:

33 a. A county care facility, or portion thereof, which is
34 licensed in accordance with the provisions of chapter one
35 hundred thirty-five C (135C) of the Code, and is certified

1 as an intermediate care facility for the mentally retarded
2 in accordance with federal and state standards governing the
3 medical assistance program.

4 b. Another intermediate care facility for the mentally
5 retarded that is so licensed and certified, when the mentally
6 retarded person eligible for assistance is residing in the
7 facility with approval of the county board of supervisors
8 of the county in which that person resided prior to entering
9 the facility.

10 2. Assistance may be furnished under this section only
11 in cases where the county board of supervisors or the operator
12 of the alternative intermediate care facility for the mentally
13 retarded has entered into an agreement with the department
14 to provide services that are in accordance with the
15 department's appropriate district plan for delivery of services
16 to mentally retarded and developmentally disabled citizens,
17 and to upgrade and maintain the facility, or portion thereof,
18 in accordance with the provisions of the technical plan of
19 correction that has been approved for the facility. Assistance
20 shall be furnished only when it is determined that adequate
21 funding is available.

22 Each county board entering into an agreement with the
23 department under this subsection shall agree to reimburse
24 the department from the county poor fund or the county mental
25 health and institutions fund, on a monthly basis, for that
26 portion of the cost of assistance furnished under this section
27 which is not paid from federal funds. The department shall
28 place all such reimbursements from counties in the
29 appropriation for medical assistance, and may use the
30 reimbursed funds for any purpose for which the funds so
31 appropriated by the general assembly may lawfully be used.
32 Any county-reimbursed funds remaining unexpended shall revert
33 to the general fund of the state in the same manner as the
34 original appropriation.

35 Sec. 15. All federal grants to and the federal receipts

1 of the agencies appropriated funds under this Act are
2 appropriated for the purposes set forth in such federal grants
3 or receipts except the veterans per diem payable for veterans
4 at the veterans home shall be deposited in the general fund.

5 Sec. 16. Funds appropriated by this Act shall not be used
6 for capital improvements, except funds appropriated in section
7 one (1), subsection four (4) of this Act.

8 EXPLANATION

9 The appropriations contained in this Act to the department
10 of social services for the 1976-77 fiscal year are intended
11 to provide for the continuation of current programs with
12 exceptions as indicated by specific provisions contained in
13 this Act.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SF 1314
sg/slc/83
LSB B24/38

H-6661

1 Amend Senate File 1314, as amended and passed
2 by the Senate, as follows:

3 1. Page 6, by inserting after line 19 the
4 following:

5 "It is the intent of the general assembly in
6 appropriating funds in this subsection that,
7 notwithstanding the provisions of section two
8 hundred thirty-nine point eighteen (239.18), of
9 the Code, the department of social services shall
10 not reduce the standard of payment or restrict
11 the eligibility criteria for recipients in the
12 aid to dependent children program.

H-6661 FILED - *Withdrawn 5/21* BY CUSACK of Scott
MAY 13, 1976 (*3005*) O'HALLORAN of Black Hawk
HUSAK of Tama
JESSE of Polk
FITZGERALD of Webster
CRAWFORD of Story
READINGER of Polk
GENTLEMAN of Polk
KRAUSE of Palo Alto
HIGGINS of Scott
LIPSKY of Linn

SENATE FILE 1314

H-6679

1 Amend Senate File 1314 as amended and
2 passed by the Senate and reprinted as follows:

3 1. Page 5, line 5, by striking the
4 figures "4,780,000" and inserting in lieu
5 thereof the figures "4,861,725".

