

SSB-3222

Appropriation

Succeeded By

HF 2435

Linsman
McLaren
Hammond

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON HUMAN
SERVICES)

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

A BILL FOR

1 An Act relating to appropriations for the department of human
2 services and including other provisions and appropriations
3 involving human services and health care, providing effective
4 dates, and providing for retroactive applicability.

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

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21

1 Section 1. SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.

2 There is appropriated from the fund created in section 8.41 to
3 the department of human services for the fiscal year beginning
4 July 1, 1999, and ending June 30, 2000, from moneys received
5 under the federal temporary assistance for needy families
6 block grant, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:

8 For supplementation of the federal social services block
9 grant appropriation in 1999 Iowa Acts, chapter 193, section
10 12, due to the federal reduction in this block grant and the
11 corresponding decrease pursuant to 1999 Iowa Acts, chapter
12 193, section 16:

13 \$ 1,197,328

14 The moneys appropriated in this section are allocated for
15 the indicated programs and functions within the department as
16 follows:

17 1. General administration:

18 \$ 76,136

19 2. Field operations:

20 \$ 455,372

21 3. Child and family services:

22 \$ 68,111

23 4. Local administrative costs and other local services:

24 \$ 48,294

25 5. Volunteers:

26 \$ 5,278

27 6. Community-based services:

28 \$ 6,069

29 7. MH/MR/DD/BI community services (local purchase):

30 \$ 538,068

31 Sec. 2. EARLY CHILDHOOD FUNDING.

32 1. There is appropriated from the fund created in section
33 8.41 to the department of human services for the specified
34 fiscal years from moneys received under the federal temporary
35 assistance for needy families block grant pursuant to the

1 federal Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996, Pub. L. No. 104-193, the following
3 amounts, or so much thereof as is necessary, to be used for
4 the purposes designated:

5 a. For the fiscal year beginning July 1, 2000, and ending
6 June 30, 2001, for distribution in addition to previously
7 appropriated moneys to fund community-based programs targeted
8 to children from birth through five years of age developed by
9 community empowerment areas:

10 \$ 3,200,000

11 b. For the fiscal year beginning July 1, 2001, and ending
12 June 30, 2002, for distribution in addition to previously
13 appropriated moneys to fund community-based programs targeted
14 to children from birth through five years of age developed by
15 community empowerment areas:

16 \$ 3,200,000

17 2. The appropriation made in 1998 Iowa Acts, chapter 1218,
18 section 2, from the fund created in section 8.41 to the
19 department of human services for the fiscal year beginning
20 July 1, 2000, and ending June 30, 2001, and the appropriation
21 made in subsection 1, paragraph "a", from moneys received
22 under the federal temporary assistance for needy families
23 block grant shall be used for funding of community-based
24 programs targeted to children from birth through five years of
25 age, developed by community empowerment areas as provided in
26 this section.

27 3. The department may transfer federal temporary
28 assistance for needy families block grant funding appropriated
29 and allocated in this section to the child care and
30 development block grant in accordance with federal law as
31 necessary to comply with the provisions of this section. The
32 funding shall then be provided to community empowerment areas
33 for the fiscal year beginning July 1, 2000, in accordance with
34 all of the following:

35 a. The area must be approved as a designated community

1 empowerment area by the Iowa empowerment board.

2 b. The maximum funding amount a community empowerment area
3 is eligible to receive shall be determined by applying the
4 area's percentage of the state's average monthly family
5 investment program population in the preceding fiscal year to
6 the total amount appropriated and allocated in this section
7 for fiscal year 2000-2001. If the community empowerment
8 board's request for funding is received by the Iowa
9 empowerment board on or after August 1, 2000, the maximum
10 funding amount shall be prorated for the fiscal year and
11 rounded up to the nearest full month.

12 c. A community empowerment area receiving funding shall
13 comply with any federal reporting requirements associated with
14 the use of that funding and other results and reporting
15 requirements established by the Iowa empowerment board. The
16 department shall provide technical assistance in identifying
17 and meeting the federal requirements.

18 d. The availability of funding provided under this section
19 is subject to changes in federal requirements and amendments
20 to Iowa law.

21 4. The moneys distributed in accordance with this section
22 shall be used by communities for the purposes of enhancing
23 quality child day care capacity in support of parent
24 capability to obtain or retain employment. The moneys shall
25 be used with a primary emphasis on low-income families and
26 children from birth to five years of age. Moneys shall be
27 provided in a flexible manner to communities, and shall be
28 used to implement strategies identified by the communities to
29 achieve such purposes. The strategies may include but are not
30 limited to developing capacity for regular child day care,
31 sick child care, night shifts child care, and emergency child
32 care; enhancing linkages between the head start and early head
33 start programs, early childhood development programs, and
34 child day care assistance programs; and implementing other
35 strategies to enhance access to child day care. The moneys

1 may be used to either build capacity or for support of ongoing
 2 efforts. In addition to the full-time equivalent positions
 3 funded in this Act, 1.00 full-time equivalent position is
 4 authorized and the department may use funding appropriated in
 5 this section for provision of technical assistance and other
 6 support to communities developing and implementing strategies
 7 with moneys distributed in accordance with this section.

8 5. Moneys which are subject to this section which are not
 9 distributed to a community empowerment area or otherwise
 10 remain unobligated or unexpended at the end of the fiscal year
 11 shall revert to the fund created in section 8.41 to be
 12 available for appropriation by the general assembly in a
 13 subsequent fiscal year.

14 Sec. 3. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 15 GRANT. There is appropriated from the fund created in section
 16 8.41 to the department of human services for the fiscal year
 17 beginning July 1, 2000, and ending June 30, 2001, from moneys
 18 received under the federal temporary assistance for needy
 19 families block grant pursuant to the federal Personal
 20 Responsibility and Work Opportunity Reconciliation Act of
 21 1996, Pub. L. No. 104-193, which are federally appropriated
 22 for the federal fiscal years beginning October 1, 1999, and
 23 ending September 30, 2000, and beginning October 1, 2000, and
 24 ending September 30, 2001, the following amounts, or so much
 25 thereof as is necessary, to be used for the purposes
 26 designated:

27 Moneys appropriated in this section shall be used in
 28 accordance with the federal law making the funds available,
 29 applicable Iowa law, appropriations made from the general fund
 30 of the state in this Act for the purpose designated, and
 31 administrative rules adopted to implement the federal and Iowa
 32 law. If actual federal revenues credited to the fund created
 33 in section 8.41 through June 30, 2001, are less than the
 34 amounts appropriated in this section, the amounts appropriated
 35 shall be reduced proportionately and the department may reduce

1 expenditures as deemed necessary by the department to meet the
2 reduced funding level:

3 1. To be credited to the family investment program account
4 and used for assistance under the family investment program
5 under chapter 239B:

6 \$ 44,035,883

7 2. To be credited to the family investment program account
8 and used for the job opportunities and basic skills (JOBS)
9 program, and implementing family investment agreements, in
10 accordance with chapter 239B:

11 \$ 19,980,113

12 3. For field operations:

13 \$ 12,870,415

14 4. For general administration:

15 \$ 3,227,683

16 5. For local administrative costs:

17 \$ 2,147,358

18 6. For state child care assistance:

19 \$ 20,619,567

20 a. Of the funds appropriated in this subsection, \$500,000
21 shall be used for child care emergency and start-up grants in
22 accordance with this paragraph. The funding allocated in this
23 paragraph shall be used to provide emergency grants to
24 existing licensed or registered child care facilities having
25 negative financial circumstances that will cause the
26 facilities to close without outside assistance. The funding
27 shall also be used to provide start-up funding to develop new
28 licensed or registered child care facilities that will
29 increase the availability of child care slots in communities.
30 The department shall establish criteria for distribution of
31 the grant funding. The criteria shall include a requirement
32 that grant funding is used to further the long-term financial
33 survival of grant recipients, a requirement that funding is
34 targeted to facilities providing essential child care services
35 to low-income families, required disclosure of necessary

1 financial information, establishment of a maximum grant amount
2 and a maximum number of grants to be issued in order to make
3 funding available to as many facilities as possible, and other
4 provisions to ensure appropriate use of the funding.

5 b. Of the funds appropriated in this subsection, \$500,000
6 shall be used for assistance to providers of child care to
7 school-age children in accordance with this paragraph. Moneys
8 allocated in this paragraph shall be used for grants to
9 licensed child care facilities providing care to school-age
10 children as of July 1, 2000. The grants shall be used to
11 increase the number of school-age children served, for
12 expansion of slots, or for transportation costs.

13 c. Of the funds appropriated in this subsection, \$400,000
14 shall be used for provision of educational opportunities to
15 registered child care home providers in order to improve
16 services and programs offered by this category of providers
17 and to increase the number of providers. The department may
18 contract with institutions of higher education or child care
19 resource and referral centers to provide the educational
20 opportunities. Allowable administrative costs under the
21 contracts shall not exceed five percent.

22 d. Of the funds appropriated in this subsection, \$250,000
23 shall be used for grants to child care facilities registered
24 or licensed as of July 1, 2000, or for hospitals licensed as
25 of July 1, 2000, to provide child care to children with an
26 illness who are unable to attend school or a regular child
27 care facility due to their illness. The grant funding
28 allocated in this paragraph shall be used to expand the number
29 of slots in existing child care facilities and in licensed
30 hospitals that provide services to children with an illness.

- 31 7. For emergency assistance:
- 32 \$ 2,763,605
- 33 8. For mental health and developmental disabilities
- 34 community services:
- 35 \$ 4,620,848

1 9. For child and family services:
2 \$ 23,586,793

3 10. For child abuse prevention:
4 \$ 731,000

5 11. For pregnancy prevention grants on the condition that
6 family planning services are funded:
7 \$ 2,517,477

8 Pregnancy prevention grants shall be awarded to programs in
9 existence on or before July 1, 2000, if the programs are
10 comprehensive in scope and have demonstrated positive
11 outcomes. Grants shall be awarded to pregnancy prevention
12 programs which are developed after July 1, 2000, if the
13 programs are comprehensive in scope and are based on existing
14 models that have demonstrated positive outcomes. Priority in
15 the awarding of grants shall be given to programs that serve
16 areas of the state which demonstrate the highest percentage of
17 unplanned adolescent pregnancies.

18 12. For technology needs and other resources necessary to
19 meet federal welfare reform reporting, tracking, and case
20 management requirements:
21 \$ 1,006,442

22 13. For supervised community treatment under child and
23 family services:
24 \$ 300,000

25 14. For volunteers:
26 \$ 45,327

27 15. For individual development accounts under chapter
28 541A:
29 \$ 200,000

30 Of the amounts appropriated in this section, \$11,877,714
31 for the fiscal year beginning July 1, 2000, shall be
32 transferred to the appropriation of the federal social
33 services block grant for that fiscal year.

34 Eligible funding available under the federal temporary
35 assistance for needy families block grant that is not

1 appropriated or not otherwise expended shall be considered
2 reserved for economic downturns and welfare reform purposes
3 and is subject to further state appropriation to support
4 families in their movement toward self-sufficiency.

5 Sec. 4. FAMILY INVESTMENT PROGRAM ACCOUNT.

6 1. Moneys credited to the family investment program (FIP)
7 account for the fiscal year beginning July 1, 2000, and ending
8 June 30, 2001, shall be used in accordance with the following
9 requirements:

10 a. The department shall provide assistance in accordance
11 with chapter 239B.

12 b. The department shall continue the special needs program
13 under the family investment program.

14 c. The department shall continue to comply with federal
15 welfare reform data requirements pursuant to the
16 appropriations made for that purpose.

17 d. The department shall continue to contract for services
18 in developing and monitoring an entrepreneurial training
19 program to provide technical assistance to families which
20 receive assistance under the family investment program.

21 e. The department shall continue expansion of the
22 electronic benefit transfer program as necessary to comply
23 with federal requirements. Notwithstanding 1998 Iowa Acts,
24 chapter 1218, section 5, subsection 1, paragraph "d", and 1999
25 Iowa Acts, chapter 203, section 5, subsection 1, paragraph
26 "d", the target date for statewide implementation of the
27 program is October 1, 2002.

28 f. The department, in entering into a contract relating to
29 the equipment to be used in implementation of the electronic
30 benefits transfer program in accordance with section 234.12A,
31 shall only enter into a contract which provides for the use of
32 a card which is compatible with the standards established for
33 electronic transfer of funds under chapter 527 for a multiple-
34 use terminal as defined in section 527.2, and which only
35 provides for receipt of state benefits and entitlements under

1 the purview of the department of human services.

2 2. The department may use a portion of the moneys credited
3 to the family investment account under this section, as
4 necessary for salaries, support, maintenance, and
5 miscellaneous purposes for not more than the following full-
6 time equivalent positions:

7 FTEs 8.00

8 3. The department may transfer funds in accordance with
9 section 8.39, either federal or state, to or from the child
10 care appropriations made for the fiscal year beginning July 1,
11 2000, if the department deems this would be a more effective
12 method of paying for JOBS program child care, to maximize
13 federal funding, or to meet federal maintenance of effort
14 requirements.

15 4. Moneys appropriated in this Act and credited to the
16 family investment program account for the fiscal year
17 beginning July 1, 2000, and ending June 30, 2001, are
18 allocated as follows:

19 a. For the food stamp employment and training program:
20 \$ 250,000

21 b. For the family development and self-sufficiency grant
22 program as provided under section 217.12:
23 \$ 5,697,825

24 (1) Of the funds allocated for the family development and
25 self-sufficiency grant program in this lettered paragraph, not
26 more than 5 percent of the funds shall be used for the
27 administration of the grant program.

28 (2) Based upon the annual evaluation report concerning
29 each grantee funded by previously appropriated funds and
30 through the solicitation of additional grant proposals, the
31 family development and self-sufficiency council may use the
32 allocated funds to renew or expand existing grants or award
33 new grants. In utilizing the increased funding to expand the
34 program, the council shall give consideration, in addition to
35 other criteria established by the council, to a grant

1 proposal's intended use of local funds with a grant and to
2 whether a grant proposal would expand the availability of the
3 program's services to a wider geographic area.

4 (3) Family development and self-sufficiency grantees shall
5 not supplant previous local funding with state or federal
6 funds.

7 (4) The department shall continue to implement the family
8 development and self-sufficiency grant program statewide
9 during FY 2000-2001.

10 c. For income maintenance reengineering:

11 \$ 700,000

12 d. For the diversion program and incentive grants as
13 follows:

14 (1) For the diversion subaccount of the family investment
15 program account:

16 \$ 3,200,000

17 Moneys allocated to the diversion subaccount shall be used
18 to continue the pilot initiative of providing incentives to
19 assist families who meet income eligibility requirements for
20 the family investment program in obtaining or retaining
21 employment, to assist participant families in overcoming
22 barriers to obtaining employment, and to assist families in
23 stabilizing employment and in reducing the likelihood of the
24 family returning to the family investment program. Incentives
25 may be provided in the form of payment or services. The
26 department may limit the availability of the pilot initiative
27 on the basis of geographic area or numbers of individuals
28 provided with incentives. The department shall attempt to
29 assess and screen individuals who would most likely benefit
30 from the services. The department shall continue the
31 diversion initiative in the fiscal year 2000-2001. In
32 addition to the full-time equivalent positions authorized in
33 this Act, 1.00 FTE is authorized and the department may use up
34 to \$50,000 to facilitate community investment in welfare
35 reform and to support continuation of the diversion program.

1 The department may grant diversion moneys to the level of the
2 entity operating an initiative. The department may adopt
3 additional eligibility criteria as necessary for compliance
4 with federal law and for screening those families who would be
5 most likely to become eligible for the family investment
6 program if diversion incentives would not be provided.

7 (2) For continuation of innovative strategies on a
8 statewide or pilot project basis for supporting job retention,
9 family structure, or both, including services to noncustodial
10 parents and young parents:

11 \$ 650,000

12 (3) Of the moneys allocated in subparagraph (2), not more
13 than \$250,000 shall be used to develop or continue community-
14 level parental obligation pilot projects. A pilot project
15 shall be operated with the goal of assisting parents who are
16 living apart in meeting their parental obligations and in
17 supporting their children. Any pilot project shall maximize
18 the use of existing community resources for family counseling,
19 legal services, mediation, job training and job skills
20 development, substance abuse treatment and prevention, health
21 maintenance, and personal mentoring. Local communities shall
22 also be encouraged to provide financial resources.

23 (a) Notwithstanding any other provision of law to the
24 contrary, the department shall develop procedures for the
25 pilot projects to expedite all of the following:

26 (i) The establishment and adjustment of support
27 obligations, with the consent of both parents, in a manner
28 which may deviate from the child support guidelines.

29 (ii) Changes in income withholding orders based on
30 individual case circumstances.

31 (iii) Satisfaction of a portion of support amounts owed to
32 the state based on cooperation and compliance by the
33 noncustodial parent with project requirements.

34 (iv) Adjustment of visitation and shared custody
35 arrangements in a manner which enhances the ability of each

1 parent to meet parental obligations.

2 (b) The department shall adopt rules for the development,
3 operation, and monitoring of a project; to establish the
4 minimum required amount of community support; to establish
5 expedited procedures; and to establish other criteria and
6 procedures as appropriate.

7 (c) The department shall use the funds authorized in this
8 subparagraph to employ one full-time equivalent position to
9 manage the pilot project or projects. The department shall
10 also use the authorized funds to employ other full-time
11 equivalent positions or to provide services, as necessary, to
12 assist in the coordination, development, and operation of
13 community-level pilot projects and to achieve the expedited
14 procedures established. Any full-time equivalent positions
15 authorized in this subparagraph subdivision are in addition to
16 any other full-time equivalent positions authorized by law.

17 (4) Of the moneys allocated in subparagraph (2), not more
18 than \$200,000 shall be used to continue to study the impact
19 that moving unemployed family investment program parents into
20 employment has on the well-being of the children, the parent,
21 and the family. The department shall include in this well-
22 being study a method of actual contact with the families and
23 children, and shall consider broad-based impacts, such as
24 educational achievement, health status, housing stability,
25 family stability, and use of supportive social services. The
26 department shall also seek funding through foundations and the
27 federal government in order to supplement the funding for this
28 study. The results of the study shall be submitted to the
29 persons required by this Act to receive reports.

30 (5) Of the moneys allocated in subparagraph (2), not more
31 than \$100,000 shall be used for providing additional incentive
32 payments to contracted agencies who demonstrate success at
33 completing well-being visits for families terminated from the
34 family investment program under a limited benefit plan. The
35 department shall use these funds to increase payments to

1 agencies who complete a higher percentage of well-being
2 visits, who achieve a significant percentage of visits in a
3 face-to-face format, or who are able to observe and interact
4 with the children during a significant percentage of visits.

5 5. Of the child support collections assigned under the
6 family investment program, an amount equal to the federal
7 share of support collections shall be credited to the child
8 support recovery appropriation. The remainder of the assigned
9 child support collections received by the child support
10 recovery unit shall be credited to the family investment
11 program account.

12 6. The department may adopt emergency administrative rules
13 for the family investment, food stamp, and medical assistance
14 programs, if necessary, to comply with federal requirements.
15 Prior to adoption of the rules, the department shall consult
16 with the welfare reform council and the chairpersons and
17 ranking members of the joint appropriations subcommittee on
18 human services.

19 7. The department may continue to streamline and simplify
20 the employer verification process for applicants,
21 participants, and employers in the administration of the
22 department's programs. The department may contract with
23 companies collecting data from employers when the information
24 is needed in the administration of these programs. The
25 department may limit the availability of the initiative on the
26 basis of geographic area or number of individuals.

27 Sec. 5. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
28 appropriated from the general fund of the state to the
29 department of human services for the fiscal year beginning
30 July 1, 2000, and ending June 30, 2001, the following amount,
31 or so much thereof as is necessary, to be used for the purpose
32 designated:

33 To be credited to the family investment program account and
34 used for family investment program assistance under chapter
35 239B:

1 \$ 35,545,738

2 1. The department of workforce development, in
3 consultation with the department of human services, shall
4 continue to utilize recruitment and employment practices to
5 include former and current family investment program
6 recipients.

7 2. The department of human services shall continue to work
8 with the department of workforce development and local
9 community collaborative efforts to provide support services
10 for family investment program participants. The support
11 services shall be directed to those participant families who
12 would benefit from the support services and are likely to have
13 success in achieving economic independence.

14 3. Of the funds appropriated in this section, \$9,564,352
15 is allocated for the JOBS program.

16 4. The department shall continue to work with religious
17 organizations and other charitable institutions to increase
18 the availability of host homes, referred to as second chance
19 homes or other living arrangements under the federal Personal
20 Responsibility and Work Opportunity Reconciliation Act of
21 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
22 arrangements is to provide a supportive and supervised living
23 arrangement for minor parents receiving assistance under the
24 family investment program who, under chapter 239B, may receive
25 assistance while living in an alternative setting other than
26 with their parent or legal guardian.

27 Sec. 6. EMERGENCY ASSISTANCE. There is appropriated from
28 the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2000, and
30 ending June 30, 2001, the following amount, or so much thereof
31 as is necessary, to be used for the purpose designated:

32 For emergency assistance to families with dependent
33 children for homeless prevention programs:
34 \$ 10,000

35 1. The emergency assistance provided for in this section

1 and federal moneys appropriated for this purpose in this Act
2 shall be available beginning October 1 of the fiscal year and
3 shall be provided only if all other publicly funded resources
4 have been exhausted. Specifically, emergency assistance is
5 the program of last resort and shall not supplant assistance
6 provided by the low-income home energy assistance program
7 (LIHEAP), county general relief, and veterans affairs
8 programs. The department shall establish a \$500 maximum
9 payment, per family, in a twelve-month period. The emergency
10 assistance includes, but is not limited to, assisting people
11 who face eviction, potential eviction, or foreclosure, utility
12 shutoff or fuel shortage, loss of heating energy supply or
13 equipment, homelessness, utility or rental deposits, or other
14 specified crisis which threatens family or living
15 arrangements. The emergency assistance shall be available to
16 migrant families who would otherwise meet eligibility
17 criteria. The department may contract for the administration
18 and delivery of the program. The program shall be terminated
19 when funds are exhausted.

20 2. For the fiscal year beginning July 1, 2000, the
21 department shall continue the process for the state to receive
22 refunds of utility and rent deposits, including any accrued
23 interest, for emergency assistance recipients which were paid
24 by persons other than the state. The department shall also
25 receive refunds, including any accrued interest, of assistance
26 paid with funding available under this program. The refunds
27 received by the department under this subsection shall be
28 deposited with the moneys of the appropriation made in this
29 section and used as additional funds for the emergency
30 assistance program. Notwithstanding section 8.33, moneys
31 received by the department under this subsection which remain
32 after the emergency assistance program is terminated and state
33 or federal moneys in the emergency assistance account which
34 remain unobligated or unexpended at the close of the fiscal
35 year shall not revert to the general fund of the state but

1 shall remain available for expenditure when the program
2 resumes operation on October 1 in the succeeding fiscal year.

3 3. Of the funds appropriated in this section, \$10,000 is
4 allocated to the community voice mail program to continue the
5 existing program. The funds shall be made available beginning
6 July 1, 2000. The community voice mail program shall submit
7 semiannual reports to the department which, at a minimum,
8 specify, on a county basis, the unduplicated number of
9 households participating in the program for the previous six-
10 month period. The report shall be submitted no later than the
11 last business day of the month immediately following the end
12 of the six-month period.

13 Sec. 7. CHILD SUPPORT RECOVERY. There is appropriated
14 from the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2000, and
16 ending June 30, 2001, the following amount, or so much thereof
17 as is necessary, to be used for the purposes designated:

18 For child support recovery, including salaries, support,
19 maintenance, and miscellaneous purposes and for not more than
20 the following full-time equivalent positions:

21	\$	6,454,841
22	FTEs	275.22

23 1. The director of human services, within the limitations
24 of the moneys appropriated in this section, or moneys
25 transferred from the family investment program account for
26 this purpose, shall establish new positions and add employees
27 to the child support recovery unit if the director determines
28 that both the current and additional employees together can
29 reasonably be expected to maintain or increase net state
30 revenue at or beyond the budgeted level.

31 2. Nonpublic assistance application fees and other user
32 fees received by the child support recovery unit are
33 appropriated and shall be used for the purposes of the child
34 support recovery program. The director of human services may
35 add positions within the limitations of the amount

1 appropriated for salaries and support for the positions.

2 3. The director of human services, in consultation with
3 the department of management and the legislative fiscal
4 committee, is authorized to receive and deposit state child
5 support incentive earnings in the manner specified under
6 applicable federal requirements.

7 4. a. The director of human services may establish new
8 positions and add state employees to the child support
9 recovery unit or contract for delivery of services if the
10 director determines the employees are necessary to replace
11 county-funded positions eliminated due to termination,
12 reduction, or nonrenewal of a chapter 28E contract. However,
13 the director must also determine that the resulting increase
14 in the state share of child support recovery incentives
15 exceeds the cost of the positions or contract, the positions
16 or contract are necessary to ensure continued federal funding
17 of the program, or the new positions or contract can
18 reasonably be expected to recover at least twice the amount of
19 money necessary to pay the salaries and support for the new
20 positions or the contract will generate at least 200 percent
21 of the cost of the contract.

22 b. Employees in full-time positions that transition from
23 county government to state government employment under this
24 subsection are exempt from testing, selection, and appointment
25 provisions of chapter 19A and from the provisions of
26 collective bargaining agreements relating to the filling of
27 vacant positions.

28 5. If initiated by the judicial branch, the child support
29 recovery unit shall continue to work with the judicial branch
30 to determine the feasibility of implementing a pilot project
31 utilizing a court-appointed referee for judicial
32 determinations on child support matters. The extent and
33 location of any pilot project shall be jointly developed by
34 the judicial branch and the child support recovery unit.

35 6. Surcharges paid by obligors and received by the unit as

1 a result of the referral of support delinquency by the child
2 support recovery unit to any private collection agency are
3 appropriated to the department and shall be used to pay the
4 costs of any contracts with the collection agencies.

5 Sec. 8. MEDICAL ASSISTANCE. There is appropriated from
6 the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2000, and
8 ending June 30, 2001, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:

10 For medical assistance, including reimbursement for
11 abortion services, which shall be available under the medical
12 assistance program only for those abortions which are
13 medically necessary:

14 \$422,451,028

15 1. Medically necessary abortions are those performed under
16 any of the following conditions:

17 a. The attending physician certifies that continuing the
18 pregnancy would endanger the life of the pregnant woman.

19 b. The attending physician certifies that the fetus is
20 physically deformed, mentally deficient, or afflicted with a
21 congenital illness.

22 c. The pregnancy is the result of a rape which is reported
23 within 45 days of the incident to a law enforcement agency or
24 public or private health agency which may include a family
25 physician.

26 d. The pregnancy is the result of incest which is reported
27 within 150 days of the incident to a law enforcement agency or
28 public or private health agency which may include a family
29 physician.

30 e. Any spontaneous abortion, commonly known as a
31 miscarriage, if not all of the products of conception are
32 expelled.

33 2. Notwithstanding section 8.39, the department may
34 transfer funds appropriated in this section to a separate
35 account established in the department's case management unit

1 for expenditures required to provide case management services
2 for mental health, mental retardation, and developmental
3 disabilities services under medical assistance which are
4 jointly funded by the state and county, pending final
5 settlement of the expenditures. Funds received by the case
6 management unit in settlement of the expenditures shall be
7 used to replace the transferred funds and are available for
8 the purposes for which the funds were appropriated in this
9 section.

10 3. a. The county of legal settlement shall be billed for
11 50 percent of the nonfederal share of the cost of case
12 management provided for adults, day treatment, and partial
13 hospitalization in accordance with sections 249A.26 and
14 249A.27, and 100 percent of the nonfederal share of the cost
15 of care for adults which is reimbursed under a federally
16 approved home and community-based waiver that would otherwise
17 be approved for provision in an intermediate care facility for
18 persons with mental retardation, provided under the medical
19 assistance program. The state shall have responsibility for
20 the remaining 50 percent of the nonfederal share of the cost
21 of case management provided for adults, day treatment, and
22 partial hospitalization. For persons without a county of
23 legal settlement, the state shall have responsibility for 100
24 percent of the nonfederal share of the costs of case
25 management provided for adults, day treatment, partial
26 hospitalization, and the home and community-based waiver
27 services. The case management services specified in this
28 subsection shall be billed to a county only if the services
29 are provided outside of a managed care contract.

30 b. The state shall pay the entire nonfederal share of the
31 costs for case management services provided to persons 17
32 years of age and younger who are served in a medical
33 assistance home and community-based waiver program for persons
34 with mental retardation.

35 c. Medical assistance funding for case management services

1 for eligible persons 17 years of age and younger shall also be
 2 provided to persons residing in counties with child welfare
 3 decategorization projects implemented in accordance with
 4 section 232.188, provided these projects have included these
 5 persons in their service plan and the decategorization project
 6 county is willing to provide the nonfederal share of costs.

7 d. When paying the necessary and legal expenses of
 8 intermediate care facilities for persons with mental
 9 retardation (ICFMR), the cost payment requirements of section
 10 222.60 shall be considered fulfilled when payment is made in
 11 accordance with the medical assistance payment rates
 12 established for ICFMRs by the department and the state or a
 13 county of legal settlement is not obligated for any amount in
 14 excess of the rates.

15 4. The department shall utilize not more than \$60,000 of
 16 the funds appropriated in this section to continue the
 17 AIDS/HIV health insurance premium payment program as
 18 established in 1992 Iowa Acts, Second Extraordinary Session,
 19 Chapter 1001, section 409, subsection 6. Of the funds
 20 allocated in this subsection, not more than \$5,000 may be
 21 expended for administrative purposes.

22 5. Of the funds appropriated to the Iowa department of
 23 public health for substance abuse grants, \$950,000 for the
 24 fiscal year beginning July 1, 2000, shall be transferred to
 25 the department of human services for an integrated substance
 26 abuse managed care system.

27 6. In administering the medical assistance home and
 28 community-based waiver for persons with physical disabilities,
 29 the total number of openings for persons with physical
 30 disabilities served at any one time shall be limited to the
 31 number approved in the waiver by the secretary of the United
 32 States department of health and human services. The openings
 33 shall be available on a first-come, first-served basis.

34 7. The department of human services, in consultation with
 35 the Iowa department of public health and the department of

1 education, shall continue the program to utilize the early and
2 periodic screening, diagnosis, and treatment (EPSDT) funding
3 under medical assistance, to the extent possible, to implement
4 the screening component of the EPSDT program through the
5 school system. The department may enter into contracts to
6 utilize maternal and child health centers, the public health
7 nursing program, or school nurses in implementing this
8 provision.

9 8. The department shall continue the case study for
10 outcome-based performance standards for programs serving
11 persons with mental retardation or other developmental
12 disabilities proposed pursuant to 1994 Iowa Acts, chapter
13 1170, section 56.

14 9. The department shall continue to pursue federal
15 approval of a medical assistance home and community-based
16 services waiver to allow children with mental retardation, who
17 would otherwise require ICF/MR care, to be served in out-of-
18 home settings of up to eight beds which meet standards
19 established by the department. If the waiver is not approved,
20 up to \$1,487,314 of the funds appropriated in this section may
21 be transferred to the appropriation in this Act for child and
22 family services, to be used for group foster care maintenance
23 and services.

24 10. The department shall discontinue the following pilot
25 programs on July 1, 2000:

26 a. The telemedicine pilot program.

27 b. The physician supervised weight-loss pilot program.

28 11. The department shall work with county representatives
29 in aggressively taking the steps necessary to implement the
30 rehabilitation option for services to persons with chronic
31 mental illness under the medical assistance program through
32 use of county funding as a match for the federal funding.

33 12. Of the funds appropriated in this section, the
34 department shall use up to \$414,000 to implement a disease-
35 specific pharmaceutical case management study, no later than

1 July 1, 2001, to measure the effects of case management for
 2 medical assistance recipients identified by the department as
 3 being at high risk for medication-related problems. The funds
 4 shall be used to equally reimburse physician-pharmacist teams
 5 for participation in the study. An advisory committee whose
 6 membership consists of representatives of the Iowa medical
 7 society, the Iowa pharmacy association, and the department of
 8 human services shall establish and implement the
 9 pharmaceutical case management study. The university of Iowa
 10 colleges of medicine and pharmacy shall perform an evaluation
 11 of the study at no cost to the state and shall submit a final
 12 report of the findings of the evaluation and any
 13 recommendations to the general assembly by December 15, 2002.
 14 The department shall submit a progress report relating to the
 15 program by December 15, 2001, and a final report by December
 16 15, 2002, to the general assembly. The department may adopt
 17 emergency rules to implement the provisions of this
 18 subsection.

19 13. The department shall increase the medical assistance
 20 eligibility income limit for pregnant women and infants under
 21 the mothers and children category to 200 percent of the
 22 federal poverty level.

23 14. If the health care financing administration approves a
 24 waiver request from the department, the department shall
 25 provide a period of 24 months of guaranteed eligibility for
 26 medical assistance family planning services, regardless of the
 27 change in circumstances of a woman who was a medical
 28 assistance recipient when a pregnancy ended.

29 15. The department of human services shall seek a waiver
 30 from the health care financing administration of the United
 31 States department of health and human services to implement a
 32 pilot project in fiscal year 2000-2001 to study the effects of
 33 providing continuous eligibility for children under the
 34 medical assistance program. If the waiver is approved, the
 35 pilot project shall be implemented in one rural and one urban

3222

S.F. _____ H.F. _____

1 county, and the department shall enter into a contract with an
2 entity outside of the department to perform an evaluation of
3 the pilot project. The evaluating entity shall submit a
4 report to the general assembly on or before December 15, 2000,
5 regarding the findings of the pilot project including, but not
6 limited to, any increased costs which may be incurred through
7 continuous eligibility. The report shall also include
8 recommendations for discontinuation or expansion of the pilot
9 project. Of the funds appropriated in this Act for medical
10 contracts, not more than \$50,000 may be used for the
11 performance of the evaluation.

12 Sec. 9. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
13 is appropriated from the general fund of the state to the
14 department of human services for the fiscal year beginning
15 July 1, 2000, and ending June 30, 2001, the following amount,
16 or so much thereof as is necessary, to be used for the purpose
17 designated:

18 For administration of the health insurance premium payment
19 program, including salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the following
21 full-time equivalent positions:

22	\$	400,721
23	FTEs	17.00

24 Sec. 10. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
25 appropriated from the general fund of the state to the
26 department of human services for the fiscal year beginning
27 July 1, 2000, and ending June 30, 2001, the following amount,
28 or so much thereof as is necessary, to be used for the purpose
29 designated:

30 For maintenance of the healthy and well kids in Iowa (HAWK-
31 I) program pursuant to chapter 514I for receipt of federal
32 financial participation under Title XXI of the federal Social
33 Security Act, which creates the state children's health
34 insurance program:

35 \$ 4,984,508

1 1. The department may transfer funds appropriated in this
2 Act for medical assistance to be used for the purpose of
3 expanding health care coverage to children under the medical
4 assistance program. The department shall provide periodic
5 updates to the general assembly of expenditures of funds
6 appropriated in this section.

7 2. A participating insurer shall provide a report to the
8 HAWK-I board and to the general assembly by January 15, 2001,
9 specifying the actual cost of providing monthly coverage to
10 eligible children under the children's health insurance
11 program.

12 3. Moneys in the HAWK-I trust fund are appropriated and
13 shall be used to offset any program costs for the fiscal year
14 beginning July 1, 2000, and ending June 30, 2001.

15 Sec. 11. MEDICAL CONTRACTS. There is appropriated from
16 the general fund of the state to the department of human
17 services for the fiscal year beginning July 1, 2000, and
18 ending June 30, 2001, the following amount, or so much thereof
19 as is necessary, to be used for the purpose designated:

20 For medical contracts:
21 \$ 8,276,282

22 In any managed care contract for mental health or substance
23 abuse services entered into by the department on or after July
24 1, 2000, the request for proposals shall provide for coverage
25 of dual diagnosis mental health and substance abuse treatment.
26 To the extent possible, the department shall also amend any
27 such contract existing on July 1, 2000, to provide for such
28 coverage.

29 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE. There is
30 appropriated from the general fund of the state to the
31 department of human services for the fiscal year beginning
32 July 1, 2000, and ending June 30, 2001, the following amount,
33 or so much thereof as is necessary, to be used for the
34 purposes designated:

35 For state supplementary assistance, funeral assistance, and

1 the medical assistance home and community-based services
2 waiver rent subsidy program:
3 \$ 19,985,747

4 1. The department shall increase the personal needs
5 allowance for residents of residential care facilities by the
6 same percentage and at the same time as federal supplemental
7 security income and federal social security benefits are
8 increased due to a recognized increase in the cost of living.
9 The department may adopt emergency rules to implement this
10 subsection.

11 2. a. If during the fiscal year beginning July 1, 2000,
12 the department projects that state supplementary assistance
13 expenditures for a calendar year will not meet the federal
14 pass-along requirement specified in Title XVI of the federal
15 Social Security Act, section 1618, as codified in 42 U.S.C. §
16 1382g, the department may take actions including but not
17 limited to increasing the personal needs allowance for
18 residential care facility residents and making programmatic
19 adjustments or upward adjustments of the residential care
20 facility or in-home health-related care reimbursement rates
21 prescribed in this Act to ensure that federal requirements are
22 met. The department may adopt emergency rules to implement
23 the provisions of this subsection.

24 b. If during the fiscal year beginning July 1, 2000, the
25 department projects that state supplementary assistance
26 expenditures will exceed the amount appropriated, the
27 department may transfer funds appropriated in this Act for
28 medical assistance for the purposes of the state supplementary
29 assistance program. However, funds shall only be transferred
30 from the medical assistance appropriation if the funds
31 transferred are projected to be in excess of the funds
32 necessary for the medical assistance program.

33 3. The department may use up to \$75,000 of the funds
34 appropriated in this section for a rent subsidy program for
35 adult persons to whom all of the following apply:

1 a. Are receiving assistance under a medical assistance
2 home and community-based services (HCBS) waiver.

3 b. Were discharged from a medical institution in which
4 they have resided or were at risk of institutional placement,
5 not to exceed 100 slots. Within available funding and
6 demonstrated need, the department may make subsidy funds
7 available to HCBS waiver-eligible adults meeting criteria in
8 paragraph "a" and this paragraph at any time on or after July
9 1, 1995.

10 The goal of the subsidy program shall be to encourage and
11 assist in enabling persons who currently reside in a medical
12 institution to move to a community living arrangement. An
13 eligible person may receive assistance in meeting their rental
14 expense and, in the initial two months of eligibility, in
15 purchasing necessary household furnishings and supplies. The
16 program shall be implemented so that it does not meet the
17 federal definition of state supplementary assistance and will
18 not impact the federal pass-along requirement specified in
19 Title XVI of the federal Social Security Act, section 1618, as
20 codified in 42 U.S.C. § 1382g.

21 Sec. 13. CHILD CARE ASSISTANCE. There is appropriated
22 from the general fund of the state to the department of human
23 services for the fiscal year beginning July 1, 2000, and
24 ending June 30, 2001, the following amount, or so much thereof
25 as is necessary, to be used for the purpose designated:

26 For child care programs:
27 \$ 5,050,752

28 1. Of the funds appropriated in this section, \$4,414,109
29 shall be used for state child care assistance.

30 2. For the purposes of this subsection, the term "poverty
31 level" means the poverty level defined by the poverty income
32 guidelines published by the United States department of health
33 and human services. Based upon the availability of the
34 funding provided in this Act and other funding appropriated
35 for state child care assistance, the department shall

1 establish waiting lists for state child care assistance in
2 descending order of prioritization as follows:

3 a. Families with an income at or below 100 percent of the
4 federal poverty level whose members are employed at least 28
5 hours per week, and parents with a family income at or below
6 100 percent of the federal poverty level who are under the age
7 of 21 and are participating in an educational program leading
8 to a high school diploma or equivalent.

9 b. Parents with a family income at or below 100 percent of
10 the federal poverty level who are under the age of 21 and are
11 participating, at a satisfactory level, in an approved
12 training program or in an educational program.

13 c. Families with an income of more than 100 percent but
14 not more than 140 percent of the federal poverty level whose
15 members are employed at least 28 hours per week.

16 d. Families with an income at or below 175 percent of the
17 federal poverty level whose members are employed at least 28
18 hours per week with a special needs child as a member of the
19 family.

20 3. Nothing in this section shall be construed or is
21 intended as, or shall imply, a grant of entitlement for
22 services to persons who are eligible for assistance due to an
23 income level consistent with the requirements of this section.
24 Any state obligation to provide services pursuant to this
25 section is limited to the extent of the funds appropriated in
26 this section.

27 4. Of the funds appropriated in this section, \$636,641 is
28 allocated for the statewide program for child care resource
29 and referral services under section 237A.26.

30 5. The department may use any of the funds appropriated in
31 this section as a match to obtain federal funds for use in
32 expanding child care assistance and related programs. For the
33 purpose of expenditures of state and federal child care
34 funding, funds shall be considered obligated at the time
35 expenditures are projected or are allocated to the

1 department's regions. Projections shall be based on current
 2 and projected caseload growth, current and projected provider
 3 rates, staffing requirements for eligibility determination and
 4 management of program requirements including data systems
 5 management, staffing requirements for administration of the
 6 program, contractual and grant obligations and any transfers
 7 to other state agencies, and obligations for decategorization
 8 or innovation projects.

9 6. During the 2000-2001 fiscal year, the department shall
 10 utilize the moneys deposited in the child care credit fund
 11 created in section 237A.28 for state child care assistance, in
 12 addition to the moneys allocated for that purpose in this
 13 section.

14 Sec. 14. JUVENILE INSTITUTIONS. There is appropriated
 15 from the general fund of the state to the department of human
 16 services for the fiscal year beginning July 1, 2000, and
 17 ending June 30, 2001, the following amounts, or so much
 18 thereof as is necessary, to be used for the purposes
 19 designated:

- 20 1. For operation of the Iowa juvenile home at Toledo:
- 21 \$ 6,296,956
- 22 FTEs 136.54

23 It is the intent of the general assembly that beginning in
 24 the fiscal year commencing on July 1, 2001, the Iowa juvenile
 25 home at Toledo will serve only females. In preparation for
 26 this change, the department shall develop service options to
 27 appropriately place males for whom placement at the Iowa
 28 juvenile home would otherwise be appropriate. The principal
 29 option considered in placing males shall be placement at
 30 existing state or community-based facilities.

- 31 2. For operation of the state training school at Eldora:
- 32 \$ 10,381,263
- 33 FTEs 229.53

34 Of the funding appropriated in this subsection, \$40,000 is
 35 designated for aftercare services for persons who were placed

1 at the state training school at Eldora.

2 3. During the fiscal year beginning July 1, 2000, the
3 population levels at the state juvenile institutions shall not
4 exceed the population guidelines established under 1990 Iowa
5 Acts, chapter 1239, section 21, as adjusted for additional
6 beds developed at the institutions.

7 4. A portion of the moneys appropriated in this section
8 shall be used by the state training school and by the Iowa
9 juvenile home for grants for adolescent pregnancy prevention
10 activities at the institutions in the fiscal year beginning
11 July 1, 2000.

12 5. Within the amounts appropriated in this section, the
13 department may transfer funds as necessary to best fulfill the
14 needs of the institutions provided for in the appropriation.

15 Sec. 15. CHILD AND FAMILY SERVICES. There is appropriated
16 from the general fund of the state to the department of human
17 services for the fiscal year beginning July 1, 2000, and
18 ending June 30, 2001, the following amount, or so much thereof
19 as is necessary, to be used for the purpose designated:

20 For child and family services:
21 \$108,788,161

22 1. The department may transfer funds appropriated in this
23 section as necessary to pay the nonfederal costs of services
24 reimbursed under medical assistance or the family investment
25 program which are provided to children who would otherwise
26 receive services paid under the appropriation in this section.
27 The department may transfer funds appropriated in this section
28 to the appropriations in this Act for general administration
29 and for field operations for resources necessary to implement
30 and operate the services funded in this section.

31 2. a. Of the funds appropriated in this section, up to
32 \$27,764,744 is allocated as the statewide expenditure target
33 under section 232.143 for group foster care maintenance and
34 services.

