

HUMAN RESOURCES: Hannon, Chair; Carr and Lind

Amend (3202) + Do Pass 3/19/87 (7804)

FILED FEB 23 1987

SENATE FILE 221
BY HANNON

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

A BILL FOR

- 1 An Act relating to the licensing of hospice programs.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 221

S-3159

- 1 Amend Senate File 221 as follows:
- 2 1. Page 1, by inserting after line 14 the
- 3 following:
- 4 "Sec. ____ . Section 135.91, Code 1987, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. A hospice is exempt from
- 7 section 135.63."

S-3159

Filed March 11, 1987

BY C. JOSEPH COLEMAN

SENATE FILE 221

S-3202

- 1 Amend Senate File 221 as follows:
- 2 1. Page 1, by inserting after line 14 the
- 3 following:
- 4 "Sec. ____ . Section 135.91, Code 1987, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. A hospice is exempt from
- 7 section 135.63."
- 8 2. Page 1, line 20, by inserting after the word
- 9 "hospital" the following: "which does not meet
- 10 medicare and/or joint committee on accreditation of
- 11 hospitals standards for hospice care".

S-3202

Filed March 19, 1987

BY COMMITTEE ON HUMAN RESOURCES
BEVERLY A. HANNON

1 Section 1. Section 135.91, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 A person or governmental unit, acting severally or jointly
4 with any other person may shall not establish, conduct, or
5 maintain a hospice program in this state and-receive without
6 obtaining a license from the department after-meeting-the
7 requirements-of-this-division. The application shall be on a
8 form prescribed by the department and shall require
9 information the department deems necessary. Nothing-in-this
10 division-shall-prohibit-a-person-or-governmental-unit-from
11 establishing,-conducting,-or-maintaining-a-hospice-program
12 without-a-license. Each application for license shall be
13 accompanied by a nonrefundable biennial license fee determined
14 by the department.

15 Sec. 2. NEW SECTION. 135.97 FACILITIES NOT EXEMPTED.

16 "Hospice" shall not be used to describe or refer to a
17 program, facility, or agency unless that program, facility, or
18 agency is licensed as a hospice by the department under this
19 division.

20 A hospital, intermediate or skilled care facility, home for
21 the aged, home health agency, or any other health care system
22 shall not operate a hospice without obtaining a hospice
23 license issued under this division after inspection. This
24 does not restrict any activity of such facility or agency if
25 the activity is permitted under the license or certification
26 held by that facility or agency.

27 EXPLANATION

28 This bill requires the licensure of a hospice program to
29 operate within the state. Present law permits but does not
30 require licensure of a hospice program by the department of
31 inspections and appeals. The bill prohibits certain health
32 care facilities from operating a hospice without a license.

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STATE OF IOWA
FISCAL NOTE TO

LSB No. 1883S
Staff ID. TCF

BY SENATOR HANNON SENATE FILE 221

In compliance with a written request received February 24, 1987, a fiscal note for SENATE FILE 221 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

FILED APR 1 1987

Senate File 221 requires the licensure of a hospice program to operate within the state. Present law permits but does not require licensure of a hospice program by the Department of Inspections and Appeals.

ASSUMPTIONS:

1. Twenty-six hospice programs exist in the state and all will be licensed.
2. Maximum license fee would be one hundred dollars (two year license).
3. Staffing would be phased-in during the first year.
4. Rules would be written and established in FY-88.
5. Inspecting and licensing would not take place until FY-89.

FISCAL IMPACT

	Fiscal Year 1988			Fiscal Year 1989		
	Current Law	Proposed Law	Increase (Decrease)	Current Law	Proposed Law	Increase (Decrease)
REVENUE						
General Fund \$	0	0	0	0	2,600	2,600
(License Fees)	0	0	0	0	0	0
Total \$	0	0	0	0	2,600	2,600
EXPENDITURES						
Salaries \$	0	27,000	27,000	0	46,000	46,000
(FTE's)		(1.25)	(1.25)		(1.70)	(1.70)
Other	0	13,000	13,000	0	15,000	15,000
Total \$	0	40,000	40,000	0	61,000	61,000
NET EFFECT	0	-40,000	-40,000	0	-58,400	-58,400

It should be noted that in addition to the estimate above, state costs could increase (\$1,600 annually) due to a reduction in federal reimbursement for hospice programs which are medicare approved and licensed by the state. Currently four hospice programs fall into this category. Because the state inspection will relate to both medicare and state licensing, the federal government will only reimburse that portion of the inspection cost relating to medicare certification and not state licensing.

Source: Department of Inspections and Appeals

(LSB 1883S, TCF)

Dennis A. Prouty
Fiscal Director
Legislative Fiscal Bureau
Date: 4/1/87