H-6679 FILED - *Lost 5/21* BY DAGGETT of Adams
MAY 13, 1976 (*3005*)

H-6753

1 Amend Senate File 1314 as amended, passed and re-
2 printed by the Senate, page 12, by inserting after
3 line 8 the following new section:

4 "Sec. _____. NEW SECTION. DISPOSITION OF CERTAIN
5 FEDERAL FUNDS. The funds made available by the fed-
6 eral government to this state under United States
7 public law ninety-three dash six hundred forty-seven
8 (93-647), hereafter referred to in this section as
9 title twenty (XX), shall be distributed by the
10 department of social services to the department's
11 offices within the respective counties at the rate
12 of eight dollars per capita, based on the total
13 population of the respective counties, for the 1976-
14 77 fiscal year. For each fiscal year thereafter,
15 title twenty (XX) funds made available by the federal
16 government to this state shall be distributed by the
17 department to its offices within the respective
18 counties on an equal per capita basis in each county.
19 The funds so distributed shall be used in the manner
20 and for the purposes authorized by title twenty (XX)
21 and federal regulations adopted thereunder."

H-6753 FILED - *Lost 5/21* BY MILLER of Buchanan
MAY 19, 1976 (*3006*)

H-6759

1 Amend Senate File 1314 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 17, by striking the figure "II"
4 and inserting in lieu thereof the figure "I".

5 2. Page 6, by inserting after line 19 the
6 following:

7 "It is the intent of the general assembly in
8 appropriating funds in this subsection that,
9 notwithstanding the provisions of section two hundred
10 thirty-nine point eighteen (239.18), of the Code,
11 the department of social services shall not reduce
12 the standard of payment for recipients in the aid
13 to dependent children program or establish eligibility
14 criteria for recipients in the aid to dependent
15 children program which are more restrictive than
16 federal regulations."

17 3. Page 6, line 28, by striking the word "current".

18 4. Page 8, by inserting after line 5 the following:

19 "Sec. _____. Section two hundred seventeen point
20 three (217.3), subsection two (2), Code 1975, is
21 amended to read as follows:

22 2. Adopt and establish policy for the operation
23 and conduct of the department of social services,
24 subject to any guidelines which may be adopted by
25 the general assembly, and the implementation of all
26 services and programs thereunder.

27 Sec. _____. Section two hundred seventeen point
28 four (217.4), Code 1975, is amended to read as follows:

29 217.4 MEETINGS OF COUNCIL. The council shall
30 meet at least ~~four-times-a-year~~ monthly. ~~Special~~
31 ~~Additional~~ meetings shall be called by the ~~chairman~~
32 ~~chairperson~~ or upon written request of any three
33 members thereof as necessary to carry out the duties
34 of the council. ~~The chairman~~ ~~chairperson~~ shall preside
35 at all meetings or in ~~his~~ ~~the~~ absence of the
36 ~~chairperson~~ the vice ~~chairman~~ ~~chairperson~~ shall
37 preside. The members of the council shall be paid
38 a per diem of forty dollars per day ~~while-in-session,~~
39 and their reasonable and necessary expenses while
40 attending ~~such~~ council meetings. ~~The-amount-of-per~~
41 ~~diem-any-one-member-may-receive-in-any-fiscal-year~~
42 ~~beginning-with-the-date-of-employment-shall-not-exceed~~
43 ~~eight-hundred-dollars.~~"

44 5. Page 11, line 25, by striking the word "January"
45 and inserting in lieu thereof the word "July".

46 6. By renumbering and correcting internal
47 references as necessary.

48 7. Amend the title by inserting after the word
49 "Act" the words "relating to and".

H-6759 FILED - *Adopted as amended by* BY COMMITTEE ON APPROPRIATIONS
MAY 19, 1976 *6800 5/21 (3004)* DUNTON of Keokuk, Chair

H-6800

1 Amend amendment H-6759 to Senate File 1314
2 as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 1, line 39, by striking the word
5 "while" and inserting in lieu thereof the word
6 "white".

7 2. Page 1, by striking line 40 and inserting
8 in lieu thereof the words "attending-such-meet-
9 ings. ~~The amount of per~~".