35 b. If at any time after September 30, 2000, annualization

1 of a region's current expenditures indicates a region is at
 2 risk of exceeding its group foster care expenditure target
 3 under section 232.143 by more than five percent, the
 4 department and juvenile court services shall examine all group
 5 foster care placements in that region in order to identify
 6 those which might be appropriate for termination. In
 7 addition, any aftercare services believed to be needed for the
 8 children whose placements may be terminated shall be
 9 identified. The department and juvenile court services shall
 10 initiate action to set dispositional review hearings for the
 11 placements identified. In such a dispositional review
 12 hearing, the juvenile court shall determine whether needed
 13 aftercare services are available and whether termination of
 14 the placement is in the best interest of the child and the
 15 community.

16 c. (1) Of the funds appropriated in this section, not
 17 more than \$7,059,682 is allocated as the state match funding
 18 for psychiatric medical institutions for children.

19 (2) The department may transfer all or a portion of the
 20 amount allocated in this lettered paragraph for psychiatric
 21 medical institutions for children (PMICs) to the appropriation
 22 in this Act for medical assistance.

23 d. Of the funds allocated in this subsection, \$1,405,588
 24 is allocated as the state match funding for 50 highly
 25 structured juvenile program beds. If the number of beds
 26 provided for in this lettered paragraph is not utilized, the
 27 remaining funds allocated may be used for group foster care.

28 e. For the fiscal year beginning July 1, 2000, the
 29 requirements of section 232.143 applicable to the juvenile
 30 court and to representatives of the juvenile court shall be
 31 applicable instead to juvenile court services and to
 32 representatives of juvenile court services. The
 33 representatives appointed by the department of human services
 34 and by juvenile court services to establish the plan to
 35 contain expenditures for children placed in group foster care

3222

1 ordered by the court within the budget target allocated to the
2 region shall establish the plan in a manner so as to ensure
3 the moneys allocated to the region under section 232.141 shall
4 last the entire fiscal year. Funds for a child placed in
5 group foster care shall be considered encumbered for the
6 duration of the child's projected or actual length of stay,
7 whichever is applicable.

8 f. The funding allocation in this subsection provides
9 additional funding, compared to the prior fiscal year, in an
10 amount equal to the cost of 41 group foster care beds. It is
11 the intent of the general assembly that the additional funding
12 allow for the availability of at least 20 additional beds to
13 be available for placement of females.

14 3. The department shall continue the goal that not more
15 than 15 percent of the children placed in foster care funded
16 under the federal Social Security Act, Title IV-E, may be
17 placed in foster care for a period of more than 24 months.

18 4. In accordance with the provisions of section 232.188,
19 the department shall continue the program to decategorize
20 child welfare services in additional counties or clusters of
21 counties.

22 5. A portion of the funding appropriated in this section
23 may be used for emergency family assistance to provide other
24 resources required for a family participating in a family
25 preservation or reunification project to stay together or to
26 be reunified.

27 6. Notwithstanding section 234.35, subsection 1, for the
28 fiscal year beginning July 1, 2000, state funding for shelter
29 care paid pursuant to section 234.35, subsection 1, paragraph
30 "h", shall be limited to \$7,155,611.

31 7. Of the funding appropriated in this section, up to
32 \$627,616 may be used as determined by the department for any
33 of the following purposes:

34 a. For general administration of the department to improve
35 staff training efforts.

1 b. For oversight of termination of parental rights and
2 permanency planning efforts on a statewide basis.

3 c. For personnel, assigned by the attorney general, to
4 provide additional services relating to termination of
5 parental rights and child in need of assistance cases.

6 d. For specialized permanency planning field operations
7 staff.

8 8. The department may adopt administrative rules following
9 consultation with child welfare services providers to
10 implement outcome-based child welfare services pilot projects.
11 The rules may include, but are not limited to, the development
12 of program descriptions, provider licensing and certification
13 standards, reimbursement and payment amounts, contract
14 requirements, assessment and service necessity requirements,
15 eligibility criteria, claims submission procedures, and
16 accountability standards.

17 9. The department shall continue to make adoption
18 presubsidy and adoption subsidy payments to adoptive parents
19 at the beginning of the month for the current month.

20 10. Federal funds received by the state during the fiscal
21 year beginning July 1, 2000, as the result of the expenditure
22 of state funds appropriated during a previous state fiscal
23 year for a service or activity funded under this section,
24 shall be used as additional funding for services provided
25 under this section. Moneys received by the department in
26 accordance with the provisions of this subsection shall remain
27 available for the purposes designated until June 30, 2002,
28 notwithstanding section 8.33.

29 11. The department and juvenile court services shall
30 continue to develop criteria for the department regional
31 administrator and chief juvenile court officer to grant
32 exceptions to extend eligibility, within the funds allocated,
33 for intensive tracking and supervision and for supervised
34 community treatment to delinquent youth beyond age 18 who are
35 subject to release from the state training school, a highly

1 structured juvenile program, or group foster care.

2 12. Of the moneys appropriated in this section, not more
3 than \$313,550 is allocated to provide clinical assessment
4 services as necessary to continue funding of children's
5 rehabilitation services under medical assistance in accordance
6 with federal law and requirements. The funding allocated is
7 the amount projected to be necessary for providing the
8 clinical assessment services.

9 13. Of the funding appropriated in this section,
10 \$3,696,286 shall be used for protective child care assistance.

11 14. Of the moneys appropriated in this section, up to
12 \$3,290,000 is allocated for the payment of the expenses of
13 court-ordered services provided to juveniles which are a
14 charge upon the state pursuant to section 232.141, subsection
15 4.

16 a. Notwithstanding section 232.141 or any other provision
17 of law, the amount allocated in this subsection shall be
18 distributed to the judicial districts as determined by the
19 state court administrator. The state court administrator
20 shall make the determination of the distribution amounts on or
21 before June 15, 2000.

22 b. Each judicial district shall continue the planning
23 group for the court-ordered services for juveniles provided in
24 that district which was established pursuant to 1991 Iowa
25 Acts, chapter 267, section 119. A planning group shall
26 continue to perform its duties as specified in that law.
27 Reimbursement rates for providers of court-ordered evaluation
28 and treatment services paid under section 232.141, subsection
29 4, shall be negotiated with providers by each judicial
30 district's planning group.

31 c. The department of human services shall develop policies
32 and procedures to ensure that the funds allocated in this
33 subsection are spent only after all other reasonable actions
34 have been taken to utilize other funding sources and
35 community-based services. The policies and procedures shall

1 be designed to achieve the following objectives relating to
2 services provided under chapter 232:

3 (1) Maximize the utilization of funds which may be
4 available from the medical assistance program including usage
5 of the early and periodic screening, diagnosis, and treatment
6 (EPSDT) program.

7 (2) Recover payments from any third-party insurance
8 carrier which is liable for coverage of the services,
9 including health insurance coverage.

10 (3) Pursue development of agreements with regularly
11 utilized out-of-state service providers which are intended to
12 reduce per diem costs paid to those providers.

13 d. Notwithstanding chapter 232 or any other provision of
14 law, a district or juvenile court in a department of human
15 services district shall not order any service which is a
16 charge upon the state pursuant to section 232.141 if there are
17 insufficient court-ordered services funds available in the
18 district distribution amount to pay for the service. The
19 chief juvenile court officer shall work with the judicial
20 district planning group to encourage use of the funds
21 allocated in this subsection such that there are sufficient
22 funds to pay for all court-related services during the entire
23 year. The eight chief juvenile court officers shall attempt
24 to anticipate potential surpluses and shortfalls in the
25 distribution amounts and shall cooperatively request the state
26 court administrator to transfer funds between the districts'
27 distribution amounts as prudent.

28 e. Notwithstanding any provision of law to the contrary, a
29 district or juvenile court shall not order a county to pay for
30 any service provided to a juvenile pursuant to an order
31 entered under chapter 232 which is a charge upon the state
32 under section 232.141, subsection 4.

33 f. Of the funding allocated in this subsection, not more
34 than \$100,000 may be used by the judicial branch for
35 administration of the requirements under this subsection and

1 for travel associated with court-ordered placements which are
2 a charge upon the state pursuant to section 232.141,
3 subsection 4.

4 15. a. Of the funding appropriated in this section,
5 \$4,758,000 is allocated to provide school-based supervision of
6 children adjudicated under chapter 232, including not more
7 than \$580,000 from the allocation in this section for court-
8 ordered services. Not more than \$15,000 of the funding
9 allocated in this subsection may be used for the purpose of
10 training.

11 b. To the extent possible, the personnel providing school-
12 based services shall be prepared with training or experience
13 relating to gender-specific programming to best intervene with
14 youth at risk of being found delinquent or determined to be a
15 child in need of assistance.

16 16. Of the moneys appropriated in this section, up to
17 \$50,000 may be used to support the child welfare services work
18 group.

19 17. Of the funds appropriated in this section, \$688,167
20 shall be used to provide day treatment and aftercare services
21 to juvenile females based upon a total of 100 slots, with an
22 average cost of \$41 per day, for the school year and summer
23 school period. Funding shall be distributed in an equitable
24 manner, geographically, throughout the state and shall be
25 distributed proportionately to reflect actual service need.

26 18. The department shall maximize the capacity to draw
27 federal funding under Title IV-E of the federal Social
28 Security Act.

29 19. The department of human services shall convene a work
30 group to determine the most appropriate methodology and manner
31 for payment for services provided by psychiatric medical
32 institutions for children (PMICs) funded under this section.
33 The work group shall include representatives of providers of
34 such services, shall be geographically balanced, and shall be
35 representative of both large and small providers. The work

1 group's review shall include, at a minimum, retaining the
 2 current reimbursement methodology, providing reimbursement
 3 through the Iowa plan for behavioral health, providing
 4 reimbursement and supervision through the rehabilitative
 5 treatment and supported services program, or incorporating
 6 PMIC services into a revised service system developed pursuant
 7 to the recommendations of the legislative council's child
 8 welfare services work group. A priority in any determination
 9 shall be ensuring that the current level of federal financial
 10 participation is maintained at the maximum level. A final
 11 determination of the most appropriate methodology and manner
 12 for payment shall be made and implemented no later than
 13 December 10, 2000. The director of the department of human
 14 services shall inform the general assembly of the final
 15 determination no later than December 15, 2000.

16 20. Of the funds appropriated in this section, \$118,642 is
 17 allocated as the state match for the federal safe and stable
 18 families grant available under Title IV-B of the federal
 19 Social Security Act and this allocation shall not be used,
 20 transferred, expended, or encumbered for any other purpose.

21 21. a. Notwithstanding section 234.39, subsection 5, and
 22 notwithstanding section 8.33, \$131,000 of the moneys
 23 appropriated in 1999 Iowa Acts, chapter 203, section 15,
 24 subsection 9, for the subsidized guardianship program shall
 25 not revert at the close of the fiscal year but shall remain
 26 available in the succeeding fiscal year to be expended for the
 27 purposes of this section.

28 b. Notwithstanding section 8.33, any moneys transferred
 29 pursuant to 1999 Iowa Acts, chapter 203, section 15,
 30 subsection 20, paragraph "c", remaining unexpended or
 31 unobligated at the close of the fiscal year shall not revert,
 32 but shall remain available in the succeeding fiscal year to be
 33 expended to complete the child welfare results-based reporting
 34 mechanism.

35 Sec. 16. COMMUNITY-BASED PROGRAMS -- ADOLESCENT PREGNANCY

1 PREVENTION. There is appropriated from the general fund of
2 the state to the department of human services for the fiscal
3 year beginning July 1, 2000, and ending June 30, 2001, the
4 following amount, or so much thereof as is necessary, to be
5 used for the purpose designated:

6 For community-based programs, on the condition that family
7 planning services are funded, including salaries, support,
8 maintenance, and miscellaneous purposes and for not more than
9 the following full-time equivalent positions:

10	\$	280,228
11	FTE	1.00

12 1. Funds appropriated in this section shall be used to
13 provide adolescent pregnancy prevention grants which comply
14 with the requirements provided in 1997 Iowa Acts, chapter 208,
15 section 14, subsections 1 and 2, and shall emphasize programs
16 which target the middle school level.

17 2. It is the intent of the general assembly that the
18 department of human services and the Iowa department of public
19 health shall continue to identify existing abstinence
20 education or community-based programs which comply with the
21 requirements established in section 912, subchapter V, of the
22 federal Social Security Act, as codified in 42 U.S.C. § 701 et
23 seq. for the matching of federal funds.

24 Sec. 17. FAMILY SUPPORT SUBSIDY PROGRAM. There is
25 appropriated from the general fund of the state to the
26 department of human services for the fiscal year beginning
27 July 1, 2000, and ending June 30, 2001, the following amount,
28 or so much thereof as is necessary, to be used by the division
29 of children and family services for the purpose designated:

30 For the family support subsidy program:		
31	\$	2,028,215

32 The department may use up to \$267,000 of the moneys
33 appropriated in this section to continue the children-at-home
34 program in current counties and to expand to two new counties,
35 of which not more than \$20,000 shall be used for

1 administrative costs.

2 Sec. 18. CONNER DECREE. There is appropriated from the
3 general fund of the state to the department of human services
4 for the fiscal year beginning July 1, 2000, and ending June
5 30, 2001, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:

7 For building community capacity through the coordination
8 and provision of training opportunities in accordance with the
9 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
10 Iowa, July 14, 1994):

11 \$ 46,000

12 Sec. 19. MENTAL HEALTH INSTITUTES. There is appropriated
13 from the general fund of the state to the department of human
14 services for the fiscal year beginning July 1, 2000, and
15 ending June 30, 2001, the following amounts, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 1. For the state mental health institute at Cherokee for
19 salaries, support, maintenance, and miscellaneous purposes and
20 for not more than the following full-time equivalent
21 positions:

22 \$ 12,782,425

23 FTEs 249.24

24 2. For the state mental health institute at Clarinda for
25 salaries, support, maintenance, and miscellaneous purposes and
26 for not more than the following full-time equivalent
27 positions:

28 \$ 7,219,958

29 FTEs 138.59

30 3. For the state mental health institute at Independence
31 for salaries, support, maintenance, and miscellaneous purposes
32 and for not more than the following full-time equivalent
33 positions:

34 \$ 17,448,229

35 FTEs 347.89

1 The state mental health institute at Independence shall
2 continue the 30 psychiatric medical institution for children
3 (PMIC) beds authorized in section 135H.6, in a manner which
4 results in no net state expenditure amount in excess of the
5 amount appropriated in this lettered paragraph. Counties are
6 not responsible for the costs of PMIC services described in
7 this subsection. Subject to the approval of the department,
8 with the exception of revenues required under section 249A.11
9 to be credited to the appropriation in this Act for medical
10 assistance, revenues attributable to the PMIC beds described
11 in this subsection for the fiscal year beginning July 1, 2000,
12 and ending June 30, 2001, shall be deposited in the
13 institute's account, including but not limited to any of the
14 following revenues:

- 15 a. The federal share of medical assistance revenue
- 16 received under chapter 249A.
- 17 b. Moneys received through client participation.
- 18 c. Any other revenues directly attributable to the PMIC
- 19 beds.

20 4. For the state mental health institute at Mount Pleasant
21 for salaries, support, maintenance, and miscellaneous purposes
22 and for not more than the following full-time equivalent
23 positions:

24	\$	5,357,453
25	FTEs	109.83

26 a. Funding is provided in this subsection for the mental
27 health institute at Mount Pleasant to continue the dual
28 diagnosis mental health and substance abuse program on a net
29 budgeting basis in which 50 percent of the actual per diem and
30 ancillary services costs are chargeable to the patient's
31 county of legal settlement or as a state case, as appropriate.
32 Subject to the approval of the department, revenues
33 attributable to the dual diagnosis program for the fiscal year
34 beginning July 1, 2000, and ending June 30, 2001, shall be
35 deposited in the institute's account, including but not

1 limited to all of the following revenues:

2 (1) Moneys received by the state from billings to counties
3 under section 230.20.

4 (2) Moneys received from billings to the Medicare program.

5 (3) Moneys received from a managed care contractor
6 providing services under contract with the department or any
7 private third-party payer.

8 (4) Moneys received through client participation.

9 (5) Any other revenues directly attributable to the dual
10 diagnosis program.

11 b. The following additional provisions are applicable in
12 regard to the dual diagnosis program:

13 (1) A county may split the charges between the county's
14 mental health, mental retardation, and developmental
15 disabilities services fund and the county's budget for
16 substance abuse expenditures.

17 (2) If an individual is committed to the custody of the
18 department of corrections at the time the individual is
19 referred for dual diagnosis treatment, the department of
20 corrections shall be charged for the costs of treatment.

21 (3) Prior to an individual's voluntary admission for dual
22 diagnosis treatment, the individual shall have been screened
23 through a county's single entry point process to determine the
24 appropriateness of the treatment.

25 (4) A county shall not be chargeable for the costs of
26 treatment for an individual enrolled in and authorized by or
27 decertified by a managed behavioral care plan under the
28 medical assistance program.

29 5. Within the funds appropriated in this section, the
30 department may transfer funds as necessary to best fulfill the
31 needs of the institutions provided for in the appropriation.

32 6. As part of the discharge planning process at the state
33 mental health institutes, the department shall provide
34 assistance in obtaining eligibility for federal supplemental
35 security income (SSI) to those individuals whose care at a

1 state mental health institute is the financial responsibility
2 of the state.

3 7. Each state mental health institute shall continue the
4 net budgeting accounting test of managing revenues and
5 expenditures attributable to the mental health institute in a
6 manner that permits the net state expenditure amount to be
7 determined. Each mental health institute shall submit a
8 status report in October 2000 to the governor and to the
9 persons required to be submitted reports by this Act. The
10 status report shall identify advantages and disadvantages of
11 utilizing the net budgeting approach and any changes in policy
12 or statute recommended to improve implementation of the
13 approach.

14 Sec. 20. STATE HOSPITAL-SCHOOLS. There is appropriated
15 from the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2000, and
17 ending June 30, 2001, the following amounts, or so much
18 thereof as is necessary, to be used for the purposes
19 designated:

20 1. For the state hospital-school at Glenwood for salaries,
21 support, maintenance, and miscellaneous purposes and for not
22 more than the following full-time equivalent positions:

23	\$	2,504,791
24	FTEs	877.75

25 2. For the state hospital-school at Woodward for salaries,
26 support, maintenance, and miscellaneous purposes and for not
27 more than the following full-time equivalent positions:

28	\$	1,708,814
29	FTEs	676.76

30 3. a. The department shall continue operating the state
31 hospital-schools at Glenwood and Woodward with a net general
32 fund appropriation. The amounts allocated in this section are
33 the net amounts of state moneys projected to be needed for the
34 state hospital-schools. The purposes of operating with a net
35 general fund appropriation are to encourage the state

1 hospital-schools to operate with increased self-sufficiency,
 2 to improve quality and efficiency, and to support
 3 collaborative efforts between the state hospital-schools and
 4 counties and other funders of services available from the
 5 hospital-schools. The state hospital-schools shall not be
 6 operated under the net appropriation in a manner which results
 7 in a cost increase to the state or cost shifting between the
 8 state, the medical assistance program, counties, or other
 9 sources of funding for the state hospital-schools. Moneys
 10 allocated in subsection 1 may be used throughout the fiscal
 11 year in the manner necessary for purposes of cash flow
 12 management, and for purposes of cash flow management the state
 13 hospital-schools may temporarily draw more than the amount
 14 allocated, provided the amount allocated is not exceeded at
 15 the close of the fiscal year.

16 b. Subject to the approval of the department, except for
 17 revenues under section 249A.11, revenues attributable to the
 18 state hospital-schools for the fiscal year beginning July 1,
 19 2000, shall be deposited into each state hospital-school's
 20 account, including but not limited to all of the following:

- 21 (1) Moneys received by the state from billings to counties
 22 under section 222.73.
- 23 (2) The federal share of medical assistance revenue
 24 received under chapter 249A.
- 25 (3) Federal Medicare program payments.
- 26 (4) Moneys received from client financial participation.
- 27 (5) Other revenues generated from current, new, or
 28 expanded services which the state hospital-school is
 29 authorized to provide.

30 c. For the purposes of allocating the salary adjustment
 31 fund moneys appropriated in another Act, the state hospital-
 32 schools shall be considered to be funded entirely with state
 33 moneys.

34 d. Notwithstanding section 8.33, up to \$500,000 of a state
 35 hospital-school's revenues that remain unencumbered or

1 unobligated at the close of the fiscal year shall not revert
2 but shall remain available to be used in the succeeding fiscal
3 year.

4 4. Within the funds appropriated in this section, the
5 department may transfer funds as necessary to best fulfill the
6 needs of the institutions provided for in the appropriation.

7 5. The department may continue to bill for state hospital-
8 school services utilizing a scope of services approach used
9 for private providers of ICFMR services, in a manner which
10 does not shift costs between the medical assistance program,
11 counties, or other sources of funding for the state hospital-
12 schools.

13 6. The state hospital-schools may expand the time limited
14 assessment and respite services during the fiscal year.

15 Sec. 21. MENTAL ILLNESS SPECIAL SERVICES. There is
16 appropriated from the general fund of the state to the
17 department of human services for the fiscal year beginning
18 July 1, 2000, and ending June 30, 2001, the following amount,
19 or so much thereof as is necessary, to be used for the purpose
20 designated:

21 For mental illness special services:
22 \$ 121,220

23 1. The department and the Iowa finance authority shall
24 continue the financing for existing community-based facilities
25 and the financing for the development of affordable community-
26 based housing facilities. The department shall assure that
27 clients are referred to the housing as it is developed.

28 2. The funds appropriated in this section are to provide
29 funds for construction and start-up costs to develop community
30 living arrangements to provide for persons with mental illness
31 who are homeless. These funds may be used to match federal
32 Stewart B. McKinney Homeless Assistance Act grant funds.

33 Sec. 22. SPECIAL NEEDS GRANTS. There is appropriated from
34 the general fund of the state to the department of human
35 services for the fiscal year beginning July 1, 2000, and

1 ending June 30, 2001, the following amount, or so much thereof
2 as is necessary, to be used for the purpose designated:

3 To provide special needs grants to families with a family
4 member at home who has a developmental disability or to a
5 person with a developmental disability:

6 \$ 53,212

7 Grants must be used by a family to defray special costs of
8 caring for the family member to prevent out-of-home placement
9 of the family member or to provide for independent living
10 costs. The grants may be administered by a private nonprofit
11 agency which serves people statewide provided that no
12 administrative costs are received by the agency.

13 Sec. 23. MI/MR/DD STATE CASES. There is appropriated from
14 the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2000, and
16 ending June 30, 2001, the following amount, or so much thereof
17 as is necessary, to be used for the purpose designated:

18 For purchase of local services for persons with mental
19 illness, mental retardation, and developmental disabilities
20 where the client has no established county of legal
21 settlement:

22 \$ 13,800,000

23 If a county has a county management plan which is approved
24 by the director of human services pursuant to section 331.439,
25 the services paid for under this section are exempt from the
26 department's purchase of service system requirements. The
27 department shall adopt rules to implement the provisions of
28 this paragraph.

29 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
30 COMMUNITY SERVICES FUND. There is appropriated from the
31 general fund of the state to the mental health and
32 developmental disabilities community services fund created in
33 section 225C.7 for the fiscal year beginning July 1, 2000, and
34 ending June 30, 2001, the following amount, or so much thereof
35 as is necessary, to be used for the purpose designated:

1 For mental health and developmental disabilities community
2 services in accordance with this Act:

3 \$ 19,560,000

4 1. Of the funds appropriated in this section, \$19,530,000
5 shall be allocated to counties for funding of community-based
6 mental health and developmental disabilities services. The
7 moneys shall be allocated to a county as follows:

8 a. Fifty percent based upon the county's proportion of the
9 state's population of persons with an annual income which is
10 equal to or less than the poverty guideline established by the
11 federal office of management and budget.

12 b. Fifty percent based upon the county's proportion of the
13 state's general population.

14 2. a. A county shall utilize the funding the county
15 receives pursuant to subsection 1 for services provided to
16 persons with a disability, as defined in section 225C.2.
17 However, no more than 50 percent of the funding shall be used
18 for services provided to any one of the service populations.

19 b. A county shall use at least 50 percent of the funding
20 the county receives under subsection 1 for contemporary
21 services provided to persons with a disability, as described
22 in rules adopted by the department.

23 3. Of the funds appropriated in this section, \$30,000
24 shall be used to support the Iowa compass program providing
25 computerized information and referral services for Iowans with
26 disabilities and their families.

27 4. a. Funding appropriated for purposes of the federal
28 social services block grant is allocated for distribution to
29 counties for local purchase of services for persons with
30 mental illness or mental retardation or other developmental
31 disability.

32 b. The funds allocated in this subsection shall be
33 expended by counties in accordance with the county's approved
34 county management plan. A county without an approved county
35 management plan shall not receive allocated funds until the

1 county's management plan is approved.

2 c. The funds provided by this subsection shall be
3 allocated to each county as follows:

4 (1) Fifty percent based upon the county's proportion of
5 the state's population of persons with an annual income which
6 is equal to or less than the poverty guideline established by
7 the federal office of management and budget.

8 (2) Fifty percent based upon the amount provided to the
9 county for local purchase of services in the preceding fiscal
10 year.

11 5. A county is eligible for funds under this section if
12 the county qualifies for a state payment as described in
13 section 331.439.

14 Sec. 25. PERSONAL ASSISTANCE. There is appropriated from
15 the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2000, and
17 ending June 30, 2001, the following amount, or so much thereof
18 as is necessary, to be used for the purpose designated:

19 For continuation of a pilot project for the personal
20 assistance services program in accordance with this section:
21 \$ 364,000

22 1. The funds appropriated in this section shall be used to
23 continue the pilot project for the personal assistance
24 services program under section 225C.46 in an urban and a rural
25 area. Not more than \$36,400 shall be used for administrative
26 costs. The pilot project and any federal home and community-
27 based waiver developed under the medical assistance program
28 shall not be implemented in a manner which would require
29 additional county or state costs for assistance provided to an
30 individual served under the pilot project or the waiver.

31 2. It is the intent of the general assembly that for any
32 new applicants for personal assistance, priority shall be
33 given to providing assistance to individuals for education,
34 job training, and other forms of employment support. It is
35 also the intent of the general assembly that if other programs

3222

1 become available which provide similar services, current
2 recipients of personal assistance for whom these similar
3 services are appropriate shall be assisted in attaining
4 eligibility for these programs.

5 3. Notwithstanding section 8.33, moneys appropriated in
6 this section that remain unencumbered or unobligated at the
7 close of the fiscal year shall not revert but shall remain
8 available to provide personal assistance payments until the
9 close of the succeeding fiscal year.

10 Sec. 26. SEXUALLY VIOLENT PREDATORS.

11 1. There is appropriated from the general fund of the
12 state to the department of human services for the fiscal year
13 beginning July 1, 2000, and ending June 30, 2001, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 For costs associated with the commitment and treatment of
17 sexually violent predators including costs of legal services
18 and other associated costs, including salaries, support,
19 maintenance, and miscellaneous purposes and for not more than
20 the following full-time equivalent positions:

21	\$	1,177,366
22	FTEs	20.00

23 2. Notwithstanding section 8.33, \$250,000 of the moneys
24 appropriated in 1999 Iowa Acts, chapter 203, section 30, that
25 remain unexpended or unobligated at the close of the fiscal
26 year shall not revert but shall remain available in the
27 succeeding fiscal year to be used for the purposes of this
28 section.

29 Sec. 27. FIELD OPERATIONS. There is appropriated from the
30 general fund of the state to the department of human services
31 for the fiscal year beginning July 1, 2000, and ending June
32 30, 2001, the following amounts, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 1. For field operations, including salaries, support,
35 maintenance, and miscellaneous purposes and for not more than

1 the following full-time equivalent positions:

2 \$ 44,222,546

3 FTEs 1,921.50

4 Priority in filling full-time equivalent positions shall be
5 given to those positions related to child protection services.

6 2. For regional offices, including salaries, support,
7 maintenance, and miscellaneous purposes and for not more than
8 the following full-time equivalent positions:

9 \$ 5,659,370

10 FTEs 154.50

11 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
12 from the general fund of the state to the department of human
13 services for the fiscal year beginning July 1, 2000, and
14 ending June 30, 2001, the following amount, or so much thereof
15 as is necessary, to be used for the purpose designated:

16 For general administration, including salaries, support,
17 maintenance, and miscellaneous purposes and for not more than
18 the following full-time equivalent positions:

19 \$ 13,423,100

20 FTEs 366.00

21 1. Of the funds appropriated in this section, \$57,000 is
22 allocated for the prevention of disabilities policy council
23 established in section 225B.3.

24 2. Of the funds appropriated in this section, \$129,971 for
25 the fiscal year beginning July 1, 2000, shall be transferred
26 to the state university of Iowa for the university-affiliated
27 program for the support of Iowa creative employment options
28 (CEO).

29 3. If an expenditure reduction or other cost-saving
30 measure is deemed necessary to maintain expenditures within
31 the amount appropriated to the department in this section, the
32 department shall not implement the reduction or other measure
33 in a manner which reduces service funding for disability
34 rehabilitation programs, including but not limited to,
35 statewide supported employment programs.

1 4. Beginning July 1, 2000, the department shall terminate
2 the lease of office space used for consolidated data
3 management staff, in Des Moines, originally used for the X-
4 PERT program.

5 5. The number of full-time equivalent positions authorized
6 in this section includes a reduction of all but one of the
7 full-time equivalent positions previously assigned to the
8 state-county assistance team. The remaining one full-time
9 equivalent position that is assigned to the state-county
10 assistance team shall provide staffing services to the state-
11 county management committee.

12 Sec. 29. VOLUNTEERS. There is appropriated from the
13 general fund of the state to the department of human services
14 for the fiscal year beginning July 1, 2000, and ending June
15 30, 2001, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:

17 For development and coordination of volunteer services:
18 \$ 118,250

19 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
20 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
21 DEPARTMENT OF HUMAN SERVICES.

22 1. a. For the fiscal year beginning July 1, 2000, the
23 rate for skilled nursing facilities shall remain at the rates
24 in effect on June 30, 2000.

25 b. For the fiscal year beginning July 1, 2000, the
26 dispensing fee for pharmacists shall remain at the rate in
27 effect on June 30, 2000. The reimbursement policy for drug
28 product costs shall be in accordance with federal
29 requirements.

30 c. For the fiscal year beginning July 1, 2000,
31 reimbursement rates for inpatient and outpatient hospital
32 services shall remain at the rates in effect on June 30, 2000.
33 The department shall continue the outpatient hospital
34 reimbursement system based upon ambulatory patient groups
35 implemented pursuant to 1994 Iowa Acts, chapter 1186, section

1 25, subsection 1, paragraph "f". In addition, the department
 2 shall continue the revised medical assistance payment policy
 3 implemented pursuant to that paragraph to provide
 4 reimbursement for costs of screening and treatment provided in
 5 the hospital emergency room if made pursuant to the
 6 prospective payment methodology developed by the department
 7 for the payment of outpatient services provided under the
 8 medical assistance program.

9 d. Reimbursement rates for rural health clinics, hospices,
 10 independent laboratories, and acute mental hospitals shall be
 11 increased in accordance with increases under the federal
 12 Medicare program or as supported by their Medicare audited
 13 costs.

14 e. Reimbursement rates for home health agencies shall
 15 remain at the rates in effect on June 30, 2000.

16 f. Federally qualified health centers shall receive cost-
 17 based reimbursement for 100 percent of the reasonable costs
 18 for the provision of services to recipients of medical
 19 assistance.

20 g. Beginning July 1, 2000, the reimbursement rates for
 21 dental services shall remain at the rates in effect on June
 22 30, 2000.

23 h. Beginning July 1, 2000, the reimbursement rates for
 24 community mental health centers shall be increased by 16.63
 25 percent over the rates in effect on June 30, 2000.

26 i. For the fiscal year beginning July 1, 2000, unless
 27 otherwise specified in this Act, all noninstitutional medical
 28 assistance provider reimbursement rates shall remain at the
 29 rates in effect on June 30, 2000.

30 2. a. The basis for establishing the maximum medical
 31 assistance reimbursement rate for nursing facilities shall be
 32 the 70th percentile of facility costs as calculated from the
 33 June 30, 2000, unaudited compilation of cost and statistical
 34 data submitted by each facility on medical assistance cost
 35 reports. A facility which does not have a current cost report

1 on file with the department as of June 30, 2000, shall
2 continue to receive the per diem rate in effect for that
3 facility on June 30, 2000, until the facility's costs are
4 above that rate or until June 30, 2001, whichever is earlier.
5 A facility shall submit semiannual cost reports beginning July
6 1, 2000, or after, based on the closing date of the facility's
7 fiscal year.

8 b. To the extent funds are available within the amount
9 projected for reimbursement of nursing facilities within the
10 appropriation for medical assistance in this Act for the
11 fiscal year beginning July 1, 2000, and within the
12 appropriation for medical assistance as a whole for the fiscal
13 year beginning July 1, 2000, the department shall adjust the
14 maximum medical assistance reimbursement for nursing
15 facilities to the 70th percentile, as calculated from the
16 December 31, 2000, unaudited compilation of cost and
17 statistical data for only those nursing facilities which
18 provide additional written documentation in a cost report
19 which demonstrates increased expenditures for direct care in
20 the form of wages during a cost reporting period in that
21 fiscal year. In order to be eligible for the increased
22 reimbursement, a nursing facility must submit the cost report
23 with the additional documentation by June 30, 2001. To the
24 extent possible, the additional written documentation shall be
25 obtained from the expanded cost report information submitted
26 by nursing facilities. Any adjustment shall take effect
27 January 1, 2001.

28 c. The cost report shall also include a line itemization
29 of in-home office expenses within the administrative cost line
30 item.

31 3. For the fiscal year beginning July 1, 2000, the maximum
32 cost reimbursement rate for residential care facilities
33 reimbursed by the department shall not be less than \$24.26 per
34 day for the time period of July 1, 2000, through June 30,
35 2001. The flat reimbursement rate for facilities electing not

1 to file semiannual cost reports shall not be less than \$17.36
2 per day for the time period of July 1, 2000, through June 30,
3 2001.

4 4. For the fiscal year beginning July 1, 2000, the maximum
5 reimbursement rate for providers reimbursed under the in-home
6 health-related care program shall not be less than \$466.49 per
7 month for the time period of July 1, 2000, through June 30,
8 2001.

9 5. Unless otherwise directed in this section, when the
10 department's reimbursement methodology for any provider
11 reimbursed in accordance with this section includes an
12 inflation factor, this factor shall not exceed the amount by
13 which the consumer price index for all urban consumers
14 increased during the calendar year ending December 31, 1999.

15 6. Notwithstanding section 234.38, in the fiscal year
16 beginning July 1, 2000, the foster family basic daily
17 maintenance rate and the maximum adoption subsidy rate for
18 children ages 0 through 5 years shall be \$14.00, the rate for
19 children ages 6 through 11 years shall be \$14.78, the rate for
20 children ages 12 through 15 years shall be \$16.53, and the
21 rate for children ages 16 and older shall be \$16.53.

22 7. For the fiscal year beginning July 1, 2000, the maximum
23 reimbursement rates for adoption and independent living
24 services shall remain at the rates in effect on June 30, 2000.
25 The maximum reimbursement rates for other social service
26 providers shall remain at the rates in effect on June 30,
27 2000. However, the rates may be adjusted under any of the
28 following circumstances:

29 a. If a new service was added after June 30, 2000, the
30 initial reimbursement rate for the service shall be based upon
31 actual and allowable costs.

32 b. If a social service provider loses a source of income
33 used to determine the reimbursement rate for the provider, the
34 provider's reimbursement rate may be adjusted to reflect the
35 loss of income, provided that the lost income was used to

1 support actual and allowable costs of a service purchased
2 under a purchase of service contract.

3 c. The department revises the reimbursement rates as part
4 of the changes in the mental health and developmental
5 disabilities services system initiated pursuant to 1995 Iowa
6 Acts, chapter 206, and associated legislation.

7 8. The group foster care reimbursement rates paid for
8 placement of children out-of-state shall be calculated
9 according to the same rate-setting principles as those used
10 for in-state providers unless the director determines that
11 appropriate care cannot be provided within the state. The
12 payment of the daily rate shall be based on the number of days
13 in the calendar month in which service is provided.

14 9. For the fiscal year beginning July 1, 2000, the
15 reimbursement rates for rehabilitative treatment and support
16 services providers shall remain at the rates in effect on June
17 30, 2000.

18 10. For the fiscal year beginning July 1, 2000, the
19 combined service and maintenance components of the
20 reimbursement rate paid to a shelter care provider shall be
21 based on the cost report submitted to the department. The
22 maximum reimbursement rate shall be \$79.70 per day. If the
23 department would reimburse the provider at less than the
24 maximum rate but the provider's cost report justifies a rate
25 of at least \$79.70, the department shall readjust the
26 provider's reimbursement rate to the maximum reimbursement
27 rate.

28 11. For the fiscal year beginning July 1, 2000, the
29 department shall calculate reimbursement rates for
30 intermediate care facilities for persons with mental
31 retardation at the 80th percentile.

32 12. For the fiscal year beginning July 1, 2000, for child
33 care providers, the department shall set provider
34 reimbursement rates based on the rate reimbursement survey
35 completed in December 1998. The department shall set rates in

1 a manner so as to provide incentives for a nonregistered
2 provider to become registered.

3 13. Effective July 1, 2000, the maximum reimbursement rate
4 for psychiatric medical institutions for children (PMICs)
5 shall be increased to \$145.74 per day, based on per day rates
6 for actual costs on June 30, 2000.

7 14. For the fiscal year beginning July 1, 2000,
8 reimbursements for providers reimbursed by the department of
9 human services may be modified if appropriated funding is
10 allocated for that purpose from the senior living trust fund
11 created in section 249H.4, as enacted in 2000 Iowa Acts,
12 Senate File 2193, or as specified in appropriations from the
13 tobacco settlement fund created in section 12.65.

14 15. The department may adopt emergency rules to implement
15 this section.

16 Sec. 31. MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY --

17 DEPOSIT AND APPROPRIATION. Notwithstanding the deposit
18 provisions of sections 321.218A and 321A.32A, moneys collected
19 during the fiscal year beginning July 1, 2000, and ending June
20 30, 2001, by the state department of transportation pursuant
21 to those sections shall be deposited to the credit of the
22 department of human services for the fiscal year beginning
23 July 1, 2000, and ending June 30, 2001, and are appropriated
24 as follows:

25 1. An amount equal to ten percent of the costs of the
26 establishment, improvement, operation, and maintenance of
27 county or multicounty juvenile detention homes in the fiscal
28 year beginning July 1, 1999. Moneys appropriated in this
29 subsection shall be allocated among eligible detention homes,
30 prorated on the basis of an eligible detention home's
31 proportion of the costs of all eligible detention homes in the
32 fiscal year beginning July 1, 1999. Notwithstanding section
33 232.142, subsection 3, the financial aid payable by the state
34 under that provision for the fiscal year beginning July 1,
35 2000, shall be limited to the amount appropriated for the

1 purposes of this subsection.

2 2. For renewal of a grant to a county with a population
3 between 168,000 and 175,000 for implementation of the county's
4 runaway treatment plan under section 232.195:

5 \$ 80,000

6 3. For grants to counties implementing a runaway treatment
7 plan under section 232.195.

8 4. The remainder for additional allocations to county or
9 multicounty juvenile detention homes, in accordance with the
10 distribution requirements of subsection 1.

11 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
12 section 8.39, for the fiscal year beginning July 1, 2000, if
13 necessary to meet federal maintenance of effort requirements
14 or to transfer federal temporary assistance for needy families
15 block grant funding to be used for purposes of the federal
16 social services block grant or to meet cash flow needs
17 resulting from delays in receiving federal funding, the
18 department of human services may transfer within or between
19 any of the appropriations made in this Act and appropriations
20 in law for the federal social services block grant to the
21 department for the following purposes, provided that the
22 combined amount of state and federal temporary assistance for
23 needy families block grant funding for each appropriation
24 remains the same before and after the transfer:

- 25 1. For the family investment program.
- 26 2. For emergency assistance.
- 27 3. For child care assistance.
- 28 4. For child and family services.
- 29 5. For field operations.
- 30 6. For general administration.
- 31 7. MH/MR/DD/BI community services (local purchase).

32 This section shall not be construed to prohibit existing
33 state transfer authority for other purposes.

34 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
35 fiscal year beginning July 1, 2000, notwithstanding the

1 restrictions in section 239B.11, recovered moneys generated
 2 through fraud and recoupment activities are appropriated to
 3 the department of human services to be used for additional
 4 fraud and recoupment activities performed by the department of
 5 human services or the department of inspections and appeals,
 6 and the department of human services may add not more than
 7 five full-time equivalent positions, in addition to those
 8 authorized in this Act, subject to both of the following
 9 conditions:

10 1. The director of human services determines that the
 11 investment can reasonably be expected to increase recovery of
 12 assistance paid in error, due to fraudulent or nonfraudulent
 13 actions, in excess of the amount recovered in the fiscal year
 14 beginning July 1, 1997.

15 2. The amount expended for the additional fraud and
 16 recoupment activities shall not exceed the amount of the
 17 projected increase in assistance recovered.

18 Sec. 34. FINANCIAL ASSISTANCE SERVICES.

19 1. For purposes of this section, "financial assistance
 20 services" means services or other assistance provided under
 21 one or more of the following programs administered by the
 22 department of human services: family investment program,
 23 PROMISE JOBS program, medical assistance program, food stamp
 24 program, state child care assistance program, refugee cash
 25 assistance program, emergency assistance program, and child
 26 support recovery program.

27 2. During the fiscal year beginning July 1, 2000, and
 28 ending June 30, 2001, the department of human services may
 29 continue to conduct a pilot program or pilot programs for
 30 provisions of financial assistance services.

31 3. Any pilot program conducted in accordance with this
 32 section shall be designed to meet one or more of the following
 33 financial assistance services goals:

34 a. A reduction in paperwork for applicants and recipients
 35 of services, or staff, or both.

3222

1 b. Streamlining or expediting the eligibility
2 determination process, to decrease the length of time it takes
3 to inform applicants for financial assistance services as to
4 the disposition of their request for the services.

5 c. Streamlining or expediting the referral process for
6 family investment program applicants and recipients to other
7 financial assistance services such as PROMISE JOBS or child
8 support recovery, so that referrals can be initiated in a more
9 timely manner in order to help move applicants and recipients
10 more quickly to economic self-sufficiency or toward reduced
11 reliance on government assistance.

12 d. Improved coordination of the management of financial
13 assistance services as applicants for and recipients of the
14 services work toward economic self-sufficiency.

15 e. Identification of policies, procedures, and practices
16 that could be altered or eliminated without materially
17 affecting the desired results for the family assistance
18 services.

19 4. Any pilot program conducted in accordance with this
20 section is subject to the following limitations and
21 parameters:

22 a. Notwithstanding any administrative rule, that is not
23 based in federal law, the department may alter policies,
24 procedures, and practices to waive the administrative rule,
25 that are based in state law, provided that the alterations do
26 not decrease an applicant's or recipient's choice of, or
27 ability to obtain, financial assistance services from the
28 department in comparison with the financial assistance
29 services that would otherwise be available. The department
30 may operate one or more pilot projects under this paragraph,
31 in not more than fourteen counties.

32 b. If the department obtains a waiver of federal law or
33 regulation, the department may alter policies, procedures, and
34 practices that are based in federal law, provided that the
35 alterations do not decrease an applicant's or recipient's

1 choice of, or ability to obtain, financial assistance services
2 from the department in comparison with the financial
3 assistance services that would otherwise be available. The
4 department may operate one or more projects under this
5 paragraph, in not more than fourteen counties.

6 c. In order to facilitate rapid implementation, except as
7 provided in paragraph "d", any pilot program authorized under
8 this section is exempt from the rulemaking procedures and
9 rulemaking requirements of chapter 17A. However, following
10 development of the pilot program, the department shall provide
11 a list of the laws or rules being waived to the chairpersons
12 and ranking members of the joint appropriations subcommittee
13 on human services, the administrative rules review committee,
14 the administrative rules coordinator, the legislative fiscal
15 bureau, and the legislative service bureau. In implementing a
16 pilot program under this section, the department shall take
17 steps to make applicants and recipients of services aware of
18 their choices, expectations, rights, and responsibilities.

