

Human Resources
Carr, Chair
Briles
Hall

SENATE FILE 235

BY CARR

FEB 14 1983

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to establish a long-term care citizens' aide within
2 the Iowa commission on the aging.

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

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S.F. 235

1 Section 1. NEW SECTION. 249B.22 PURPOSE. The purpose
2 of this Act is to establish the long-term care citizens' aide
3 program operated by the Iowa commission on the aging in ac-
4 cordance with the requirements of the Older Americans Act
5 of 1965, 42 U.S.C. secs. 3027(a)(12)(16) and 3030d(a)(10)
6 amended to the effective date of this Act, and to adopt the
7 supporting federal regulations and guidelines for its
8 implementation. In accordance with chapter 17A, the commission
9 on the aging shall adopt and enforce rules for the
10 implementation of this Act.

11 Sec. 2. NEW SECTION. 249B.23 DEFINITIONS. As used in
12 sections 249B.24 through 249B.26:

13 1. "Administrative action" means an action or decision
14 made by an owner, employee, or agent of a long-term care
15 facility, or by a governmental agency, which affects the
16 service provided to residents covered in sections 249B.24
17 through 249B.26.

18 2. "Facility" means a long-term care unit of a hospital,
19 a foster group home, a group living arrangement, or a facility
20 licensed under section 135C.1 whether the facility is public
21 or private.

22 3. "Citizens' aide program" means the state long-term
23 care citizens' aide program operated by the commission on
24 the aging and administered by the long-term care citizens'
25 aide.

26 4. "Federal Act" means the Older Americans Act of 1965,
27 42 U.S.C. secs. 3001 et seq., as amended to the effective
28 date of this Act.

29 Sec. 3. NEW SECTION. 249B.24 LONG-TERM CARE CITIZENS'
30 AIDE--DUTIES. The Iowa commission on the aging, in accordance
31 with section 3027(a)(12) of the federal Act, shall establish
32 the office of long-term care citizens' aide within the com-
33 mission. The long-term care citizens' aide shall perform
34 the following duties:

35 1. Investigate and resolve complaints about administrative

1 actions that may adversely affect the health, safety, welfare,
2 or rights of older persons in long-term care facilities.

3 2. Monitor the development and implementation of federal,
4 state, and local laws, regulations, and policies that relate
5 to long-term care facilities in Iowa.

6 3. Provide information to other agencies and to the public
7 about the problems of older persons in long-term care
8 facilities.

9 4. Train volunteers and assist in the development of
10 citizens' organizations to participate in the long-term care
11 citizens' aide program.

12 5. Carry out other activities consistent with the citizens'
13 aide provisions of the federal Act.

14 Sec. 4. NEW SECTION. 249B.25 AUTHORITY AND
15 RESPONSIBILITIES OF THE COMMISSION.

16 1. The commission on the aging shall have access to long-
17 term care facilities, private access to residents, access
18 to residents' personal and medical records, and reasonable
19 access to other records maintained by the facilities or
20 governmental agencies pertaining to the person on whose behalf
21 a complaint is being investigated.

22 2. To ensure compliance with the federal Act the commission
23 on the aging shall establish the following:

24 a. Procedures to protect the confidentiality of a
25 resident's records and files.

26 b. A statewide uniform reporting system.

27 c. Procedures to enable the long-term care citizens' aide
28 to elicit, receive, and process complaints regarding adminis-
29 trative actions which may adversely affect the health, safety,
30 welfare, or rights of older persons in long-term care
31 facilities.

32 EXPLANATION

33 This bill provides for the establishment of a long-term
34 care citizens' aide office in accordance with the requirements
35 of the Older Americans Act of 1965. The office is established

1 within the commission on the aging. The bill also provides
2 for the duties of the long-term care citizens' aide and the
3 responsibilities of the commission on the aging relating to
4 the implementation of this Act. This bill takes effect July
5 1 following enactment.

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SENATE FILE 235
FISCAL NOTE

REQUESTED BY SENATOR CARR

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 235 pursuant to Joint Rule 17. Senate File 235 adds a new section to Chapter 249B 1983 Code establishing a long-term care citizens' aide office within the Commission on Aging in accordance with the requirements of the Older Americans Act of 1965. The bill provides for the duties of the long-term care citizens' aide and the responsibilities of the Commission on Aging in implementing this Act. The function of the citizens' aide is currently being performed and the proposed legislation would clarify the role of the Commission on Aging. The current position is funded by federal dollars and will continue as such if the bill becomes law.

<u>Source of Revenue</u>	<u>Current Law</u>	<u>Proposed Law</u>
Federal dollars	\$ <u>48,500</u>	\$ <u>48,500</u>
Fiscal effect	\$ <u>0</u>	

(733S, 83-225, KAC)

SOURCE: COMMISSION ON AGING

FILED:
MARCH 21, 1983

BY LEGISLATIVE FISCAL BUREAU

LSB 733S 70

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