H-6800 FILED - *Adopted 5/21 (3004)* BY WELDEN of Hardin
MAY 20, 1976

H-6786

1 Amend Senate File 1314 as follows:

2 1. Page 6, by inserting after line 19 the
3 following:

4 "It is the intent of the general assembly in
5 appropriating funds in this subsection that the
6 department of social services shall no later than
7 September 1, 1976, increase payments for aid to
8 dependent children by five (5) per cent."

H-6786 FILED - *Out of order 5/21 (3005)* BY BRANDT of Black Hawk
MAY 20, 1976

H-6797

1 Amend Senate File 1314 as amended, passed, and re-
2 printed by the Senate as follows:

3 Page 6, by inserting after line 22 the following:

4 "It is the intent of the general assembly in making
5 the appropriation provided for in this subsection that
6 the department of social services shall increase the
7 maximum reimbursement for intermediate care facilities
8 to twenty-one dollars per day effective not later than
9 September 1, 1976."

H-6797 FILED - *Lost 5/21 (3005)* BY HARVEY of Scott
MAY 20, 1976

SENATE FILE 1314

H-6805

1 Amend H-6759 to Senate File 1314 as follows:

2 1. By striking lines 7 through 16 and in-
3 serting in lieu thereof the following:

4 "It is the intent of the general assembly in
5 appropriating funds in this subsection that the de-
6 partment of social services shall no later than
7 September 1, 1976, increase payments for aid to
8 dependent children by five (5) per cent."
9 "It is the further intent of the general
10 assembly in appropriating funds in this subsection
11 that, notwithstanding the provision of section
12 two hundred thirty-nine point eighteen (239.18), of
13 the Code, the department of social services shall not
14 establish eligibility criteria for recipients in the
15 aid to dependent children program which are more
16 restrictive than federal regulations."

H-6805 FILED - *Lost 5/21 (3004)* BY BRANDT of Black Hawk
MAY 21, 1976

H-6752

1 Amend Senate File 1314 as passed and reprinted
2 by the Senate, as follows:
3 1. Page 6, line 22, by striking the figure
4 "50,000,000" and inserting in lieu thereof the
5 figure "53,000,000".

H-6752 FILED - *Law 5/21* BY LIPSKY of Linn
3002

SENATE FILE 1314

H-6798

1 Amend Senate File 1314 as amended, passed and
2 reprinted by the Senate, page 8, by inserting after
3 line 5 the following new section:
4 "Sec. 219.14. Section two hundred nineteen point
5 fourteen (219.14), Code 1975, is amended by striking
6 the section and inserting in lieu thereof the
7 following:
8 219.14 CONTRIBUTING TO OWN SUPPORT. Every member
9 of the home who receives a pension, compensation or
10 gratuity from the United States government, or income
11 from any source of more than twenty dollars per month,
12 shall contribute to his or her own maintenance or
13 support while a member of the home. The amount of
14 the contribution and the method of collection shall
15 be determined by the director, but the amount shall
16 in no case exceed the actual cost of keeping and
17 maintaining such a person in the home. The director
18 may require any member of the home to render such
19 assistance in the care of the home and its grounds
20 as his or her psychosocial and physical condition
21 will permit, as a phase of that member's rehabilitation
22 program. The director shall compensate each member
23 who furnishes such assistance at rates established
24 by the director in accordance with the provisions
25 of section fourteen (14) of the United States fair
26 labor standards Act (52 Stat 1068, 29 USC 214), as
27 amended to January 1, 1976."