19 d. The department shall adopt emergency rules establishing
20 a framework for the pilot projects implemented under this
21 section. The rules shall identify the participating counties,
22 the maximum duration of each pilot project, and generally
23 describe the scope and nature of each pilot project. Within
24 this framework, the department retains broad discretion to
25 revise a pilot project without further rulemaking describing
26 the revision.

27 Sec. 35. CHILD PROTECTION EVALUATION. The department
28 shall fulfill the requirements of 1997 Iowa Acts, chapter 176,
29 section 23, and 1999 Iowa Acts, chapter 203, section 45, for
30 an independent evaluation of the child protection system by
31 including the evaluation elements in its independent review
32 contracted for in the Spring of 2000.

33 Sec. 36. 1999 Iowa Acts, chapter 208, section 1,
34 unnumbered paragraphs 2 and 3, and subsection 4, are amended
35 to read as follows:

1 For distribution to counties of the county mental health,
2 mental retardation, and developmental disabilities allowed
3 growth factor adjustment, in accordance with section 331.438,
4 subsection 2, and section 331.439, subsection 3, and chapter
5 426B:

6 \$ 21,773,602
7 21,273,602

8 The funding appropriated in this section is the allowed
9 growth factor adjustment of ~~1.57~~ percent for fiscal year 2000-
10 2001, and is allocated as follows:

11 4. For deposit in the risk pool created in the property
12 tax relief fund pursuant to section 426B.5, subsection 3:
13 \$ 2,000,000
14 1,500,000

15 Sec. 37. Section 249A.3, subsection 1, paragraph k, Code
16 Supplement 1999, is amended to read as follows:

17 k. Is a pregnant woman or infant whose income is more than
18 the limit prescribed under the federal Medicare Catastrophic
19 Coverage Act of 1988, Pub. L. No. 100-360, § 302, but not more
20 than one two hundred ~~eighty-five~~ percent of the federal
21 poverty level as defined by the most recently revised poverty
22 income guidelines published by the United States department of
23 health and human services.

24 Sec. 38. ARLENE DAYHOFF EDUCATIONAL COMPLEX.

25 1. The general assembly makes the following findings:

26 a. That Arlene H. Dayhoff recognized the important role of
27 good educational and recreational facilities in maintaining
28 the quality of the state training school's work with this
29 state's most troubled youth and worked tirelessly for approval
30 of new facilities.

31 b. That Arlene H. Dayhoff has the distinction of serving
32 during 1987-1997 as chairperson of the council on human
33 services, the primary policymaking body for the department of
34 human services, and having the longest tenure of anyone in
35 that office.

1 c. That Arlene H. Dayhoff is known for her active life in
 2 service activity with her twenty-three years of employment in
 3 the field of nursing and as a volunteer and board member with
 4 many human services and health endeavors, including St. Luke's
 5 hospital and hospital foundation, Iowa commission for the
 6 blind, American red cross, Linn county association for mental
 7 health, and Linn county retarded citizens, and has been
 8 nationally recognized for her leadership by the national
 9 governors' association distinguished service award.

10 d. That following her tenure on the council on human
 11 services, Arlene H. Dayhoff continued her commitment to
 12 troubled children by serving as co-chairperson of the
 13 legislative council's child welfare work group from the work
 14 group's creation in November 1997 through the present time.

15 e. That it is fitting to recognize Arlene H. Dayhoff's
 16 many contributions to improving the lives of children with the
 17 dedication of the new educational and recreational facilities
 18 at the state training school in her name.

19 2. The educational and recreational facilities to be
 20 dedicated in the spring of 2001 at the state training school
 21 in Eldora, Iowa, are named the "Arlene Dayhoff Educational
 22 Complex" in honor of Arlene H. Dayhoff and an appropriate
 23 commemorative plaque shall be placed near the entrance of the
 24 educational complex in recognition of Arlene Dayhoff and the
 25 outstanding contribution she has made to the state training
 26 school and the state of Iowa.

27 Sec. 39. SUBSIDIZED GUARDIANSHIP -- RULES -- CONTINGENCY
 28 -- RETROACTIVITY. The rules adopted pursuant to 441 IAC 204
 29 relating to the subsidized guardianship program shall not be
 30 applicable until such time as funding is appropriated after
 31 July 1, 2000, for this purpose by the general assembly. This
 32 provision is retroactively applicable to April 1, 2000.

33 Sec. 40. EMERGENCY RULES. If specifically authorized by a
 34 provision of this Act, the department of human services or the
 35 mental health and developmental disabilities commission may

3222

1 adopt administrative rules under section 17A.4, subsection 2,
 2 and section 17A.5, subsection 2, paragraph "b", to implement
 3 the provisions and the rules shall become effective
 4 immediately upon filing, unless the effective date is delayed
 5 by the administrative rules review committee, notwithstanding
 6 section 17A.4, subsection 5, and section 17A.8, subsection 9,
 7 or a later effective date is specified in the rules. Any
 8 rules adopted in accordance with this section shall not take
 9 effect before the rules are reviewed by the administrative
 10 rules review committee. Any rules adopted in accordance with
 11 the provisions of this section shall also be published as
 12 notice of intended action as provided in section 17A.4.

13 Sec. 41. REPORTS. Any reports or information required to
 14 be compiled and submitted under this Act shall be submitted to
 15 the chairpersons and ranking members of the joint
 16 appropriations subcommittee on human services, the legislative
 17 fiscal bureau, the legislative service bureau, and to the
 18 caucus staffs on or before the dates specified for submission
 19 of the reports or information.

20 Sec. 42. EFFECTIVE DATES. The following provisions of
 21 this Act, being deemed of immediate importance, take effect
 22 upon enactment:

23 1. Section 1, relating to the social services block grant
 24 supplementation.

25 2. Section 4, subsection 1, paragraph "f", relating to
 26 electronic benefits transfer contracting.

27 3. Section 6, subsection 2, relating to refunds of utility
 28 and rent deposits for emergency assistance recipients.

29 4. Section 8, subsection 15, relating to the pilot project
 30 for continuous eligibility under the medical assistance and
 31 the healthy and well kids in Iowa program.

32 5. Section 15, subsection 2, paragraph "e", relating to
 33 requirements of section 232.143, for the 2000-2001 fiscal
 34 year.

35 6. Section 15, subsection 14, paragraph "a", relating to

- 1 determining allocation of court-ordered services funding.
- 2 7. Section 15, subsection 21, relating to nonreversion of
- 3 certain funding appropriated in 1999 Iowa Acts, chapter 203.
- 4 8. Section 26, subsection 2, relating to nonreversion of
- 5 moneys appropriated in 1999 Iowa Acts, chapter 203, section
- 6 30.
- 7 9. Section 35, relating to an independent evaluation of
- 8 the child protection system.
- 9 10. Section 39, relating to the applicability of certain
- 10 administrative rules involving subsidized guardianship.

11 EXPLANATION

12 This bill makes appropriations for the 2000-2001 fiscal
13 year for the department of human services and includes other
14 appropriations and provisions involving human services and
15 health care.

16 In regard to provider reimbursements, the bill provides
17 that the provider rates may be modified by appropriations from
18 the senior living trust fund, created in Code section 249H.4,
19 Senate File 2193 or in accordance with appropriations from the
20 tobacco settlement fund.

21 The bill continues appropriation of moneys to the
22 department of human services that are collected as a civil
23 penalty for licenses that are suspended, revoked, or barred.
24 The moneys are to be used for allocation to county and
25 multicounty juvenile detention homes, continuation of a grant
26 to a county for implementation of a runaway treatment plan,
27 and for grants to other counties for runaway treatment plans.

28 The bill includes transfer authority as necessary for the
29 department of human services to meet federal maintenance of
30 effort requirements for federal temporary assistance to needy
31 families block grant funding, for federal social services
32 block grant purposes, and for meeting cash flow needs
33 resulting in delays in receiving federal funding.

34 The bill suspends restrictions under current law in Code
35 section 239B.11 and appropriates certain recovered moneys

1 generated through fraud and recoupment activities to the
2 department of human services to be used for additional fraud
3 and recoupment activities.

4 The bill authorizes the department of human services to
5 continue and expand pilot programs for provision of financial
6 assistance services. The bill expands the authorization from
7 eight to 14 counties. Under the pilot project, the department
8 may suspend or waive administrative rules in order to attain
9 various goals stated in the bill. Various reports are
10 required.

11 The bill requires the department to fulfill a requirement
12 in prior law for an independent evaluation of the assessment-
13 based approach to child abuse reports by including the
14 evaluation elements in the independent review contracted for
15 by the department in the spring of 2000. This provision takes
16 effect upon enactment.

17 The bill includes legislative findings and provides that
18 educational and recreational facilities to be dedicated in the
19 spring of 2001 at the state training school in Eldora are to
20 be named the "Arlene Dayhoff Educational Complex".

21 The codified sections in the bill provide for a change in
22 eligibility requirements under the medical assistance program
23 in Code section 249A.3. The bill increases the income limit
24 from 185 percent of the federal poverty level to 200 percent
25 of the federal poverty level for pregnant women and infants
26 under the medical assistance program.

27 The bill also provides immediate effective dates for
28 certain provisions of the bill.

29 The bill provides for retroactive application of the
30 provisions relative to rules adopted for the subsidized
31 guardianship program.

32
33
34
35

S- 3/29/00 *Approp.*
S- 4/3/00 *Do Pass*
FILED MAR 23 '00

REPRINTED

SENATE FILE 2435
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3222)

Passed Senate, Date 3/28/00 (P. 915)
Vote: Ayes 35 Nays 14
Passed House, Date 4-25-00 (P. 1800)
Vote: Ayes 89 Nays 11
Approved 5/17/00
John Redwine

A BILL FOR

1 An Act relating to appropriations for the department of human
2 services and including other provisions and appropriations
3 involving human services and health care, providing effective
4 dates, and providing for retroactive applicability.

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

SENATE FILE 2435

S-5246

1 Amend Senate File 2435 as follows:

- 2 1. Page 22, line 7, by striking the word
- 3 "equitably" and inserting the following: "equally".

By JOHN REDWINE

Lost 3/28/00 (P. 907)
S-5246 FILED MARCH 27, 2000

S.F. 2435

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

1 Section 1. SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.

2 There is appropriated from the fund created in section 8.41 to
3 the department of human services for the fiscal year beginning
4 July 1, 1999, and ending June 30, 2000, from moneys received
5 under the federal temporary assistance for needy families
6 block grant, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:

8 For supplementation of the federal social services block
9 grant appropriation in 1999 Iowa Acts, chapter 193, section
10 12, due to the federal reduction in this block grant and the
11 corresponding decrease pursuant to 1999 Iowa Acts, chapter
12 193, section 16:

13 \$ 1,197,328

14 The moneys appropriated in this section are allocated for
15 the indicated programs and functions within the department as
16 follows:

17 1. General administration:

18 \$ 76,136

19 2. Field operations:

20 \$ 455,372

21 3. Child and family services:

22 \$ 68,111

23 4. Local administrative costs and other local services:

24 \$ 48,294

25 5. Volunteers:

26 \$ 5,278

27 6. Community-based services:

28 \$ 6,069

29 7. MH/MR/DD/BI community services (local purchase):

30 \$ 538,068

31 Sec. 2. EARLY CHILDHOOD FUNDING.

32 1. There is appropriated from the fund created in section
33 8.41 to the department of human services for the specified
34 fiscal years from moneys received under the federal temporary
35 assistance for needy families block grant pursuant to the

1 federal Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996, Pub. L. No. 104-193, the following
3 amounts, or so much thereof as is necessary, to be used for
4 the purposes designated:

5 a. For the fiscal year beginning July 1, 2000, and ending
6 June 30, 2001, for distribution in addition to previously
7 appropriated moneys to fund community-based programs targeted
8 to children from birth through five years of age developed by
9 community empowerment areas:

10 \$ 3,200,000

11 b. For the fiscal year beginning July 1, 2001, and ending
12 June 30, 2002, for distribution in addition to previously
13 appropriated moneys to fund community-based programs targeted
14 to children from birth through five years of age developed by
15 community empowerment areas:

16 \$ 3,200,000

17 2. The appropriation made in 1998 Iowa Acts, chapter 1218,
18 section 2, from the fund created in section 8.41 to the
19 department of human services for the fiscal year beginning
20 July 1, 2000, and ending June 30, 2001, and the appropriation
21 made in subsection 1, paragraph "a", from moneys received
22 under the federal temporary assistance for needy families
23 block grant shall be used for funding of community-based
24 programs targeted to children from birth through five years of
25 age, developed by community empowerment areas as provided in
26 this section.

27 3. The department may transfer federal temporary
28 assistance for needy families block grant funding appropriated
29 and allocated in this section to the child care and
30 development block grant in accordance with federal law as
31 necessary to comply with the provisions of this section. The
32 funding shall then be provided to community empowerment areas
33 for the fiscal year beginning July 1, 2000, in accordance with
34 all of the following:

35 a. The area must be approved as a designated community

1 empowerment area by the Iowa empowerment board.

2 b. The maximum funding amount a community empowerment area
3 is eligible to receive shall be determined by applying the
4 area's percentage of the state's average monthly family
5 investment program population in the preceding fiscal year to
6 the total amount appropriated and allocated in this section
7 for fiscal year 2000-2001. If the community empowerment
8 board's request for funding is received by the Iowa
9 empowerment board on or after August 1, 2000, the maximum
10 funding amount shall be prorated for the fiscal year and
11 rounded up to the nearest full month.

12 c. A community empowerment area receiving funding shall
13 comply with any federal reporting requirements associated with
14 the use of that funding and other results and reporting
15 requirements established by the Iowa empowerment board. The
16 department shall provide technical assistance in identifying
17 and meeting the federal requirements.

18 d. The availability of funding provided under this section
19 is subject to changes in federal requirements and amendments
20 to Iowa law.

21 4. The moneys distributed in accordance with this section
22 shall be used by communities for the purposes of enhancing
23 quality child day care capacity in support of parent
24 capability to obtain or retain employment. The moneys shall
25 be used with a primary emphasis on low-income families and
26 children from birth to five years of age. Moneys shall be
27 provided in a flexible manner to communities, and shall be
28 used to implement strategies identified by the communities to
29 achieve such purposes. The strategies may include but are not
30 limited to developing capacity for regular child day care,
31 sick child care, night shifts child care, and emergency child
32 care; enhancing linkages between the head start and early head
33 start programs, early childhood development programs, and
34 child day care assistance programs; and implementing other
35 strategies to enhance access to child day care. The moneys

1 may be used to either build capacity or for support of ongoing
2 efforts. In addition to the full-time equivalent positions
3 funded in this Act, 1.00 full-time equivalent position is
4 authorized and the department may use funding appropriated in
5 this section for provision of technical assistance and other
6 support to communities developing and implementing strategies
7 with moneys distributed in accordance with this section.

8 5. Moneys which are subject to this section which are not
9 distributed to a community empowerment area or otherwise
10 remain unobligated or unexpended at the end of the fiscal year
11 shall revert to the fund created in section 8.41 to be
12 available for appropriation by the general assembly in a
13 subsequent fiscal year.

14 Sec. 3. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
15 GRANT. There is appropriated from the fund created in section
16 8.41 to the department of human services for the fiscal year
17 beginning July 1, 2000, and ending June 30, 2001, from moneys
18 received under the federal temporary assistance for needy
19 families block grant pursuant to the federal Personal
20 Responsibility and Work Opportunity Reconciliation Act of
21 1996, Pub. L. No. 104-193, which are federally appropriated
22 for the federal fiscal years beginning October 1, 1999, and
23 ending September 30, 2000, and beginning October 1, 2000, and
24 ending September 30, 2001, the following amounts, or so much
25 thereof as is necessary, to be used for the purposes
26 designated:

27 Moneys appropriated in this section shall be used in
28 accordance with the federal law making the funds available,
29 applicable Iowa law, appropriations made from the general fund
30 of the state in this Act for the purpose designated, and
31 administrative rules adopted to implement the federal and Iowa
32 law. If actual federal revenues credited to the fund created
33 in section 8.41 through June 30, 2001, are less than the
34 amounts appropriated in this section, the amounts appropriated
35 shall be reduced proportionately and the department may reduce

1 expenditures as deemed necessary by the department to meet the
2 reduced funding level:

3 1. To be credited to the family investment program account
4 and used for assistance under the family investment program
5 under chapter 239B:

6 \$ 44,035,883

7 2. To be credited to the family investment program account
8 and used for the job opportunities and basic skills (JOBS)
9 program, and implementing family investment agreements, in
10 accordance with chapter 239B:

11 \$ 19,980,113

12 3. For field operations:

13 \$ 12,870,415

14 4. For general administration:

15 \$ 3,227,683

16 5. For local administrative costs:

17 \$ 2,147,358

18 6. For state child care assistance:

19 \$ 20,619,567

20 a. Of the funds appropriated in this subsection, \$500,000
21 shall be used for child care emergency and start-up grants in
22 accordance with this paragraph. The funding allocated in this
23 paragraph shall be used to provide emergency grants to
24 existing licensed or registered child care facilities having
25 negative financial circumstances that will cause the
26 facilities to close without outside assistance. The funding
27 shall also be used to provide start-up funding to develop new
28 licensed or registered child care facilities that will
29 increase the availability of child care slots in communities.
30 The department shall establish criteria for distribution of
31 the grant funding. The criteria shall include a requirement
32 that grant funding is used to further the long-term financial
33 survival of grant recipients, a requirement that funding is
34 targeted to facilities providing essential child care services
35 to low-income families, required disclosure of necessary

1 financial information, establishment of a maximum grant amount
2 and a maximum number of grants to be issued in order to make
3 funding available to as many facilities as possible, and other
4 provisions to ensure appropriate use of the funding.

5 b. Of the funds appropriated in this subsection, \$500,000
6 shall be used for assistance to providers of child care to
7 school-age children in accordance with this paragraph. Moneys
8 allocated in this paragraph shall be used for grants to
9 licensed child care facilities providing care to school-age
10 children as of July 1, 2000. The grants shall be used to
11 increase the number of school-age children served, for
12 expansion of slots, or for transportation costs.

13 c. Of the funds appropriated in this subsection, \$400,000
14 shall be used for provision of educational opportunities to
15 registered child care home providers in order to improve
16 services and programs offered by this category of providers
17 and to increase the number of providers. The department may
18 contract with institutions of higher education or child care
19 resource and referral centers to provide the educational
20 opportunities. Allowable administrative costs under the
21 contracts shall not exceed five percent.

22 d. Of the funds appropriated in this subsection, \$250,000
23 shall be used for grants to child care facilities registered
24 or licensed as of July 1, 2000, or for hospitals licensed as
25 of July 1, 2000, to provide child care to children with an
26 illness who are unable to attend school or a regular child
27 care facility due to their illness. The grant funding
28 allocated in this paragraph shall be used to expand the number
29 of slots in existing child care facilities and in licensed
30 hospitals that provide services to children with an illness.

31 7. For emergency assistance:

32 \$ 2,763,605

33 8. For mental health and developmental disabilities
34 community services:

35 \$ 4,620,848

1 9. For child and family services:
2 \$ 23,586,793

3 10. For child abuse prevention:
4 \$ 731,000

5 11. For pregnancy prevention grants on the condition that
6 family planning services are funded:
7 \$ 2,517,477

8 Pregnancy prevention grants shall be awarded to programs in
9 existence on or before July 1, 2000, if the programs are
10 comprehensive in scope and have demonstrated positive
11 outcomes. Grants shall be awarded to pregnancy prevention
12 programs which are developed after July 1, 2000, if the
13 programs are comprehensive in scope and are based on existing
14 models that have demonstrated positive outcomes. Priority in
15 the awarding of grants shall be given to programs that serve
16 areas of the state which demonstrate the highest percentage of
17 unplanned adolescent pregnancies.

18 12. For technology needs and other resources necessary to
19 meet federal welfare reform reporting, tracking, and case
20 management requirements:
21 \$ 1,006,442

22 13. For supervised community treatment under child and
23 family services:
24 \$ 300,000

25 14. For volunteers:
26 \$ 45,327

27 15. For individual development accounts under chapter
28 541A:
29 \$ 200,000

30 Of the amounts appropriated in this section, \$11,877,714
31 for the fiscal year beginning July 1, 2000, shall be
32 transferred to the appropriation of the federal social
33 services block grant for that fiscal year.

34 Eligible funding available under the federal temporary
35 assistance for needy families block grant that is not

1 appropriated or not otherwise expended shall be considered
2 reserved for economic downturns and welfare reform purposes
3 and is subject to further state appropriation to support
4 families in their movement toward self-sufficiency.

5 Sec. 4. FAMILY INVESTMENT PROGRAM ACCOUNT.

6 1. Moneys credited to the family investment program (FIP)
7 account for the fiscal year beginning July 1, 2000, and ending
8 June 30, 2001, shall be used in accordance with the following
9 requirements:

10 a. The department shall provide assistance in accordance
11 with chapter 239B.

12 b. The department shall continue the special needs program
13 under the family investment program.

14 c. The department shall continue to comply with federal
15 welfare reform data requirements pursuant to the
16 appropriations made for that purpose.

17 d. The department shall continue to contract for services
18 in developing and monitoring an entrepreneurial training
19 program to provide technical assistance to families which
20 receive assistance under the family investment program.

21 e. The department shall continue expansion of the
22 electronic benefit transfer program as necessary to comply
23 with federal requirements. Notwithstanding 1998 Iowa Acts,
24 chapter 1218, section 5, subsection 1, paragraph "d", and 1999
25 Iowa Acts, chapter 203, section 5, subsection 1, paragraph
26 "d", the target date for statewide implementation of the
27 program is October 1, 2002.

28 f. The department, in entering into a contract relating to
29 the equipment to be used in implementation of the electronic
30 benefits transfer program in accordance with section 234.12A,
31 shall only enter into a contract which provides for the use of
32 a card which is compatible with the standards established for
33 electronic transfer of funds under chapter 527 for a multiple-
34 use terminal as defined in section 527.2, and which only
35 provides for receipt of state benefits and entitlements under

1 the purview of the department of human services.

2 2. The department may use a portion of the moneys credited
3 to the family investment account under this section, as
4 necessary for salaries, support, maintenance, and
5 miscellaneous purposes for not more than the following full-
6 time equivalent positions:

7 FTEs 8.00

8 3. The department may transfer funds in accordance with
9 section 8.39, either federal or state, to or from the child
10 care appropriations made for the fiscal year beginning July 1,
11 2000, if the department deems this would be a more effective
12 method of paying for JOBS program child care, to maximize
13 federal funding, or to meet federal maintenance of effort
14 requirements.

15 4. Moneys appropriated in this Act and credited to the
16 family investment program account for the fiscal year
17 beginning July 1, 2000, and ending June 30, 2001, are
18 allocated as follows:

19 a. For the food stamp employment and training program:
20 \$ 250,000

21 b. For the family development and self-sufficiency grant
22 program as provided under section 217.12:
23 \$ 5,697,825

24 (1) Of the funds allocated for the family development and
25 self-sufficiency grant program in this lettered paragraph, not
26 more than 5 percent of the funds shall be used for the
27 administration of the grant program.

28 (2) Based upon the annual evaluation report concerning
29 each grantee funded by previously appropriated funds and
30 through the solicitation of additional grant proposals, the
31 family development and self-sufficiency council may use the
32 allocated funds to renew or expand existing grants or award
33 new grants. In utilizing the increased funding to expand the
34 program, the council shall give consideration, in addition to
35 other criteria established by the council, to a grant

1 proposal's intended use of local funds with a grant and to
2 whether a grant proposal would expand the availability of the
3 program's services to a wider geographic area.

4 (3) Family development and self-sufficiency grantees shall
5 not supplant previous local funding with state or federal
6 funds.

7 (4) The department shall continue to implement the family
8 development and self-sufficiency grant program statewide
9 during FY 2000-2001.

10 c. For income maintenance reengineering:

11 \$ 700,000

12 d. For the diversion program and incentive grants as
13 follows:

14 (1) For the diversion subaccount of the family investment
15 program account:

16 \$ 3,200,000

17 Moneys allocated to the diversion subaccount shall be used
18 to continue the pilot initiative of providing incentives to
19 assist families who meet income eligibility requirements for
20 the family investment program in obtaining or retaining
21 employment, to assist participant families in overcoming
22 barriers to obtaining employment, and to assist families in
23 stabilizing employment and in reducing the likelihood of the
24 family returning to the family investment program. Incentives
25 may be provided in the form of payment or services. The
26 department may limit the availability of the pilot initiative
27 on the basis of geographic area or numbers of individuals
28 provided with incentives. The department shall attempt to
29 assess and screen individuals who would most likely benefit
30 from the services. The department shall continue the
31 diversion initiative in the fiscal year 2000-2001. In
32 addition to the full-time equivalent positions authorized in
33 this Act, 1.00 FTE is authorized and the department may use up
34 to \$50,000 to facilitate community investment in welfare
35 reform and to support continuation of the diversion program.

1 The department may grant diversion moneys to the level of the
2 entity operating an initiative. The department may adopt
3 additional eligibility criteria as necessary for compliance
4 with federal law and for screening those families who would be
5 most likely to become eligible for the family investment
6 program if diversion incentives would not be provided.

7 (2) For continuation of innovative strategies on a
8 statewide or pilot project basis for supporting job retention,
9 family structure, or both, including services to noncustodial
10 parents and young parents:

11 \$ 650,000

12 (3) Of the moneys allocated in subparagraph (2), not more
13 than \$250,000 shall be used to develop or continue community-
14 level parental obligation pilot projects. A pilot project
15 shall be operated with the goal of assisting parents who are
16 living apart in meeting their parental obligations and in
17 supporting their children. A pilot project may also seek to
18 prevent the separation of families by including families at
19 risk of separation in project services. Any pilot project
20 shall maximize the use of existing community resources for
21 family counseling, legal services, mediation, job training and
22 job skills development, substance abuse treatment and
23 prevention, health maintenance, and personal mentoring. Local
24 communities shall also be encouraged to provide financial
25 resources.

26 (a) Notwithstanding any other provision of law to the
27 contrary, the department shall develop procedures for the
28 pilot projects to expedite all of the following:

29 (i) The establishment and adjustment of support
30 obligations, with the consent of both parents, in a manner
31 which may deviate from the child support guidelines.

32 (ii) Changes in income withholding orders based on
33 individual case circumstances.

34 (iii) Satisfaction of a portion of support amounts owed to
35 the state based on cooperation and compliance by the

1 noncustodial parent with project requirements.

2 (iv) Adjustment of visitation and shared custody
3 arrangements in a manner which enhances the ability of each
4 parent to meet parental obligations.

5 (b) The department shall adopt rules for the development,
6 operation, and monitoring of a project; to establish the
7 minimum required amount of community support; to establish
8 expedited procedures; and to establish other criteria and
9 procedures as appropriate.

10 (c) The department shall use the funds authorized in this
11 subparagraph to employ one full-time equivalent position to
12 manage the pilot project or projects. The department shall
13 also use the authorized funds to employ other full-time
14 equivalent positions or to provide services, as necessary, to
15 assist in the coordination, development, and operation of
16 community-level pilot projects and to achieve the expedited
17 procedures established. Any full-time equivalent positions
18 authorized in this subparagraph subdivision are in addition to
19 any other full-time equivalent positions authorized by law.

20 (4) Of the moneys allocated in subparagraph (2), not more
21 than \$200,000 shall be used to continue to study the impact
22 that moving unemployed family investment program parents into
23 employment has on the well-being of the children, the parent,
24 and the family. The department shall include in this well-
25 being study a method of actual contact with the families and
26 children, and shall consider broad-based impacts, such as
27 educational achievement, health status, housing stability,
28 family stability, and use of supportive social services. The
29 department shall also seek funding through foundations and the
30 federal government in order to supplement the funding for this
31 study. The results of the study shall be submitted to the
32 persons required by this Act to receive reports.

33 (5) Of the moneys allocated in subparagraph (2), not more
34 than \$100,000 shall be used for providing additional incentive
35 payments to contracted agencies who demonstrate success at

1 completing well-being visits for families terminated from the
2 family investment program under a limited benefit plan. The
3 department shall use these funds to increase payments to
4 agencies who complete a higher percentage of well-being
5 visits, who achieve a significant percentage of visits in a
6 face-to-face format, or who are able to observe and interact
7 with the children during a significant percentage of visits.

8 5. Of the child support collections assigned under the
9 family investment program, an amount equal to the federal
10 share of support collections shall be credited to the child
11 support recovery appropriation. The remainder of the assigned
12 child support collections received by the child support
13 recovery unit shall be credited to the family investment
14 program account.

15 6. The department may adopt emergency administrative rules
16 for the family investment, food stamp, and medical assistance
17 programs, if necessary, to comply with federal requirements.
18 Prior to adoption of the rules, the department shall consult
19 with the welfare reform council and the chairpersons and
20 ranking members of the joint appropriations subcommittee on
21 human services.

22 7. The department may continue to streamline and simplify
23 the employer verification process for applicants,
24 participants, and employers in the administration of the
25 department's programs. The department may contract with
26 companies collecting data from employers when the information
27 is needed in the administration of these programs. The
28 department may limit the availability of the initiative on the
29 basis of geographic area or number of individuals.

30 Sec. 5. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
31 appropriated from the general fund of the state to the
32 department of human services for the fiscal year beginning
33 July 1, 2000, and ending June 30, 2001, the following amount,
34 or so much thereof as is necessary, to be used for the purpose
35 designated:

1 To be credited to the family investment program account and
2 used for family investment program assistance under chapter
3 239B:

4 \$ 35,545,738

5 1. The department of workforce development, in
6 consultation with the department of human services, shall
7 continue to utilize recruitment and employment practices to
8 include former and current family investment program
9 recipients.

10 2. The department of human services shall continue to work
11 with the department of workforce development and local
12 community collaborative efforts to provide support services
13 for family investment program participants. The support
14 services shall be directed to those participant families who
15 would benefit from the support services and are likely to have
16 success in achieving economic independence.

17 3. Of the funds appropriated in this section, \$9,564,352
18 is allocated for the JOBS program.

19 4. The department shall continue to work with religious
20 organizations and other charitable institutions to increase
21 the availability of host homes, referred to as second chance
22 homes or other living arrangements under the federal Personal
23 Responsibility and Work Opportunity Reconciliation Act of
24 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
25 arrangements is to provide a supportive and supervised living
26 arrangement for minor parents receiving assistance under the
27 family investment program who, under chapter 239B, may receive
28 assistance while living in an alternative setting other than
29 with their parent or legal guardian.

30 Sec. 6. EMERGENCY ASSISTANCE. There is appropriated from
31 the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2000, and
33 ending June 30, 2001, the following amount, or so much thereof
34 as is necessary, to be used for the purpose designated:

35 For emergency assistance to families with dependent

1 children for homeless prevention programs:

2 \$ 10,000

3 1. The emergency assistance provided for in this section
4 and federal moneys appropriated for this purpose in this Act
5 shall be available beginning October 1 of the fiscal year and
6 shall be provided only if all other publicly funded resources
7 have been exhausted. Specifically, emergency assistance is
8 the program of last resort and shall not supplant assistance
9 provided by the low-income home energy assistance program
10 (LIHEAP), county general relief, and veterans affairs
11 programs. The department shall establish a \$500 maximum
12 payment, per family, in a twelve-month period. The emergency
13 assistance includes, but is not limited to, assisting people
14 who face eviction, potential eviction, or foreclosure, utility
15 shutoff or fuel shortage, loss of heating energy supply or
16 equipment, homelessness, utility or rental deposits, or other
17 specified crisis which threatens family or living
18 arrangements. The emergency assistance shall be available to
19 migrant families who would otherwise meet eligibility
20 criteria. The department may contract for the administration
21 and delivery of the program. The program shall be terminated
22 when funds are exhausted.

23 2. For the fiscal year beginning July 1, 2000, the
24 department shall continue the process for the state to receive
25 refunds of utility and rent deposits, including any accrued
26 interest, for emergency assistance recipients which were paid
27 by persons other than the state. The department shall also
28 receive refunds, including any accrued interest, of assistance
29 paid with funding available under this program. The refunds
30 received by the department under this subsection shall be
31 deposited with the moneys of the appropriation made in this
32 section and used as additional funds for the emergency
33 assistance program. Notwithstanding section 8.33, moneys
34 received by the department under this subsection which remain
35 after the emergency assistance program is terminated and state

1 or federal moneys in the emergency assistance account which
2 remain unobligated or unexpended at the close of the fiscal
3 year shall not revert to the general fund of the state but
4 shall remain available for expenditure when the program
5 resumes operation on October 1 in the succeeding fiscal year.

6 3. Of the funds appropriated in this section, \$10,000 is
7 allocated to the community voice mail program to continue the
8 existing program. The funds shall be made available beginning
9 July 1, 2000. The community voice mail program shall submit
10 semiannual reports to the department which, at a minimum,
11 specify, on a county basis, the unduplicated number of
12 households participating in the program for the previous six-
13 month period. The report shall be submitted no later than the
14 last business day of the month immediately following the end
15 of the six-month period.

16 Sec. 7. CHILD SUPPORT RECOVERY. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2000, and
19 ending June 30, 2001, the following amount, or so much thereof
20 as is necessary, to be used for the purposes designated:

21 For child support recovery, including salaries, support,
22 maintenance, and miscellaneous purposes and for not more than
23 the following full-time equivalent positions:

24	\$	6,454,841
25	FTEs	275.22

26 1. The director of human services, within the limitations
27 of the moneys appropriated in this section, or moneys
28 transferred from the family investment program account for
29 this purpose, shall establish new positions and add employees
30 to the child support recovery unit if the director determines
31 that both the current and additional employees together can
32 reasonably be expected to maintain or increase net state
33 revenue at or beyond the budgeted level.

34 2. Nonpublic assistance application fees and other user
35 fees received by the child support recovery unit are

1 appropriated and shall be used for the purposes of the child
2 support recovery program. The director of human services may
3 add positions within the limitations of the amount
4 appropriated for salaries and support for the positions.

5 3. The director of human services, in consultation with
6 the department of management and the legislative fiscal
7 committee, is authorized to receive and deposit state child
8 support incentive earnings in the manner specified under
9 applicable federal requirements.

10 4. a. The director of human services may establish new
11 positions and add state employees to the child support
12 recovery unit or contract for delivery of services if the
13 director determines the employees are necessary to replace
14 county-funded positions eliminated due to termination,
15 reduction, or nonrenewal of a chapter 28E contract. However,
16 the director must also determine that the resulting increase
17 in the state share of child support recovery incentives
18 exceeds the cost of the positions or contract, the positions
19 or contract are necessary to ensure continued federal funding
20 of the program, or the new positions or contract can
21 reasonably be expected to recover at least twice the amount of
22 money necessary to pay the salaries and support for the new
23 positions or the contract will generate at least 200 percent
24 of the cost of the contract.

25 b. Employees in full-time positions that transition from
26 county government to state government employment under this
27 subsection are exempt from testing, selection, and appointment
28 provisions of chapter 19A and from the provisions of
29 collective bargaining agreements relating to the filling of
30 vacant positions.

31 5. If initiated by the judicial branch, the child support
32 recovery unit shall continue to work with the judicial branch
33 to determine the feasibility of implementing a pilot project
34 utilizing a court-appointed referee for judicial
35 determinations on child support matters. The extent and

1 location of any pilot project shall be jointly developed by
2 the judicial branch and the child support recovery unit.

3 6. Surcharges paid by obligors and received by the unit as
4 a result of the referral of support delinquency by the child
5 support recovery unit to any private collection agency are
6 appropriated to the department and shall be used to pay the
7 costs of any contracts with the collection agencies.

8 Sec. 8. MEDICAL ASSISTANCE. There is appropriated from
9 the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2000, and
11 ending June 30, 2001, the following amount, or so much thereof
12 as is necessary, to be used for the purpose designated:

13 For medical assistance, including reimbursement for
14 abortion services, which shall be available under the medical
15 assistance program only for those abortions which are
16 medically necessary:

17 \$422,451,028

18 1. Medically necessary abortions are those performed under
19 any of the following conditions:

20 a. The attending physician certifies that continuing the
21 pregnancy would endanger the life of the pregnant woman.

22 b. The attending physician certifies that the fetus is
23 physically deformed, mentally deficient, or afflicted with a
24 congenital illness.

25 c. The pregnancy is the result of a rape which is reported
26 within 45 days of the incident to a law enforcement agency or
27 public or private health agency which may include a family
28 physician.

29 d. The pregnancy is the result of incest which is reported
30 within 150 days of the incident to a law enforcement agency or
31 public or private health agency which may include a family
32 physician.

33 e. Any spontaneous abortion, commonly known as a
34 miscarriage, if not all of the products of conception are
35 expelled.

1 2. Notwithstanding section 8.39, the department may
2 transfer funds appropriated in this section to a separate
3 account established in the department's case management unit
4 for expenditures required to provide case management services
5 for mental health, mental retardation, and developmental
6 disabilities services under medical assistance which are
7 jointly funded by the state and county, pending final
8 settlement of the expenditures. Funds received by the case
9 management unit in settlement of the expenditures shall be
10 used to replace the transferred funds and are available for
11 the purposes for which the funds were appropriated in this
12 section.

13 3. a. The county of legal settlement shall be billed for
14 50 percent of the nonfederal share of the cost of case
15 management provided for adults, day treatment, and partial
16 hospitalization in accordance with sections 249A.26 and
17 249A.27, and 100 percent of the nonfederal share of the cost
18 of care for adults which is reimbursed under a federally
19 approved home and community-based waiver that would otherwise
20 be approved for provision in an intermediate care facility for
21 persons with mental retardation, provided under the medical
22 assistance program. The state shall have responsibility for
23 the remaining 50 percent of the nonfederal share of the cost
24 of case management provided for adults, day treatment, and
25 partial hospitalization. For persons without a county of
26 legal settlement, the state shall have responsibility for 100
27 percent of the nonfederal share of the costs of case
28 management provided for adults, day treatment, partial
29 hospitalization, and the home and community-based waiver
30 services. The case management services specified in this
31 subsection shall be billed to a county only if the services
32 are provided outside of a managed care contract.

33 b. The state shall pay the entire nonfederal share of the
34 costs for case management services provided to persons 17
35 years of age and younger who are served in a medical

1 assistance home and community-based waiver program for persons
2 with mental retardation.

3 c. Medical assistance funding for case management services
4 for eligible persons 17 years of age and younger shall also be
5 provided to persons residing in counties with child welfare
6 decategorization projects implemented in accordance with
7 section 232.188, provided these projects have included these
8 persons in their service plan and the decategorization project
9 county is willing to provide the nonfederal share of costs.

10 d. When paying the necessary and legal expenses of
11 intermediate care facilities for persons with mental
12 retardation (ICFMR), the cost payment requirements of section
13 222.60 shall be considered fulfilled when payment is made in
14 accordance with the medical assistance payment rates
15 established for ICFMRs by the department and the state or a
16 county of legal settlement is not obligated for any amount in
17 excess of the rates.

18 4. The department shall utilize not more than \$60,000 of
19 the funds appropriated in this section to continue the
20 AIDS/HIV health insurance premium payment program as
21 established in 1992 Iowa Acts, Second Extraordinary Session,
22 Chapter 1001, section 409, subsection 6. Of the funds
23 allocated in this subsection, not more than \$5,000 may be
24 expended for administrative purposes.

25 5. Of the funds appropriated to the Iowa department of
26 public health for substance abuse grants, \$950,000 for the
27 fiscal year beginning July 1, 2000, shall be transferred to
28 the department of human services for an integrated substance
29 abuse managed care system.

30 6. In administering the medical assistance home and
31 community-based waiver for persons with physical disabilities,
32 the total number of openings for persons with physical
33 disabilities served at any one time shall be limited to the
34 number approved in the waiver by the secretary of the United
35 States department of health and human services. The openings

1 shall be available on a first-come, first-served basis.

2 7. The department of human services, in consultation with
3 the Iowa department of public health and the department of
4 education, shall continue the program to utilize the early and
5 periodic screening, diagnosis, and treatment (EPSDT) funding
6 under medical assistance, to the extent possible, to implement
7 the screening component of the EPSDT program through the
8 school system. The department may enter into contracts to
9 utilize maternal and child health centers, the public health
10 nursing program, or school nurses in implementing this
11 provision.

12 8. The department shall continue the case study for
13 outcome-based performance standards for programs serving
14 persons with mental retardation or other developmental
15 disabilities proposed pursuant to 1994 Iowa Acts, chapter
16 1170, section 56.

17 9. The department shall continue to pursue federal
18 approval of a medical assistance home and community-based
19 services waiver to allow children with mental retardation, who
20 would otherwise require ICF/MR care, to be served in out-of-
21 home settings of up to eight beds which meet standards
22 established by the department. If the waiver is not approved,
23 up to \$1,487,314 of the funds appropriated in this section may
24 be transferred to the appropriation in this Act for child and
25 family services, to be used for group foster care maintenance
26 and services.

27 10. The department shall discontinue the following pilot
28 programs on July 1, 2000:

29 a. The telemedicine pilot program.

30 b. The physician supervised weight-loss pilot program.

31 11. The department shall work with county representatives
32 in aggressively taking the steps necessary to implement the
33 rehabilitation option for services to persons with chronic
34 mental illness under the medical assistance program through
35 use of county funding as a match for the federal funding.

1 12. Of the funds appropriated in this section, the
2 department shall use up to \$414,000 to implement a disease-
3 specific pharmaceutical case management study, no later than
4 July 1, 2001, to measure the effects of case management for
5 medical assistance recipients identified by the department as
6 being at high risk for medication-related problems. The funds
7 shall be used to equitably reimburse physician-pharmacist
8 teams for participation in the study. An advisory committee
9 whose membership consists of representatives of the Iowa
10 medical society, the Iowa pharmacy association, and the
11 department of human services shall establish and implement the
12 pharmaceutical case management study. The university of Iowa
13 college of public health, in conjunction with the colleges of
14 medicine and pharmacy shall perform an evaluation of the study
15 at no cost to the state and shall submit a final report of the
16 findings of the evaluation and any recommendations to the
17 general assembly by December 15, 2002. The department shall
18 submit a progress report relating to the program by December
19 15, 2001, and a final report by December 15, 2002, to the
20 general assembly. The department may adopt emergency rules to
21 implement the provisions of this subsection.

22 13. The department shall increase the medical assistance
23 eligibility income limit for pregnant women and infants under
24 the mothers and children category to 200 percent of the
25 federal poverty level.

26 14. If the health care financing administration approves a
27 waiver request from the department, the department shall
28 provide a period of 24 months of guaranteed eligibility for
29 medical assistance family planning services, regardless of the
30 change in circumstances of a woman who was a medical
31 assistance recipient when a pregnancy ended.

32 15. The department of human services shall seek a waiver
33 from the health care financing administration of the United
34 States department of health and human services to implement a
35 pilot project in fiscal year 2000-2001 to study the effects of

1 providing continuous eligibility for children under the
2 medical assistance program. If the waiver is approved, the
3 pilot project shall be implemented in one rural and one urban
4 county, and the department shall enter into a contract with an
5 entity outside of the department to perform an evaluation of
6 the pilot project. The evaluating entity shall submit a
7 report to the general assembly on or before December 15, 2000,
8 regarding the findings of the pilot project including, but not
9 limited to, any increased costs which may be incurred through
10 continuous eligibility. The report shall also include
11 recommendations for discontinuation or expansion of the pilot
12 project. Of the funds appropriated in this Act for medical
13 contracts, not more than \$50,000 may be used for the
14 performance of the evaluation.

15 16. The department of human services shall review the
16 personal assistance services pilot project, and consumer-
17 directed care provisions and other home and community-based
18 services waivers utilized by the department and shall submit a
19 report to the governor and the general assembly by December
20 15, 2000, regarding options for termination, expansion, and
21 consolidation of the services and waivers.