H-6798 FILED - *Adopted 5/21 (2000)* BY HUSAK of Tama
MAY 20, 1976 CUSACK of Scott

SENATE FILE 1314

H-6799

1 Amend Senate File 1314, as amended and passed by
2 the Senate and reprinted, page 12, by inserting after
3 line 8 the following new section:

4 "Sec. _____. Chapter two hundred thirty-nine (239),
5 Code 1975, is amended by adding the following new
6 section:

7 NEW SECTION. REIMBURSEMENT OF CERTAIN SCHOOL FEES.

8 The department shall, when billed, reimburse local
9 public school districts for school fees or book rentals
10 which are mandatory upon all students as a condition
11 of participation in a particular course or class and
12 are incurred by children who are recipients of
13 assistance under this chapter, are enrolled in that
14 course or class, and have asked the school to seek
15 such reimbursement from the department. The school
16 district shall bill the department in a manner and
17 upon forms prescribed by the department. Nothing
18 in this section shall be construed to require any
19 recipient of assistance under this chapter to identify
20 himself or herself as such to a school district if
21 the recipient does not wish to do so."

H-6799 FILED - *Let 5/31 (3007)* BY MILLER of Buchanan
MAY 20 1976

SENATE FILE 1314

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT OF SOCIAL SERVICES TO FUND CURRENT PROGRAMS UNDER THE JURISDICTION OF THE DEPARTMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1976-1977
Fiscal Year

1. General Administration

For the administration of district and local offices including salaries and support \$ 10,000,000

It is the intent of the general assembly in appropriating funds in this subsection that not less than five hundred thousand dollars thereof shall be used, beginning at the earliest practicable time, to employ additional persons at the social worker II level, at the income maintenance worker I level, and as clerical workers, who shall fill either existing vacancies or new positions as client contact personnel at the local level and their necessary supporting clerical personnel and who shall be in addition to the total number of such personnel actually employed by the department of social services on the effective date of this Act.

2. State Administration

a. For salaries, support, maintenance and miscellaneous purposes 4,390,000
b. For payment of the state's share of unemployment benefit claims 160,000

3. For child support recoveries 150,000
4. For assistance to child care centers 500,000

Not more than ten percent of the funds appropriated by this subsection and received by a county board of supervisors shall be used for the purposes listed in section fourteen (14) of this Act.

5. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by this section from any subsection of this section for a purpose specified by any other subsection of this section.

Sec. 2. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1976-1977
Fiscal Year

Division of Community Services

For the operation of the following institutions:

1. State juvenile home at Toledo \$ 1,535,900
2. Boy's training school at Eldora 2,925,000
3. Girl's training school at Mitchellville ... 1,057,000
4. Iowa veterans home at Marshalltown 5,000,000
5. For the governor's youth opportunity program 750,000

6. Community Based Juvenile Corrections Program

a. For contracting with local public or private nonprofit organizations for community based juvenile corrections programs and juvenile interim detention facilities and shelter care facilities 160,000

b. Funds appropriated by paragraph a of this subsection shall be allocated with consideration being given to providing

geographical areas based upon judicial districts the means for implementing community based juvenile corrections programs. Not more than five percent (5%) of such funds may be used by the state youth coordinator to administer this program and prepare and submit the report required by paragraph e of this subsection.

c. The person designated as the state youth coordinator for the governor's youth opportunity program shall be primarily responsible for administration of the community based juvenile corrections program. The department of social services shall cooperate with the state youth coordinator in administering this program.

d. Contracts executed under the community based juvenile corrections program shall provide that local public or private nonprofit organizations shall contribute at least one-half of the cost of the local program. This local match may be in the form of cash, including local or federal funds, or in-kind contributions, or a combination of such funds and in-kind contributions. The state youth coordinator shall be responsible for determining the value of in-kind contributions and determining the total value of the local organization's contribution.

e. The state youth coordinator shall submit a report to the joint committees on appropriations of the general assembly not later than January 24, 1977 outlining the manner of expenditure of funds appropriated by this subsection and containing such other information as will be useful in determining the value of the community based juvenile corrections program.

7. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by this section from any subsection of this section for a purpose specified by any other subsection of this section.

Sec. 3. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and

ending June 30, 1977 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1976-1977
Fiscal Year

Division of Adult Corrections Institutions

1. For community based correctional programs and services:

a. To provide assistance in the establishment, and operation of community based correctional programs and services \$ 625,000

b. It is the intent of the general assembly in making the appropriation in paragraph a of this subsection that community based programs throughout the state should be locally controlled and coordinated to generate community support and resources for an effective program. As far as is practicable, the department of social services shall promote local community control of programs within the guidelines of a contractual relationship with the department of social services.

2. Adult Corrections Services--For personnel and operation of the following institutions:

a. Luster Heights camp at McGregor \$ 155,000
b. Iowa state penitentiary at Fort Madison ... 6,750,000
c. Men's reformatory at Anamosa 4,750,000
d. Women's reformatory at Rockwell City 700,000
e. Iowa security medical facility at Oakdale . 2,200,000
f. Riverview release center at Newton 900,000

3. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by this section from any subsection of this section for a purpose specified by any other subsection of this section.

Sec. 4. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to the department of social services, the following amounts, or so much thereof as may be necessary,

to be used for the purpose designated:

	1976-1977
	<u>Fiscal Year</u>
Division of Mental Health Resources Institutions	
1. For the mental health institute at Cherokee	\$ 5,800,000
2. For the mental health institute at Clarinda	4,780,000
3. For the mental health institute at Independence	5,850,000
4. For the mental health institute at Mount Pleasant	4,700,000
5. For the Glenwood state hospital-school	9,000,000
6. For the Woodward state hospital-school	9,100,000
7. The state mental health institutes daily per diem as	

determined pursuant to section two hundred thirty point twenty (230.20) of the Code shall be billed at eighty percent for the fiscal year. This subsection shall be of no force and effect if House File one hundred eighty-seven (187) of the Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect.

8. Hospital-school charges to counties.

a. The state hospital-schools' per-patient-per-day cost as determined pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code shall be billed at eighty percent for the fiscal year, except as otherwise provided by this subsection.

b. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

c. If House File one hundred eighty-seven (187) of the

Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect, paragraph a of this subsection shall be of no force and effect but the provisions of paragraph b shall take precedence over any conflicting provision of House File one hundred eighty-seven (187).

9. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by this section from any subsection of this section for a purpose specified by any other subsection of this section.

Sec. 5. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1976-1977
	<u>Fiscal Year</u>
Special Programs Division	
1. For aid to the blind	\$ 40,000
2. For aid to the dependent children	41,000,000
It is the intent of the general assembly in appropriating funds in this subsection that, notwithstanding the provisions of section two hundred thirty-nine point eighteen (239.18), of the Code, the department of social services shall not reduce the standard of payment for recipients in the aid to dependent children program or establish eligibility criteria for recipients in the aid to dependent children program which are more restrictive than federal regulations.	
3. For aid to Indians residing on a settlement	48,000
4. For medical assistance	50,000,000

It is the intent of the general assembly in appropriating funds in this subsection that, notwithstanding the provisions of section two hundred forty-nine A point four (249A.4), subsection one (1), of the Code, the department of social

services shall not reduce the level of services provided to nor restrict eligibility criteria for clients in the medical assistance program until the department has received such instructions from the joint appropriations subcommittee on human resources of the committees on appropriations, pursuant to the study mandated by Senate File 1124 as enacted by the 1976 Session of the Sixty-sixth General Assembly.

It is the intent of the general assembly that the joint subcommittee, in consultation with the consultants employed for the study, make specific recommendations for the program content and the funding level of the medical assistance program during the 1976 legislative interim in accordance with the intent of Senate File 1124 of the Sixty-sixth General Assembly. It is further the intent of the general assembly that the governor be encouraged to transfer funds to supplement the appropriation made for the medical assistance program by this subsection, should such transfer of funds become necessary.