22 Sec. 9. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
23 is appropriated from the general fund of the state to the
24 department of human services for the fiscal year beginning
25 July 1, 2000, and ending June 30, 2001, the following amount,
26 or so much thereof as is necessary, to be used for the purpose
27 designated:

28 For administration of the health insurance premium payment
29 program, including salaries, support, maintenance, and
30 miscellaneous purposes, and for not more than the following
31 full-time equivalent positions:
32 \$ 400,721
33 FTEs 17.00

34 Sec. 10. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
35 appropriated from the general fund of the state to the

1 department of human services for the fiscal year beginning
2 July 1, 2000, and ending June 30, 2001, the following amount,
3 or so much thereof as is necessary, to be used for the purpose
4 designated:

5 For maintenance of the healthy and well kids in Iowa (HAWK-
6 I) program pursuant to chapter 514I for receipt of federal
7 financial participation under Title XXI of the federal Social
8 Security Act, which creates the state children's health
9 insurance program:

10 \$ 4,984,508

11 1. The department may transfer funds appropriated in this
12 Act for medical assistance to be used for the purpose of
13 expanding health care coverage to children under the medical
14 assistance program. The department shall provide periodic
15 updates to the general assembly of expenditures of funds
16 appropriated in this section.

17 2. A participating insurer shall provide a report to the
18 HAWK-I board and to the general assembly by January 15, 2001,
19 specifying the actual cost of providing monthly coverage to
20 eligible children under the children's health insurance
21 program.

22 3. Moneys in the HAWK-I trust fund are appropriated and
23 shall be used to offset any program costs for the fiscal year
24 beginning July 1, 2000, and ending June 30, 2001.

25 Sec. 11. MEDICAL CONTRACTS. There is appropriated from
26 the general fund of the state to the department of human
27 services for the fiscal year beginning July 1, 2000, and
28 ending June 30, 2001, the following amount, or so much thereof
29 as is necessary, to be used for the purpose designated:

30 For medical contracts:

31 \$ 8,276,282

32 In any managed care contract for mental health or substance
33 abuse services entered into by the department on or after July
34 1, 2000, the request for proposals shall provide for coverage
35 of dual diagnosis mental health and substance abuse treatment.

1 To the extent possible, the department shall also amend any
2 such contract existing on July 1, 2000, to provide for such
3 coverage.

4 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE. There is
5 appropriated from the general fund of the state to the
6 department of human services for the fiscal year beginning
7 July 1, 2000, and ending June 30, 2001, the following amount,
8 or so much thereof as is necessary, to be used for the
9 purposes designated:

10 For state supplementary assistance, funeral assistance, and
11 the medical assistance home and community-based services
12 waiver rent subsidy program:

13 \$ 19,985,747

14 1. The department shall increase the personal needs
15 allowance for residents of residential care facilities by the
16 same percentage and at the same time as federal supplemental
17 security income and federal social security benefits are
18 increased due to a recognized increase in the cost of living.
19 The department may adopt emergency rules to implement this
20 subsection.

21 2. a. If during the fiscal year beginning July 1, 2000,
22 the department projects that state supplementary assistance
23 expenditures for a calendar year will not meet the federal
24 pass-along requirement specified in Title XVI of the federal
25 Social Security Act, section 1618, as codified in 42 U.S.C. §
26 1382g, the department may take actions including but not
27 limited to increasing the personal needs allowance for
28 residential care facility residents and making programmatic
29 adjustments or upward adjustments of the residential care
30 facility or in-home health-related care reimbursement rates
31 prescribed in this Act to ensure that federal requirements are
32 met. The department may adopt emergency rules to implement
33 the provisions of this subsection.

34 b. If during the fiscal year beginning July 1, 2000, the
35 department projects that state supplementary assistance

1 expenditures will exceed the amount appropriated, the
2 department may transfer funds appropriated in this Act for
3 medical assistance for the purposes of the state supplementary
4 assistance program. However, funds shall only be transferred
5 from the medical assistance appropriation if the funds
6 transferred are projected to be in excess of the funds
7 necessary for the medical assistance program.

8 3. The department may use up to \$75,000 of the funds
9 appropriated in this section for a rent subsidy program for
10 adult persons to whom all of the following apply:

11 a. Are receiving assistance under a medical assistance
12 home and community-based services (HCBS) waiver.

13 b. Were discharged from a medical institution in which
14 they have resided or were at risk of institutional placement,
15 not to exceed 100 slots. Within available funding and
16 demonstrated need, the department may make subsidy funds
17 available to HCBS waiver-eligible adults meeting criteria in
18 paragraph "a" and this paragraph at any time on or after July
19 1, 1995.

20 The goal of the subsidy program shall be to encourage and
21 assist in enabling persons who currently reside in a medical
22 institution to move to a community living arrangement. An
23 eligible person may receive assistance in meeting their rental
24 expense and, in the initial two months of eligibility, in
25 purchasing necessary household furnishings and supplies. The
26 program shall be implemented so that it does not meet the
27 federal definition of state supplementary assistance and will
28 not impact the federal pass-along requirement specified in
29 Title XVI of the federal Social Security Act, section 1618, as
30 codified in 42 U.S.C. § 1382g.

31 Sec. 13. CHILD CARE ASSISTANCE. There is appropriated
32 from the general fund of the state to the department of human
33 services for the fiscal year beginning July 1, 2000, and
34 ending June 30, 2001, the following amount, or so much thereof
35 as is necessary, to be used for the purpose designated:

1 For child care programs:

2 \$ 5,050,752

3 1. Of the funds appropriated in this section, \$4,414,109
4 shall be used for state child care assistance.

5 2. For the purposes of this subsection, the term "poverty
6 level" means the poverty level defined by the poverty income
7 guidelines published by the United States department of health
8 and human services. Based upon the availability of the
9 funding provided in this Act and other funding appropriated
10 for state child care assistance, the department shall
11 establish waiting lists for state child care assistance in
12 descending order of prioritization as follows:

13 a. Families with an income at or below 100 percent of the
14 federal poverty level whose members are employed at least 28
15 hours per week, and parents with a family income at or below
16 100 percent of the federal poverty level who are under the age
17 of 21 and are participating in an educational program leading
18 to a high school diploma or equivalent.

19 b. Parents with a family income at or below 100 percent of
20 the federal poverty level who are under the age of 21 and are
21 participating, at a satisfactory level, in an approved
22 training program or in an educational program.

23 c. Families with an income of more than 100 percent but
24 not more than 140 percent of the federal poverty level whose
25 members are employed at least 28 hours per week.

26 d. Families with an income at or below 175 percent of the
27 federal poverty level whose members are employed at least 28
28 hours per week with a special needs child as a member of the
29 family.

30 3. Nothing in this section shall be construed or is
31 intended as, or shall imply, a grant of entitlement for
32 services to persons who are eligible for assistance due to an
33 income level consistent with the requirements of this section.
34 Any state obligation to provide services pursuant to this
35 section is limited to the extent of the funds appropriated in

1 this section.

2 4. Of the funds appropriated in this section, \$636,641 is
3 allocated for the statewide program for child care resource
4 and referral services under section 237A.26.

5 5. The department may use any of the funds appropriated in
6 this section as a match to obtain federal funds for use in
7 expanding child care assistance and related programs. For the
8 purpose of expenditures of state and federal child care
9 funding, funds shall be considered obligated at the time
10 expenditures are projected or are allocated to the
11 department's regions. Projections shall be based on current
12 and projected caseload growth, current and projected provider
13 rates, staffing requirements for eligibility determination and
14 management of program requirements including data systems
15 management, staffing requirements for administration of the
16 program, contractual and grant obligations and any transfers
17 to other state agencies, and obligations for decategorization
18 or innovation projects.

19 6. During the 2000-2001 fiscal year, the department shall
20 utilize the moneys deposited in the child care credit fund
21 created in section 237A.28 for state child care assistance, in
22 addition to the moneys allocated for that purpose in this
23 section.

24 Sec. 14. JUVENILE INSTITUTIONS. There is appropriated
25 from the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2000, and
27 ending June 30, 2001, the following amounts, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

- 30 1. For operation of the Iowa juvenile home at Toledo:
- 31 \$ 6,296,956
- 32 FTEs 136.54

33 It is the intent of the general assembly that beginning in
34 the fiscal year commencing on July 1, 2001, the Iowa juvenile
35 home at Toledo will serve only females. In preparation for

1 this change, the department shall develop service options to
2 appropriately place males for whom placement at the Iowa
3 juvenile home would otherwise be appropriate. The principal
4 option considered in placing males shall be placement at
5 existing state or community-based facilities.

6 2. For operation of the state training school at Eldora:
7 \$ 10,381,263
8 FTEs 229.53

9 Of the funding appropriated in this subsection, \$40,000 is
10 designated for aftercare services for persons who were placed
11 at the state training school at Eldora.

12 3. During the fiscal year beginning July 1, 2000, the
13 population levels at the state juvenile institutions shall not
14 exceed the population guidelines established under 1990 Iowa
15 Acts, chapter 1239, section 21, as adjusted for additional
16 beds developed at the institutions.

17 4. A portion of the moneys appropriated in this section
18 shall be used by the state training school and by the Iowa
19 juvenile home for grants for adolescent pregnancy prevention
20 activities at the institutions in the fiscal year beginning
21 July 1, 2000.

22 5. Within the amounts appropriated in this section, the
23 department may transfer funds as necessary to best fulfill the
24 needs of the institutions provided for in the appropriation.

25 Sec. 15. CHILD AND FAMILY SERVICES. There is appropriated
26 from the general fund of the state to the department of human
27 services for the fiscal year beginning July 1, 2000, and
28 ending June 30, 2001, the following amount, or so much thereof
29 as is necessary, to be used for the purpose designated:

30 For child and family services:
31 \$108,788,161

32 1. The department may transfer funds appropriated in this
33 section as necessary to pay the nonfederal costs of services
34 reimbursed under medical assistance or the family investment
35 program which are provided to children who would otherwise

1 receive services paid under the appropriation in this section.
2 The department may transfer funds appropriated in this section
3 to the appropriations in this Act for general administration
4 and for field operations for resources necessary to implement
5 and operate the services funded in this section.

6 2. a. Of the funds appropriated in this section, up to
7 \$27,764,744 is allocated as the statewide expenditure target
8 under section 232.143 for group foster care maintenance and
9 services.

10 b. If at any time after September 30, 2000, annualization
11 of a region's current expenditures indicates a region is at
12 risk of exceeding its group foster care expenditure target
13 under section 232.143 by more than five percent, the
14 department and juvenile court services shall examine all group
15 foster care placements in that region in order to identify
16 those which might be appropriate for termination. In
17 addition, any aftercare services believed to be needed for the
18 children whose placements may be terminated shall be
19 identified. The department and juvenile court services shall
20 initiate action to set dispositional review hearings for the
21 placements identified. In such a dispositional review
22 hearing, the juvenile court shall determine whether needed
23 aftercare services are available and whether termination of
24 the placement is in the best interest of the child and the
25 community.

26 c. (1) Of the funds appropriated in this section, not
27 more than \$7,059,682 is allocated as the state match funding
28 for psychiatric medical institutions for children.

29 (2) The department may transfer all or a portion of the
30 amount allocated in this lettered paragraph for psychiatric
31 medical institutions for children (PMICs) to the appropriation
32 in this Act for medical assistance.

33 d. Of the funds allocated in this subsection, \$1,405,588
34 is allocated as the state match funding for 50 highly
35 structured juvenile program beds. If the number of beds

1 provided for in this lettered paragraph is not utilized, the
2 remaining funds allocated may be used for group foster care.

3 e. For the fiscal year beginning July 1, 2000, the
4 requirements of section 232.143 applicable to the juvenile
5 court and to representatives of the juvenile court shall be
6 applicable instead to juvenile court services and to
7 representatives of juvenile court services. The
8 representatives appointed by the department of human services
9 and by juvenile court services to establish the plan to
10 contain expenditures for children placed in group foster care
11 ordered by the court within the budget target allocated to the
12 region shall establish the plan in a manner so as to ensure
13 the moneys allocated to the region under section 232.143 shall
14 last the entire fiscal year. Funds for a child placed in
15 group foster care shall be considered encumbered for the
16 duration of the child's projected or actual length of stay,
17 whichever is applicable.

18 f. The funding allocation in this subsection provides
19 additional funding, compared to the prior fiscal year, in an
20 amount equal to the cost of 41 group foster care beds. It is
21 the intent of the general assembly that the additional funding
22 allow for the availability of at least 20 additional beds to
23 be available for placement of females.

24 3. The department shall continue the goal that not more
25 than 15 percent of the children placed in foster care funded
26 under the federal Social Security Act, Title IV-E, may be
27 placed in foster care for a period of more than 24 months.

28 4. In accordance with the provisions of section 232.188,
29 the department shall continue the program to decategorize
30 child welfare services in additional counties or clusters of
31 counties.

32 5. A portion of the funding appropriated in this section
33 may be used for emergency family assistance to provide other
34 resources required for a family participating in a family
35 preservation or reunification project to stay together or to

1 be reunified.

2 6. Notwithstanding section 234.35, subsection 1, for the
3 fiscal year beginning July 1, 2000, state funding for shelter
4 care paid pursuant to section 234.35, subsection 1, paragraph
5 "h", shall be limited to \$7,155,611.

6 7. Of the funding appropriated in this section, up to
7 \$627,616 may be used as determined by the department for any
8 of the following purposes:

9 a. For general administration of the department to improve
10 staff training efforts.

11 b. For oversight of termination of parental rights and
12 permanency planning efforts on a statewide basis.

13 c. For personnel, assigned by the attorney general, to
14 provide additional services relating to termination of
15 parental rights and child in need of assistance cases.

16 d. For specialized permanency planning field operations
17 staff.

18 8. The department may adopt administrative rules following
19 consultation with child welfare services providers to
20 implement outcome-based child welfare services pilot projects.
21 The rules may include, but are not limited to, the development
22 of program descriptions, provider licensing and certification
23 standards, reimbursement and payment amounts, contract
24 requirements, assessment and service necessity requirements,
25 eligibility criteria, claims submission procedures, and
26 accountability standards.

27 9. The department shall continue to make adoption
28 presubsidy and adoption subsidy payments to adoptive parents
29 at the beginning of the month for the current month.

30 10. Federal funds received by the state during the fiscal
31 year beginning July 1, 2000, as the result of the expenditure
32 of state funds appropriated during a previous state fiscal
33 year for a service or activity funded under this section,
34 shall be used as additional funding for services provided
35 under this section. Moneys received by the department in

1 accordance with the provisions of this subsection shall remain
2 available for the purposes designated until June 30, 2002,
3 notwithstanding section 8.33.

4 11. The department and juvenile court services shall
5 continue to develop criteria for the department regional
6 administrator and chief juvenile court officer to grant
7 exceptions to extend eligibility, within the funds allocated,
8 for intensive tracking and supervision and for supervised
9 community treatment to delinquent youth beyond age 18 who are
10 subject to release from the state training school, a highly
11 structured juvenile program, or group foster care.

12 12. Of the moneys appropriated in this section, not more
13 than \$313,550 is allocated to provide clinical assessment
14 services as necessary to continue funding of children's
15 rehabilitation services under medical assistance in accordance
16 with federal law and requirements. The funding allocated is
17 the amount projected to be necessary for providing the
18 clinical assessment services.

19 13. Of the funding appropriated in this section,
20 \$3,696,286 shall be used for protective child care assistance.

21 14. Of the moneys appropriated in this section, up to
22 \$3,290,000 is allocated for the payment of the expenses of
23 court-ordered services provided to juveniles which are a
24 charge upon the state pursuant to section 232.141, subsection
25 4.

26 a. Notwithstanding section 232.141 or any other provision
27 of law, the amount allocated in this subsection shall be
28 distributed to the judicial districts as determined by the
29 state court administrator. The state court administrator
30 shall make the determination of the distribution amounts on or
31 before June 15, 2000.

32 b. Each judicial district shall continue the planning
33 group for the court-ordered services for juveniles provided in
34 that district which was established pursuant to 1991 Iowa
35 Acts, chapter 267, section 119. A planning group shall

1 continue to perform its duties as specified in that law.
2 Reimbursement rates for providers of court-ordered evaluation
3 and treatment services paid under section 232.141, subsection
4 4, shall be negotiated with providers by each judicial
5 district's planning group.

6 c. The department of human services shall develop policies
7 and procedures to ensure that the funds allocated in this
8 subsection are spent only after all other reasonable actions
9 have been taken to utilize other funding sources and
10 community-based services. The policies and procedures shall
11 be designed to achieve the following objectives relating to
12 services provided under chapter 232:

13 (1) Maximize the utilization of funds which may be
14 available from the medical assistance program including usage
15 of the early and periodic screening, diagnosis, and treatment
16 (EPSDT) program.

17 (2) Recover payments from any third-party insurance
18 carrier which is liable for coverage of the services,
19 including health insurance coverage.

20 (3) Pursue development of agreements with regularly
21 utilized out-of-state service providers which are intended to
22 reduce per diem costs paid to those providers.

23 d. Notwithstanding chapter 232 or any other provision of
24 law, a district or juvenile court in a department of human
25 services district shall not order any service which is a
26 charge upon the state pursuant to section 232.141 if there are
27 insufficient court-ordered services funds available in the
28 district distribution amount to pay for the service. The
29 chief juvenile court officer shall work with the judicial
30 district planning group to encourage use of the funds
31 allocated in this subsection such that there are sufficient
32 funds to pay for all court-related services during the entire
33 year. The eight chief juvenile court officers shall attempt
34 to anticipate potential surpluses and shortfalls in the
35 distribution amounts and shall cooperatively request the state

1 court administrator to transfer funds between the districts'
2 distribution amounts as prudent.

3 e. Notwithstanding any provision of law to the contrary, a
4 district or juvenile court shall not order a county to pay for
5 any service provided to a juvenile pursuant to an order
6 entered under chapter 232 which is a charge upon the state
7 under section 232.141, subsection 4.

8 f. Of the funding allocated in this subsection, not more
9 than \$100,000 may be used by the judicial branch for
10 administration of the requirements under this subsection and
11 for travel associated with court-ordered placements which are
12 a charge upon the state pursuant to section 232.141,
13 subsection 4.

14 15. a. Of the funding appropriated in this section,
15 \$4,758,000 is allocated to provide school-based supervision of
16 children adjudicated under chapter 232, including not more
17 than \$580,000 from the allocation in this section for court-
18 ordered services. Not more than \$15,000 of the funding
19 allocated in this subsection may be used for the purpose of
20 training.

21 b. To the extent possible, the personnel providing school-
22 based services shall be prepared with training or experience
23 relating to gender-specific programming to best intervene with
24 youth at risk of being found delinquent or determined to be a
25 child in need of assistance.

26 16. Of the moneys appropriated in this section, up to
27 \$50,000 may be used to support the child welfare services work
28 group.

29 17. Of the funds appropriated in this section, \$688,167
30 shall be used to provide day treatment and aftercare services
31 to juvenile females based upon a total of 100 slots, with an
32 average cost of \$41 per day, for the school year and summer
33 school period. Funding shall be distributed in an equitable
34 manner, geographically, throughout the state and shall be
35 distributed proportionately to reflect actual service need.

1 18. The department shall maximize the capacity to draw
2 federal funding under Title IV-E of the federal Social
3 Security Act.

4 19. The department of human services shall convene a work
5 group to determine the most appropriate methodology and manner
6 for payment for services provided by psychiatric medical
7 institutions for children (PMICs) funded under this section.
8 The work group shall include representatives of providers of
9 such services, shall be geographically balanced, and shall be
10 representative of both large and small providers. The work
11 group's review shall include, at a minimum, retaining the
12 current reimbursement methodology, providing reimbursement
13 through the Iowa plan for behavioral health, providing
14 reimbursement and supervision through the rehabilitative
15 treatment and supported services program, or incorporating
16 PMIC services into a revised service system developed pursuant
17 to the recommendations of the legislative council's child
18 welfare services work group. A priority in any determination
19 shall be ensuring that the current level of federal financial
20 participation is maintained at the maximum level. A final
21 determination of the most appropriate methodology and manner
22 for payment shall be made and implemented no later than
23 December 10, 2000. The director of the department of human
24 services shall inform the general assembly of the final
25 determination no later than December 15, 2000.

26 20. Of the funds appropriated in this section, \$118,642 is
27 allocated as the state match for the federal safe and stable
28 families grant available under Title IV-B of the federal
29 Social Security Act and this allocation shall not be used,
30 transferred, expended, or encumbered for any other purpose.

31 21. a. Notwithstanding section 234.39, subsection 5, and
32 notwithstanding section 8.33, \$131,000 of the moneys
33 appropriated in 1999 Iowa Acts, chapter 203, section 15,
34 subsection 9, for the subsidized guardianship program shall
35 not revert at the close of the fiscal year but shall remain

1 available in the succeeding fiscal year to be expended for the
2 purposes of this section.

3 b. Notwithstanding section 8.33, any moneys transferred
4 pursuant to 1999 Iowa Acts, chapter 203, section 15,
5 subsection 20, paragraph "c", remaining unexpended or
6 unobligated at the close of the fiscal year shall not revert,
7 but shall remain available in the succeeding fiscal year to be
8 expended to complete the child welfare results-based reporting
9 mechanism.

10 Sec. 16. COMMUNITY-BASED PROGRAMS -- ADOLESCENT PREGNANCY
11 PREVENTION. There is appropriated from the general fund of
12 the state to the department of human services for the fiscal
13 year beginning July 1, 2000, and ending June 30, 2001, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 For community-based programs, on the condition that family
17 planning services are funded, including salaries, support,
18 maintenance, and miscellaneous purposes and for not more than
19 the following full-time equivalent positions:

20	\$	280,228
21	FTE	1.00

22 1. Funds appropriated in this section shall be used to
23 provide adolescent pregnancy prevention grants which comply
24 with the requirements provided in 1997 Iowa Acts, chapter 208,
25 section 14, subsections 1 and 2, and shall emphasize programs
26 which target the middle school level.

27 2. It is the intent of the general assembly that the
28 department of human services and the Iowa department of public
29 health shall continue to identify existing abstinence
30 education or community-based programs which comply with the
31 requirements established in section 912, subchapter V, of the
32 federal Social Security Act, as codified in 42 U.S.C. § 701 et
33 seq. for the matching of federal funds.

34 Sec. 17. FAMILY SUPPORT SUBSIDY PROGRAM. There is
35 appropriated from the general fund of the state to the

1 department of human services for the fiscal year beginning
2 July 1, 2000, and ending June 30, 2001, the following amount,
3 or so much thereof as is necessary, to be used by the division
4 of children and family services for the purpose designated:

5 For the family support subsidy program:

6 \$ 2,028,215

7 The department may use up to \$267,000 of the moneys
8 appropriated in this section to continue the children-at-home
9 program in current counties and to expand to two new counties,
10 of which not more than \$20,000 shall be used for
11 administrative costs.

12 Sec. 18. CONNER DECREE. There is appropriated from the
13 general fund of the state to the department of human services
14 for the fiscal year beginning July 1, 2000, and ending June
15 30, 2001, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:

17 For building community capacity through the coordination
18 and provision of training opportunities in accordance with the
19 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
20 Iowa, July 14, 1994):

21 \$ 46,000

22 Sec. 19. MENTAL HEALTH INSTITUTES. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2000, and
25 ending June 30, 2001, the following amounts, or so much
26 thereof as is necessary, to be used for the purposes
27 designated:

28 1. For the state mental health institute at Cherokee for
29 salaries, support, maintenance, and miscellaneous purposes and
30 for not more than the following full-time equivalent
31 positions:

32 \$ 12,782,425

33 FTEs 249.24

34 2. For the state mental health institute at Clarinda for
35 salaries, support, maintenance, and miscellaneous purposes and

1 for not more than the following full-time equivalent
2 positions:

3 \$ 7,219,958
4 FTEs 138.59

5 3. For the state mental health institute at Independence
6 for salaries, support, maintenance, and miscellaneous purposes
7 and for not more than the following full-time equivalent
8 positions:

9 \$ 17,448,229
10 FTEs 347.89

11 The state mental health institute at Independence shall
12 continue the 30 psychiatric medical institution for children
13 (PMIC) beds authorized in section 135H.6, in a manner which
14 results in no net state expenditure amount in excess of the
15 amount appropriated in this subsection. Counties are not
16 responsible for the costs of PMIC services described in this
17 subsection. Subject to the approval of the department, with
18 the exception of revenues required under section 249A.11 to be
19 credited to the appropriation in this Act for medical
20 assistance, revenues attributable to the PMIC beds described
21 in this subsection for the fiscal year beginning July 1, 2000,
22 and ending June 30, 2001, shall be deposited in the
23 institute's account, including but not limited to any of the
24 following revenues:

- 25 a. The federal share of medical assistance revenue
- 26 received under chapter 249A.
- 27 b. Moneys received through client participation.
- 28 c. Any other revenues directly attributable to the PMIC
- 29 beds.

30 4. For the state mental health institute at Mount Pleasant
31 for salaries, support, maintenance, and miscellaneous purposes
32 and for not more than the following full-time equivalent
33 positions:

34 \$ 5,357,453
35 FTEs 109.83

1 a. Funding is provided in this subsection for the mental
2 health institute at Mount Pleasant to continue the dual
3 diagnosis mental health and substance abuse program on a net
4 budgeting basis in which 50 percent of the actual per diem and
5 ancillary services costs are chargeable to the patient's
6 county of legal settlement or as a state case, as appropriate.
7 Subject to the approval of the department, revenues
8 attributable to the dual diagnosis program for the fiscal year
9 beginning July 1, 2000, and ending June 30, 2001, shall be
10 deposited in the institute's account, including but not
11 limited to all of the following revenues:

12 (1) Moneys received by the state from billings to counties
13 under section 230.20.

14 (2) Moneys received from billings to the Medicare program.

15 (3) Moneys received from a managed care contractor
16 providing services under contract with the department or any
17 private third-party payer.

18 (4) Moneys received through client participation.

19 (5) Any other revenues directly attributable to the dual
20 diagnosis program.

21 b. The following additional provisions are applicable in
22 regard to the dual diagnosis program:

23 (1) A county may split the charges between the county's
24 mental health, mental retardation, and developmental
25 disabilities services fund and the county's budget for
26 substance abuse expenditures.

27 (2) If an individual is committed to the custody of the
28 department of corrections at the time the individual is
29 referred for dual diagnosis treatment, the department of
30 corrections shall be charged for the costs of treatment.

31 (3) Prior to an individual's voluntary admission for dual
32 diagnosis treatment, the individual shall have been screened
33 through a county's single entry point process to determine the
34 appropriateness of the treatment.

35 (4) A county shall not be chargeable for the costs of

1 treatment for an individual enrolled in and authorized by or
2 decertified by a managed behavioral care plan under the
3 medical assistance program.

4 5. Within the funds appropriated in this section, the
5 department may transfer funds as necessary to best fulfill the
6 needs of the institutions provided for in the appropriation.

7 6. As part of the discharge planning process at the state
8 mental health institutes, the department shall provide
9 assistance in obtaining eligibility for federal supplemental
10 security income (SSI) to those individuals whose care at a
11 state mental health institute is the financial responsibility
12 of the state.

13 7. Each state mental health institute shall continue the
14 net budgeting accounting test of managing revenues and
15 expenditures attributable to the mental health institute in a
16 manner that permits the net state expenditure amount to be
17 determined. Each mental health institute shall submit a
18 status report in October 2000 to the governor and to the
19 persons required to be submitted reports by this Act. The
20 status report shall identify advantages and disadvantages of
21 utilizing the net budgeting approach and any changes in policy
22 or statute recommended to improve implementation of the
23 approach.

24 Sec. 20. STATE HOSPITAL-SCHOOLS. There is appropriated
25 from the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2000, and
27 ending June 30, 2001, the following amounts, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

30 1. For the state hospital-school at Glenwood for salaries,
31 support, maintenance, and miscellaneous purposes and for not
32 more than the following full-time equivalent positions:

33	\$	2,504,791
34	FTEs	877.75

35 2. For the state hospital-school at Woodward for salaries,

1 support, maintenance, and miscellaneous purposes and for not
2 more than the following full-time equivalent positions:
3 \$ 1,708,814
4 FTEs 676.76

5 3. a. The department shall continue operating the state
6 hospital-schools at Glenwood and Woodward with a net general
7 fund appropriation. The amounts allocated in this section are
8 the net amounts of state moneys projected to be needed for the
9 state hospital-schools. The purposes of operating with a net
10 general fund appropriation are to encourage the state
11 hospital-schools to operate with increased self-sufficiency,
12 to improve quality and efficiency, and to support
13 collaborative efforts between the state hospital-schools and
14 counties and other funders of services available from the
15 hospital-schools. The state hospital-schools shall not be
16 operated under the net appropriation in a manner which results
17 in a cost increase to the state or cost shifting between the
18 state, the medical assistance program, counties, or other
19 sources of funding for the state hospital-schools. Moneys
20 allocated in subsection 1 may be used throughout the fiscal
21 year in the manner necessary for purposes of cash flow
22 management, and for purposes of cash flow management the state
23 hospital-schools may temporarily draw more than the amount
24 allocated, provided the amount allocated is not exceeded at
25 the close of the fiscal year.

26 b. Subject to the approval of the department, except for
27 revenues under section 249A.11, revenues attributable to the
28 state hospital-schools for the fiscal year beginning July 1,
29 2000, shall be deposited into each state hospital-school's
30 account, including but not limited to all of the following:

31 (1) Moneys received by the state from billings to counties
32 under section 222.73.

33 (2) The federal share of medical assistance revenue
34 received under chapter 249A.

35 (3) Federal Medicare program payments.

1 (4) Moneys received from client financial participation.

2 (5) Other revenues generated from current, new, or
3 expanded services which the state hospital-school is
4 authorized to provide.

5 c. For the purposes of allocating the salary adjustment
6 fund moneys appropriated in another Act, the state hospital-
7 schools shall be considered to be funded entirely with state
8 moneys.

9 d. Notwithstanding section 8.33, up to \$500,000 of a state
10 hospital-school's revenues that remain unencumbered or
11 unobligated at the close of the fiscal year shall not revert
12 but shall remain available to be used in the succeeding fiscal
13 year.

14 4. Within the funds appropriated in this section, the
15 department may transfer funds as necessary to best fulfill the
16 needs of the institutions provided for in the appropriation.

17 5. The department may continue to bill for state hospital-
18 school services utilizing a scope of services approach used
19 for private providers of ICFMR services, in a manner which
20 does not shift costs between the medical assistance program,
21 counties, or other sources of funding for the state hospital-
22 schools.

23 6. The state hospital-schools may expand the time limited
24 assessment and respite services during the fiscal year.

25 Sec. 21. MENTAL ILLNESS SPECIAL SERVICES. There is
26 appropriated from the general fund of the state to the
27 department of human services for the fiscal year beginning
28 July 1, 2000, and ending June 30, 2001, the following amount,
29 or so much thereof as is necessary, to be used for the purpose
30 designated:

31 For mental illness special services:
32 \$ 121,220

33 1. The department and the Iowa finance authority shall
34 continue the financing for existing community-based facilities
35 and the financing for the development of affordable community-

1 based housing facilities. The department shall assure that
2 clients are referred to the housing as it is developed.

3 2. The funds appropriated in this section are to provide
4 funds for construction and start-up costs to develop community
5 living arrangements to provide for persons with mental illness
6 who are homeless. These funds may be used to match federal
7 Stewart B. McKinney Homeless Assistance Act grant funds.

8 Sec. 22. SPECIAL NEEDS GRANTS. There is appropriated from
9 the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2000, and
11 ending June 30, 2001, the following amount, or so much thereof
12 as is necessary, to be used for the purpose designated:

13 To provide special needs grants to families with a family
14 member at home who has a developmental disability or to a
15 person with a developmental disability:

16 \$ 53,212

17 Grants must be used by a family to defray special costs of
18 caring for the family member to prevent out-of-home placement
19 of the family member or to provide for independent living
20 costs. The grants may be administered by a private nonprofit
21 agency which serves people statewide provided that no
22 administrative costs are received by the agency.

23 Sec. 23. MI/MR/DD STATE CASES. There is appropriated from
24 the general fund of the state to the department of human
25 services for the fiscal year beginning July 1, 2000, and
26 ending June 30, 2001, the following amount, or so much thereof
27 as is necessary, to be used for the purpose designated:

28 For purchase of local services for persons with mental
29 illness, mental retardation, and developmental disabilities
30 where the client has no established county of legal
31 settlement:

32 \$ 13,800,000

33 If a county has a county management plan which is approved
34 by the director of human services pursuant to section 331.439,
35 the services paid for under this section are exempt from the

1 department's purchase of service system requirements. The
2 department shall adopt rules to implement the provisions of
3 this paragraph.

4 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
5 COMMUNITY SERVICES FUND. There is appropriated from the
6 general fund of the state to the mental health and
7 developmental disabilities community services fund created in
8 section 225C.7 for the fiscal year beginning July 1, 2000, and
9 ending June 30, 2001, the following amount, or so much thereof
10 as is necessary, to be used for the purpose designated:

11 For mental health and developmental disabilities community
12 services in accordance with this Act:

13 \$ 19,560,000

14 1. Of the funds appropriated in this section, \$19,530,000
15 shall be allocated to counties for funding of community-based
16 mental health and developmental disabilities services. The
17 moneys shall be allocated to a county as follows:

18 a. Fifty percent based upon the county's proportion of the
19 state's population of persons with an annual income which is
20 equal to or less than the poverty guideline established by the
21 federal office of management and budget.

22 b. Fifty percent based upon the county's proportion of the
23 state's general population.

24 2. a. A county shall utilize the funding the county
25 receives pursuant to subsection 1 for services provided to
26 persons with a disability, as defined in section 225C.2.
27 However, no more than 50 percent of the funding shall be used
28 for services provided to any one of the service populations.

29 b. A county shall use at least 50 percent of the funding
30 the county receives under subsection 1 for contemporary
31 services provided to persons with a disability, as described
32 in rules adopted by the department.

33 3. Of the funds appropriated in this section, \$30,000
34 shall be used to support the Iowa compass program providing
35 computerized information and referral services for Iowans with

1 disabilities and their families.

2 4. a. Funding appropriated for purposes of the federal
3 social services block grant is allocated for distribution to
4 counties for local purchase of services for persons with
5 mental illness or mental retardation or other developmental
6 disability.

7 b. The funds allocated in this subsection shall be
8 expended by counties in accordance with the county's approved
9 county management plan. A county without an approved county
10 management plan shall not receive allocated funds until the
11 county's management plan is approved.

12 c. The funds provided by this subsection shall be
13 allocated to each county as follows:

14 (1) Fifty percent based upon the county's proportion of
15 the state's population of persons with an annual income which
16 is equal to or less than the poverty guideline established by
17 the federal office of management and budget.

18 (2) Fifty percent based upon the amount provided to the
19 county for local purchase of services in the preceding fiscal
20 year.

21 5. A county is eligible for funds under this section if
22 the county qualifies for a state payment as described in
23 section 331.439.

24 Sec. 25. PERSONAL ASSISTANCE. There is appropriated from
25 the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2000, and
27 ending June 30, 2001, the following amount, or so much thereof
28 as is necessary, to be used for the purpose designated:

29 For continuation of a pilot project for the personal
30 assistance services program in accordance with this section:
31 \$ 364,000

32 1. The funds appropriated in this section shall be used to
33 continue the pilot project for the personal assistance
34 services program under section 225C.46 in an urban and a rural
35 area. Not more than \$36,400 shall be used for administrative

1 costs. The pilot project and any federal home and community-
2 based waiver developed under the medical assistance program
3 shall not be implemented in a manner which would require
4 additional county or state costs for assistance provided to an
5 individual served under the pilot project or the waiver.

6 2. It is the intent of the general assembly that for any
7 new applicants for personal assistance, priority shall be
8 given to providing assistance to individuals for education,
9 job training, and other forms of employment support. It is
10 also the intent of the general assembly that if other programs
11 become available which provide similar services, current
12 recipients of personal assistance for whom these similar
13 services are appropriate shall be assisted in attaining
14 eligibility for these programs.

15 3. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available to provide personal assistance payments until the
19 close of the succeeding fiscal year.

20 Sec. 26. SEXUALLY VIOLENT PREDATORS.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2000, and ending June 30, 2001, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

26 For costs associated with the commitment and treatment of
27 sexually violent predators including costs of legal services
28 and other associated costs, including salaries, support,
29 maintenance, and miscellaneous purposes and for not more than
30 the following full-time equivalent positions:
31 \$ 1,177,366
32 FTEs 20.00

33 2. Notwithstanding section 8.33, \$250,000 of the moneys
34 appropriated in 1999 Iowa Acts, chapter 203, section 30, that
35 remain unexpended or unobligated at the close of the fiscal

1 year shall not revert but shall remain available in the
2 succeeding fiscal year to be used for the purposes of this
3 section.

4 Sec. 27. FIELD OPERATIONS. There is appropriated from the
5 general fund of the state to the department of human services
6 for the fiscal year beginning July 1, 2000, and ending June
7 30, 2001, the following amounts, or so much thereof as is
8 necessary, to be used for the purposes designated:

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

12 \$ 44,222,546
13 FTEs 1,921.50

14 Priority in filling full-time equivalent positions shall be
15 given to those positions related to child protection services.

16 2. For regional offices, including salaries, support,
17 maintenance, and miscellaneous purposes and for not more than
18 the following full-time equivalent positions:

19 \$ 5,659,370
20 FTEs 154.50

21 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
22 from the general fund of the state to the department of human
23 services for the fiscal year beginning July 1, 2000, and
24 ending June 30, 2001, the following amount, or so much thereof
25 as is necessary, to be used for the purpose designated:

26 For general administration, including salaries, support,
27 maintenance, and miscellaneous purposes and for not more than
28 the following full-time equivalent positions:

29 \$ 13,423,100
30 FTEs 366.00

31 1. Of the funds appropriated in this section, \$57,000 is
32 allocated for the prevention of disabilities policy council
33 established in section 225B.3.

34 2. Of the funds appropriated in this section, \$129,971 for
35 the fiscal year beginning July 1, 2000, shall be transferred

1 to the state university of Iowa for the university-affiliated
2 program for the support of Iowa creative employment options
3 (CEO).

4 3. If an expenditure reduction or other cost-saving
5 measure is deemed necessary to maintain expenditures within
6 the amount appropriated to the department in this section, the
7 department shall not implement the reduction or other measure
8 in a manner which reduces service funding for disability
9 rehabilitation programs, including but not limited to,
10 statewide supported employment programs.

11 4. Beginning July 1, 2000, the department shall terminate
12 the lease of office space used for consolidated data
13 management staff, in Des Moines, originally used for the X-
14 PERT program.

15 5. The number of full-time equivalent positions authorized
16 in this section includes a reduction of all but one of the
17 full-time equivalent positions previously assigned to the
18 state-county assistance team. The remaining one full-time
19 equivalent position that is assigned to the state-county
20 assistance team shall provide staffing services to the state-
21 county management committee.

22 Sec. 29. VOLUNTEERS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2000, and ending June
25 30, 2001, the following amount, or so much thereof as is
26 necessary, to be used for the purpose designated:

27 For development and coordination of volunteer services:
28 \$ 118,250

29 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
30 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
31 DEPARTMENT OF HUMAN SERVICES.

32 1. a. For the fiscal year beginning July 1, 2000, the
33 rate for skilled nursing facilities shall remain at the rates
34 in effect on June 30, 2000.

35 b. For the fiscal year beginning July 1, 2000, the

1 dispensing fee for pharmacists shall remain at the rate in
2 effect on June 30, 2000. The reimbursement policy for drug
3 product costs shall be in accordance with federal
4 requirements.

5 c. For the fiscal year beginning July 1, 2000,
6 reimbursement rates for inpatient and outpatient hospital
7 services shall remain at the rates in effect on June 30, 2000.
8 The department shall continue the outpatient hospital
9 reimbursement system based upon ambulatory patient groups
10 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
11 25, subsection 1, paragraph "f". In addition, the department
12 shall continue the revised medical assistance payment policy
13 implemented pursuant to that paragraph to provide
14 reimbursement for costs of screening and treatment provided in
15 the hospital emergency room if made pursuant to the
16 prospective payment methodology developed by the department
17 for the payment of outpatient services provided under the
18 medical assistance program.

19 d. Reimbursement rates for rural health clinics, hospices,
20 independent laboratories, and acute mental hospitals shall be
21 increased in accordance with increases under the federal
22 Medicare program or as supported by their Medicare audited
23 costs.

24 e. Reimbursement rates for home health agencies shall
25 remain at the rates in effect on June 30, 2000.

26 f. Federally qualified health centers shall receive cost-
27 based reimbursement for 100 percent of the reasonable costs
28 for the provision of services to recipients of medical
29 assistance.

30 g. Beginning July 1, 2000, the reimbursement rates for
31 dental services shall remain at the rates in effect on June
32 30, 2000.

33 h. Beginning July 1, 2000, the reimbursement rates for
34 community mental health centers shall be increased by 16.63
35 percent over the rates in effect on June 30, 2000.

1 i. For the fiscal year beginning July 1, 2000, unless
2 otherwise specified in this Act, all noninstitutional medical
3 assistance provider reimbursement rates shall remain at the
4 rates in effect on June 30, 2000.

5 2. a. The basis for establishing the maximum medical
6 assistance reimbursement rate for nursing facilities shall be
7 the 70th percentile of facility costs as calculated from the
8 June 30, 2000, unaudited compilation of cost and statistical
9 data submitted by each facility on medical assistance cost
10 reports. A facility which does not have a current cost report
11 on file with the department as of June 30, 2000, shall
12 continue to receive the per diem rate in effect for that
13 facility on June 30, 2000, until the facility's costs are
14 above that rate or until June 30, 2001, whichever is earlier.
15 A facility shall submit semiannual cost reports beginning July
16 1, 2000, or after, based on the closing date of the facility's
17 fiscal year.

18 b. To the extent funds are available within the amount
19 projected for reimbursement of nursing facilities within the
20 appropriation for medical assistance in this Act for the
21 fiscal year beginning July 1, 2000, and within the
22 appropriation for medical assistance as a whole for the fiscal
23 year beginning July 1, 2000, the department shall adjust the
24 maximum medical assistance reimbursement for nursing
25 facilities to the 70th percentile, as calculated from the
26 December 31, 2000, unaudited compilation of cost and
27 statistical data for only those nursing facilities which
28 provide additional written documentation in a cost report
29 which demonstrates increased expenditures for direct care in
30 the form of wages during a cost reporting period in that
31 fiscal year. In order to be eligible for the increased
32 reimbursement, a nursing facility must submit the cost report
33 with the additional documentation by June 30, 2001. To the
34 extent possible, the additional written documentation shall be
35 obtained from the expanded cost report information submitted

1 by nursing facilities. Any adjustment shall take effect
2 January 1, 2001.

3 c. The cost report shall also include a line itemization
4 of expenses attributable to the home or principal office or
5 headquarters of the nursing facility within the administrative
6 cost line item.

7 3. For the fiscal year beginning July 1, 2000, the maximum
8 cost reimbursement rate for residential care facilities
9 reimbursed by the department shall not be less than \$24.26 per
10 day for the time period of July 1, 2000, through June 30,
11 2001. The flat reimbursement rate for facilities electing not
12 to file semiannual cost reports shall not be less than \$17.36
13 per day for the time period of July 1, 2000, through June 30,
14 2001.

15 4. For the fiscal year beginning July 1, 2000, the maximum
16 reimbursement rate for providers reimbursed under the in-home
17 health-related care program shall not be less than \$466.49 per
18 month for the time period of July 1, 2000, through June 30,
19 2001.

20 5. Unless otherwise directed in this section, when the
21 department's reimbursement methodology for any provider
22 reimbursed in accordance with this section includes an
23 inflation factor, this factor shall not exceed the amount by
24 which the consumer price index for all urban consumers
25 increased during the calendar year ending December 31, 1999.

26 6. Notwithstanding section 234.38, in the fiscal year
27 beginning July 1, 2000, the foster family basic daily
28 maintenance rate and the maximum adoption subsidy rate for
29 children ages 0 through 5 years shall be \$14.00, the rate for
30 children ages 6 through 11 years shall be \$14.78, the rate for
31 children ages 12 through 15 years shall be \$16.53, and the
32 rate for children ages 16 and older shall be \$16.53.