5. For contractual services-medical carrier ..	950,000
6. For foster care:	
a. Foster care and group homes	7,000,000
b. For increased level of payments for foster family care	920,000
7. For subsidized adoptions	150,000
8. For work and training programs	420,000
9. For adult and children services	1,300,000
10. For homemaker services	350,000
11. For state supplementary assistance	4,000,000
12. For state supplementary assistance for the blind	275,000
13. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by this section from any subsection of this section for a purpose specified by any other subsection of this section.	

14. Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code, unencumbered or unobligated

funds appropriated by the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter nine (9), section one (1), subsection six (6), paragraphs d and k, and any supplemental appropriation for medical assistance and state supplementation to supplemental security income remaining on June 30, 1976 shall be available for expenditure during the fiscal year beginning July 1, 1976 and the unencumbered or unobligated funds remaining on June 30, 1977 shall revert to the general fund of the state on September 30, 1977.

15. It is the intent of the general assembly that funds appropriated by this section may be used to fund services to a child in his or her own home when such service may be an alternative to placement in a foster care home.

Sec. 6. Section two hundred seventeen point three (217.3), subsection two (2), Code 1975, is amended to read as follows:

2. Adopt and establish policy for the operation and conduct of the department of social services, subject to any guidelines which may be adopted by the general assembly, and the implementation of all services and programs thereunder.

Sec. 7. Section two hundred seventeen point four (217.4), Code 1975, is amended to read as follows:

217.4 MEETINGS OF COUNCIL. The council shall meet at least ~~four-times-a-year~~ monthly. ~~Special~~ Additional meetings shall be called by the ~~chairman~~ chairperson or upon written request of any three members thereof as necessary to carry out the duties of the council. The ~~chairman~~ chairperson shall preside at all meetings or in ~~his~~ the absence of the ~~chairperson~~ the vice chairman chairperson shall preside. The members of the council shall be paid a per diem of forty dollars per day ~~while-in-session,~~ and their reasonable and necessary expenses ~~while-attending-such-meetings.~~ ~~The-amount-of-per-diem-any-one-member-may-receive-in-any-fiscal-year-beginning-with-the-date-of-employment-shall-not-exceed-eight-hundred-dollars.~~

Sec. 8. Section two hundred nineteen point fourteen (219.14), Code 1975, is amended by striking the section and

inserting in lieu thereof the following:

219.14 CONTRIBUTING TO OWN SUPPORT. Every member of the home who receives a pension, compensation or gratuity from the United States government, or income from any source of more than twenty dollars per month, shall contribute to his or her own maintenance or support while a member of the home. The amount of the contribution and the method of collection shall be determined by the director, but the amount shall in no case exceed the actual cost of keeping and maintaining such a person in the home. The director may require any member of the home to render such assistance in the care of the home and its grounds as his or her psychosocial and physical condition will permit, as a phase of that member's rehabilitation program. The director shall compensate each member who furnishes such assistance at rates established by the director in accordance with the provisions of section seventeen (17) of the United States fair labor standards Act (52 Stat 1068, 29 USC 214), as amended to January 1, 1976.

Sec. 9. Section two hundred thirty point twenty (230.20), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

230.20 STATEMENT OF CHARGES TO COUNTIES. The superintendent of each state hospital for the mentally ill established by section two hundred twenty-six point one (226.1) of the Code, or his designee, shall on the tenth day of July, October, January and April of each year, compute the amounts which are due the state from each county for services rendered by the hospital to patients chargeable to those counties. Each hospital's charges for services rendered in a particular quarter shall be based on that hospital's expenditures during the immediately preceding quarter, and shall be computed as follows:

1. The expenditures of the hospital during the preceding calendar quarter shall be separately computed by program in accordance with generally accepted accounting procedures. In so doing, the superintendent or his designee shall not

include any of the following:

- a. The costs of food, lodging and other maintenance provided to persons not patients of the hospital.
 - b. The costs of certain direct medical services, which shall be charged directly against the patient who received the services. The direct medical services to which this paragraph is applicable shall be specifically identified in rules adopted by the department of social services in accordance with chapter seventeen A (17A) of the Code, and may include but need not be limited to x-ray, laboratory and dental services.
 - c. The cost of outpatient and state placement services, which shall be charged directly against the patient who received the services at a rate to be established by the state director on the basis of the actual cost of the services.
2. The total patient days of service provided during the preceding calendar quarter shall be identified and accumulated for each program for which expenditures are separately computed under subsection one (1) of this section.
3. The total expenditure during the preceding calendar quarter computed for each program pursuant to subsection one (1) of this section shall be divided by the total patient days of service provided during the calendar quarter by that program, determined pursuant to subsection two (2) of this section, to derive the average daily patient cost for each program.
4. Each county shall be charged an amount computed as follows:
- a. The charges attributable to each inpatient chargeable to that county, calculated by multiplying the average daily patient cost for each program under which the patient was served by the number of days the patient was so served during the calendar quarter, and adding the cost of direct medical services received by the patient during the calendar quarter; and
 - b. The charges attributable to each outpatient chargeable

to that county who was served by the hospital during the calendar quarter, calculated at the cost established under subsection one (1), paragraph c of this section.

5. An individual statement shall be prepared for any patient on or before the fifteenth day of the month next succeeding the month in which that patient leaves the hospital, and a general statement shall be prepared at least quarterly for each county to which charges are made under this section. Except as otherwise required by sections two hundred twenty-four A point two (224A.2) and two hundred twenty-four A point three (224A.3) of the Code, the general statement shall list the name of each patient chargeable to that county who was served by the hospital during the preceding month or calendar quarter and the amount due on account of each patient, and the county shall be billed for one hundred percent of the stated charge for each patient, unless otherwise specified in the current appropriation for support of the state hospitals. The statement prepared for each county shall be certified by the superintendent of the hospital to the state comptroller and a duplicate statement shall be mailed to the auditor of that county.

6. All or any reasonable portion of the charges incurred for services rendered to any patient, to the most recent date for which the charges have been computed, may be paid at any time by the patient or by any other person on the patient's behalf. Any payment so made shall be credited against the patient's account and, if the charges so paid have previously been billed to a county, reflected in the hospital's next general statement to that county.

Sec. 10. Section two hundred thirty point twenty-one (230.21), Code 1975, is amended to read as follows:

230.21 DUTY OF COUNTY AUDITOR AND TREASURER. The county auditor, upon receipt of ~~such certificate~~ the duplicate statement required by section nine (9) of this Act, shall ~~thereupon~~ enter the same to the credit of the state in his ledger of state accounts, and at once issue a notice to his

county treasurer, authorizing him to transfer the amount billed to the county by the statement from the county mental health and institutions fund to the general state revenue, which notice shall be filed by the treasurer as his authority for making such transfer, ~~and~~. The auditor shall include promptly remit the amount so transferred ~~in his next remittance of state taxes~~ to the treasurer of state, designating the fund to which it belongs.

Sec. 11. Section two hundred thirty point twenty-two (230.22), Code 1975, is amended to read as follows:

230.22 PENALTY. Should any county fail to pay ~~these bills~~ the amount billed by a statement submitted pursuant to section nine (9) of this Act within sixty days from the date ~~of certificate from the statement is certified by the~~ superintendent, the state comptroller shall charge the delinquent county the penalty of one percent per month on and after sixty days from the date of certificate the statement is certified until paid. Provided, however, that the penalty shall not be imposed if the county has notified the comptroller of error or questionable items in the billing, in which event, the comptroller may suspend penalty only during the period of negotiation.

Sec. 12. Section two hundred thirty point twenty-three (230.23), Code 1975, is amended to read as follows:

230.23 COST PAID FROM ~~INSTITUTION~~ MENTAL HEALTH AND INSTITUTIONS FUND. All expenses required to be paid by counties for the care, admission, commitment, and transportation of mentally ill patients in state hospitals shall be paid by the board of supervisors from the ~~state institution~~ county mental health and institutions fund.