33 7. For the fiscal year beginning July 1, 2000, the maximum
34 reimbursement rates for adoption and independent living
35 services shall remain at the rates in effect on June 30, 2000.

1 The maximum reimbursement rates for other social service
2 providers shall remain at the rates in effect on June 30,
3 2000. However, the rates may be adjusted under any of the
4 following circumstances:

5 a. If a new service was added after June 30, 2000, the
6 initial reimbursement rate for the service shall be based upon
7 actual and allowable costs.

8 b. If a social service provider loses a source of income
9 used to determine the reimbursement rate for the provider, the
10 provider's reimbursement rate may be adjusted to reflect the
11 loss of income, provided that the lost income was used to
12 support actual and allowable costs of a service purchased
13 under a purchase of service contract.

14 c. The department revises the reimbursement rates as part
15 of the changes in the mental health and developmental
16 disabilities services system initiated pursuant to 1995 Iowa
17 Acts, chapter 206, and associated legislation.

18 8. The group foster care reimbursement rates paid for
19 placement of children out-of-state shall be calculated
20 according to the same rate-setting principles as those used
21 for in-state providers unless the director determines that
22 appropriate care cannot be provided within the state. The
23 payment of the daily rate shall be based on the number of days
24 in the calendar month in which service is provided.

25 9. For the fiscal year beginning July 1, 2000, the
26 reimbursement rates for rehabilitative treatment and support
27 services providers shall remain at the rates in effect on June
28 30, 2000.

29 10. For the fiscal year beginning July 1, 2000, the
30 combined service and maintenance components of the
31 reimbursement rate paid to a shelter care provider shall be
32 based on the cost report submitted to the department. The
33 maximum reimbursement rate shall be \$79.70 per day. If the
34 department would reimburse the provider at less than the
35 maximum rate but the provider's cost report justifies a rate

1 of at least \$79.70, the department shall readjust the
2 provider's reimbursement rate to the maximum reimbursement
3 rate.

4 11. For the fiscal year beginning July 1, 2000, the
5 department shall calculate reimbursement rates for
6 intermediate care facilities for persons with mental
7 retardation at the 80th percentile.

8 12. For the fiscal year beginning July 1, 2000, for child
9 care providers, the department shall set provider
10 reimbursement rates based on the rate reimbursement survey
11 completed in December 1998. The department shall set rates in
12 a manner so as to provide incentives for a nonregistered
13 provider to become registered.

14 13. Effective July 1, 2000, the maximum reimbursement rate
15 for psychiatric medical institutions for children (PMICs)
16 shall be increased to \$145.74 per day, based on per day rates
17 for actual costs on June 30, 2000.

18 14. For the fiscal year beginning July 1, 2000,
19 reimbursements for providers reimbursed by the department of
20 human services may be modified if appropriated funding is
21 allocated for that purpose from the senior living trust fund
22 created in section 249H.4, as enacted in 2000 Iowa Acts,
23 Senate File 2193, or as specified in appropriations from the
24 tobacco settlement fund created in section 12.65.

25 15. The department may adopt emergency rules to implement
26 this section.

27 Sec. 31. MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY --
28 DEPOSIT AND APPROPRIATION. Notwithstanding the deposit
29 provisions of sections 321.218A and 321A.32A, moneys collected
30 during the fiscal year beginning July 1, 2000, and ending June
31 30, 2001, by the state department of transportation pursuant
32 to those sections shall be deposited to the credit of the
33 department of human services for the fiscal year beginning
34 July 1, 2000, and ending June 30, 2001, and are appropriated
35 as follows:

1 1. An amount equal to ten percent of the costs of the
2 establishment, improvement, operation, and maintenance of
3 county or multicounty juvenile detention homes in the fiscal
4 year beginning July 1, 1999. Moneys appropriated in this
5 subsection shall be allocated among eligible detention homes,
6 prorated on the basis of an eligible detention home's
7 proportion of the costs of all eligible detention homes in the
8 fiscal year beginning July 1, 1999. Notwithstanding section
9 232.142, subsection 3, the financial aid payable by the state
10 under that provision for the fiscal year beginning July 1,
11 2000, shall be limited to the amount appropriated for the
12 purposes of this subsection.

13 2. For renewal of a grant to a county with a population
14 between 168,000 and 175,000 for implementation of the county's
15 runaway treatment plan under section 232.195:

16 \$ 80,000

17 3. For grants to counties implementing a runaway treatment
18 plan under section 232.195.

19 4. The remainder for additional allocations to county or
20 multicounty juvenile detention homes, in accordance with the
21 distribution requirements of subsection 1.

22 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
23 section 8.39, for the fiscal year beginning July 1, 2000, if
24 necessary to meet federal maintenance of effort requirements
25 or to transfer federal temporary assistance for needy families
26 block grant funding to be used for purposes of the federal
27 social services block grant or to meet cash flow needs
28 resulting from delays in receiving federal funding, the
29 department of human services may transfer within or between
30 any of the appropriations made in this Act and appropriations
31 in law for the federal social services block grant to the
32 department for the following purposes, provided that the
33 combined amount of state and federal temporary assistance for
34 needy families block grant funding for each appropriation
35 remains the same before and after the transfer:

- 1 1. For the family investment program.
 - 2 2. For emergency assistance.
 - 3 3. For child care assistance.
 - 4 4. For child and family services.
 - 5 5. For field operations.
 - 6 6. For general administration.
 - 7 7. MH/MR/DD/BI community services (local purchase).
- 8 This section shall not be construed to prohibit existing
9 state transfer authority for other purposes.

10 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
11 fiscal year beginning July 1, 2000, notwithstanding the
12 restrictions in section 239B.14, recovered moneys generated
13 through fraud and recoupment activities are appropriated to
14 the department of human services to be used for additional
15 fraud and recoupment activities performed by the department of
16 human services or the department of inspections and appeals,
17 and the department of human services may add not more than
18 five full-time equivalent positions, in addition to those
19 authorized in this Act, subject to both of the following
20 conditions:

21 1. The director of human services determines that the
22 investment can reasonably be expected to increase recovery of
23 assistance paid in error, due to fraudulent or nonfraudulent
24 actions, in excess of the amount recovered in the fiscal year
25 beginning July 1, 1997.

26 2. The amount expended for the additional fraud and
27 recoupment activities shall not exceed the amount of the
28 projected increase in assistance recovered.

29 Sec. 34. FINANCIAL ASSISTANCE SERVICES.

30 1. For purposes of this section, "financial assistance
31 services" means services or other assistance provided under
32 one or more of the following programs administered by the
33 department of human services: family investment program,
34 PROMISE JOBS program, medical assistance program, food stamp
35 program, state child care assistance program, refugee cash

1 assistance program, emergency assistance program, and child
2 support recovery program.

3 2. During the fiscal year beginning July 1, 2000, and
4 ending June 30, 2001, the department of human services may
5 continue to conduct a pilot program or pilot programs for
6 provisions of financial assistance services.

7 3. Any pilot program conducted in accordance with this
8 section shall be designed to meet one or more of the following
9 financial assistance services goals:

10 a. A reduction in paperwork for applicants and recipients
11 of services, or staff, or both.

12 b. Streamlining or expediting the eligibility
13 determination process, to decrease the length of time it takes
14 to inform applicants for financial assistance services as to
15 the disposition of their request for the services.

16 c. Streamlining or expediting the referral process for
17 family investment program applicants and recipients to other
18 financial assistance services such as PROMISE JOBS or child
19 support recovery, so that referrals can be initiated in a more
20 timely manner in order to help move applicants and recipients
21 more quickly to economic self-sufficiency or toward reduced
22 reliance on government assistance.

23 d. Improved coordination of the management of financial
24 assistance services as applicants for and recipients of the
25 services work toward economic self-sufficiency.

26 e. Identification of policies, procedures, and practices
27 that could be altered or eliminated without materially
28 affecting the desired results for the family assistance
29 services.

30 4. Any pilot program conducted in accordance with this
31 section is subject to the following limitations and
32 parameters:

33 a. Notwithstanding any administrative rule, that is not
34 based in federal law, the department may alter policies,
35 procedures, and practices to waive the administrative rule,

1 that are based in state law, provided that the alterations do
2 not decrease an applicant's or recipient's choice of, or
3 ability to obtain, financial assistance services from the
4 department in comparison with the financial assistance
5 services that would otherwise be available. The department
6 may operate one or more pilot projects under this paragraph,
7 in not more than fourteen counties.

8 b. If the department obtains a waiver of federal law or
9 regulation, the department may alter policies, procedures, and
10 practices that are based in federal law, provided that the
11 alterations do not decrease an applicant's or recipient's
12 choice of, or ability to obtain, financial assistance services
13 from the department in comparison with the financial
14 assistance services that would otherwise be available. The
15 department may operate one or more projects under this
16 paragraph, in not more than fourteen counties.

17 c. In order to facilitate rapid implementation, except as
18 provided in paragraph "d", any pilot program authorized under
19 this section is exempt from the rulemaking procedures and
20 rulemaking requirements of chapter 17A. However, following
21 development of the pilot program, the department shall provide
22 a list of the laws or rules being waived to the chairpersons
23 and ranking members of the joint appropriations subcommittee
24 on human services, the administrative rules review committee,
25 the administrative rules coordinator, the legislative fiscal
26 bureau, and the legislative service bureau. In implementing a
27 pilot program under this section, the department shall take
28 steps to make applicants and recipients of services aware of
29 their choices, expectations, rights, and responsibilities.

30 d. The department shall adopt emergency rules establishing
31 a framework for the pilot projects implemented under this
32 section. The rules shall identify the participating counties,
33 the maximum duration of each pilot project, and generally
34 describe the scope and nature of each pilot project. Within
35 this framework, the department retains broad discretion to

1 revise a pilot project without further rulemaking describing
2 the revision.

3 Sec. 35. CHILD PROTECTION EVALUATION. The department
4 shall fulfill the requirements of 1997 Iowa Acts, chapter 176,
5 section 23, and 1999 Iowa Acts, chapter 203, section 45, for
6 an independent evaluation of the child protection system by
7 including the evaluation elements in its independent review
8 contracted for in the Spring of 2000.

9 Sec. 36. 1999 Iowa Acts, chapter 208, section 1,
10 unnumbered paragraphs 2 and 3, and subsection 4, are amended
11 to read as follows:

12 For distribution to counties of the county mental health,
13 mental retardation, and developmental disabilities allowed
14 growth factor adjustment, in accordance with section 331.438,
15 subsection 2, and section 331.439, subsection 3, and chapter
16 426B:

17 \$ 21,773,602
18 21,273,602

19 The funding appropriated in this section is the allowed
20 growth factor adjustment ~~of 1.57 percent~~ for fiscal year 2000-
21 2001, and is allocated as follows:

22 4. For deposit in the risk pool created in the property
23 tax relief fund pursuant to section 426B.5, subsection 3:
24 \$ 2,000,000
25 1,500,000

26 Sec. 37. Section 249A.3, subsection 1, paragraph k, Code
27 Supplement 1999, is amended to read as follows:

28 k. Is a pregnant woman or infant whose income is more than
29 the limit prescribed under the federal Medicare Catastrophic
30 Coverage Act of 1988, Pub. L. No. 100-360, § 302, but not more
31 than ~~one~~ two hundred ~~eighty-five~~ percent of the federal
32 poverty level as defined by the most recently revised poverty
33 income guidelines published by the United States department of
34 health and human services.

35 Sec. 38. ARLENE DAYHOFF EDUCATIONAL COMPLEX.

1 1. The general assembly makes the following findings:

2 a. That Arlene H. Dayhoff recognized the important role of
3 good educational and recreational facilities in maintaining
4 the quality of the state training school's work with this
5 state's most troubled youth and worked tirelessly for approval
6 of new facilities.

7 b. That Arlene H. Dayhoff has the distinction of serving
8 during 1987-1997 as chairperson of the council on human
9 services, the primary policymaking body for the department of
10 human services, and having the longest tenure of anyone in
11 that office.

12 c. That Arlene H. Dayhoff is known for her active life in
13 service activity with her twenty-three years of employment in
14 the field of nursing and as a volunteer and board member with
15 many human services and health endeavors, including St. Luke's
16 hospital and hospital foundation, Iowa commission for the
17 blind, American red cross, Linn county association for mental
18 health, and Linn county retarded citizens, and has been
19 nationally recognized for her leadership by the national
20 governors' association distinguished service award.

21 d. That following her tenure on the council on human
22 services, Arlene H. Dayhoff continued her commitment to
23 troubled children by serving as co-chairperson of the
24 legislative council's child welfare work group from the work
25 group's creation in November 1997 through the present time.

26 e. That it is fitting to recognize Arlene H. Dayhoff's
27 many contributions to improving the lives of children with the
28 dedication of the new educational and recreational facilities
29 at the state training school in her name.

30 2. The educational and recreational facilities to be
31 dedicated in the spring of 2001 at the state training school
32 in Eldora, Iowa, are named the "Arlene Dayhoff Educational
33 Complex" in honor of Arlene H. Dayhoff and an appropriate
34 commemorative plaque shall be placed near the entrance of the
35 educational complex in recognition of Arlene Dayhoff and the

1 outstanding contribution she has made to the state training
2 school and the state of Iowa.

3 Sec. 39. SUBSIDIZED GUARDIANSHIP -- RULES -- CONTINGENCY
4 -- RETROACTIVITY. The rules adopted pursuant to 441 IAC 204
5 relating to the subsidized guardianship program shall not be
6 applicable until such time as funding is appropriated after
7 July 1, 2000, for this purpose by the general assembly. This
8 provision is retroactively applicable to April 1, 2000.

9 Sec. 40. EMERGENCY RULES. If specifically authorized by a
10 provision of this Act, the department of human services or the
11 mental health and developmental disabilities commission may
12 adopt administrative rules under section 17A.4, subsection 2,
13 and section 17A.5, subsection 2, paragraph "b", to implement
14 the provisions and the rules shall become effective
15 immediately upon filing, unless the effective date is delayed
16 by the administrative rules review committee, notwithstanding
17 section 17A.4, subsection 5, and section 17A.8, subsection 9,
18 or a later effective date is specified in the rules. Any
19 rules adopted in accordance with this section shall not take
20 effect before the rules are reviewed by the administrative
21 rules review committee. Any rules adopted in accordance with
22 the provisions of this section shall also be published as
23 notice of intended action as provided in section 17A.4.

24 Sec. 41. REPORTS. Any reports or information required to
25 be compiled and submitted under this Act shall be submitted to
26 the chairpersons and ranking members of the joint
27 appropriations subcommittee on human services, the legislative
28 fiscal bureau, the legislative service bureau, and to the
29 caucus staffs on or before the dates specified for submission
30 of the reports or information.

31 Sec. 42. EFFECTIVE DATES. The following provisions of
32 this Act, being deemed of immediate importance, take effect
33 upon enactment:

34 1. Section 1, relating to the social services block grant
35 supplementation.

1 2. Section 4, subsection 1, paragraph "f", relating to
2 electronic benefits transfer contracting.

3 3. Section 8, subsection 15, relating to the pilot project
4 for continuous eligibility under the medical assistance
5 program.

6 4. Section 15, subsection 2, paragraph "e", relating to
7 requirements of section 232.143, for the 2000-2001 fiscal
8 year.

9 5. Section 15, subsection 14, paragraph "a", relating to
10 determining allocation of court-ordered services funding.

11 6. Section 15, subsection 21, relating to nonreversion of
12 certain funding appropriated in 1999 Iowa Acts, chapter 203.

13 7. Section 26, subsection 2, relating to nonreversion of
14 moneys appropriated in 1999 Iowa Acts, chapter 203, section
15 30.

16 8. Section 35, relating to an independent evaluation of
17 the child protection system.

18 9. Section 39, relating to the applicability of certain
19 administrative rules involving subsidized guardianship.

20 EXPLANATION

21 This bill makes appropriations for the 2000-2001 fiscal
22 year for the department of human services and includes other
23 appropriations and provisions involving human services and
24 health care.

25 In regard to provider reimbursements, the bill provides
26 that the provider rates may be modified by appropriations from
27 the senior living trust fund, created in Code section 249H.4,
28 Senate File 2193 or in accordance with appropriations from the
29 tobacco settlement fund.

30 The bill continues appropriation of moneys to the
31 department of human services that are collected as a civil
32 penalty for licenses that are suspended, revoked, or barred.
33 The moneys are to be used for allocation to county and
34 multicounty juvenile detention homes, continuation of a grant
35 to a county for implementation of a runaway treatment plan,

1 and for grants to other counties for runaway treatment plans.

2 The bill includes transfer authority as necessary for the
3 department of human services to meet federal maintenance of
4 effort requirements for federal temporary assistance to needy
5 families block grant funding, for federal social services
6 block grant purposes, and for meeting cash flow needs
7 resulting in delays in receiving federal funding.

8 The bill suspends restrictions under current law in Code
9 section 239B.14 and appropriates certain recovered moneys
10 generated through fraud and recoupment activities to the
11 department of human services to be used for additional fraud
12 and recoupment activities.

13 The bill authorizes the department of human services to
14 continue and expand pilot programs for provision of financial
15 assistance services. The bill expands the authorization from
16 eight to 14 counties. Under the pilot project, the department
17 may suspend or waive administrative rules in order to attain
18 various goals stated in the bill. Various reports are
19 required.

20 The bill requires the department to fulfill a requirement
21 in prior law for an independent evaluation of the assessment-
22 based approach to child abuse reports by including the
23 evaluation elements in the independent review contracted for
24 by the department in the spring of 2000. This provision takes
25 effect upon enactment.

26 The bill includes legislative findings and provides that
27 educational and recreational facilities to be dedicated in the
28 spring of 2001 at the state training school in Eldora are to
29 be named the "Ariene Dayhoff Educational Complex".

30 The codified sections in the bill provide for a change in
31 eligibility requirements under the medical assistance program
32 in Code section 249A.3. The bill increases the income limit
33 from 185 percent of the federal poverty level to 200 percent
34 of the federal poverty level for pregnant women and infants
35 under the medical assistance program.

1 The bill also provides immediate effective dates for
2 certain provisions of the bill.

3 The bill provides for retroactive application of the
4 provisions relative to rules adopted for the subsidized
5 guardianship program.

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

SENATE FILE 2435

S-5252

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 48, by striking line 29 and inserting the
- 3 following:
- 4 "..... \$ 13,662,125"
- 5 2. Page 49, by striking lines 11 through 14.
- 6 3. By renumbering as necessary.

By JOHNIE HAMMOND

S-5252 FILED MARCH 28, 2000
RULED OUT OF ORDER

(P. 914)

SENATE FILE 2435

S-5253

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 25, by striking line 13, and inserting
- 3 the following:
- 4 "..... \$ 20,168,128".

By JOHNIE HAMMOND

S-5253 FILED MARCH 28, 2000
LOST

(P. 910)

SENATE FILE 2435

S-5254

- 1 Amend Senate File 2435 as follows:
- 2 1. By striking page 22, line 32, through page 23,
- 3 line 14.
- 4 2. By renumbering as necessary.

By JOHNIE HAMMOND

S-5254 FILED MARCH 28, 2000
LOST

(P. 909)

SENATE FILE 2435

S-5255

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 7, by striking line 17, and inserting the
- 3 following: "unplanned pregnancies of females age 13
- 4 or older but younger than age 18 within the geographic
- 5 area to be served by the grant."

By DAVID MILLER

S-5255 FILED MARCH 28, 2000
ADOPTED

P. 908

P

SENATE FILE 2435

S-5258

1 Amend Senate File 2435 as follows:

2 1. Page 24, by striking line 10 and inserting the
3 following:

4 "..... \$ 5,781,139"

5 2. Page 59, by inserting after line 34 the
6 following:

7 "Sec. ____ . Section 249A.3, subsection 1, Code
8 Supplement 1999, is amended by adding the following
9 new paragraph after paragraph k:

10 NEW PARAGRAPH. kk. Is an infant whose income is
11 not more than two hundred percent of the federal
12 poverty level, as defined by the most recently revised
13 income guidelines published by the United States
14 department of health and human services.

15 Sec. ____ . Section 514I.8, subsection 1, Code 1999,
16 is amended to read as follows:

17 1. Effective July 1, 1998, and notwithstanding any
18 medical assistance program eligibility criteria to the
19 contrary, medical assistance shall be provided to, or
20 on behalf of, an eligible child under the age of
21 nineteen whose family income does not exceed one
22 hundred thirty-three percent of the federal poverty
23 level, as defined by the most recently revised poverty
24 income guidelines published by the United States
25 department of health and human services.

26 Additionally, effective July 1, 2000, and
27 notwithstanding any medical assistance program
28 eligibility criteria to the contrary, medical
29 assistance shall be provided to, or on behalf of, an
30 eligible infant whose family income does not exceed
31 two hundred percent of the federal poverty level, as
32 defined by the most recently revised poverty income
33 guidelines published by the United States department
34 of health and human services.

35 Sec. ____ . Section 514I.8, subsection 2, paragraph
36 c, Code 1999, is amended to read as follows:

37 c. Is a member of a family whose **adjusted-gross**
38 **income does not exceed one two hundred eighty-five**
39 **percent of the federal poverty level, as defined in 42**
40 **U.S.C. § 9902(2), including any revision required by**
41 **such section.**

42 Sec. ____ . Section 514I.10, Code 1999, is amended
43 to read as follows:

44 514I.10 COST SHARING.

45 1. Cost sharing for eligible children whose family
46 **adjusted-gross** income is at or below one hundred fifty
47 percent of the federal poverty level shall not exceed
48 the standards permitted under 42 U.S.C. §
49 1396(o)(a)(3) or § 1396(o)(b)(1).

50 2. Cost sharing for eligible children whose family

S-5258

S-5258

Page 2

1 adjusted-gross income is between one hundred fifty
 2 percent and one two hundred ~~eighty-five~~ percent of the
 3 federal poverty level shall include a premium or
 4 copayment amount which is at least a minimum amount
 5 but which does not exceed five percent of the annual
 6 family adjusted-gross income. The amount of the
 7 premium or the copayment amount shall be based on a
 8 ~~sliding-fee-scale-established-by-rule-which-is-based~~
 9 ~~on family adjusted-gross income and the size of-the~~
 10 ~~family."~~

11 3. By renumbering as necessary.

By JOHNIE HAMMOND	DICK L. DEARDEN
PATRICIA HARPER	WALLY E. HORN
BETTY A. SOUKUP	JOE BOLKCOM
MARK SHEARER	TOM FLYNN
EUGENE S. FRAISE	ROBERT E. DVORSKY
MIKE CONNOLLY	ELAINE SZYMONIAK
JOHN JUDGE	STEVEN D. HANSEN
DENNIS H. BLACK	MICHAEL E. GRONSTAL
JOHN P. KIBBIE	PATRICK J. DELUHERY
BILL FINK	

S-5258 FILED MARCH 28, 2000

LOST

(p. 910)

SENATE FILE 2435

S-5265

1 Amend Senate File 2435 as follows:
 2 1. Page 28, by striking line 31 and inserting the
 3 following:
 4 "..... \$ 6,309,742"
 5 2. Page 29, by striking line 7 and inserting the
 6 following:
 7 "..... \$ 10,405,335"
 8 3. Page 38, by striking line 32 and inserting the
 9 following:
 10 "..... \$ 12,804,527"
 11 4. Page 39, by striking line 3 and inserting the
 12 following:
 13 "..... \$ 7,227,168"
 14 5. Page 39, by striking line 9 and inserting the
 15 following:
 16 "..... \$ 17,526,567"
 17 6. Page 39, by striking line 34 and inserting the
 18 following:
 19 "..... \$ 5,360,065"
 20 7. Page 41, by striking line 33 and inserting the
 21 following:
 22 "..... \$ 2,511,091"
 23 8. Page 42, by striking line 3 and inserting the
 24 following:
 25 "..... \$ 1,714,565"

By JOHNIE HAMMOND

S-5265 FILED MARCH 28, 2000

LOST

(p. 911)

SENATE FILE 2435

S-5266

1 Amend Senate File 2435 as follows:

2 1. Page 16, by striking line 24, and inserting
3 the following:

4 "..... \$ 6,595,919"

5 2. Page 29, by striking line 7, and inserting the
6 following:

7 "..... \$ 10,461,399"

8 3. Page 37, by striking line 20, and inserting
9 the following:

10 "..... \$ 280,281"

11 4. Page 38, by striking line 32, and inserting
12 the following:

13 "..... \$ 12,822,355"

14 5. Page 39, by striking line 9, and inserting the
15 following:

16 "..... \$ 17,547,011"

17 6. Page 39, by striking line 34, and inserting
18 the following:

19 "..... \$ 5,375,419"

20 7. Page 47, by striking line 31, and inserting
21 the following:

22 "..... \$ 1,280,925"

23 8. Page 48, by striking line 12, and inserting
24 the following:

25 "..... \$ 44,370,771"

26 9. Page 48, by striking line 19, and inserting
27 the following:

28 "..... \$ 5,676,193"

29 10. Page 48, by striking line 29, and inserting
30 the following:

31 "..... \$ 13,816,549"

By JOHNIE HAMMOND
ELAINE SZYMONIAK

S-5266 FILED MARCH 28, 2000

LOST

(p. 909)

SENATE FILE 2435

S-5250

1 Amend Senate File 2435 as follows:

2 1. Page 47, by striking line 31 and inserting the
3 following:

4 "..... \$ 1,776,356"

5 2. By striking page 47, line 33 through page 48,
6 line 3.

7 3. Page 62, by striking lines 13 through 15.

8 4. By renumbering as necessary.

By ROBERT E. DVORSKY
JOHNIE HAMMOND

S-5250 FILED MARCH 28, 2000

WITHDRAWN

(p. 912)

SENATE FILE 2435

S-5267

1 Amend Senate File 2435 as follows:
2 1. Page 14, by striking line 4, and inserting the
3 following:
4 "..... \$ 35,859,687"
5 2. Page 16, by striking line 24, and inserting
6 the following:
7 "..... \$ 6,703,649"
8 3. Page 28, by striking line 31, and inserting
9 the following:
10 "..... \$ 6,339,856"
11 4. Page 29, by striking line 7, and inserting the
12 following:
13 "..... \$ 10,406,263"
14 5. Page 29, by striking line 31, and inserting
15 the following:
16 "..... \$109,090,477"
17 6. Page 30, line 27, by striking the figure
18 "7,059,682" and inserting the following: "7,255,134".
19 7. Page 36, line 31, by striking the letter "a."
20 8. Page 37, by striking lines 3 through 9.
21 9. Page 38, by striking line 32, and inserting
22 the following:
23 "..... \$ 12,802,425"
24 10. Page 39, by striking line 9, and inserting
25 the following:
26 "..... \$ 17,515,229"
27 11. Page 39, by striking line 34, and inserting
28 the following:
29 "..... \$ 5,434,242"
30 12. Page 41, by striking line 33, and inserting
31 the following:
32 "..... \$ 2,594,791"
33 13. Page 42, by striking line 3, and inserting
34 the following:
35 "..... \$ 1,768,814"
36 14. By renumbering as necessary.

By JOHNIE HAMMOND

S-5267 FILED MARCH 28, 2000

LOST

(p. 908)

SENATE FILE 2435

S-5268

1 Amend Senate File 2435 as follows:
2 1. Page 29, by striking line 31, and inserting
3 the following:
4 "..... \$108,983,613"
5 2. Page 30, line 27, by striking the figure
6 "7,059,682" and inserting the following: "7,255,134".

By JOHNIE HAMMOND

S-5268 FILED MARCH 28, 2000

LOST

(p. 913)

SENATE FILE 2435

S-5269

1 Amend Senate File 2435 as follows:

2 1. Page 48, by striking line 12, and inserting
3 the following:

4 "..... \$ 44,722,546"

By JOHNIE HAMMOND
ELAINE SZYMONIAK

S-5269 FILED MARCH 28, 2000

LOST

(p. 914)

SENATE FILE 2435

S-5270

1 Amend Senate File 2435 as follows:

2 1. Page 44, by striking line 32 and inserting the
3 following:

4 "..... \$ 13,600,000"

5 2. Page 48, by striking line 29 and inserting the
6 following:

7 "..... \$ 13,623,100"

8 3. Page 49, by striking lines 11 through 14.

9 4. By renumbering as necessary.

By MAGGIE TINSMAN

S-5270 FILED MARCH 28, 2000

ADOPTED

(p. 912)

SENATE FILE 2435

S-5273

1 Amend Senate File 2435 as follows:

- 2 1. Page 3, by striking lines 7 through 11 and
3 inserting the following: "for fiscal year 2000-2001."
4 2. Page 3, line 23, by striking the word "day".
5 3. Page 3, line 30, by striking the word "day".
6 4. Page 3, line 34, by striking the word "day".
7 5. Page 3, line 35, by striking the word "day".
8 6. Page 4, line 22, by inserting after the word
9 and figure "October 1," the following: "1998, and
10 ending September 30, 1999, and beginning October 1,".
11 7. Page 8, by striking lines 17 through 20 and
12 inserting the following:
13 "d. The department shall continue to make
14 entrepreneurial training available to families
15 receiving assistance under the family investment
16 program. The department may contract for these
17 services."
18 8. Page 9, line 6, by inserting after the word
19 "positions" the following: "which are in addition to
20 any other full-time equivalent positions authorized by
21 this Act".
22 9. Page 22, line 7, by striking the word
23 "equitably" and inserting the following: "equally".
24 10. Page 24, by striking line 12 and inserting
25 the following: "section to be used for the purpose
26 of".
27 11. Page 30, line 27, by striking the figure
28 "7,059,682" and inserting the following: "7,060,104".
29 12. Page 31, line 19, by striking the words "the
30 prior fiscal year" and inserting the following:
31 "fiscal year 1999-2000".
32 13. Page 35, line 15, by striking the figure
33 "4,758,000" and inserting the following: "4,108,000".
34 14. Page 35, line 29, by striking the figure
35 "688,167" and inserting the following: "687,876".
36 15. Page 35, line 31, by striking the words "with
37 an".
38 16. Page 35, by striking lines 32 and 33 and
39 inserting the following: "for the school year and
40 summer school period, with an average cost of \$41 per
41 day over the usual period of treatment. Funding shall
42 be distributed in an equitable".
43 17. Page 38, line 9, by striking the words "and
44 to expand to two new counties".
45 18. Page 51, line 8, by striking the figure
46 "2000" and inserting the following: "1999".
47 19. By striking page 51, line 10, through page
48 52, line 6, and inserting the following: "reports.
49 At such time as the department implements a
50 transitional case-mix reimbursement methodology

S-5273

-1-

S-5273

Page 2

1 pursuant to 2000 Iowa Acts, Senate File 2193, nursing
2 facilities shall be reimbursed in accordance with the
3 transitional payment system.

4 b. Nursing facilities reimbursed under the medical
5 assistance program shall continue to submit cost
6 reports and additional documentation as required by
7 rule. Any cost report shall also include a line
8 itemization of expenses attributable to the home or
9 principal office or headquarters of the nursing
10 facility within the administrative cost line item."

11 20. By renumbering as necessary.

By MAGGIE TINSMAN

S-5273 FILED MARCH 28, 2000

WITHDRAWN

(P. 908)

SENATE FILE 2435

S-5276

1 Amend Senate File 2435 as follows:

2 1. By striking page 1, line 31 through page 2,
3 line 16, and inserting the following:

4 "Sec. ____ . EARLY CHILDHOOD FUNDING FISCAL YEAR
5 2000-2001."

6 2. Page 2, by striking lines 20 and 21 and
7 inserting the following: "July 1, 2000, and ending
8 June 30, 2001, from moneys received".

9 3. Page 2, lines 28 and 29, by striking the words
10 "appropriated and".

11 4. Page 4, line 4, by striking the word
12 "appropriated" and inserting the following:
13 "allocated".

14 5. Page 5, by striking line 6, and inserting the
15 following:

16 "..... \$ 44,885,883"

17 6. Page 5, by striking line 13, and inserting the
18 following:

19 "..... \$ 13,038,351"

20 7. By striking page 5, line 19 through page 6,
21 line 30, and inserting the following:

22 \$ 23,032,071"

23 8. Page 7, by striking lines 3 and 4.

24 9. Page 7, by striking line 7, and inserting the
25 following:

26 "..... \$ 1,967,477"

27 10. Page 7, by striking line 21, and inserting
28 the following:

29 "..... \$ 1,206,442"

30 11. Page 28, by inserting after line 23 the
31 following:

32 " ____ . If at any time during the fiscal year the
33 department determines that without implementing
34 waiting lists, state child care assistance eligibility
35 can be expanded to provide assistance to families with
36 an income of more than 100 percent but not more than
37 150 percent of the federal poverty level whose members
38 are employed at least 28 hours per week, the
39 department shall implement the eligibility expansion.
40 The department may adopt emergency rules to implement
41 the provisions of this subsection."

42 12. Page 28, by inserting before line 24 the
43 following:

44 " ____ . If at any time during the fiscal year the
45 department projects that the amounts appropriated for
46 state child care assistance are insufficient to
47 provide the assistance through the course of the
48 fiscal year unless waiting lists are established,
49 subject to the notification provisions of section
50 8.39, the department may transfer funding in

S-5276

S-5276

Page 2

1 accordance with this subsection. To the extent
 2 necessary to avoid establishing waiting lists, the
 3 department may transfer to the appropriation made in
 4 this section up to \$2,069,631 of the funding
 5 appropriated in this Act for child and family services
 6 that is budgeted for allocation to child welfare
 7 funding decategorization projects. Any transfer made
 8 pursuant to this subsection shall be prorated to the
 9 extent that funding has been proportionally allotted
 10 in accordance with section 8.31."

11 13. Page 37, by striking line 20, and inserting
 12 the following:

13 "..... \$ 1,011,228"

14 14. Page 37, by inserting after line 33, the
 15 following:

16 "_____. Of the funds appropriated in this section,
 17 \$731,000 shall be used for child abuse prevention
 18 grants."

19 15. By renumbering as necessary.

By JOHNIE HAMMOND

S-5276 FILED MARCH 28, 2000

LOST

(P. 907)

SENATE FILE 2435

S-5278

1 Amend Senate File 2435 as follows:
2 1. Page 3, by striking lines 7 through 11 and
3 inserting the following: "for fiscal year 2000-2001."
4 2. Page 3, line 23, by striking the word "day".
5 3. Page 3, line 30, by striking the word "day".
6 4. Page 3, line 34, by striking the word "day".
7 5. Page 3, line 35, by striking the word "day".
8 6. Page 4, line 22, by inserting after the word
9 and figure "October 1," the following: "1998, and
10 ending September 30, 1999, and beginning October 1,".
11 7. Page 8, by striking lines 17 through 20 and
12 inserting the following:
13 "d. The department shall continue to make
14 entrepreneurial training available to families
15 receiving assistance under the family investment
16 program. The department may contract for these
17 services."
18 8. Page 9, line 6, by inserting after the word
19 "positions" the following: "which are in addition to
20 any other full-time equivalent positions authorized by
21 this Act".
22 9. Page 22, line 7, by striking the word
23 "equitably" and inserting the following: "equally".
24 10. Page 24, by striking line 12 and inserting
25 the following: "section to be used for the purpose
26 of".
27 11. Page 30, line 27, by striking the figure
28 "7,059,682" and inserting the following: "7,060,104".
29 12. Page 31, line 19, by striking the words
30 "prior fiscal year" and inserting the following:
31 "fiscal year ending June 30, 1999".
32 13. Page 35, line 15, by striking the figure
33 "4,758,000" and inserting the following: "4,108,000".
34 14. Page 35, line 29, by striking the figure
35 "688,167" and inserting the following: "687,876".
36 15. Page 35, line 31, by striking the words "with
37 an".
38 16. Page 35, by striking lines 32 and 33 and
39 inserting the following: "for the school year and
40 summer school period, with an average cost of \$41 per
41 day over the usual period of treatment. Funding shall
42 be distributed in an equitable".
43 17. Page 38, line 9, by striking the words "and
44 to expand to two new counties".
45 18. Page 51, line 8, by striking the figure
46 "2000" and inserting the following: "1999".
47 19. By striking page 51, line 10, through page
48 52, line 6, and inserting the following: "reports.
49 At such time as the department implements a
50 transitional case-mix reimbursement methodology

S-5278

-1-

S-5278

Page 2

1 pursuant to 2000 Iowa Acts, Senate File 2193, nursing
2 facilities shall be reimbursed in accordance with the
3 transitional payment system.

4 b. Nursing facilities reimbursed under the medical
5 assistance program shall continue to submit cost
6 reports and additional documentation as required by
7 rule. Any cost report shall also include a line
8 itemization of expenses attributable to the home or
9 principal office or headquarters of the nursing
10 facility within the administrative cost line item."

11 20. By renumbering as necessary.

By MAGGIE TINSMAN

S-5278 FILED MARCH 28, 2000

WITHDRAWN

(P. 908)

SENATE FILE 2435

S-5279

1 Amend Senate File 2435 as follows:

2 1. Page 24, line 17, by striking the words "A
3 participating insurer" and inserting the following:
4 "The administrative contractor".

5 2. Page 24, line 19, by inserting after the word
6 "cost" the following: "reported by each participating
7 insurer".

By MAGGIE TINSMAN

S-5279 FILED MARCH 28, 2000

WITHDRAWN

(P. 910)

SENATE FILE 2435

S-5290

1 Amend Senate File 2435 as follows:

2 1. Page 54, by inserting after line 26, the
3 following:

4 "Sec. ____ . CERTIFIED NURSE AIDES -- PROJECT.

5 There is appropriated from the senior living trust
6 fund, created pursuant to section 249H.4, as enacted
7 in 2000 Iowa Acts, Senate File 2193, to the department
8 of human services for the fiscal year beginning July
9 1, 2000, and ending June 30, 2001, the following
10 amount, or so much thereof as is necessary, to
11 continue the recruitment and retention strategies
12 project to provide additional training and support for
13 certified nurse aides employed by nursing facilities:

14 \$ 65,000"

15 2. By renumbering as necessary.

By ELAINE SZYMONIAK

S-5290 FILED MARCH 28, 2000

LOST

(P. 914)

SENATE FILE 2435

S-5291

1 Amend Senate File 2435 as follows:

2 1. Page 27, by striking lines 8 through 10 and
3 inserting the following: "and human services.
4 Notwithstanding section 237A.13, if enacted by 2000
5 Iowa Acts, Senate File 2344, if expressly authorized
6 by law, based upon the general assembly's
7 determination of the availability of the funding
8 provided in this Act and other funding appropriated
9 for state child care assistance, the department
10 shall".

11 2. Page 28, by inserting after line 23 the
12 following:

13 "_____. The department shall not implement waiting
14 lists for state child care assistance without express
15 authorization in law. By January 15, 2001, the
16 department shall notify the members of the joint
17 appropriations subcommittee on human services and the
18 other persons designated by this Act to receive
19 reports regarding the expenditures from state
20 appropriations, federal temporary assistance for needy
21 families block grant appropriations, and other federal
22 appropriations for child care assistance. The
23 notification shall include analysis of the amount of
24 additional expenditures necessary due to use of the
25 1998 rate survey to establish reimbursement rates, the
26 department's projections as to the extent of the
27 expenditures from the appropriations for the remainder
28 of the fiscal year, and other information. It is the
29 intent of the general assembly to take appropriate
30 action as necessary to avoid the establishment of
31 waiting lists for state child care assistance during
32 the fiscal year."

33 3. By renumbering as necessary.

By MAGGIE TINSMAN

S-5291 FILED MARCH 28, 2000

ADOPTED

(p. 9/10)

SENATE FILE 2435

S-5292

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 3, by striking lines 7 through 11 and
3 inserting the following: "for fiscal year 2000-2001."
4 2. Page 3, line 23, by striking the word "day".
5 3. Page 3, line 30, by striking the word "day".
6 4. Page 3, line 34, by striking the word "day".
7 5. Page 3, line 35, by striking the word "day".
8 6. Page 4, line 22, by inserting after the word
9 and figure "October 1," the following: "1998, and
10 ending September 30, 1999, and beginning October 1,".
11 7. Page 8, by striking lines 17 through 20 and
12 inserting the following:
13 "d. The department shall continue to make
14 entrepreneurial training available to families
15 receiving assistance under the family investment
16 program. The department may contract for these
17 services."
18 8. Page 9, line 6, by inserting after the word
19 "positions" the following: "which are in addition to
20 any other full-time equivalent positions authorized by
21 this Act".
22 9. Page 16, line 25, by striking the figure
23 "275.22" and inserting the following: "272.40".
24 10. Page 22, line 7, by striking the word
25 "equitably" and inserting the following: "equally".
26 11. Page 22, by striking lines 18 through 21, and
27 inserting the following: "submit a progress report by
28 December 15, 2001, and a final report by December 15,
29 2002, to the general assembly. The department shall
30 adopt rules which comply with the notice of intended
31 action requirements of section 17A.4, subsection 1,
32 and which may be adopted as emergency rules after
33 notice is provided pursuant to section 17A.5,
34 subsection 2. The rules shall be reevaluated by the
35 department of human services with input from the Iowa
36 medical society and the Iowa pharmacy association,
37 upon submission of the final report or December 15,
38 2002, whichever occurs first."
39 12. Page 24, by striking line 12 and inserting
40 the following: "section to be used for the purpose
41 of".
42 13. Page 24, line 17, by striking the words "A
43 participating insurer" and inserting the following:
44 "The administrative contractor".
45 14. Page 24, line 19, by inserting after the word
46 "cost" the following: "reported by each participating
47 insurer".
48 15. Page 29, line 8, by striking the figure
49 "229.53" and inserting the following: "227.93".
50 16. Page 30, line 27, by striking the figure

S-5292

S-5292

Page 2

1 "7,059,682" and inserting the following: "7,060,104".
2 17. Page 31, line 19, by striking the words
3 "prior fiscal year" and inserting the following:
4 "fiscal year ending June 30, 1999".
5 18. Page 35, line 15, by striking the figure
6 "4,758,000" and inserting the following: "4,108,000".
7 19. Page 35, line 29, by striking the figure
8 "688,167" and inserting the following: "687,876".
9 20. Page 35, line 31, by striking the words "with
10 an".
11 21. Page 35, by striking lines 32 and 33 and
12 inserting the following: "for the school year and
13 summer school period, with an average cost of \$41 per
14 day over the usual period of treatment. Funding shall
15 be distributed in an equitable".
16 22. Page 38, line 9, by striking the words "and
17 to expand to two new counties".
18 23. Page 38, line 33, by striking the figure
19 "249.24" and inserting the following: "248.44".
20 24. Page 39, line 10, by striking the figure
21 "347.89" and inserting the following: "346.71".
22 25. Page 39, line 35, by striking the figure
23 "109.83" and inserting the following: "109.47".
24 26. Page 47, line 32, by striking the figure
25 "20.00" and inserting the following: "17.93".
26 27. Page 48, line 13, by striking the figure
27 "1,921.50" and inserting the following: "1,918.54".
28 28. Page 48, line 20, by striking the figure
29 "154.50" and inserting the following: "154.16".
30 29. Page 48, line 30, by striking the figure
31 "366.00" and inserting the following: "358.13".
32 30. Page 51, line 8, by striking the figure
33 "2000" and inserting the following: "1999".
34 31. By striking page 51, line 10, through page
35 52, line 6, and inserting the following: "reports.
36 At such time as the department implements a
37 transitional case-mix reimbursement methodology
38 pursuant to 2000 Iowa Acts, Senate File 2193, nursing
39 facilities shall be reimbursed in accordance with the
40 transitional payment system.
41 b. Nursing facilities reimbursed under the medical
42 assistance program shall continue to submit cost
43 reports and additional documentation as required by
44 rule. Any cost report shall also include a line
45 itemization of expenses attributable to the home or
46 principal office or headquarters of the nursing
47 facility within the administrative cost line item."
48 32. By renumbering as necessary.

By MAGGIE TINSMAN

S-5292 FILED MARCH 28, 2000

ADOPTED

(p. 915)

SENATE FILE 2435

S-5293

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 47, line 33, by striking the figure and
- 3 words "\$250,000 of the" and inserting the following:
- 4 "any".
- 5 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-5293 FILED MARCH 28, 2000

LOST

(p. 913)

SENATE FILE 2435

S-5297

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 59, by inserting after line 25, the
- 3 following:
- 4 "Sec. ____ . 2000 Iowa Acts, Senate File 2193,
- 5 section 20, subsection 3, unnumbered paragraph 1, is
- 6 amended to read as follows:
- 7 To implement nursing facility provider
- 8 reimbursement at the seventieth percentile of facility
- 9 costs as calculated from the June 30, 1999, unaudited
- 10 compilation of cost and statistical data submitted by
- 11 each facility on medical assistance cost reports and
- 12 to implement case-mix reimbursement methodology
- 13 changes:

14 \$ 17,750,000"

By MAGGIE TINSMAN

S-5297 FILED MARCH 28, 2000

WITHDRAWN

(p. 914)

SENATE FILE 2435

S-5301

- 1 Amend Senate File 2435 as follows:
- 2 1. Page 59, by inserting after line 25, the
- 3 following:
- 4 "Sec. ____ . 2000 Iowa Acts, Senate File 2193,
- 5 section 20, subsection 3, unnumbered paragraph 1, is
- 6 amended to read as follows:
- 7 To implement nursing facility provider
- 8 reimbursement at the seventieth percentile of facility
- 9 costs as calculated from the June 30, 2000, unaudited
- 10 compilation of cost and statistical data submitted by
- 11 each facility on medical assistance cost reports and
- 12 to implement case-mix reimbursement methodology
- 13 changes:

14 \$ 17,750,000"

By MAGGIE TINSMAN

S-5301 FILED MARCH 28, 2000

ADOPTED

(p. 914)

H. 3/29/00 Approp.

SENATE FILE **2435**
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3222)

(AS AMENDED AND PASSED BY THE SENATE MARCH 28, 2000)

_____ - New Language by the Senate
* - Language Stricken by the Senate

Passed Senate, Date 4-25-00 (P. 1363) Passed House, Date 4-11-00 (P. 1410)
Vote: Ayes 45 Nays 0 Vote: Ayes 56 Nays 42
Approved 5/17/00
Item *Re Passed 4/25/00*
revised *(P. 1800) vote 89-11*

A BILL FOR

1 An Act relating to appropriations for the department of human
2 services and including other provisions and appropriations
3 involving human services and health care, providing effective
4 dates, and providing for retroactive applicability.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 2435

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

1 Section 1. SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.

2 There is appropriated from the fund created in section 8.41 to
3 the department of human services for the fiscal year beginning
4 July 1, 1999, and ending June 30, 2000, from moneys received
5 under the federal temporary assistance for needy families
6 block grant, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:

8 For supplementation of the federal social services block
9 grant appropriation in 1999 Iowa Acts, chapter 193, section
10 12, due to the federal reduction in this block grant and the
11 corresponding decrease pursuant to 1999 Iowa Acts, chapter
12 193, section 16:

13 \$ 1,197,328

14 The moneys appropriated in this section are allocated for
15 the indicated programs and functions within the department as
16 follows:

17 1. General administration:

18 \$ 76,136

19 2. Field operations:

20 \$ 455,372

21 3. Child and family services:

22 \$ 68,111

23 4. Local administrative costs and other local services:

24 \$ 48,294

25 5. Volunteers:

26 \$ 5,278

27 6. Community-based services:

28 \$ 6,069

29 7. MH/MR/DD/BI community services (local purchase):

30 \$ 538,068

31 Sec. 2. EARLY CHILDHOOD FUNDING.

32 1. There is appropriated from the fund created in section
33 8.41 to the department of human services for the specified
34 fiscal years from moneys received under the federal temporary
35 assistance for needy families block grant pursuant to the

1 federal Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996, Pub. L. No. 104-193, the following
3 amounts, or so much thereof as is necessary, to be used for
4 the purposes designated:

5 a. For the fiscal year beginning July 1, 2000, and ending
6 June 30, 2001, for distribution in addition to previously
7 appropriated moneys to fund community-based programs targeted
8 to children from birth through five years of age developed by
9 community empowerment areas:

10 \$ 3,200,000

11 b. For the fiscal year beginning July 1, 2001, and ending
12 June 30, 2002, for distribution in addition to previously
13 appropriated moneys to fund community-based programs targeted
14 to children from birth through five years of age developed by
15 community empowerment areas:

16 \$ 3,200,000

17 2. The appropriation made in 1998 Iowa Acts, chapter 1218,
18 section 2, from the fund created in section 8.41 to the
19 department of human services for the fiscal year beginning
20 July 1, 2000, and ending June 30, 2001, and the appropriation
21 made in subsection 1, paragraph "a", from moneys received
22 under the federal temporary assistance for needy families
23 block grant shall be used for funding of community-based
24 programs targeted to children from birth through five years of
25 age, developed by community empowerment areas as provided in
26 this section.

27 3. The department may transfer federal temporary
28 assistance for needy families block grant funding appropriated
29 and allocated in this section to the child care and
30 development block grant in accordance with federal law as
31 necessary to comply with the provisions of this section. The
32 funding shall then be provided to community empowerment areas
33 for the fiscal year beginning July 1, 2000, in accordance with
34 all of the following:

35 a. The area must be approved as a designated community

1 empowerment area by the Iowa empowerment board.

2 b. The maximum funding amount a community empowerment area
3 is eligible to receive shall be determined by applying the
4 area's percentage of the state's average monthly family
5 investment program population in the preceding fiscal year to
6 the total amount appropriated and allocated in this section
7 for fiscal year 2000-2001.

8 c. A community empowerment area receiving funding shall
9 comply with any federal reporting requirements associated with
10 the use of that funding and other results and reporting
11 requirements established by the Iowa empowerment board. The
12 department shall provide technical assistance in identifying
13 and meeting the federal requirements.

14 d. The availability of funding provided under this section
15 is subject to changes in federal requirements and amendments
16 to Iowa law.

17 4. The moneys distributed in accordance with this section
18 shall be used by communities for the purposes of enhancing
*19 quality child care capacity in support of parent capability to
20 obtain or retain employment. The moneys shall be used with a
21 primary emphasis on low-income families and children from
22 birth to five years of age. Moneys shall be provided in a
23 flexible manner to communities, and shall be used to implement
24 strategies identified by the communities to achieve such
25 purposes. The strategies may include but are not limited to
*26 developing capacity for regular child care, sick child care,
27 night shifts child care, and emergency child care; enhancing
28 linkages between the head start and early head start programs,
*29 early childhood development programs, and child care
30 assistance programs; and implementing other strategies to
*31 enhance access to child care. The moneys may be used to
32 either build capacity or for support of ongoing efforts. In
33 addition to the full-time equivalent positions funded in this
34 Act, 1.00 full-time equivalent position is authorized and the
35 department may use funding appropriated in this section for

1 provision of technical assistance and other support to
2 communities developing and implementing strategies with moneys
3 distributed in accordance with this section.

4 5. Moneys which are subject to this section which are not
5 distributed to a community empowerment area or otherwise
6 remain unobligated or unexpended at the end of the fiscal year
7 shall revert to the fund created in section 8.41 to be
8 available for appropriation by the general assembly in a
9 subsequent fiscal year.

10 Sec. 3. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
11 GRANT. There is appropriated from the fund created in section
12 8.41 to the department of human services for the fiscal year
13 beginning July 1, 2000, and ending June 30, 2001, from moneys
14 received under the federal temporary assistance for needy
15 families block grant pursuant to the federal Personal
16 Responsibility and Work Opportunity Reconciliation Act of
17 1996, Pub. L. No. 104-193, which are federally appropriated
18 for the federal fiscal years beginning October 1, 1998, and
19 ending September 30, 1999, and beginning October 1, 1999, and
20 ending September 30, 2000, and beginning October 1, 2000, and
21 ending September 30, 2001, the following amounts, or so much
22 thereof as is necessary, to be used for the purposes
23 designated:

24 Moneys appropriated in this section shall be used in
25 accordance with the federal law making the funds available,
26 applicable Iowa law, appropriations made from the general fund
27 of the state in this Act for the purpose designated, and
28 administrative rules adopted to implement the federal and Iowa
29 law. If actual federal revenues credited to the fund created
30 in section 8.41 through June 30, 2001, are less than the
31 amounts appropriated in this section, the amounts appropriated
32 shall be reduced proportionately and the department may reduce
33 expenditures as deemed necessary by the department to meet the
34 reduced funding level:

35 1. To be credited to the family investment program account

1 and used for assistance under the family investment program
2 under chapter 239B:

3 \$ 44,035,883

4 2. To be credited to the family investment program account
5 and used for the job opportunities and basic skills (JOBS)
6 program, and implementing family investment agreements, in
7 accordance with chapter 239B:

8 \$ 19,980,113

9 3. For field operations:

10 \$ 12,870,415

11 4. For general administration:

12 \$ 3,227,683

13 5. For local administrative costs:

14 \$ 2,147,358

15 6. For state child care assistance:

16 \$ 20,619,567

17 a. Of the funds appropriated in this subsection, \$500,000
18 shall be used for child care emergency and start-up grants in
19 accordance with this paragraph. The funding allocated in this
20 paragraph shall be used to provide emergency grants to
21 existing licensed or registered child care facilities having
22 negative financial circumstances that will cause the
23 facilities to close without outside assistance. The funding
24 shall also be used to provide start-up funding to develop new
25 licensed or registered child care facilities that will
26 increase the availability of child care slots in communities.
27 The department shall establish criteria for distribution of
28 the grant funding. The criteria shall include a requirement
29 that grant funding is used to further the long-term financial
30 survival of grant recipients, a requirement that funding is
31 targeted to facilities providing essential child care services
32 to low-income families, required disclosure of necessary
33 financial information, establishment of a maximum grant amount
34 and a maximum number of grants to be issued in order to make
35 funding available to as many facilities as possible, and other

1 provisions to ensure appropriate use of the funding.

2 b. Of the funds appropriated in this subsection, \$500,000
3 shall be used for assistance to providers of child care to
4 school-age children in accordance with this paragraph. Moneys
5 allocated in this paragraph shall be used for grants to
6 licensed child care facilities providing care to school-age
7 children as of July 1, 2000. The grants shall be used to
8 increase the number of school-age children served, for
9 expansion of slots, or for transportation costs.

10 c. Of the funds appropriated in this subsection, \$400,000
11 shall be used for provision of educational opportunities to
12 registered child care home providers in order to improve
13 services and programs offered by this category of providers
14 and to increase the number of providers. The department may
15 contract with institutions of higher education or child care
16 resource and referral centers to provide the educational
17 opportunities. Allowable administrative costs under the
18 contracts shall not exceed five percent.

19 d. Of the funds appropriated in this subsection, \$250,000
20 shall be used for grants to child care facilities registered
21 or licensed as of July 1, 2000, or for hospitals licensed as
22 of July 1, 2000, to provide child care to children with an
23 illness who are unable to attend school or a regular child
24 care facility due to their illness. The grant funding
25 allocated in this paragraph shall be used to expand the number
26 of slots in existing child care facilities and in licensed
27 hospitals that provide services to children with an illness.

28 7. For emergency assistance:
29 \$ 2,763,605

30 8. For mental health and developmental disabilities
31 community services:
32 \$ 4,620,848

33 9. For child and family services:
34 \$ 23,586,793

35 10. For child abuse prevention:

1 \$ 731,000

2 11. For pregnancy prevention grants on the condition that
3 family planning services are funded:

4 \$ 2,517,477

5 Pregnancy prevention grants shall be awarded to programs in
6 existence on or before July 1, 2000, if the programs are
7 comprehensive in scope and have demonstrated positive
8 outcomes. Grants shall be awarded to pregnancy prevention
9 programs which are developed after July 1, 2000, if the
10 programs are comprehensive in scope and are based on existing
11 models that have demonstrated positive outcomes. Priority in
12 the awarding of grants shall be given to programs that serve
13 areas of the state which demonstrate the highest percentage of
14 unplanned pregnancies of females age 13 or older but younger
15 than age 18 within the geographic area to be served by the
16 grant.

17 12. For technology needs and other resources necessary to
18 meet federal welfare reform reporting, tracking, and case
19 management requirements:

20 \$ 1,006,442

21 13. For supervised community treatment under child and
22 family services:

23 \$ 300,000

24 14. For volunteers:

25 \$ 45,327

26 15. For individual development accounts under chapter
27 541A:

28 \$ 200,000

29 Of the amounts appropriated in this section, \$11,877,714
30 for the fiscal year beginning July 1, 2000, shall be
31 transferred to the appropriation of the federal social
32 services block grant for that fiscal year.

33 Eligible funding available under the federal temporary
34 assistance for needy families block grant that is not
35 appropriated or not otherwise expended shall be considered

1 reserved for economic downturns and welfare reform purposes
2 and is subject to further state appropriation to support
3 families in their movement toward self-sufficiency.

4 Sec. 4. FAMILY INVESTMENT PROGRAM ACCOUNT.

5 1. Moneys credited to the family investment program (FIP)
6 account for the fiscal year beginning July 1, 2000, and ending
7 June 30, 2001, shall be used in accordance with the following
8 requirements:

9 a. The department shall provide assistance in accordance
10 with chapter 239B.

11 b. The department shall continue the special needs program
12 under the family investment program.

13 c. The department shall continue to comply with federal
14 welfare reform data requirements pursuant to the
15 appropriations made for that purpose.

16 d. The department shall continue to make entrepreneurial
17 training available to families receiving assistance under the
18 family investment program. The department may contract for
19 these services.

20 e. The department shall continue expansion of the
21 electronic benefit transfer program as necessary to comply
22 with federal requirements. Notwithstanding 1998 Iowa Acts,
23 chapter 1218, section 5, subsection 1, paragraph "d", and 1999
24 Iowa Acts, chapter 203, section 5, subsection 1, paragraph
25 "d", the target date for statewide implementation of the
26 program is October 1, 2002.

27 f. The department, in entering into a contract relating to
28 the equipment to be used in implementation of the electronic
29 benefits transfer program in accordance with section 234.12A,
30 shall only enter into a contract which provides for the use of
31 a card which is compatible with the standards established for
32 electronic transfer of funds under chapter 527 for a multiple-
33 use terminal as defined in section 527.2, and which only
34 provides for receipt of state benefits and entitlements under
35 the purview of the department of human services.

1 2. The department may use a portion of the moneys credited
2 to the family investment account under this section, as
3 necessary for salaries, support, maintenance, and
4 miscellaneous purposes for not more than the following full-
5 time equivalent positions which are in addition to any other
6 full-time equivalent positions authorized by this Act:

7 FTEs 8.00

8 3. The department may transfer funds in accordance with
9 section 8.39, either federal or state, to or from the child
10 care appropriations made for the fiscal year beginning July 1,
11 2000, if the department deems this would be a more effective
12 method of paying for JOBS program child care, to maximize
13 federal funding, or to meet federal maintenance of effort
14 requirements.

15 4. Moneys appropriated in this Act and credited to the
16 family investment program account for the fiscal year
17 beginning July 1, 2000, and ending June 30, 2001, are
18 allocated as follows:

19 a. For the food stamp employment and training program:
20 \$ 250,000

21 b. For the family development and self-sufficiency grant
22 program as provided under section 217.12:
23 \$ 5,697,825

24 (1) Of the funds allocated for the family development and
25 self-sufficiency grant program in this lettered paragraph, not
26 more than 5 percent of the funds shall be used for the
27 administration of the grant program.

28 (2) Based upon the annual evaluation report concerning
29 each grantee funded by previously appropriated funds and
30 through the solicitation of additional grant proposals, the
31 family development and self-sufficiency council may use the
32 allocated funds to renew or expand existing grants or award
33 new grants. In utilizing the increased funding to expand the
34 program, the council shall give consideration, in addition to
35 other criteria established by the council, to a grant

1 proposal's intended use of local funds with a grant and to
2 whether a grant proposal would expand the availability of the
3 program's services to a wider geographic area.

4 (3) Family development and self-sufficiency grantees shall
5 not supplant previous local funding with state or federal
6 funds.

7 (4) The department shall continue to implement the family
8 development and self-sufficiency grant program statewide
9 during FY 2000-2001.

10 c. For income maintenance reengineering:

11 \$ 700,000

12 d. For the diversion program and incentive grants as
13 follows:

14 (1) For the diversion subaccount of the family investment
15 program account:

16 \$ 3,200,000

17 Moneys allocated to the diversion subaccount shall be used
18 to continue the pilot initiative of providing incentives to
19 assist families who meet income eligibility requirements for
20 the family investment program in obtaining or retaining
21 employment, to assist participant families in overcoming
22 barriers to obtaining employment, and to assist families in
23 stabilizing employment and in reducing the likelihood of the
24 family returning to the family investment program. Incentives
25 may be provided in the form of payment or services. The
26 department may limit the availability of the pilot initiative
27 on the basis of geographic area or numbers of individuals
28 provided with incentives. The department shall attempt to
29 assess and screen individuals who would most likely benefit
30 from the services. The department shall continue the
31 diversion initiative in the fiscal year 2000-2001. In
32 addition to the full-time equivalent positions authorized in
33 this Act, 1.00 FTE is authorized and the department may use up
34 to \$50,000 to facilitate community investment in welfare
35 reform and to support continuation of the diversion program.

1 The department may grant diversion moneys to the level of the
2 entity operating an initiative. The department may adopt
3 additional eligibility criteria as necessary for compliance
4 with federal law and for screening those families who would be
5 most likely to become eligible for the family investment
6 program if diversion incentives would not be provided.

7 (2) For continuation of innovative strategies on a
8 statewide or pilot project basis for supporting job retention,
9 family structure, or both, including services to noncustodial
10 parents and young parents:

11 \$ 650,000

12 (3) Of the moneys allocated in subparagraph (2), not more
13 than \$250,000 shall be used to develop or continue community-
14 level parental obligation pilot projects. A pilot project
15 shall be operated with the goal of assisting parents who are
16 living apart in meeting their parental obligations and in
17 supporting their children. A pilot project may also seek to
18 prevent the separation of families by including families at
19 risk of separation in project services. Any pilot project
20 shall maximize the use of existing community resources for
21 family counseling, legal services, mediation, job training and
22 job skills development, substance abuse treatment and
23 prevention, health maintenance, and personal mentoring. Local
24 communities shall also be encouraged to provide financial
25 resources.

26 (a) Notwithstanding any other provision of law to the
27 contrary, the department shall develop procedures for the
28 pilot projects to expedite all of the following:

29 (i) The establishment and adjustment of support
30 obligations, with the consent of both parents, in a manner
31 which may deviate from the child support guidelines.

32 (ii) Changes in income withholding orders based on
33 individual case circumstances.

34 (iii) Satisfaction of a portion of support amounts owed to
35 the state based on cooperation and compliance by the

1 noncustodial parent with project requirements.

2 (iv) Adjustment of visitation and shared custody
3 arrangements in a manner which enhances the ability of each
4 parent to meet parental obligations.

5 (b) The department shall adopt rules for the development,
6 operation, and monitoring of a project; to establish the
7 minimum required amount of community support; to establish
8 expedited procedures; and to establish other criteria and
9 procedures as appropriate.

10 (c) The department shall use the funds authorized in this
11 subparagraph to employ one full-time equivalent position to
12 manage the pilot project or projects. The department shall
13 also use the authorized funds to employ other full-time
14 equivalent positions or to provide services, as necessary, to
15 assist in the coordination, development, and operation of
16 community-level pilot projects and to achieve the expedited
17 procedures established. Any full-time equivalent positions
18 authorized in this subparagraph subdivision are in addition to
19 any other full-time equivalent positions authorized by law.

20 (4) Of the moneys allocated in subparagraph (2), not more
21 than \$200,000 shall be used to continue to study the impact
22 that moving unemployed family investment program parents into
23 employment has on the well-being of the children, the parent,
24 and the family. The department shall include in this well-
25 being study a method of actual contact with the families and
26 children, and shall consider broad-based impacts, such as
27 educational achievement, health status, housing stability,
28 family stability, and use of supportive social services. The
29 department shall also seek funding through foundations and the
30 federal government in order to supplement the funding for this
31 study. The results of the study shall be submitted to the
32 persons required by this Act to receive reports.

33 (5) Of the moneys allocated in subparagraph (2), not more
34 than \$100,000 shall be used for providing additional incentive
35 payments to contracted agencies who demonstrate success at

1 completing well-being visits for families terminated from the
2 family investment program under a limited benefit plan. The
3 department shall use these funds to increase payments to
4 agencies who complete a higher percentage of well-being
5 visits, who achieve a significant percentage of visits in a
6 face-to-face format, or who are able to observe and interact
7 with the children during a significant percentage of visits.

8 5. Of the child support collections assigned under the
9 family investment program, an amount equal to the federal
10 share of support collections shall be credited to the child
11 support recovery appropriation. The remainder of the assigned
12 child support collections received by the child support
13 recovery unit shall be credited to the family investment
14 program account.

15 6. The department may adopt emergency administrative rules
16 for the family investment, food stamp, and medical assistance
17 programs, if necessary, to comply with federal requirements.
18 Prior to adoption of the rules, the department shall consult
19 with the welfare reform council and the chairpersons and
20 ranking members of the joint appropriations subcommittee on
21 human services.

22 7. The department may continue to streamline and simplify
23 the employer verification process for applicants,
24 participants, and employers in the administration of the
25 department's programs. The department may contract with
26 companies collecting data from employers when the information
27 is needed in the administration of these programs. The
28 department may limit the availability of the initiative on the
29 basis of geographic area or number of individuals.

30 Sec. 5. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
31 appropriated from the general fund of the state to the
32 department of human services for the fiscal year beginning
33 July 1, 2000, and ending June 30, 2001, the following amount,
34 or so much thereof as is necessary, to be used for the purpose
35 designated:

1 To be credited to the family investment program account and
2 used for family investment program assistance under chapter
3 239B:

4 \$ 35,545,738

5 1. The department of workforce development, in
6 consultation with the department of human services, shall
7 continue to utilize recruitment and employment practices to
8 include former and current family investment program
9 recipients.

10 2. The department of human services shall continue to work
11 with the department of workforce development and local
12 community collaborative efforts to provide support services
13 for family investment program participants. The support
14 services shall be directed to those participant families who
15 would benefit from the support services and are likely to have
16 success in achieving economic independence.

17 3. Of the funds appropriated in this section, \$9,564,352
18 is allocated for the JOBS program.

19 4. The department shall continue to work with religious
20 organizations and other charitable institutions to increase
21 the availability of host homes, referred to as second chance
22 homes or other living arrangements under the federal Personal
23 Responsibility and Work Opportunity Reconciliation Act of
24 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
25 arrangements is to provide a supportive and supervised living
26 arrangement for minor parents receiving assistance under the
27 family investment program who, under chapter 239B, may receive
28 assistance while living in an alternative setting other than
29 with their parent or legal guardian.

30 Sec. 6. EMERGENCY ASSISTANCE. There is appropriated from
31 the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2000, and
33 ending June 30, 2001, the following amount, or so much thereof
34 as is necessary, to be used for the purpose designated:

35 For emergency assistance to families with dependent

1 children for homeless prevention programs:

2 \$ 10,000

3 1. The emergency assistance provided for in this section
4 and federal moneys appropriated for this purpose in this Act
5 shall be available beginning October 1 of the fiscal year and
6 shall be provided only if all other publicly funded resources
7 have been exhausted. Specifically, emergency assistance is
8 the program of last resort and shall not supplant assistance
9 provided by the low-income home energy assistance program
10 (LIHEAP), county general relief, and veterans affairs
11 programs. The department shall establish a \$500 maximum
12 payment, per family, in a twelve-month period. The emergency
13 assistance includes, but is not limited to, assisting people
14 who face eviction, potential eviction, or foreclosure, utility
15 shutoff or fuel shortage, loss of heating energy supply or
16 equipment, homelessness, utility or rental deposits, or other
17 specified crisis which threatens family or living
18 arrangements. The emergency assistance shall be available to
19 migrant families who would otherwise meet eligibility
20 criteria. The department may contract for the administration
21 and delivery of the program. The program shall be terminated
22 when funds are exhausted.

23 2. For the fiscal year beginning July 1, 2000, the
24 department shall continue the process for the state to receive
25 refunds of utility and rent deposits, including any accrued
26 interest, for emergency assistance recipients which were paid
27 by persons other than the state. The department shall also
28 receive refunds, including any accrued interest, of assistance
29 paid with funding available under this program. The refunds
30 received by the department under this subsection shall be
31 deposited with the moneys of the appropriation made in this
32 section and used as additional funds for the emergency
33 assistance program. Notwithstanding section 8.33, moneys
34 received by the department under this subsection which remain
35 after the emergency assistance program is terminated and state

1 or federal moneys in the emergency assistance account which
2 remain unobligated or unexpended at the close of the fiscal
3 year shall not revert to the general fund of the state but
4 shall remain available for expenditure when the program
5 resumes operation on October 1 in the succeeding fiscal year.

6 3. Of the funds appropriated in this section, \$10,000 is
7 allocated to the community voice mail program to continue the
8 existing program. The funds shall be made available beginning
9 July 1, 2000. The community voice mail program shall submit
10 semiannual reports to the department which, at a minimum,
11 specify, on a county basis, the unduplicated number of
12 households participating in the program for the previous six-
13 month period. The report shall be submitted no later than the
14 last business day of the month immediately following the end
15 of the six-month period.

16 Sec. 7. CHILD SUPPORT RECOVERY. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2000, and
19 ending June 30, 2001, the following amount, or so much thereof
20 as is necessary, to be used for the purposes designated:

21 For child support recovery, including salaries, support,
22 maintenance, and miscellaneous purposes and for not more than
23 the following full-time equivalent positions:

24	\$ 6,454,841
25	FTEs <u>272.40</u>

26 1. The director of human services, within the limitations
27 of the moneys appropriated in this section, or moneys
28 transferred from the family investment program account for
29 this purpose, shall establish new positions and add employees
30 to the child support recovery unit if the director determines
31 that both the current and additional employees together can
32 reasonably be expected to maintain or increase net state
33 revenue at or beyond the budgeted level.

34 2. Nonpublic assistance application fees and other user
35 fees received by the child support recovery unit are

1 appropriated and shall be used for the purposes of the child
2 support recovery program. The director of human services may
3 add positions within the limitations of the amount
4 appropriated for salaries and support for the positions.

5 3. The director of human services, in consultation with
6 the department of management and the legislative fiscal
7 committee, is authorized to receive and deposit state child
8 support incentive earnings in the manner specified under
9 applicable federal requirements.

10 4. a. The director of human services may establish new
11 positions and add state employees to the child support
12 recovery unit or contract for delivery of services if the
13 director determines the employees are necessary to replace
14 county-funded positions eliminated due to termination,
15 reduction, or nonrenewal of a chapter 28E contract. However,
16 the director must also determine that the resulting increase
17 in the state share of child support recovery incentives
18 exceeds the cost of the positions or contract, the positions
19 or contract are necessary to ensure continued federal funding
20 of the program, or the new positions or contract can
21 reasonably be expected to recover at least twice the amount of
22 money necessary to pay the salaries and support for the new
23 positions or the contract will generate at least 200 percent
24 of the cost of the contract.

25 b. Employees in full-time positions that transition from
26 county government to state government employment under this
27 subsection are exempt from testing, selection, and appointment
28 provisions of chapter 19A and from the provisions of
29 collective bargaining agreements relating to the filling of
30 vacant positions.

31 5. If initiated by the judicial branch, the child support
32 recovery unit shall continue to work with the judicial branch
33 to determine the feasibility of implementing a pilot project
34 utilizing a court-appointed referee for judicial
35 determinations on child support matters. The extent and

1 location of any pilot project shall be jointly developed by
2 the judicial branch and the child support recovery unit.

3 6. Surcharges paid by obligors and received by the unit as
4 a result of the referral of support delinquency by the child
5 support recovery unit to any private collection agency are
6 appropriated to the department and shall be used to pay the
7 costs of any contracts with the collection agencies.

8 Sec. 8. MEDICAL ASSISTANCE. There is appropriated from
9 the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2000, and
11 ending June 30, 2001, the following amount, or so much thereof
12 as is necessary, to be used for the purpose designated:

13 For medical assistance, including reimbursement for
14 abortion services, which shall be available under the medical
15 assistance program only for those abortions which are
16 medically necessary:

..... \$422,451,028

18 1. Medically necessary abortions are those performed under
19 any of the following conditions:

20 a. The attending physician certifies that continuing the
21 pregnancy would endanger the life of the pregnant woman.

22 b. The attending physician certifies that the fetus is
23 physically deformed, mentally deficient, or afflicted with a
24 congenital illness.

25 c. The pregnancy is the result of a rape which is reported
26 within 45 days of the incident to a law enforcement agency or
27 public or private health agency which may include a family
28 physician.

29 d. The pregnancy is the result of incest which is reported
30 within 150 days of the incident to a law enforcement agency or
31 public or private health agency which may include a family
32 physician.

33 e. Any spontaneous abortion, commonly known as a
34 miscarriage, if not all of the products of conception are
35 expelled.

1 2. Notwithstanding section 8.39, the department may
2 transfer funds appropriated in this section to a separate
3 account established in the department's case management unit
4 for expenditures required to provide case management services
5 for mental health, mental retardation, and developmental
6 disabilities services under medical assistance which are
7 jointly funded by the state and county, pending final
8 settlement of the expenditures. Funds received by the case
9 management unit in settlement of the expenditures shall be
10 used to replace the transferred funds and are available for
11 the purposes for which the funds were appropriated in this
12 section.

13 3. a. The county of legal settlement shall be billed for
14 50 percent of the nonfederal share of the cost of case
15 management provided for adults, day treatment, and partial
16 hospitalization in accordance with sections 249A.26 and
17 249A.27, and 100 percent of the nonfederal share of the cost
18 of care for adults which is reimbursed under a federally
19 approved home and community-based waiver that would otherwise
20 be approved for provision in an intermediate care facility for
21 persons with mental retardation, provided under the medical
22 assistance program. The state shall have responsibility for
23 the remaining 50 percent of the nonfederal share of the cost
24 of case management provided for adults, day treatment, and
25 partial hospitalization. For persons without a county of
26 legal settlement, the state shall have responsibility for 100
27 percent of the nonfederal share of the costs of case
28 management provided for adults, day treatment, partial
29 hospitalization, and the home and community-based waiver
30 services. The case management services specified in this
31 subsection shall be billed to a county only if the services
32 are provided outside of a managed care contract.

33 b. The state shall pay the entire nonfederal share of the
34 costs for case management services provided to persons 17
35 years of age and younger who are served in a medical

1 assistance home and community-based waiver program for persons
2 with mental retardation.

3 c. Medical assistance funding for case management services
4 for eligible persons 17 years of age and younger shall also be
5 provided to persons residing in counties with child welfare
6 decategorization projects implemented in accordance with
7 section 232.188, provided these projects have included these
8 persons in their service plan and the decategorization project
9 county is willing to provide the nonfederal share of costs.

10 d. When paying the necessary and legal expenses of
11 intermediate care facilities for persons with mental
12 retardation (ICFMR), the cost payment requirements of section
13 222.60 shall be considered fulfilled when payment is made in
14 accordance with the medical assistance payment rates
15 established for ICFMRs by the department and the state or a
16 county of legal settlement is not obligated for any amount in
17 excess of the rates.

18 4. The department shall utilize not more than \$60,000 of
19 the funds appropriated in this section to continue the
20 AIDS/HIV health insurance premium payment program as
21 established in 1992 Iowa Acts, Second Extraordinary Session,
22 Chapter 1001, section 409, subsection 6. Of the funds
23 allocated in this subsection, not more than \$5,000 may be
24 expended for administrative purposes.

25 5. Of the funds appropriated to the Iowa department of
26 public health for substance abuse grants, \$950,000 for the
27 fiscal year beginning July 1, 2000, shall be transferred to
28 the department of human services for an integrated substance
29 abuse managed care system.

30 6. In administering the medical assistance home and
31 community-based waiver for persons with physical disabilities,
32 the total number of openings for persons with physical
33 disabilities served at any one time shall be limited to the
34 number approved in the waiver by the secretary of the United
35 States department of health and human services. The openings

1 shall be available on a first-come, first-served basis.

2 7. The department of human services, in consultation with
3 the Iowa department of public health and the department of
4 education, shall continue the program to utilize the early and
5 periodic screening, diagnosis, and treatment (EPSDT) funding
6 under medical assistance, to the extent possible, to implement
7 the screening component of the EPSDT program through the
8 school system. The department may enter into contracts to
9 utilize maternal and child health centers, the public health
10 nursing program, or school nurses in implementing this
11 provision.

12 8. The department shall continue the case study for
13 outcome-based performance standards for programs serving
14 persons with mental retardation or other developmental
15 disabilities proposed pursuant to 1994 Iowa Acts, chapter
16 1170, section 56.

17 9. The department shall continue to pursue federal
18 approval of a medical assistance home and community-based
19 services waiver to allow children with mental retardation, who
20 would otherwise require ICF/MR care, to be served in out-of-
21 home settings of up to eight beds which meet standards
22 established by the department. If the waiver is not approved,
23 up to \$1,487,314 of the funds appropriated in this section may
24 be transferred to the appropriation in this Act for child and
25 family services, to be used for group foster care maintenance
26 and services.

27 10. The department shall discontinue the following pilot
28 programs on July 1, 2000:

29 a. The telemedicine pilot program.

30 b. The physician supervised weight-loss pilot program.

31 11. The department shall work with county representatives
32 in aggressively taking the steps necessary to implement the
33 rehabilitation option for services to persons with chronic
34 mental illness under the medical assistance program through
35 use of county funding as a match for the federal funding.

1 12. Of the funds appropriated in this section, the
2 department shall use up to \$414,000 to implement a disease-
3 specific pharmaceutical case management study, no later than
4 July 1, 2001, to measure the effects of case management for
5 medical assistance recipients identified by the department as
6 being at high risk for medication-related problems. The funds
7 shall be used to equally reimburse physician-pharmacist teams
8 for participation in the study. An advisory committee whose
9 membership consists of representatives of the Iowa medical
10 society, the Iowa pharmacy association, and the department of
11 human services shall establish and implement the
12 pharmaceutical case management study. The university of Iowa
13 college of public health, in conjunction with the colleges of
14 medicine and pharmacy shall perform an evaluation of the study
15 at no cost to the state and shall submit a final report of the
16 findings of the evaluation and any recommendations to the
17 general assembly by December 15, 2002. The department shall
18 submit a progress report by December 15, 2001, and a final
19 report by December 15, 2002, to the general assembly. The
20 department shall adopt rules which comply with the notice of
21 intended action requirements of section 17A.4, subsection 1,
22 and which may be adopted as emergency rules after notice is
23 provided pursuant to section 17A.5, subsection 2. The rules
24 shall be reevaluated by the department of human services with
25 input from the Iowa medical society and the Iowa pharmacy
26 association, upon submission of the final report or December
27 15, 2002, whichever occurs first.

28 13. The department shall increase the medical assistance
29 eligibility income limit for pregnant women and infants under
30 the mothers and children category to 200 percent of the
31 federal poverty level.

32 14. If the health care financing administration approves a
33 waiver request from the department, the department shall
34 provide a period of 24 months of guaranteed eligibility for
35 medical assistance family planning services, regardless of the

1 change in circumstances of a woman who was a medical
2 assistance recipient when a pregnancy ended.

3 15. The department of human services shall seek a waiver
4 from the health care financing administration of the United
5 States department of health and human services to implement a
6 pilot project in fiscal year 2000-2001 to study the effects of
7 providing continuous eligibility for children under the
8 medical assistance program. If the waiver is approved, the
9 pilot project shall be implemented in one rural and one urban
10 county, and the department shall enter into a contract with an
11 entity outside of the department to perform an evaluation of
12 the pilot project. The evaluating entity shall submit a
13 report to the general assembly on or before December 15, 2000,
14 regarding the findings of the pilot project including, but not
15 limited to, any increased costs which may be incurred through
16 continuous eligibility. The report shall also include
17 recommendations for discontinuation or expansion of the pilot
18 project. Of the funds appropriated in this Act for medical
19 contracts, not more than \$50,000 may be used for the
20 performance of the evaluation.

21 16. The department of human services shall review the
22 personal assistance services pilot project, and consumer-
23 directed care provisions and other home and community-based
24 services waivers utilized by the department and shall submit a
25 report to the governor and the general assembly by December
26 15, 2000, regarding options for termination, expansion, and
27 consolidation of the services and waivers.

28 Sec. 9. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
29 is appropriated from the general fund of the state to the
30 department of human services for the fiscal year beginning
31 July 1, 2000, and ending June 30, 2001, the following amount,
32 or so much thereof as is necessary, to be used for the purpose
33 designated:

34 For administration of the health insurance premium payment
35 program, including salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the following
2 full-time equivalent positions:

3 \$ 400,721
4 FTEs 17.00

5 Sec. 10. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
6 appropriated from the general fund of the state to the
7 department of human services for the fiscal year beginning
8 July 1, 2000, and ending June 30, 2001, the following amount,
9 or so much thereof as is necessary, to be used for the purpose
10 designated:

11 For maintenance of the healthy and well kids in Iowa (HAWK-
12 I) program pursuant to chapter 514I for receipt of federal
13 financial participation under Title XXI of the federal Social
14 Security Act, which creates the state children's health
15 insurance program:

16 \$ 4,984,508

17 1. The department may transfer funds appropriated in this
18 section to be used for the purpose of expanding health care
19 coverage to children under the medical assistance program.
20 The department shall provide periodic updates to the general
21 assembly of expenditures of funds appropriated in this
22 section.

23 2. The administrative contractor shall provide a report to
24 the HAWK-I board and to the general assembly by January 15,
25 2001, specifying the actual cost reported by each
26 participating insurer of providing monthly coverage to
27 eligible children under the children's health insurance
28 program.

29 3. Moneys in the HAWK-I trust fund are appropriated and
30 shall be used to offset any program costs for the fiscal year
31 beginning July 1, 2000, and ending June 30, 2001.

32 Sec. 11. MEDICAL CONTRACTS. There is appropriated from
33 the general fund of the state to the department of human
34 services for the fiscal year beginning July 1, 2000, and
35 ending June 30, 2001, the following amount, or so much thereof

1 as is necessary, to be used for the purpose designated:

2 For medical contracts:

3 \$ 8,276,282

4 In any managed care contract for mental health or substance
5 abuse services entered into by the department on or after July
6 1, 2000, the request for proposals shall provide for coverage
7 of dual diagnosis mental health and substance abuse treatment.
8 To the extent possible, the department shall also amend any
9 such contract existing on July 1, 2000, to provide for such
10 coverage.

11 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE. There is
12 appropriated from the general fund of the state to the
13 department of human services for the fiscal year beginning
14 July 1, 2000, and ending June 30, 2001, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For state supplementary assistance, funeral assistance, and
18 the medical assistance home and community-based services
19 waiver rent subsidy program:

20 \$ 19,985,747

21 1. The department shall increase the personal needs
22 allowance for residents of residential care facilities by the
23 same percentage and at the same time as federal supplemental
24 security income and federal social security benefits are
25 increased due to a recognized increase in the cost of living.
26 The department may adopt emergency rules to implement this
27 subsection.

28 2. a. If during the fiscal year beginning July 1, 2000,
29 the department projects that state supplementary assistance
30 expenditures for a calendar year will not meet the federal
31 pass-along requirement specified in Title XVI of the federal
32 Social Security Act, section 1618, as codified in 42 U.S.C. §
33 1382g, the department may take actions including but not
34 limited to increasing the personal needs allowance for
35 residential care facility residents and making programmatic

1 adjustments or upward adjustments of the residential care
2 facility or in-home health-related care reimbursement rates
3 prescribed in this Act to ensure that federal requirements are
4 met. The department may adopt emergency rules to implement
5 the provisions of this subsection.

6 b. If during the fiscal year beginning July 1, 2000, the
7 department projects that state supplementary assistance
8 expenditures will exceed the amount appropriated, the
9 department may transfer funds appropriated in this Act for
10 medical assistance for the purposes of the state supplementary
11 assistance program. However, funds shall only be transferred
12 from the medical assistance appropriation if the funds
13 transferred are projected to be in excess of the funds
14 necessary for the medical assistance program.

15 3. The department may use up to \$75,000 of the funds
16 appropriated in this section for a rent subsidy program for
17 adult persons to whom all of the following apply:

18 a. Are receiving assistance under a medical assistance
19 home and community-based services (HCBS) waiver.

20 b. Were discharged from a medical institution in which
21 they have resided or were at risk of institutional placement,
22 not to exceed 100 slots. Within available funding and
23 demonstrated need, the department may make subsidy funds
24 available to HCBS waiver-eligible adults meeting criteria in
25 paragraph "a" and this paragraph at any time on or after July
26 1, 1995.

27 The goal of the subsidy program shall be to encourage and
28 assist in enabling persons who currently reside in a medical
29 institution to move to a community living arrangement. An
30 eligible person may receive assistance in meeting their rental
31 expense and, in the initial two months of eligibility, in
32 purchasing necessary household furnishings and supplies. The
33 program shall be implemented so that it does not meet the
34 federal definition of state supplementary assistance and will
35 not impact the federal pass-along requirement specified in

1 Title XVI of the federal Social Security Act, section 1618, as
2 codified in 42 U.S.C. § 1382g.

3 Sec. 13. CHILD CARE ASSISTANCE. There is appropriated
4 from the general fund of the state to the department of human
5 services for the fiscal year beginning July 1, 2000, and
6 ending June 30, 2001, the following amount, or so much thereof
7 as is necessary, to be used for the purpose designated:

8 For child care programs:
9 \$ 5,050,752

10 1. Of the funds appropriated in this section, \$4,414,109
11 shall be used for state child care assistance.

12 2. For the purposes of this subsection, the term "poverty
13 level" means the poverty level defined by the poverty income
14 guidelines published by the United States department of health
15 and human services. Notwithstanding section 237A.13, if
16 enacted by 2000 Iowa Acts, Senate File 2344, if expressly
17 authorized by law, based upon the general assembly's
18 determination of the availability of the funding provided in
19 this Act and other funding appropriated for state child care
20 assistance, the department shall establish waiting lists for
21 state child care assistance in descending order of
22 prioritization as follows:

23 a. Families with an income at or below 100 percent of the
24 federal poverty level whose members are employed at least 28
25 hours per week, and parents with a family income at or below
26 100 percent of the federal poverty level who are under the age
27 of 21 and are participating in an educational program leading
28 to a high school diploma or equivalent.

29 b. Parents with a family income at or below 100 percent of
30 the federal poverty level who are under the age of 21 and are
31 participating, at a satisfactory level, in an approved
32 training program or in an educational program.

33 c. Families with an income of more than 100 percent but
34 not more than 140 percent of the federal poverty level whose
35 members are employed at least 28 hours per week.

1 d. Families with an income at or below 175 percent of the
2 federal poverty level whose members are employed at least 28
3 hours per week with a special needs child as a member of the
4 family.

5 3. Nothing in this section shall be construed or is
6 intended as, or shall imply, a grant of entitlement for
7 services to persons who are eligible for assistance due to an
8 income level consistent with the requirements of this section.
9 Any state obligation to provide services pursuant to this
10 section is limited to the extent of the funds appropriated in
11 this section.

12 4. Of the funds appropriated in this section, \$636,641 is
13 allocated for the statewide program for child care resource
14 and referral services under section 237A.26.

15 5. The department may use any of the funds appropriated in
16 this section as a match to obtain federal funds for use in
17 expanding child care assistance and related programs. For the
18 purpose of expenditures of state and federal child care
19 funding, funds shall be considered obligated at the time
20 expenditures are projected or are allocated to the
21 department's regions. Projections shall be based on current
22 and projected caseload growth, current and projected provider
23 rates, staffing requirements for eligibility determination and
24 management of program requirements including data systems
25 management, staffing requirements for administration of the
26 program, contractual and grant obligations and any transfers
27 to other state agencies, and obligations for decategorization
28 or innovation projects.

29 6. During the 2000-2001 fiscal year, the department shall
30 utilize the moneys deposited in the child care credit fund
31 created in section 237A.28 for state child care assistance, in
32 addition to the moneys allocated for that purpose in this
33 section.