Sec. 13. The sections of this Act amending sections two hundred thirty point twenty (230.20), two hundred thirty point twenty-one (230.21), two hundred thirty point twenty-two (230.22), and two hundred thirty point twenty-three (230.23), Code 1975, shall take effect July 1, 1977.

Sec. 14. Section two hundred thirty-seven A point sixteen

(237A.16), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. To purchase assistance to child care centers for program development and staff development in meeting standards for child care centers established under this chapter.

Sec. 15. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter sixty-two (62), section two (2), subsection two (2), is amended to read as follows:

2. The hospital schools revolving fund shall be composed of moneys appropriated by the general assembly for capital expenditures at the hospital schools and moneys which become available to the hospital schools from the federal government ~~for such purposes~~ pursuant to Title nineteen (XIX) of the United States Social Security Act. Moneys in the revolving fund may be expended without regard to order of deposit or source of funds.

Sec. 16.

1. Unless otherwise provided in this Act, all institutional receipts of the department of social services shall be deposited in the general fund except rentals charged to employees or others for room, apartment, or house and meals, which shall be available to the institutions, and except for receipts from farm products which shall be used for necessary farm expenses and repair.

Sec. 17. Each hospital-school shall, upon receipt of any payment made under chapter two hundred forty-nine A (249A) of the Code for the care of any patient, segregate an amount equal to that portion of the payment which is required by law to be made from nonfederal funds. The money segregated shall be deposited in the medical assistance fund of the department of social services.

Sec. 18. Chapter two hundred forty-nine A (249A), Code 1975, is amended by adding the following new section:

NEW SECTION. ASSISTANCE TO MENTALLY RETARDED RESIDENTS OF COUNTY CARE FACILITIES OR CERTAIN OTHER LICENSED FACILITIES.

1. Assistance may be furnished under this chapter, in accordance with subsection two (2) of this section, to a mentally retarded person who is otherwise eligible for such assistance, to pay all or a portion of the cost of maintaining that person as a resident of:

a. A county care facility, or portion thereof, which is licensed in accordance with the provisions of chapter one hundred thirty-five C (135C) of the Code, and is certified as an intermediate care facility for the mentally retarded in accordance with federal and state standards governing the medical assistance program.

b. Another intermediate care facility for the mentally retarded that is so licensed and certified, when the mentally retarded person eligible for assistance is residing in the facility with approval of the county board of supervisors of the county in which that person resided prior to entering the facility.

2. Assistance may be furnished under this section only in cases where the county board of supervisors or the operator of the alternative intermediate care facility for the mentally retarded has entered into an agreement with the department to provide services that are in accordance with the department's appropriate district plan for delivery of services to mentally retarded and developmentally disabled citizens, and to upgrade and maintain the facility, or portion thereof, in accordance with the provisions of the technical plan of correction that has been approved for the facility. Assistance shall be furnished only when it is determined that adequate funding is available.

Each county board entering into an agreement with the department under this subsection shall agree to reimburse the department from the county poor fund or the county mental health and institutions fund, on a monthly basis, for that portion of the cost of assistance furnished under this section which is not paid from federal funds. The department shall place all such reimbursements from counties in the

appropriation for medical assistance, and may use the reimbursed funds for any purpose for which the funds so appropriated by the general assembly may lawfully be used. Any county-reimbursed funds remaining unexpended shall revert to the general fund of the state in the same manner as the original appropriation.

Sec. 19. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts except the veterans per diem payable for veterans at the veterans home shall be deposited in the general fund.

Sec. 20. Funds appropriated by this Act shall not be used for capital improvements, except funds appropriated in section one (1), subsection four (4) of this Act.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1314, Sixty-sixth General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved June 28, 1976

ROBERT D. RAY
Governor