34 7. The department shall not implement waiting lists for
35 state child care assistance without express authorization in

1 law. By January 15, 2001, the department shall notify the
2 members of the joint appropriations subcommittee on human
3 services and the other persons designated by this Act to
4 receive reports regarding the expenditures from state
5 appropriations, federal temporary assistance for needy
6 families block grant appropriations, and other federal
7 appropriations for child care assistance. The notification
8 shall include analysis of the amount of additional
9 expenditures necessary due to use of the 1998 rate survey to
10 establish reimbursement rates, the department's projections as
11 to the extent of the expenditures from the appropriations for
12 the remainder of the fiscal year, and other information. It
13 is the intent of the general assembly to take appropriate
14 action as necessary to avoid the establishment of waiting
15 lists for state child care assistance during the fiscal year.

16 Sec. 14. JUVENILE INSTITUTIONS. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2000, and
19 ending June 30, 2001, the following amounts, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:

- 22 1. For operation of the Iowa juvenile home at Toledo:
23 \$ 6,296,956
24 FTEs 136.54

25 It is the intent of the general assembly that beginning in
26 the fiscal year commencing on July 1, 2001, the Iowa juvenile
27 home at Toledo will serve only females. In preparation for
28 this change, the department shall develop service options to
29 appropriately place males for whom placement at the Iowa
30 juvenile home would otherwise be appropriate. The principal
31 option considered in placing males shall be placement at
32 existing state or community-based facilities.

- 33 2. For operation of the state training school at Eldora:
34 \$ 10,381,263
35 FTEs 227.93

1 Of the funding appropriated in this subsection, \$40,000 is
2 designated for aftercare services for persons who were placed
3 at the state training school at Eldora.

4 3. During the fiscal year beginning July 1, 2000, the
5 population levels at the state juvenile institutions shall not
6 exceed the population guidelines established under 1990 Iowa
7 Acts, chapter 1239, section 21, as adjusted for additional
8 beds developed at the institutions.

9 4. A portion of the moneys appropriated in this section
10 shall be used by the state training school and by the Iowa
11 juvenile home for grants for adolescent pregnancy prevention
12 activities at the institutions in the fiscal year beginning
13 July 1, 2000.

14 5. Within the amounts appropriated in this section, the
15 department may transfer funds as necessary to best fulfill the
16 needs of the institutions provided for in the appropriation.

17 Sec. 15. CHILD AND FAMILY SERVICES. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2000, and
20 ending June 30, 2001, the following amount, or so much thereof
21 as is necessary, to be used for the purpose designated:

22 For child and family services:

23 \$108,788,161

24 1. The department may transfer funds appropriated in this
25 section as necessary to pay the nonfederal costs of services
26 reimbursed under medical assistance or the family investment
27 program which are provided to children who would otherwise
28 receive services paid under the appropriation in this section.
29 The department may transfer funds appropriated in this section
30 to the appropriations in this Act for general administration
31 and for field operations for resources necessary to implement
32 and operate the services funded in this section.

33 2. a. Of the funds appropriated in this section, up to
34 \$27,764,744 is allocated as the statewide expenditure target
35 under section 232.143 for group foster care maintenance and

1 services.

2 b. If at any time after September 30, 2000, annualization
3 of a region's current expenditures indicates a region is at
4 risk of exceeding its group foster care expenditure target
5 under section 232.143 by more than five percent, the
6 department and juvenile court services shall examine all group
7 foster care placements in that region in order to identify
8 those which might be appropriate for termination. In
9 addition, any aftercare services believed to be needed for the
10 children whose placements may be terminated shall be
11 identified. The department and juvenile court services shall
12 initiate action to set dispositional review hearings for the
13 placements identified. In such a dispositional review
14 hearing, the juvenile court shall determine whether needed
15 aftercare services are available and whether termination of
16 the placement is in the best interest of the child and the
17 community.

18 c. (1) Of the funds appropriated in this section, not
19 more than \$7,060,104 is allocated as the state match funding
20 for psychiatric medical institutions for children.

21 (2) The department may transfer all or a portion of the
22 amount allocated in this lettered paragraph for psychiatric
23 medical institutions for children (PMICs) to the appropriation
24 in this Act for medical assistance.

25 d. Of the funds allocated in this subsection, \$1,405,588
26 is allocated as the state match funding for 50 highly
27 structured juvenile program beds. If the number of beds
28 provided for in this lettered paragraph is not utilized, the
29 remaining funds allocated may be used for group foster care.

30 e. For the fiscal year beginning July 1, 2000, the
31 requirements of section 232.143 applicable to the juvenile
32 court and to representatives of the juvenile court shall be
33 applicable instead to juvenile court services and to
34 representatives of juvenile court services. The
35 representatives appointed by the department of human services

1 and by juvenile court services to establish the plan to
2 contain expenditures for children placed in group foster care
3 ordered by the court within the budget target allocated to the
4 region shall establish the plan in a manner so as to ensure
5 the moneys allocated to the region under section 232.143 shall
6 last the entire fiscal year. Funds for a child placed in
7 group foster care shall be considered encumbered for the
8 duration of the child's projected or actual length of stay,
9 whichever is applicable.

10 f. The funding allocation in this subsection provides
11 additional funding, compared to the fiscal year ending June
12 30, 1999, in an amount equal to the cost of 41 group foster
13 care beds. It is the intent of the general assembly that the
14 additional funding allow for the availability of at least 20
15 additional beds to be available for placement of females.

16 3. The department shall continue the goal that not more
17 than 15 percent of the children placed in foster care funded
18 under the federal Social Security Act, Title IV-E, may be
19 placed in foster care for a period of more than 24 months.

20 4. In accordance with the provisions of section 232.188,
21 the department shall continue the program to decategorize
22 child welfare services in additional counties or clusters of
23 counties.

24 5. A portion of the funding appropriated in this section
25 may be used for emergency family assistance to provide other
26 resources required for a family participating in a family
27 preservation or reunification project to stay together or to
28 be reunified.

29 6. Notwithstanding section 234.35, subsection 1, for the
30 fiscal year beginning July 1, 2000, state funding for shelter
31 care paid pursuant to section 234.35, subsection 1, paragraph
32 "h", shall be limited to \$7,155,611.

33 7. Of the funding appropriated in this section, up to
34 \$627,616 may be used as determined by the department for any
35 of the following purposes:

1 a. For general administration of the department to improve
2 staff training efforts.

3 b. For oversight of termination of parental rights and
4 permanency planning efforts on a statewide basis.

5 c. For personnel, assigned by the attorney general, to
6 provide additional services relating to termination of
7 parental rights and child in need of assistance cases.

8 d. For specialized permanency planning field operations
9 staff.

10 8. The department may adopt administrative rules following
11 consultation with child welfare services providers to
12 implement outcome-based child welfare services pilot projects.
13 The rules may include, but are not limited to, the development
14 of program descriptions, provider licensing and certification
15 standards, reimbursement and payment amounts, contract
16 requirements, assessment and service necessity requirements,
17 eligibility criteria, claims submission procedures, and
18 accountability standards.

19 9. The department shall continue to make adoption
20 presubsidy and adoption subsidy payments to adoptive parents
21 at the beginning of the month for the current month.

22 10. Federal funds received by the state during the fiscal
23 year beginning July 1, 2000, as the result of the expenditure
24 of state funds appropriated during a previous state fiscal
25 year for a service or activity funded under this section,
26 shall be used as additional funding for services provided
27 under this section. Moneys received by the department in
28 accordance with the provisions of this subsection shall remain
29 available for the purposes designated until June 30, 2002,
30 notwithstanding section 8.33.

31 11. The department and juvenile court services shall
32 continue to develop criteria for the department regional
33 administrator and chief juvenile court officer to grant
34 exceptions to extend eligibility, within the funds allocated,
35 for intensive tracking and supervision and for supervised

1 community treatment to delinquent youth beyond age 18 who are
2 subject to release from the state training school, a highly
3 structured juvenile program, or group foster care.

4 12. Of the moneys appropriated in this section, not more
5 than \$313,550 is allocated to provide clinical assessment
6 services as necessary to continue funding of children's
7 rehabilitation services under medical assistance in accordance
8 with federal law and requirements. The funding allocated is
9 the amount projected to be necessary for providing the
10 clinical assessment services.

11 13. Of the funding appropriated in this section,
12 \$3,696,286 shall be used for protective child care assistance.

13 14. Of the moneys appropriated in this section, up to
14 \$3,290,000 is allocated for the payment of the expenses of
15 court-ordered services provided to juveniles which are a
16 charge upon the state pursuant to section 232.141, subsection
17 4.

18 a. Notwithstanding section 232.141 or any other provision
19 of law, the amount allocated in this subsection shall be
20 distributed to the judicial districts as determined by the
21 state court administrator. The state court administrator
22 shall make the determination of the distribution amounts on or
23 before June 15, 2000.

24 b. Each judicial district shall continue the planning
25 group for the court-ordered services for juveniles provided in
26 that district which was established pursuant to 1991 Iowa
27 Acts, chapter 267, section 119. A planning group shall
28 continue to perform its duties as specified in that law.
29 Reimbursement rates for providers of court-ordered evaluation
30 and treatment services paid under section 232.141, subsection
31 4, shall be negotiated with providers by each judicial
32 district's planning group.

33 c. The department of human services shall develop policies
34 and procedures to ensure that the funds allocated in this
35 subsection are spent only after all other reasonable actions

1 have been taken to utilize other funding sources and
2 community-based services. The policies and procedures shall
3 be designed to achieve the following objectives relating to
4 services provided under chapter 232:

5 (1) Maximize the utilization of funds which may be
6 available from the medical assistance program including usage
7 of the early and periodic screening, diagnosis, and treatment
8 (EPSDT) program.

9 (2) Recover payments from any third-party insurance
10 carrier which is liable for coverage of the services,
11 including health insurance coverage.

12 (3) Pursue development of agreements with regularly
13 utilized out-of-state service providers which are intended to
14 reduce per diem costs paid to those providers.

15 d. Notwithstanding chapter 232 or any other provision of
16 law, a district or juvenile court in a department of human
17 services district shall not order any service which is a
18 charge upon the state pursuant to section 232.141 if there are
19 insufficient court-ordered services funds available in the
20 district distribution amount to pay for the service. The
21 chief juvenile court officer shall work with the judicial
22 district planning group to encourage use of the funds
23 allocated in this subsection such that there are sufficient
24 funds to pay for all court-related services during the entire
25 year. The eight chief juvenile court officers shall attempt
26 to anticipate potential surpluses and shortfalls in the
27 distribution amounts and shall cooperatively request the state
28 court administrator to transfer funds between the districts'
29 distribution amounts as prudent.

30 e. Notwithstanding any provision of law to the contrary, a
31 district or juvenile court shall not order a county to pay for
32 any service provided to a juvenile pursuant to an order
33 entered under chapter 232 which is a charge upon the state
34 under section 232.141, subsection 4.

35 f. Of the funding allocated in this subsection, not more

1 than \$100,000 may be used by the judicial branch for
2 administration of the requirements under this subsection and
3 for travel associated with court-ordered placements which are
4 a charge upon the state pursuant to section 232.141,
5 subsection 4.

6 15. a. Of the funding appropriated in this section,
7 \$4,108,000 is allocated to provide school-based supervision of
8 children adjudicated under chapter 232, including not more
9 than \$580,000 from the allocation in this section for court-
10 ordered services. Not more than \$15,000 of the funding
11 allocated in this subsection may be used for the purpose of
12 training.

13 b. To the extent possible, the personnel providing school-
14 based services shall be prepared with training or experience
15 relating to gender-specific programming to best intervene with
16 youth at risk of being found delinquent or determined to be a
17 child in need of assistance.

18 16. Of the moneys appropriated in this section, up to
19 \$50,000 may be used to support the child welfare services work
20 group.

21 17. Of the funds appropriated in this section, \$687,876
22 shall be used to provide day treatment and aftercare services
*23 to juvenile females based upon a total of 100 slots, for the
24 school year and summer school period, with an average cost of
25 \$41 per day over the usual period of treatment. Funding shall
26 be distributed in an equitable manner, geographically,
27 throughout the state and shall be distributed proportionately
28 to reflect actual service need.

29 18. The department shall maximize the capacity to draw
30 federal funding under Title IV-E of the federal Social
31 Security Act.

32 19. The department of human services shall convene a work
33 group to determine the most appropriate methodology and manner
34 for payment for services provided by psychiatric medical
35 institutions for children (PMICs) funded under this section.

1 The work group shall include representatives of providers of
2 such services, shall be geographically balanced, and shall be
3 representative of both large and small providers. The work
4 group's review shall include, at a minimum, retaining the
5 current reimbursement methodology, providing reimbursement
6 through the Iowa plan for behavioral health, providing
7 reimbursement and supervision through the rehabilitative
8 treatment and supported services program, or incorporating
9 PMIC services into a revised service system developed pursuant
10 to the recommendations of the legislative council's child
11 welfare services work group. A priority in any determination
12 shall be ensuring that the current level of federal financial
13 participation is maintained at the maximum level. A final
14 determination of the most appropriate methodology and manner
15 for payment shall be made and implemented no later than
16 December 10, 2000. The director of the department of human
17 services shall inform the general assembly of the final
18 determination no later than December 15, 2000.

19 20. Of the funds appropriated in this section, \$118,642 is
20 allocated as the state match for the federal safe and stable
21 families grant available under Title IV-B of the federal
22 Social Security Act and this allocation shall not be used,
23 transferred, expended, or encumbered for any other purpose.

24 21. a. Notwithstanding section 234.39, subsection 5, and
25 notwithstanding section 8.33, \$131,000 of the moneys
26 appropriated in 1999 Iowa Acts, chapter 203, section 15,
27 subsection 9, for the subsidized guardianship program shall
28 not revert at the close of the fiscal year but shall remain
29 available in the succeeding fiscal year to be expended for the
30 purposes of this section.

31 b. Notwithstanding section 8.33, any moneys transferred
32 pursuant to 1999 Iowa Acts, chapter 203, section 15,
33 subsection 20, paragraph "c", remaining unexpended or
34 unobligated at the close of the fiscal year shall not revert,
35 but shall remain available in the succeeding fiscal year to be

1 expended to complete the child welfare results-based reporting
2 mechanism.

3 Sec. 16. COMMUNITY-BASED PROGRAMS -- ADOLESCENT PREGNANCY
4 PREVENTION. There is appropriated from the general fund of
5 the state to the department of human services for the fiscal
6 year beginning July 1, 2000, and ending June 30, 2001, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purpose designated:

9 For community-based programs, on the condition that family
10 planning services are funded, including salaries, support,
11 maintenance, and miscellaneous purposes and for not more than
12 the following full-time equivalent positions:

13	\$	280,228
14	FTE	1.00

15 1. Funds appropriated in this section shall be used to
16 provide adolescent pregnancy prevention grants which comply
17 with the requirements provided in 1997 Iowa Acts, chapter 208,
18 section 14, subsections 1 and 2, and shall emphasize programs
19 which target the middle school level.

20 2. It is the intent of the general assembly that the
21 department of human services and the Iowa department of public
22 health shall continue to identify existing abstinence
23 education or community-based programs which comply with the
24 requirements established in section 912, subchapter V, of the
25 federal Social Security Act, as codified in 42 U.S.C. § 701 et
26 seq. for the matching of federal funds.

27 Sec. 17. FAMILY SUPPORT SUBSIDY PROGRAM. There is
28 appropriated from the general fund of the state to the
29 department of human services for the fiscal year beginning
30 July 1, 2000, and ending June 30, 2001, the following amount,
31 or so much thereof as is necessary, to be used by the division
32 of children and family services for the purpose designated:

33 For the family support subsidy program:

34

.....	\$	2,028,215
-------	----	-----------

35 The department may use up to \$267,000 of the moneys

1 appropriated in this section to continue the children-at-home
*2 program in current counties, of which not more than \$20,000
3 shall be used for administrative costs.

4 Sec. 18. CONNER DECREE. There is appropriated from the
5 general fund of the state to the department of human services
6 for the fiscal year beginning July 1, 2000, and ending June
7 30, 2001, the following amount, or so much thereof as is
8 necessary, to be used for the purpose designated:

9 For building community capacity through the coordination
10 and provision of training opportunities in accordance with the
11 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
12 Iowa, July 14, 1994):

13 \$ 46,000

14 Sec. 19. MENTAL HEALTH INSTITUTES. There is appropriated
15 from the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2000, and
17 ending June 30, 2001, the following amounts, or so much
18 thereof as is necessary, to be used for the purposes
19 designated:

20 1. For the state mental health institute at Cherokee for
21 salaries, support, maintenance, and miscellaneous purposes and
22 for not more than the following full-time equivalent
23 positions:

24 \$ 12,782,425

25 FTEs 248.44

26 2. For the state mental health institute at Clarinda for
27 salaries, support, maintenance, and miscellaneous purposes and
28 for not more than the following full-time equivalent
29 positions:

30 \$ 7,219,958

31 FTEs 138.59

32 3. For the state mental health institute at Independence
33 for salaries, support, maintenance, and miscellaneous purposes
34 and for not more than the following full-time equivalent
35 positions:

1 \$ 17,448,229
2 FTEs 346.71

3 The state mental health institute at Independence shall
4 continue the 30 psychiatric medical institution for children
5 (PMIC) beds authorized in section 135H.6, in a manner which
6 results in no net state expenditure amount in excess of the
7 amount appropriated in this subsection. Counties are not
8 responsible for the costs of PMIC services described in this
9 subsection. Subject to the approval of the department, with
10 the exception of revenues required under section 249A.11 to be
11 credited to the appropriation in this Act for medical
12 assistance, revenues attributable to the PMIC beds described
13 in this subsection for the fiscal year beginning July 1, 2000,
14 and ending June 30, 2001, shall be deposited in the
15 institute's account, including but not limited to any of the
16 following revenues:

17 a. The federal share of medical assistance revenue
18 received under chapter 249A.

19 b. Moneys received through client participation.

20 c. Any other revenues directly attributable to the PMIC
21 beds.

22 4. For the state mental health institute at Mount Pleasant
23 for salaries, support, maintenance, and miscellaneous purposes
24 and for not more than the following full-time equivalent
25 positions:

26 \$ 5,357,453
27 FTEs 109.47

28 a. Funding is provided in this subsection for the mental
29 health institute at Mount Pleasant to continue the dual
30 diagnosis mental health and substance abuse program on a net
31 budgeting basis in which 50 percent of the actual per diem and
32 ancillary services costs are chargeable to the patient's
33 county of legal settlement or as a state case, as appropriate.

> 34 Subject to the approval of the department, revenues
35 attributable to the dual diagnosis program for the fiscal year

1 beginning July 1, 2000, and ending June 30, 2001, shall be
2 deposited in the institute's account, including but not
3 limited to all of the following revenues:

4 (1) Moneys received by the state from billings to counties
5 under section 230.20.

6 (2) Moneys received from billings to the Medicare program.

7 (3) Moneys received from a managed care contractor
8 providing services under contract with the department or any
9 private third-party payer.

10 (4) Moneys received through client participation.

11 (5) Any other revenues directly attributable to the dual
12 diagnosis program.

13 b. The following additional provisions are applicable in
14 regard to the dual diagnosis program:

15 (1) A county may split the charges between the county's
16 mental health, mental retardation, and developmental
17 disabilities services fund and the county's budget for
18 substance abuse expenditures.

19 (2) If an individual is committed to the custody of the
20 department of corrections at the time the individual is
21 referred for dual diagnosis treatment, the department of
22 corrections shall be charged for the costs of treatment.

23 (3) Prior to an individual's voluntary admission for dual
24 diagnosis treatment, the individual shall have been screened
25 through a county's single entry point process to determine the
26 appropriateness of the treatment.

27 (4) A county shall not be chargeable for the costs of
28 treatment for an individual enrolled in and authorized by or
29 decertified by a managed behavioral care plan under the
30 medical assistance program.

31 5. Within the funds appropriated in this section, the
32 department may transfer funds as necessary to best fulfill the
33 needs of the institutions provided for in the appropriation.

34 6. As part of the discharge planning process at the state
35 mental health institutes, the department shall provide

1 assistance in obtaining eligibility for federal supplemental
2 security income (SSI) to those individuals whose care at a
3 state mental health institute is the financial responsibility
4 of the state.

5 7. Each state mental health institute shall continue the
6 net budgeting accounting test of managing revenues and
7 expenditures attributable to the mental health institute in a
8 manner that permits the net state expenditure amount to be
9 determined. Each mental health institute shall submit a
10 status report in October 2000 to the governor and to the
11 persons required to be submitted reports by this Act. The
12 status report shall identify advantages and disadvantages of
13 utilizing the net budgeting approach and any changes in policy
14 or statute recommended to improve implementation of the
15 approach.

16 Sec. 20. STATE HOSPITAL-SCHOOLS. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2000, and
19 ending June 30, 2001, the following amounts, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:

22 1. For the state hospital-school at Glenwood for salaries,
23 support, maintenance, and miscellaneous purposes and for not
24 more than the following full-time equivalent positions:
25 \$ 2,504,791
26 FTEs 877.75

27 2. For the state hospital-school at Woodward for salaries,
28 support, maintenance, and miscellaneous purposes and for not
29 more than the following full-time equivalent positions:
30 \$ 1,708,814
31 FTEs 676.76

32 3. a. The department shall continue operating the state
33 hospital-schools at Glenwood and Woodward with a net general
34 fund appropriation. The amounts allocated in this section are
35 the net amounts of state moneys projected to be needed for the

1 state hospital-schools. The purposes of operating with a net
2 general fund appropriation are to encourage the state
3 hospital-schools to operate with increased self-sufficiency,
4 to improve quality and efficiency, and to support
5 collaborative efforts between the state hospital-schools and
6 counties and other funders of services available from the
7 hospital-schools. The state hospital-schools shall not be
8 operated under the net appropriation in a manner which results
9 in a cost increase to the state or cost shifting between the
10 state, the medical assistance program, counties, or other
11 sources of funding for the state hospital-schools. Moneys
12 allocated in subsection 1 may be used throughout the fiscal
13 year in the manner necessary for purposes of cash flow
14 management, and for purposes of cash flow management the state
15 hospital-schools may temporarily draw more than the amount
16 allocated, provided the amount allocated is not exceeded at
17 the close of the fiscal year.

18 b. Subject to the approval of the department, except for
19 revenues under section 249A.11, revenues attributable to the
20 state hospital-schools for the fiscal year beginning July 1,
21 2000, shall be deposited into each state hospital-school's
22 account, including but not limited to all of the following:

23 (1) Moneys received by the state from billings to counties
24 under section 222.73.

25 (2) The federal share of medical assistance revenue
26 received under chapter 249A.

27 (3) Federal Medicare program payments.

28 (4) Moneys received from client financial participation.

29 (5) Other revenues generated from current, new, or
30 expanded services which the state hospital-school is
31 authorized to provide.

32 c. For the purposes of allocating the salary adjustment
33 fund moneys appropriated in another Act, the state hospital-
34 schools shall be considered to be funded entirely with state
35 moneys.

1 d. Notwithstanding section 8.33, up to \$500,000 of a state
2 hospital-school's revenues that remain unencumbered or
3 unobligated at the close of the fiscal year shall not revert
4 but shall remain available to be used in the succeeding fiscal
5 year.

6 4. Within the funds appropriated in this section, the
7 department may transfer funds as necessary to best fulfill the
8 needs of the institutions provided for in the appropriation.

9 5. The department may continue to bill for state hospital-
10 school services utilizing a scope of services approach used
11 for private providers of ICFMR services, in a manner which
12 does not shift costs between the medical assistance program,
13 counties, or other sources of funding for the state hospital-
14 schools.

15 6. The state hospital-schools may expand the time limited
16 assessment and respite services during the fiscal year.

17 Sec. 21. MENTAL ILLNESS SPECIAL SERVICES. There is
18 appropriated from the general fund of the state to the
19 department of human services for the fiscal year beginning
20 July 1, 2000, and ending June 30, 2001, the following amount,
21 or so much thereof as is necessary, to be used for the purpose
22 designated:

23 For mental illness special services:
24 \$ 121,220

25 1. The department and the Iowa finance authority shall
26 continue the financing for existing community-based facilities
27 and the financing for the development of affordable community-
28 based housing facilities. The department shall assure that
29 clients are referred to the housing as it is developed.

30 2. The funds appropriated in this section are to provide
31 funds for construction and start-up costs to develop community
32 living arrangements to provide for persons with mental illness
33 who are homeless. These funds may be used to match federal
34 Stewart B. McKinney Homeless Assistance Act grant funds.

35 Sec. 22. SPECIAL NEEDS GRANTS. There is appropriated from

1 the general fund of the state to the department of human
2 services for the fiscal year beginning July 1, 2000, and
3 ending June 30, 2001, the following amount, or so much thereof
4 as is necessary, to be used for the purpose designated:

5 To provide special needs grants to families with a family
6 member at home who has a developmental disability or to a
7 person with a developmental disability:

8 \$ 53,212

9 Grants must be used by a family to defray special costs of
10 caring for the family member to prevent out-of-home placement
11 of the family member or to provide for independent living
12 costs. The grants may be administered by a private nonprofit
13 agency which serves people statewide provided that no
14 administrative costs are received by the agency.

15 Sec. 23. MI/MR/DD STATE CASES. There is appropriated from
16 the general fund of the state to the department of human
17 services for the fiscal year beginning July 1, 2000, and
18 ending June 30, 2001, the following amount, or so much thereof
19 as is necessary, to be used for the purpose designated:

20 For purchase of local services for persons with mental
21 illness, mental retardation, and developmental disabilities
22 where the client has no established county of legal
23 settlement:

24 \$ 13,600,000

25 If a county has a county management plan which is approved
26 by the director of human services pursuant to section 331.439,
27 the services paid for under this section are exempt from the
28 department's purchase of service system requirements. The
29 department shall adopt rules to implement the provisions of
30 this paragraph.

31 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
32 COMMUNITY SERVICES FUND. There is appropriated from the
33 general fund of the state to the mental health and
34 developmental disabilities community services fund created in
35 section 225C.7 for the fiscal year beginning July 1, 2000, and

1 ending June 30, 2001, the following amount, or so much thereof
2 as is necessary, to be used for the purpose designated:

3 For mental health and developmental disabilities community
4 services in accordance with this Act:

5 \$ 19,560,000

6 1. Of the funds appropriated in this section, \$19,530,000
7 shall be allocated to counties for funding of community-based
8 mental health and developmental disabilities services. The
9 moneys shall be allocated to a county as follows:

10 a. Fifty percent based upon the county's proportion of the
11 state's population of persons with an annual income which is
12 equal to or less than the poverty guideline established by the
13 federal office of management and budget.

14 b. Fifty percent based upon the county's proportion of the
15 state's general population.

16 2. a. A county shall utilize the funding the county
17 receives pursuant to subsection 1 for services provided to
18 persons with a disability, as defined in section 225C.2.
19 However, no more than 50 percent of the funding shall be used
20 for services provided to any one of the service populations.

21 b. A county shall use at least 50 percent of the funding
22 the county receives under subsection 1 for contemporary
23 services provided to persons with a disability, as described
24 in rules adopted by the department.

25 3. Of the funds appropriated in this section, \$30,000
26 shall be used to support the Iowa compass program providing
27 computerized information and referral services for Iowans with
28 disabilities and their families.

29 4. a. Funding appropriated for purposes of the federal
30 social services block grant is allocated for distribution to
31 counties for local purchase of services for persons with
32 mental illness or mental retardation or other developmental
33 disability.

34 b. The funds allocated in this subsection shall be
35 expended by counties in accordance with the county's approved

1 county management plan. A county without an approved county
2 management plan shall not receive allocated funds until the
3 county's management plan is approved.

4 c. The funds provided by this subsection shall be
5 allocated to each county as follows:

6 (1) Fifty percent based upon the county's proportion of
7 the state's population of persons with an annual income which
8 is equal to or less than the poverty guideline established by
9 the federal office of management and budget.

10 (2) Fifty percent based upon the amount provided to the
11 county for local purchase of services in the preceding fiscal
12 year.

13 5. A county is eligible for funds under this section if
14 the county qualifies for a state payment as described in
15 section 331.439.

16 Sec. 25. PERSONAL ASSISTANCE. There is appropriated from
17 the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2000, and
19 ending June 30, 2001, the following amount, or so much thereof
20 as is necessary, to be used for the purpose designated:

21 For continuation of a pilot project for the personal
22 assistance services program in accordance with this section:

23 \$ 364,000

24 1. The funds appropriated in this section shall be used to
25 continue the pilot project for the personal assistance
26 services program under section 225C.46 in an urban and a rural
27 area. Not more than \$36,400 shall be used for administrative
28 costs. The pilot project and any federal home and community-
29 based waiver developed under the medical assistance program
30 shall not be implemented in a manner which would require
31 additional county or state costs for assistance provided to an
32 individual served under the pilot project or the waiver.

33 2. It is the intent of the general assembly that for any
34 new applicants for personal assistance, priority shall be
35 given to providing assistance to individuals for education,

1 job training, and other forms of employment support. It is
2 also the intent of the general assembly that if other programs
3 become available which provide similar services, current
4 recipients of personal assistance for whom these similar
5 services are appropriate shall be assisted in attaining
6 eligibility for these programs.

7 3. Notwithstanding section 8.33, moneys appropriated in
8 this section that remain unencumbered or unobligated at the
9 close of the fiscal year shall not revert but shall remain
10 available to provide personal assistance payments until the
11 close of the succeeding fiscal year.

12 Sec. 26. SEXUALLY VIOLENT PREDATORS.

13 1. There is appropriated from the general fund of the
14 state to the department of human services for the fiscal year
15 beginning July 1, 2000, and ending June 30, 2001, the
16 following amount, or so much thereof as is necessary, to be
17 used for the purpose designated:

18 For costs associated with the commitment and treatment of
19 sexually violent predators including costs of legal services
20 and other associated costs, including salaries, support,
21 maintenance, and miscellaneous purposes and for not more than
22 the following full-time equivalent positions:

23	\$	1,177,366
24	FTEs	<u>17.93</u>

25 2. Notwithstanding section 8.33, \$250,000 of the moneys
26 appropriated in 1999 Iowa Acts, chapter 203, section 30, that
27 remain unexpended or unobligated at the close of the fiscal
28 year shall not revert but shall remain available in the
29 succeeding fiscal year to be used for the purposes of this
30 section.

31 Sec. 27. FIELD OPERATIONS. There is appropriated from the
32 general fund of the state to the department of human services
33 for the fiscal year beginning July 1, 2000, and ending June
34 30, 2001, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

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

4 \$ 44,222,546
5 FTEs 1,918.54

6 Priority in filling full-time equivalent positions shall be
7 given to those positions related to child protection services.

8 2. For regional offices, including salaries, support,
9 maintenance, and miscellaneous purposes and for not more than
10 the following full-time equivalent positions:

11 \$ 5,659,370
12 FTEs 154.16

13 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
14 from the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2000, and
16 ending June 30, 2001, the following amount, or so much thereof
17 as is necessary, to be used for the purpose designated:

18 For general administration, including salaries, support,
19 maintenance, and miscellaneous purposes and for not more than
20 the following full-time equivalent positions:

21 \$ 13,623,100
22 FTEs 358.13

23 1. Of the funds appropriated in this section, \$57,000 is
24 allocated for the prevention of disabilities policy council
25 established in section 225B.3.

26 2. Of the funds appropriated in this section, \$129,971 for
27 the fiscal year beginning July 1, 2000, shall be transferred
28 to the state university of Iowa for the university-affiliated
29 program for the support of Iowa creative employment options
30 (CEO).

31 3. If an expenditure reduction or other cost-saving
32 measure is deemed necessary to maintain expenditures within
33 the amount appropriated to the department in this section, the
34 department shall not implement the reduction or other measure
35 in a manner which reduces service funding for disability

1 rehabilitation programs, including but not limited to,
2 statewide supported employment programs.

*3 4. The number of full-time equivalent positions authorized
4 in this section includes a reduction of all but one of the
5 full-time equivalent positions previously assigned to the
6 state-county assistance team. The remaining one full-time
7 equivalent position that is assigned to the state-county
8 assistance team shall provide staffing services to the state-
9 county management committee.

10 Sec. 29. VOLUNTEERS. There is appropriated from the
11 general fund of the state to the department of human services
12 for the fiscal year beginning July 1, 2000, and ending June
13 30, 2001, the following amount, or so much thereof as is
14 necessary, to be used for the purpose designated:

15 For development and coordination of volunteer services:
16 \$ 118,250

17 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
18 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
19 DEPARTMENT OF HUMAN SERVICES.

20 1. a. For the fiscal year beginning July 1, 2000, the
21 rate for skilled nursing facilities shall remain at the rates
22 in effect on June 30, 2000.

23 b. For the fiscal year beginning July 1, 2000, the
24 dispensing fee for pharmacists shall remain at the rate in
25 effect on June 30, 2000. The reimbursement policy for drug
26 product costs shall be in accordance with federal
27 requirements.

28 c. For the fiscal year beginning July 1, 2000,
29 reimbursement rates for inpatient and outpatient hospital
30 services shall remain at the rates in effect on June 30, 2000.
31 The department shall continue the outpatient hospital
32 reimbursement system based upon ambulatory patient groups
33 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
34 25, subsection 1, paragraph "f". In addition, the department
35 shall continue the revised medical assistance payment policy

1 implemented pursuant to that paragraph to provide
2 reimbursement for costs of screening and treatment provided in
3 the hospital emergency room if made pursuant to the
4 prospective payment methodology developed by the department
5 for the payment of outpatient services provided under the
6 medical assistance program.

7 d. Reimbursement rates for rural health clinics, hospices,
8 independent laboratories, and acute mental hospitals shall be
9 increased in accordance with increases under the federal
10 Medicare program or as supported by their Medicare audited
11 costs.

12 e. Reimbursement rates for home health agencies shall
13 remain at the rates in effect on June 30, 2000.

14 f. Federally qualified health centers shall receive cost-
15 based reimbursement for 100 percent of the reasonable costs
16 for the provision of services to recipients of medical
17 assistance.

18 g. Beginning July 1, 2000, the reimbursement rates for
19 dental services shall remain at the rates in effect on June
20 30, 2000.

21 h. Beginning July 1, 2000, the reimbursement rates for
22 community mental health centers shall be increased by 16.63
23 percent over the rates in effect on June 30, 2000.

24 i. For the fiscal year beginning July 1, 2000, unless
25 otherwise specified in this Act, all noninstitutional medical
26 assistance provider reimbursement rates shall remain at the
27 rates in effect on June 30, 2000.

28 2. a. The basis for establishing the maximum medical
29 assistance reimbursement rate for nursing facilities shall be
30 the 70th percentile of facility costs as calculated from the
31 June 30, 1999, unaudited compilation of cost and statistical
32 data submitted by each facility on medical assistance cost
33 reports. At such time as the department implements a
34 transitional case-mix reimbursement methodology pursuant to
35 2000 Iowa Acts, Senate File 2193, nursing facilities shall be

1 reimbursed in accordance with the transitional payment system.

2 b. Nursing facilities reimbursed under the medical
3 assistance program shall continue to submit cost reports and
4 additional documentation as required by rule. Any cost report
5 shall also include a line itemization of expenses attributable
6 to the home or principal office or headquarters of the nursing
7 facility within the administrative cost line item.

8 3. For the fiscal year beginning July 1, 2000, the maximum
9 cost reimbursement rate for residential care facilities
10 reimbursed by the department shall not be less than \$24.26 per
11 day for the time period of July 1, 2000, through June 30,
12 2001. The flat reimbursement rate for facilities electing not
13 to file semiannual cost reports shall not be less than \$17.36
14 per day for the time period of July 1, 2000, through June 30,
15 2001.

16 4. For the fiscal year beginning July 1, 2000, the maximum
17 reimbursement rate for providers reimbursed under the in-home
18 health-related care program shall not be less than \$466.49 per
19 month for the time period of July 1, 2000, through June 30,
20 2001.

21 5. Unless otherwise directed in this section, when the
22 department's reimbursement methodology for any provider
23 reimbursed in accordance with this section includes an
24 inflation factor, this factor shall not exceed the amount by
25 which the consumer price index for all urban consumers
26 increased during the calendar year ending December 31, 1999.

27 6. Notwithstanding section 234.38, in the fiscal year
28 beginning July 1, 2000, the foster family basic daily
29 maintenance rate and the maximum adoption subsidy rate for
30 children ages 0 through 5 years shall be \$14.00, the rate for
31 children ages 6 through 11 years shall be \$14.78, the rate for
32 children ages 12 through 15 years shall be \$16.53, and the
33 rate for children ages 16 and older shall be \$16.53.

34 7. For the fiscal year beginning July 1, 2000, the maximum
35 reimbursement rates for adoption and independent living

1 services shall remain at the rates in effect on June 30, 2000.
2 The maximum reimbursement rates for other social service
3 providers shall remain at the rates in effect on June 30,
4 2000. However, the rates may be adjusted under any of the
5 following circumstances:

6 a. If a new service was added after June 30, 2000, the
7 initial reimbursement rate for the service shall be based upon
8 actual and allowable costs.

9 b. If a social service provider loses a source of income
10 used to determine the reimbursement rate for the provider, the
11 provider's reimbursement rate may be adjusted to reflect the
12 loss of income, provided that the lost income was used to
13 support actual and allowable costs of a service purchased
14 under a purchase of service contract.

15 c. The department revises the reimbursement rates as part
16 of the changes in the mental health and developmental
17 disabilities services system initiated pursuant to 1995 Iowa
18 Acts, chapter 206, and associated legislation.

19 8. The group foster care reimbursement rates paid for
20 placement of children out-of-state shall be calculated
21 according to the same rate-setting principles as those used
22 for in-state providers unless the director determines that
23 appropriate care cannot be provided within the state. The
24 payment of the daily rate shall be based on the number of days
25 in the calendar month in which service is provided.

26 9. For the fiscal year beginning July 1, 2000, the
27 reimbursement rates for rehabilitative treatment and support
28 services providers shall remain at the rates in effect on June
29 30, 2000.

30 10. For the fiscal year beginning July 1, 2000, the
31 combined service and maintenance components of the
32 reimbursement rate paid to a shelter care provider shall be
33 based on the cost report submitted to the department. The
34 maximum reimbursement rate shall be \$79.70 per day. If the
35 department would reimburse the provider at less than the

1 maximum rate but the provider's cost report justifies a rate
2 of at least \$79.70, the department shall readjust the
3 provider's reimbursement rate to the maximum reimbursement
4 rate.

5 11. For the fiscal year beginning July 1, 2000, the
6 department shall calculate reimbursement rates for
7 intermediate care facilities for persons with mental
8 retardation at the 80th percentile.

9 12. For the fiscal year beginning July 1, 2000, for child
10 care providers, the department shall set provider
11 reimbursement rates based on the rate reimbursement survey
12 completed in December 1998. The department shall set rates in
13 a manner so as to provide incentives for a nonregistered
14 provider to become registered.

15 13. Effective July 1, 2000, the maximum reimbursement rate
16 for psychiatric medical institutions for children (PMICs)
17 shall be increased to \$145.74 per day, based on per day rates
18 for actual costs on June 30, 2000.

19 14. For the fiscal year beginning July 1, 2000,
20 reimbursements for providers reimbursed by the department of
21 human services may be modified if appropriated funding is
22 allocated for that purpose from the senior living trust fund
23 created in section 249H.4, as enacted in 2000 Iowa Acts,
24 Senate File 2193, or as specified in appropriations from the
25 tobacco settlement fund created in section 12.65.

26 15. The department may adopt emergency rules to implement
27 this section.

28 Sec. 31. MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY --
29 DEPOSIT AND APPROPRIATION. Notwithstanding the deposit
30 provisions of sections 321.218A and 321A.32A, moneys collected
31 during the fiscal year beginning July 1, 2000, and ending June
32 30, 2001, by the state department of transportation pursuant
33 to those sections shall be deposited to the credit of the
34 department of human services for the fiscal year beginning
35 July 1, 2000, and ending June 30, 2001, and are appropriated

1 as follows:

2 1. An amount equal to ten percent of the costs of the
3 establishment, improvement, operation, and maintenance of
4 county or multicounty juvenile detention homes in the fiscal
5 year beginning July 1, 1999. Moneys appropriated in this
6 subsection shall be allocated among eligible detention homes,
7 prorated on the basis of an eligible detention home's
8 proportion of the costs of all eligible detention homes in the
9 fiscal year beginning July 1, 1999. Notwithstanding section
10 232.142, subsection 3, the financial aid payable by the state
11 under that provision for the fiscal year beginning July 1,
12 2000, shall be limited to the amount appropriated for the
13 purposes of this subsection.

14 2. For renewal of a grant to a county with a population
15 between 168,000 and 175,000 for implementation of the county's
16 runaway treatment plan under section 232.195:

17 \$ 80,000

18 3. For grants to counties implementing a runaway treatment
19 plan under section 232.195.

20 4. The remainder for additional allocations to county or
21 multicounty juvenile detention homes, in accordance with the
22 distribution requirements of subsection 1.

23 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
24 section 8.39, for the fiscal year beginning July 1, 2000, if
25 necessary to meet federal maintenance of effort requirements
26 or to transfer federal temporary assistance for needy families
27 block grant funding to be used for purposes of the federal
28 social services block grant or to meet cash flow needs
29 resulting from delays in receiving federal funding, the
30 department of human services may transfer within or between
31 any of the appropriations made in this Act and appropriations
32 in law for the federal social services block grant to the
33 department for the following purposes, provided that the
34 combined amount of state and federal temporary assistance for
35 needy families block grant funding for each appropriation

1 remains the same before and after the transfer:

- 2 1. For the family investment program.
 - 3 2. For emergency assistance.
 - 4 3. For child care assistance.
 - 5 4. For child and family services.
 - 6 5. For field operations.
 - 7 6. For general administration.
 - 8 7. MH/MR/DD/BI community services (local purchase).
- 9 This section shall not be construed to prohibit existing
10 state transfer authority for other purposes.

11 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
12 fiscal year beginning July 1, 2000, notwithstanding the
13 restrictions in section 239B.14, recovered moneys generated
14 through fraud and recoupment activities are appropriated to
15 the department of human services to be used for additional
16 fraud and recoupment activities performed by the department of
17 human services or the department of inspections and appeals,
18 and the department of human services may add not more than
19 five full-time equivalent positions, in addition to those
20 authorized in this Act, subject to both of the following
21 conditions:

22 1. The director of human services determines that the
23 investment can reasonably be expected to increase recovery of
24 assistance paid in error, due to fraudulent or nonfraudulent
25 actions, in excess of the amount recovered in the fiscal year
26 beginning July 1, 1997.

27 2. The amount expended for the additional fraud and
28 recoupment activities shall not exceed the amount of the
29 projected increase in assistance recovered.

30 Sec. 34. FINANCIAL ASSISTANCE SERVICES.

31 1. For purposes of this section, "financial assistance
32 services" means services or other assistance provided under
33 one or more of the following programs administered by the
34 department of human services: family investment program,
35 PROMISE JOBS program, medical assistance program, food stamp

1 program, state child care assistance program, refugee cash
2 assistance program, emergency assistance program, and child
3 support recovery program.

4 2. During the fiscal year beginning July 1, 2000, and
5 ending June 30, 2001, the department of human services may
6 continue to conduct a pilot program or pilot programs for
7 provisions of financial assistance services.

8 3. Any pilot program conducted in accordance with this
9 section shall be designed to meet one or more of the following
10 financial assistance services goals:

11 a. A reduction in paperwork for applicants and recipients
12 of services, or staff, or both.

13 b. Streamlining or expediting the eligibility
14 determination process, to decrease the length of time it takes
15 to inform applicants for financial assistance services as to
16 the disposition of their request for the services.

17 c. Streamlining or expediting the referral process for
18 family investment program applicants and recipients to other
19 financial assistance services such as PROMISE JOBS or child
20 support recovery, so that referrals can be initiated in a more
21 timely manner in order to help move applicants and recipients
22 more quickly to economic self-sufficiency or toward reduced
23 reliance on government assistance.

24 d. Improved coordination of the management of financial
25 assistance services as applicants for and recipients of the
26 services work toward economic self-sufficiency.

27 e. Identification of policies, procedures, and practices
28 that could be altered or eliminated without materially
29 affecting the desired results for the family assistance
30 services.

31 4. Any pilot program conducted in accordance with this
32 section is subject to the following limitations and
33 parameters:

34 a. Notwithstanding any administrative rule, that is not
35 based in federal law, the department may alter policies,

1 procedures, and practices to waive the administrative rule,
2 that are based in state law, provided that the alterations do
3 not decrease an applicant's or recipient's choice of, or
4 ability to obtain, financial assistance services from the
5 department in comparison with the financial assistance
6 services that would otherwise be available. The department
7 may operate one or more pilot projects under this paragraph,
8 in not more than fourteen counties.

9 b. If the department obtains a waiver of federal law or
10 regulation, the department may alter policies, procedures, and
11 practices that are based in federal law, provided that the
12 alterations do not decrease an applicant's or recipient's
13 choice of, or ability to obtain, financial assistance services
14 from the department in comparison with the financial
15 assistance services that would otherwise be available. The
16 department may operate one or more projects under this
17 paragraph, in not more than fourteen counties.

18 c. In order to facilitate rapid implementation, except as
19 provided in paragraph "d", any pilot program authorized under
20 this section is exempt from the rulemaking procedures and
21 rulemaking requirements of chapter 17A. However, following
22 development of the pilot program, the department shall provide
23 a list of the laws or rules being waived to the chairpersons
24 and ranking members of the joint appropriations subcommittee
25 on human services, the administrative rules review committee,
26 the administrative rules coordinator, the legislative fiscal
27 bureau, and the legislative service bureau. In implementing a
28 pilot program under this section, the department shall take
29 steps to make applicants and recipients of services aware of
30 their choices, expectations, rights, and responsibilities.

31 d. The department shall adopt emergency rules establishing
32 a framework for the pilot projects implemented under this
33 section. The rules shall identify the participating counties,
34 the maximum duration of each pilot project, and generally
35 describe the scope and nature of each pilot project. Within

1 this framework, the department retains broad discretion to
2 revise a pilot project without further rulemaking describing
3 the revision.

4 Sec. 35. CHILD PROTECTION EVALUATION. The department
5 shall fulfill the requirements of 1997 Iowa Acts, chapter 176,
6 section 23, and 1999 Iowa Acts, chapter 203, section 45, for
7 an independent evaluation of the child protection system by
8 including the evaluation elements in its independent review
9 contracted for in the Spring of 2000.

10 Sec. 36. 1999 Iowa Acts, chapter 208, section 1,
11 unnumbered paragraphs 2 and 3, and subsection 4, are amended
12 to read as follows:

13 For distribution to counties of the county mental health,
14 mental retardation, and developmental disabilities allowed
15 growth factor adjustment, in accordance with section 331.438,
16 subsection 2, and section 331.439, subsection 3, and chapter
17 426B:

18	\$ 21,773,602
19	<u>21,273,602</u>

20 The funding appropriated in this section is the allowed
21 growth factor adjustment ~~of 1.57 percent~~ for fiscal year 2000-
22 2001, and is allocated as follows:

23 4. For deposit in the risk pool created in the property 24 tax relief fund pursuant to section 426B.5, subsection 3: 25	\$ 2,000,000
26	<u>1,500,000</u>

27 Sec. 37. 2000 Iowa Acts, Senate File 2193, section 20,
28 subsection 3, unnumbered paragraph 1, is amended to read as
29 follows:

30 To implement nursing facility provider reimbursement at the
31 seventieth percentile of facility costs as calculated from the
32 June 30, 2000, unaudited compilation of cost and statistical
33 data submitted by each facility on medical assistance cost
34 reports and to implement case-mix reimbursement methodology
35 changes:

1 \$ 17,750,000

2 Sec. 38. Section 249A.3, subsection 1, paragraph k, Code
3 Supplement 1999, is amended to read as follows:

4 k. Is a pregnant woman or infant whose income is more than
5 the limit prescribed under the federal Medicare Catastrophic
6 Coverage Act of 1988, Pub. L. No. 100-360, § 302, but not more
7 than one two hundred eighty-five percent of the federal
8 poverty level as defined by the most recently revised poverty
9 income guidelines published by the United States department of
10 health and human services.

11 Sec. 39. ARLENE DAYHOFF EDUCATIONAL COMPLEX.

12 1. The general assembly makes the following findings:

13 a. That Arlene H. Dayhoff recognized the important role of
14 good educational and recreational facilities in maintaining
15 the quality of the state training school's work with this
16 state's most troubled youth and worked tirelessly for approval
17 of new facilities.

18 b. That Arlene H. Dayhoff has the distinction of serving
19 during 1987-1997 as chairperson of the council on human
20 services, the primary policymaking body for the department of
21 human services, and having the longest tenure of anyone in
22 that office.

23 c. That Arlene H. Dayhoff is known for her active life in
24 service activity with her twenty-three years of employment in
25 the field of nursing and as a volunteer and board member with
26 many human services and health endeavors, including St. Luke's
27 hospital and hospital foundation, Iowa commission for the
28 blind, American red cross, Linn county association for mental
29 health, and Linn county retarded citizens, and has been
30 nationally recognized for her leadership by the national
31 governors' association distinguished service award.

32 d. That following her tenure on the council on human
33 services, Arlene H. Dayhoff continued her commitment to
34 troubled children by serving as co-chairperson of the
35 legislative council's child welfare work group from the work

1 group's creation in November 1997 through the present time.

2 e. That it is fitting to recognize Arlene H. Dayhoff's
3 many contributions to improving the lives of children with the
4 dedication of the new educational and recreational facilities
5 at the state training school in her name.

6 2. The educational and recreational facilities to be
7 dedicated in the spring of 2001 at the state training school
8 in Eldora, Iowa, are named the "Arlene Dayhoff Educational
9 Complex" in honor of Arlene H. Dayhoff and an appropriate
10 commemorative plaque shall be placed near the entrance of the
11 educational complex in recognition of Arlene Dayhoff and the
12 outstanding contribution she has made to the state training
13 school and the state of Iowa.

14 Sec. 40. SUBSIDIZED GUARDIANSHIP -- RULES -- CONTINGENCY
15 -- RETROACTIVITY. The rules adopted pursuant to 441 IAC 204
16 relating to the subsidized guardianship program shall not be
17 applicable until such time as funding is appropriated after
18 July 1, 2000, for this purpose by the general assembly. This
19 provision is retroactively applicable to April 1, 2000.

20 Sec. 41. EMERGENCY RULES. If specifically authorized by a
21 provision of this Act, the department of human services or the
22 mental health and developmental disabilities commission may
23 adopt administrative rules under section 17A.4, subsection 2,
24 and section 17A.5, subsection 2, paragraph "b", to implement
25 the provisions and the rules shall become effective
26 immediately upon filing, unless the effective date is delayed
27 by the administrative rules review committee, notwithstanding
28 section 17A.4, subsection 5, and section 17A.8, subsection 9,
29 or a later effective date is specified in the rules. Any
30 rules adopted in accordance with this section shall not take
31 effect before the rules are reviewed by the administrative
32 rules review committee. Any rules adopted in accordance with
33 the provisions of this section shall also be published as
34 notice of intended action as provided in section 17A.4.

35 Sec. 42. REPORTS. Any reports or information required to

1 be compiled and submitted under this Act shall be submitted to
2 the chairpersons and ranking members of the joint
3 appropriations subcommittee on human services, the legislative
4 fiscal bureau, the legislative service bureau, and to the
5 caucus staffs on or before the dates specified for submission
6 of the reports or information.

7 Sec. 43. EFFECTIVE DATES. The following provisions of
8 this Act, being deemed of immediate importance, take effect
9 upon enactment:

10 1. Section 1, relating to the social services block grant
11 supplementation.

12 2. Section 4, subsection 1, paragraph "f", relating to
13 electronic benefits transfer contracting.

14 3. Section 8, subsection 15, relating to the pilot project
15 for continuous eligibility under the medical assistance
16 program.

17 4. Section 15, subsection 2, paragraph "e", relating to
18 requirements of section 232.143, for the 2000-2001 fiscal
19 year.

20 5. Section 15, subsection 14, paragraph "a", relating to
21 determining allocation of court-ordered services funding.

22 6. Section 15, subsection 21, relating to nonreversion of
23 certain funding appropriated in 1999 Iowa Acts, chapter 203.

24 7. Section 26, subsection 2, relating to nonreversion of
25 moneys appropriated in 1999 Iowa Acts, chapter 203, section
26 30.

27 8. Section 35, relating to an independent evaluation of
28 the child protection system.

29 9. Section 40, relating to the applicability of certain
30 administrative rules involving subsidized guardianship.

31
32
33
34
35

SENATE FILE 2435

H-8751

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 29, by striking line 23 and inserting the
4 following:

5 "..... \$ 6,309,742"

6 2. Page 29, by striking line 34 and inserting the
7 following:

8 "..... \$ 10,405,335"

9 3. Page 39, by striking line 24 and inserting the
10 following:

11 "..... \$ 12,804,527"

12 4. Page 39, by striking line 30 and inserting the
13 following:

14 "..... \$ 7,227,168"

15 5. Page 40, by striking line 1 and inserting the
16 following:

17 "..... \$ 17,526,567"

18 6. Page 40, by striking line 26 and inserting the
19 following:

20 "..... \$ 5,360,065"

21 7. Page 42, by striking line 25 and inserting the
22 following:

23 "..... \$ 2,511,091"

24 8. Page 42, by striking line 30 and inserting the
25 following:

26 "..... \$ 1,714,565"

By GREIMANN of Story

H-8751 FILED APRIL 6, 2000

w/d

4/11/00 (P. 1406)

SENATE FILE 2435

H-8758

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, by striking line 3 and inserting the
 4 following:
 5 "..... \$ 46,235,883"
 6 2. Page 8, by inserting after line 35 the
 7 following:
 8 "1A. Effective July 1, 2000, the amounts in the
 9 schedule of basic needs used for eligibility
 10 determination and as the payment standard for the
 11 family investment program shall be increased by 4
 12 percent. The department shall adopt emergency rules
 13 to implement the provisions of this subsection."
 14 3. Page 16, by striking line 24 and inserting the
 15 following:
 16 "..... \$ 6,395,110"
 17 4. By renumbering as necessary.

By FOEGE of Linn

H-8758 FILED APRIL 6, 2000

W/D
4-11-00
(p.1387)

SENATE FILE 2435

H-8779

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 36, by striking lines 21 through 28, and
 4 inserting the following:
 5 "____. Of the funds appropriated in this section,
 6 the department shall use \$678,876 for day treatment
 7 and aftercare services for juvenile females with
 8 provider selection made through a request for
 9 proposals process. The goal of providing the services
 10 is to ensure permanency, safety, and self-sufficiency
 11 for juvenile females."

By FOEGE of Linn

H-8779 FILED APRIL 6, 2000

W/D
4/11/00
(p.1406)

SENATE FILE 2435

H-8785

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 22, by striking lines 1 through 27 and
4 inserting the following:
5 "____. Of the funds appropriated in this section,
6 the department shall use up to \$414,000 to implement a
7 disease-specific pharmaceutical case management
8 program to measure the effects of case management for
9 medical assistance recipients identified by the
10 department as high risk for medication-related
11 problems. The funds shall be used to equally
12 reimburse physician-pharmacist teams who participate
13 in the program. An advisory committee whose
14 membership consists of representatives of the Iowa
15 medical society, the Iowa pharmacy association, and
16 the department of human services shall establish and
17 implement the pharmaceutical case management program.
18 The university of Iowa college of public health, in
19 conjunction with the colleges of medicine and
20 pharmacy, shall perform an evaluation of the program
21 at no cost to the state and shall submit a final
22 report of the findings of the evaluation and any
23 recommendations to the general assembly by December
24 15, 2002. The department shall submit a progress
25 report by December 15, 2001, and a final report by
26 December 15, 2002, to the general assembly. The
27 department shall adopt rules to implement this
28 subsection which comply with the notice of intended
29 action requirements of section 17A.4, subsection 1,
30 and which may be adopted as emergency rules pursuant
31 to section 17A.5, subsection 2, after notice is
32 provided. The rules shall be reevaluated by the
33 department of human services with input from the Iowa
34 medical society and the Iowa pharmacy association,
35 upon submission of the final report or by December 15,
36 2002, whichever occurs first."
37 2. By renumbering as necessary.

By OSTERHAUS of Jackson
HEATON of Henry

H-8785 FILED APRIL 10, 2000

WLD
4/11/00 (P. 1405)

SENATE FILE 2435

H-8786

1 Amend Senate File 2435 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, by striking line 16, and inserting the
 4 following:
 5 "..... \$ 24,682,071"
 6 2. Page 27, by striking lines 15 through 20 and
 7 inserting the following: "and human services.
 8 Notwithstanding section 237A.13, if enacted by 2000
 9 Iowa Acts, Senate File 2344, the department shall
 10 establish waiting lists for".
 11 3. Page 27, line 34, by striking the figure "140"
 12 and inserting the following: "150".

By JOCHUM of Dubuque
FOEGE of Linn

H-8786 FILED APRIL 10, 2000

lost 4/11/00 (p. 1387)

SENATE FILE 2435

H-8787

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 36, by striking lines 21 through 28, and
 4 inserting the following:
 5 "_____. Of the funds appropriated in this section,
 6 the department shall use \$687,876 for day treatment
 7 and aftercare services for juvenile females with
 8 provider selection made through a request for
 9 proposals process. The goal of providing the services
 10 is to ensure permanency, safety, and self-sufficiency
 11 for juvenile females."

By FOEGE of Linn

H-8787 FILED APRIL 10, 2000

*adopted
4-11-00 (p. 1407)*

SENATE FILE 2435

H-8788

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 6, line 35 through page 7,
 4 line 1.
 5 2. Page 38, by striking line 13, and inserting
 6 the following:
 7 "..... \$ 1,011,228"
 8 3. Page 38, by inserting after line 26, the
 9 following:
 10 "_____. Of the funds appropriated in this section,
 11 \$731,000 shall be used to provide child abuse
 12 prevention grants."
 13 4. By renumbering as necessary.

By FOEGE of Linn

H-8788 FILED APRIL 10, 2000

*lost
4-11-00
(p. 1405)*

SENATE FILE 2435

H-8789

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate, as follows;
 3 1. Page 30, by striking line 23, and inserting
 4 the following:
 5 "..... \$108,983,613"
 6 2. Page 31, line 19, by striking the figure
 7 "7,060,104" and inserting the following: "7,255,556".
 By FOEGE of Linn

H-8789 FILED APRIL 10, 2000

W/D
4-11-00 (P. 1406)

SENATE FILE 2435

H-8790

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 49, by striking line 4, and inserting the
 4 following:
 5 "..... \$ 46,275,078"
 6 2. Page 49, by striking line 11, and inserting
 7 the following:
 8 "..... \$ 5,677,938"
 By MURPHY of Dubuque

H-8790 FILED APRIL 10, 2000

o/o
4/11/00 (P. 1404)

SENATE FILE 2435

H-8791

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 18, by striking line 17, and inserting
 4 the following:
 5 "..... \$422,577,876"
 By OSTERHAUS of Jackson

H-8791 FILED APRIL 10, 2000

o/o
4-11-00 (P. 1404)

SENATE FILE 2435

H-8792

1 Amend Senate File 2435, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 49, by striking line 4, and inserting the
 4 following:
 5 "..... \$ 44,699,546"
 6 2. Page 49, line 5, by striking the figure
 7 "1,918.54" and inserting the following: "1,929.54".
 By OSTERHAUS of Jackson

H-8792 FILED APRIL 10, 2000

W/D
4/11/00 (P. 1407)

SENATE FILE 2435

H-8793

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. By striking page 6, line 35, through page 7,
4 line 1.
5 2. Page 38, by inserting after line 2 the
6 following:
7 "_____. Of the funds appropriated in this section,
8 \$731,000 shall be used for child abuse prevention
9 grants and the department shall provide this
10 allocation by reducing the amount that would otherwise
11 be available for distribution to child welfare funding
12 decategorization projects."
13 3. By renumbering as necessary.

By FOEGE of Linn

H-8793 FILED APRIL 10, 2000

W/D
4/11/00 (P.1405)

SENATE FILE 2435

H-8794

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 50, by inserting before line 10 the
4 following:
5 "_____. The general assembly is supportive of the
6 department's stated purposes in its efforts to review
7 the services administered by the department and the
8 reimbursement methodologies for those services. The
9 general assembly anticipates the department continuing
10 its review and consultation activities during the 2000
11 legislative interim in order to submit recommendations
12 and proposals for legislative consideration during the
13 2001 legislative session and the department shall not
14 implement changes in the reimbursement methodologies
15 without legislative approval."
16 2. By renumbering as necessary.

By HEATON of Henry

H-8794 FILED APRIL 10, 2000

adopted
4-11-00 (P.1408)

SENATE FILE 2435

H-8797

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 38, by inserting after line 2 the
 4 following:
 5 " . Of the funds appropriated in this section,
 6 the department shall transfer \$126,848 to the
 7 appropriation in this Act for medical assistance to be
 8 used for supplemental funding for the costs to
 9 increase the medical assistance eligibility limit for
 10 infants under the mothers and children category to 200
 11 percent of the federal poverty level. The department
 12 shall provide for the transfer amount by reducing the
 13 amount for allocation to child welfare funding
 14 decategorization projects."
 15 2. By renumbering as necessary.

By OSTERHAUS of Jackson

H-8797 FILED APRIL 10, 2000

W/P

4-11-00 (p. 1407)

SENATE FILE 2435

H-8798

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, by striking line 3 and inserting the
 4 following:
 5 "..... \$ 46,235,883"
 6 2. Page 8, by inserting after line 35 the
 7 following:
 8 "1A. Effective July 1, 2000, the amounts in the
 9 schedule of basic needs used for eligibility
 10 determination and as the payment standard for the
 11 family investment program shall be increased by 4
 12 percent. The department shall adopt emergency rules
 13 to implement the provisions of this subsection."
 14 3. Page 16, by striking line 24 and inserting the
 15 following:
 16 "..... \$ 6,455,110"
 17 4. By renumbering as necessary.

By FOEGE of Linn

H-8798 FILED APRIL 10, 2000

W/D

4/11/00

(p. 1387)

SENATE FILE 2435

H-8801

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, line 9, by inserting after the word
4 "costs." the following: "The grant requirements shall
5 include provision for local match in the form of cash,
6 in-kind services, or other support."
7 2. Page 6, by inserting after line 27 the
8 following:
9 "e. The application for any of the grants
10 described in the lettered paragraphs of this
11 subsection shall not exceed two pages in length."
12 3. Page 18, line 17, by striking the figure
13 "422,451,028" and inserting the following:
14 "422,443,000".
15 4. Page 20, line 31, by inserting after the word
16 "disabilities," the following: "the department shall
17 aggressively pursue options to expand the waiver to
18 100 openings and in implementing the expanded waiver".
19 5. Page 20, line 35, by striking the words "The
20 openings" and inserting the following: "Priority
21 shall be given to those persons who are no longer
22 eligible for the ill and handicapped waiver due to
23 becoming eligible for federal supplemental security
24 income, otherwise the openings".
25 6. Page 23, by striking lines 3 through 20.
26 7. Page 23, by inserting after line 27 the
27 following:
28 "____. The department shall aggressively pursue
29 options for providing medical assistance or other
30 assistance to individuals with special needs who
31 become ineligible to continue receiving services under
32 the early and periodic, screening, diagnosis, and
33 treatment program under the medical assistance program
34 due to becoming 21 years of age, who have been
35 approved for additional assistance through the
36 department's exception to policy provisions, but who
37 have health care needs in excess of the funding
38 available through the exception to policy process."
39 8. Page 24, line 23, by striking the words
40 "administrative contractor" and inserting the
41 following: "department".
42 9. Page 25, line 5, by inserting after the word
43 "into" the following: "or extended".
44 10. Page 25, line 7, by inserting after the word
45 "treatment" the following: "provided at the state
46 mental health institute at Mount Pleasant".
47 11. Page 25, by inserting after line 10, the
48 following:
49 "Of the funds appropriated in this section, \$50,000
50 shall be used to continue the recruitment and

H-8801

-1-

H-8801

Page 2

1 retention strategies project to provide additional
2 training and support for certified nurse aides
3 employed by nursing facilities."
4 12. Page 29, line 23, by striking the figure
5 "6,296,956" and inserting the following: "6,305,133".
6 13. Page 29, line 34, by striking the figure
7 "10,381,263" and inserting the following:
8 "10,405,336".
9 14. Page 30, line 23, by striking the figure
10 "108,788,161" and inserting the following:
11 "108,780,000".
12 15. Page 38, by inserting after line 2 the
13 following:
14 "_____. Any unanticipated federal funding that is
15 received during the fiscal year due to improvements in
16 the hours counted by the judicial branch under the
17 claiming process for federal Title IV-E funding are
18 appropriated to the department to be used for the
19 purposes of the appropriation made in this section.
20 Notwithstanding section 8.33, moneys appropriated in
21 this subsection that remain unencumbered or
22 unobligated at the close of the fiscal year shall not
23 revert but shall remain available for expenditure for
24 the purposes designated until the close of the
25 succeeding fiscal year."
26 16. Page 39, line 30, by striking the figure
27 "7,219,958" and inserting the following: "7,220,487".
28 17. Page 40, line 1, by striking the figure
29 "17,448,229" and inserting the following:
30 "17,457,584".
31 18. Page 41, line 23, by striking the word
32 "voluntary".
33 19. Page 42, line 4, by inserting after the word
34 "state" the following: "or a county".
35 20. Page 42, by striking lines 23 and 24 and
36 inserting the following: "support, maintenance, and
37 miscellaneous purposes:"
38 21. Page 42, by striking line 26.
39 22. Page 42, by striking lines 28 and 29 and
40 inserting the following: "support, maintenance, and
41 miscellaneous purposes:"
42 23. Page 42, line 30, by striking the figure
43 "1,708,814" and inserting the following: "1,709,949".
44 24. Page 42, by striking line 31.
45 25. Page 44, by inserting after line 16 the
46 following:
47 "_____. If the department's administration and the
48 department of management concur with a finding by a
49 state hospital-school's superintendent that projected
50 revenues can reasonably be expected to pay the salary

H-8801

-2-

H-3301

Page 3

1 and support costs for a new employee position, or that
 2 such costs for adding a particular number of new
 3 positions for the fiscal year would be less than the
 4 overtime costs if new positions would not be added,
 5 the superintendent may add the new position or
 6 positions. If the vacant positions available to a
 7 hospital-school do not include the position
 8 classification desired to be filled, the hospital-
 9 school's superintendent may reclassify any vacant
 10 position as necessary to fill the desired position.
 11 The superintendents of the hospital-schools may, by
 12 mutual agreement, pool vacant positions and position
 13 classifications during the course of the fiscal year
 14 in order to assist one another in filling necessary
 15 positions."

16 26. Page 45, line 18, by striking the word
 17 "amount" and inserting the following: "amounts".

18 27. Page 45, line 19, by striking the word
 19 "purpose" and inserting the following: "purposes".

20 28. Page 45, line 20, by striking the word "For"
 21 and inserting the following:

22 "1. For".

23 29. Page 45, line 24, by striking the figure
 24 "\$13,600,000" and inserting the following:

25 "\$13,000,000".

26 30. Page 45, by inserting after line 30 the
 27 following:

28 "2. For transfer to the appropriation in this Act
 29 for medical assistance to be used for supplemental
 30 reimbursement of certain intermediate care facilities
 31 for persons with mental retardation (ICFMR) in
 32 accordance with this subsection:

33 \$ 300,000

34 The supplemental reimbursement shall be available
 35 to those ICFMRs established and issued a certificate
 36 of need by the health facilities council, on or before
 37 June 30, 1999, for the primary purpose of serving
 38 persons with a head or brain injury. The supplemental
 39 reimbursement shall be paid for services provided to
 40 persons with a brain or head injury who are determined
 41 by the Iowa foundation for medical care to meet
 42 entrance requirements for services at the ICFMR level.
 43 The county of legal settlement shall remain
 44 responsible for the nonfederal share of reimbursement
 45 for the ICFMR services up to the maximum percentile
 46 rate allowed by law. The supplemental reimbursement
 47 shall be paid for the difference between that maximum
 48 rate and the facility's actual cost, as determined
 49 from the annual actual cost reports submitted to the
 50 department which shall be subject to annual audit by

H-8801

H-8801

Page 4

1 the department."
2 31. Page 45, by inserting before line 31 the
3 following:
4 "3. For transfer to the department for the blind
5 to be used for establishment of statewide access to
6 the newslines for the blind furnished by the national
7 federation of the blind:
8 \$ 25,000"
9 32. Page 48, line 23, by striking the figure
10 "1,177,366" and inserting the following: "1,179,178".
11 33. Page 48, by striking line 24, and inserting
12 the following:
13 "..... FTES 20.00"
14 34. Page 49, line 4, by striking the figure
15 "44,222,546" and inserting the following:
16 "44,370,000".
17 35. Page 49, by inserting after line 7 the
18 following:
19 "The amount appropriated in this section includes
20 increased funding of \$147,154 to address staffing
21 issues in regard to child abuse assessment staff,
22 social workers, and support staff performing related
23 functions and for increased activities to improve
24 cooperation between field staff, law enforcement,
25 county attorneys, and mandatory reporters in
26 addressing reports of child abuse."
27 36. Page 49, line 11, by striking the figure
28 "5,659,370" and inserting the following: "5,540,000".
29 37. Page 49, line 21, by striking the figure
30 "13,623,100" and inserting the following:
31 "13,530,112".
32 38. Page 49, line 22, by striking the figure
33 "358.13" and inserting the following: "359.13".
34 39. Page 50, by striking lines 3 through 9 and
35 inserting the following:
36 "Sec. ____ . STATE-COUNTY ASSISTANCE FUNCTIONS.
37 There is appropriated from the general fund of the
38 state to the department of human services for the
39 fiscal year beginning July 1, 2000, and ending June
40 30, 2001, the following amount, or so much thereof as
41 is necessary, to be used for the purposes designated:
42 For contracting with a statewide association
43 representing county elected and appointed officials to
44 perform the state-county assistance team functions and
45 provide support to the state-county management
46 committee:
47 \$ 209,664"
48 40. Page 54, by striking lines 17 and 18, and
49 inserting the following: "shall remain at \$145.74 per
50 day."

H-8801

H-8801
Page 5

1 41. Page 59, by inserting after line 9 the
2 following:

~~3~~ "Sec. 100. 1991 Iowa Acts, chapter 169, section 9,
4 as amended by 1996 Iowa Acts, chapter 1071, section 1,
5 is repealed.

6 On or before December 15, 2000, the prevention of
7 disabilities policy council shall submit a report to
8 the governor and the general assembly providing
9 findings and recommendations regarding the activities
A 10 and duties of the commission and the need for its
11 continuation."

12 42. Page 60, by inserting after line 1 the
13 following:

B ~~14~~ "Sec. 101. NEW SECTION. 225B.8 REPEAL.

A ~~15~~ This chapter is repealed June 30, 2001."

16 43. Page 61, by inserting after line 13 the
17 following:

18 "3. The state training school shall name any other
19 newly constructed facilities to be dedicated at the
20 state training school during the fiscal year beginning
21 July 1, 1999, or July 1, 2000, as deemed appropriate
22 by the state training school administration to
23 properly recognize individuals who have made
24 significant contributions to the juvenile justice
25 system in general or the state training school in
26 particular."

27 44. Page 62, by inserting after line 28 the
28 following:

29 "____. Sections 100 and 101, repealing 1991 Iowa
30 Acts, chapter 169, section 9, as amended, and enacting
31 new Code section 225B.8."

32 45. Page 62, by inserting before line 29 the
33 following:

34 "____. Section 39, subsection 3, authorizing the
35 state training school administration to name certain
A 36 facilities to be dedicated during fiscal year 1999-
37 2000 or fiscal year 2000-2001."

38 46. By renumbering, relettering, or redesignating
39 and correcting internal references as necessary.

By HEATON of Henry

H-8801 FILED APRIL 10, 2000

Adopted 4-11-00 (P. 1404)
Motion to R/C adopted 4-11-00
Division Requested 4-11-00 (P. 1409)
A. adopted 4-11-00
B. w/o 4/11/00 (P. 1409)

SENATE FILE 2435

H-8803

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, by striking lines 48 through 50 and
5 inserting the following:
6 "_____". Page 54, line 17, by striking the figure
7 "145.74" and inserting the following: "147.20".

By BLODGETT of Cerro Gordo

H-8803 FILED APRIL 11, 2000

adopted
4-11-00 (P. 1401)

SENATE FILE 2435

H-8808

1 Amend the amendment, H-8801, to Senate File 2435 as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:
6 "422,577,876".

By OSTERHAUS of Jackson

H-8808 FILED APRIL 11, 2000

o/o

4/11/00

(P. 1395)

with adoption of 88198 now back in order 4/11/00 (P. 1399)

now withdrawn 4-11-00 (P. 1401)

SENATE FILE 2435

H-8809

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 16, by striking the figure
 5 "44,370,000" and inserting the following:
 6 "44,699,546".
 7 2. Page 4, by inserting before line 17, the
 8 following:
 9 "____". Page 49, line 5, by striking the figure
 10 "1,918.54" and inserting the following: "1,929.54".
 11 3. By renumbering as necessary.

By OSTERHAUS of Jackson

H-8809 FILED APRIL 11, 2000

W/D
4-11-00
(p.1404)

SENATE FILE 2435

H-8811

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 16, by striking the figure
 5 "44,370,000" and inserting the following:
 6 "46,275,078".

By STEVENS of Dickinson

H-8811 FILED APRIL 11, 2000

W/D
4/11/00 (p.1404)

SENATE FILE 2435

H-8812

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 38, line 34, by striking the figure
 4 "2,028,215" and inserting the following: "2,211,897".

By JOCHUM of Dubuque

H-8812 FILED APRIL 11, 2000

Loat
4-11-00 (p.1407)

SENATE FILE 2435

H-8814

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 5, by striking the figure
5 "6,305,133" and inserting the following: "6,309,742".

6 2. Page 2, line 8, by striking the figure
7 "10,405,336" and inserting the following:
8 "10,405,335".

A 9 3. Page 2, by inserting after line 25, the
10 following:

11 "_____. Page 39, by striking line 24 and inserting
12 the following:

13 "..... \$ 12,804,527"

14 4. Page 2, line 27, by striking the figure
15 "7,220,487" and inserting the following: "7,227,168".

B 16 5. Page 2, line 30, by striking the figure
17 "17,457,584" and inserting the following:

18 "17,526,567".

19 6. Page 2, by inserting before line 31, the
20 following:

21 "_____. Page 40, by striking line 26 and inserting
22 the following:

23 "..... \$ 5,360,065"

24 7. Page 2, by inserting after line 37, the
25 following:

26 "_____. Page 42, by striking line 25 and inserting
27 the following:

A 28 "..... \$ 2,511,091"

29 8. Page 2, line 43, by striking the figure
30 "1,709,949" and inserting the following: "1,714,565".

31 9. By renumbering as necessary.

32

By GREIMANN of Story

H-8814 FILED APRIL 11, 2000

A. Lost 4/11/00 (p. 1404)

B. o/o 4/11/00 (p. 1404)

SENATE FILE 2435

H-8815

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 18 and 19, and
5 inserting the following: "appropriated to the
6 department to be used for additional or expanded
7 services and support for court-ordered services
8 pursuant to section 232.141."

9 2. Page 2, line 30, by striking the figure
10 "17,457,584" and inserting the following:
11 "17,497,584".

A 12 3. Page 4, line 20, by striking the figure
13 "147,154" and inserting the following: "147,454".

14 4. Page 4, by striking lines 48 through 50, and
15 inserting the following:

16 "____. Page 54, line 17, by striking the words "be
17 increased to" and inserting the following: "remain
18 at"."

B 19 5. By renumbering as necessary.

By HEATON of Henry

H-8815 FILED APRIL 11, 2000

A - adopted 4-11-00 (p. 1396)

B. W/D 4-11-00 (p. 1401)

SENATE FILE 2435

H-8816

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 60, by inserting after line 1 the
4 following:

5 "Sec. 100. Section 232.190, Code 1999, is amended
6 to read as follows:

7 232.190 COMMUNITY GRANT FUND.

8 1. A community grant fund is established in the
9 state treasury under the control of the division of
10 criminal and juvenile justice planning of the
11 department of human rights for the purposes of
12 awarding grants under this section. The criminal and
13 juvenile justice planning advisory council and the
14 juvenile justice advisory council shall assist the
15 division in administering grants awarded under this
16 section. The departments of education, human
17 services, public health, and public safety, and the
18 governor's alliance on substance abuse shall advise
19 the division on grant ~~application-and-selection~~ award
20 criteria and performance measures for the programs.
21 Not more than five percent of the moneys appropriated
22 to the fund shall be used for administrative purposes.

23 2. ~~A-city, county, or entity organized under~~
24 ~~chapter 28E Any decategorization governance board~~
25 ~~organized in accordance with section 232.188 may apply~~
26 ~~to the division for a grant on-a-matching-basis to~~
27 ~~fund juvenile crime prevention programs that emphasize~~
28 ~~positive youth development. The-match-may-be-obtained~~
29 ~~from-private-sources, other-state-programs, or-federal~~
30 ~~programs. The division shall adopt rules establishing~~
31 ~~required-matching-fund-levels-that-progressively~~
32 ~~increase-as-applicants-receive-a-second-or-subsequent~~
33 ~~year-of-consecutive-funding-through-the-community~~
34 ~~grant-fund. The-division-shall-not-accept-an~~
35 ~~application-for-a-fourth-or-subsequent-consecutive~~
36 ~~year-of-funding. However, cities, counties, or~~
37 ~~entities organized under chapter 28E receiving grants~~
38 ~~prior to July 1, 1998, may apply and receive funding~~
39 ~~for an additional two consecutive years beyond June~~
40 ~~30, 1998 for awarding of grant moneys, including but~~
41 ~~not limited to data factors and a methodology for use~~
42 ~~in allocating moneys among the decategorization~~
43 ~~projects based upon a project's proportion of the~~
44 ~~state's population of children.~~

45 3. Applications for moneys from the community
46 grant fund ~~shall-define-the-geographical-boundaries-of~~
47 ~~the-site-chosen-to-benefit-from-the-funds-from-this~~
48 ~~program-and~~ shall demonstrate a collaborative effort
49 by all relevant local government and school officials
50 and service agencies with authority, responsibilities,

H-8816

H-8816

Page 2

1 or other interests within the chosen-site
2 decategorization project area. Proposed plans set
3 forth in the applications shall reflect a community-
4 wide consensus in how to remediate community problems
5 related to juvenile crime ~~and shall describe how the~~
6 ~~funds from this program will be used in a manner~~
7 ~~consistent with the human investment strategy of the~~
8 ~~state as developed pursuant to section 8A.1~~. Services
9 provided under a grant through this program shall be
10 comprehensive, preventive, community-based, and shall
11 utilize flexible delivery systems and promote youth
12 development. ~~The division shall establish a point~~
13 ~~system for determining eligibility for grants from the~~
14 ~~fund based upon the nature and breadth of the proposed~~
15 ~~community juvenile crime prevention plans and the~~
16 ~~extent to which the proposals include viable plans to~~
17 ~~sustain the funding and local governance of the~~
18 ~~proposed juvenile crime prevention services and~~
19 ~~activities following the proposed grant period.~~ A
20 plan for grant moneys under this section shall be a
21 part of or be consistent with the annual child welfare
22 services plan developed by the governance board of the
23 decategorization project area and submitted to the
24 department of human services and Iowa empowerment
25 board pursuant to section 232.188.

26 4. The division shall provide ~~potential applicants~~
27 for grant moneys decategorization governance boards
28 with information describing comprehensive community
29 planning techniques and performance measures for this
30 program and. The division shall establish a
31 monitoring system for this program that requires
32 participating ~~cities, counties, and entities organized~~
33 under chapter 28E decategorization governance boards
34 to report information with which to measure program
35 performance. ~~The division shall solicit input from~~
36 ~~cities, counties, and service providing agencies on~~
37 ~~the establishment of program performance measures and~~
38 ~~the structure of the program monitoring system.~~
39 Applications for grant moneys shall state specific
40 results sought to be obtained by any service or
41 activity funded by a grant under this section and
42 shall describe how their desired results are related
43 to the program's performance measures.

44 5. This section is repealed effective June 30,
45 ~~2000~~ 2005. The division of criminal and juvenile
46 justice planning shall annually submit ~~an annual~~ a
47 report to the general assembly by January 15 regarding
48 the program's performance measures and the
49 effectiveness of the services and activities funded
50 under this section."

H-8816

-2-

H-8816

Page 3

- 1 2. Page 62, by inserting before line 29 the
- 2 following:
- 3 "____. Section 100, amending section 232.190."
- 4 3. By renumbering as necessary.

By DAVIS of Wapello

H-8816 FILED APRIL 11, 2000

W/D

4/11/00 (p. 1409)

SENATE FILE 2435

H-8819

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:

A 6 "422,543,000".

7 2. Page 1, by inserting after line 38 the
8 following:

9 "____". Of the funds appropriated in this section,
10 \$100,000 is allocated for development of a plan for
11 implementation of a personal assistance services
12 program as described in House File 2380, as introduced
13 in the Seventy-eighth General Assembly, 2000 Session.
14 The target date used in the plan for implementation of
15 the program shall be July 1, 2002.

16 The department, in consultation with the department
17 of elder affairs, the Iowa department of public
18 health, the department of workforce development, the
19 department of education, division of vocational
20 rehabilitation, the department of economic
21 development, the Iowa state association of counties,
22 Iowa creative employment options, the community
23 services affiliate of the Iowa state association of
24 counties, and the personal assistance and family
25 support services council, shall convene a planning
26 committee, which includes consumers and family
27 members, advocates of consumers, providers of services
28 to consumers, and the entities consulted with, to
29 assist in the development of a plan for a personal
30 assistance services program based on principles and
31 standards described in this chapter. The membership
32 of the planning committee shall be appointed in a
33 manner so there are relatively equal proportions of
34 members with involvement in service management,
35 purchasing or approval, and members with an interest
36 in or involvement as a service consumer or advocate.
37 The planning committee shall also include four members
38 of the general assembly to serve in an ex officio,
39 nonvoting capacity with one each appointed by the
40 following: senate majority leader, senate minority
41 leader, speaker of the house of representatives, and
42 minority leader of the house of representatives. The
43 department may contract for services to support the
44 planning committee. At a minimum, the plan shall
45 include options to accomplish all of the following:

46 a. Designate a lead agency to be responsible for
47 administering the personal assistance services
48 program.

49 b. Provide that the personal assistance and family
50 support services policy council assist in the design,

H-8819

H-8819

Page 2

- 1 implementation, marketing, and evaluation of the
2 state's personal assistance services program.
- 3 c. Provide a consumer-level administrative
4 oversight and technical assistance mechanism relating
5 to the planning, administrative rules development, and
6 implementation of the personal assistance services
7 program.
- 8 d. Provide for a transition process, with action
9 steps and time lines, describing how the state will
10 make personal assistance services a viable option that
11 is more cost-effective and responsive to the needs and
12 preferences of consumers.
- 13 e. Describe a process for consolidating all
14 noninstitutional personal assistance services programs
15 funded through the medical assistance program.
- 16 f. Describe the type of personal assistance
17 services to be provided under the program.
- 18 g. Describe the method of delivery of personal
19 assistance services and how such services will be
20 delivered statewide.
- 21 h. Evaluate the feasibility of further reducing
22 costs and addressing consumer needs and preferences
23 through the provision of auxiliary services such as
24 assistive technology and home modifications.
- 25 i. Describe a program intake process that will be
26 uniform throughout the state.
- 27 j. Review and consolidate the eligibility
28 requirements, intake processes, assessment tools, and
29 other relevant processes of all existing personal
30 assistance services waiver and pilot programs into a
31 single, comprehensive system.
- 32 k. Describe the standards and mechanisms for
33 copayments or cost-sharing and the methods used to
34 determine income eligibility of persons with
35 disabilities.
- 36 l. Determine quality assurance outcomes and
37 safeguards against physical, emotional, or financial
38 abuse and exploitation.
- 39 m. Describe the appeal process.
- 40 n. Describe how the barriers and disincentives
41 that currently discourage people from becoming
42 personal assistants can be removed.
- 43 o. Address the issues of provider and consumer
44 liability.
- 45 p. Describe acceptable methods whereby independent
46 personal assistance services providers may pool
47 resources to ensure adequate coverage provisions for
48 health insurance, liability insurance, and workers'
49 compensation insurance.
- 50 q. Consult with the health care financing

H-8819

-2-

Div.
B

H-8819

Page 3

1 administration of the United States department of
 2 health and human services, in reviewing and completing
 3 a plan for consolidation and coordination of funding
 4 mechanisms and expenditures relative to health care
 5 facility services, intermediate care facilities for
 6 persons with mental retardation services, all covered
 7 home and community-based services provided under
 8 section 1915(c) of the federal Social Security Act,
 9 services provided under the personal care option of
 10 the medical assistance program, and frail elderly
 11 program services. The plan shall provide for
 12 consolidation and coordination of funding mechanisms
 13 and expenditures in order to provide funding for the
 14 personal assistance services described in this
 15 subsection and shall address the costs and potential
 16 cost offsets in implementing the personal care option
 17 under the medical assistance program.
 18 r. Develop options to capitalize on and leverage
 19 federal funding to the maximum extent possible under
 20 the federal Ticket to Work and Work Incentives
 21 Improvement Act of 1999, Pub. L. No. 106-170 and the
 22 federal Workforce Investment Act of 1998, Pub. L. No.
 23 105-220."
 24 3. By renumbering as necessary.

Div B -

By DIX of Butler
HEATON of Henry

H-8819 FILED APRIL 11, 2000

Adopted - motion to R/C - Adopted - Div. Requested
4-11-00
(P. 1395)
A. withdrawn (P. 1399) 4/11/00
B. adopted (P. 1399) 4/11/00
 SENATE FILE 2435

H-8820

1 Amend the amendment, H-8801, to Senate File 2435 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 11, by striking the figure
 5 "108,780,000" and inserting the following:
 6 "108,983,613".
 7 2. Page 2, by inserting before line 12, the
 8 following:
 9 "____". Page 31, line 19, by striking the figure
 10 "7,060,104" and inserting the following:
 11 "7,255,556"."

By FOEGE of Linn

H-8820 FILED APRIL 11, 2000

Lost
4-11-00
(P. 1404)

SENATE FILE 2435

H-8821

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 37, line 13, by striking the words "A
 4 final".
 5 2. Page 37, by striking lines 14 through 18.

By BLODGETT of Cerro Gordo

H-8821 FILED APRIL 11, 2000

Adopted
4-11-00
(P. 1407)

SENATE FILE 2435

H-8822

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:

A

6 "422,290,000".

7 2. Page 1, by inserting after line 24 the
8 following:

9 "____. Page 22, by striking lines 1 through 27."

10 3. Page 1, by inserting after line 38 the
11 following:

12 "Sec. ____ PHARMACEUTICAL CASE MANAGEMENT STUDY.

13 There is appropriated from the general fund of the
14 state to the department of human services for the
15 fiscal year beginning July 1, 2000, and ending June
16 30, 2001, the following amount or so much thereof as
17 is necessary, to be used for implementation of a
18 disease-specific pharmaceutical case management study
19 to measure the effects of case management for medical
20 assistance recipients identified by the department as
21 high risk for medication-related problems. The funds
22 shall be used to equally reimburse physician-
23 pharmacist teams who participate in the study. An
24 advisory committee whose membership consists of
25 representatives of the Iowa medical society, the Iowa
26 pharmacy association, and the department of human
27 services shall establish and implement the
28 pharmaceutical case management study. The university
29 of Iowa college of public health, in conjunction with
30 the colleges of medicine and pharmacy, shall perform
31 an evaluation of the study at no cost to the state and
32 shall submit a final report of the findings of the
33 evaluation and any recommendations to the general
34 assembly by December 15, 2002. The department shall
35 submit a progress report by December 15, 2001, and a
36 final report by December 15, 2002, to the general
37 assembly. The department shall adopt rules to
38 implement this section which comply with the notice of
39 intended action requirements of section 17A.4,
40 subsection 1, and which may be adopted as emergency
41 rules pursuant to section 17A.5, subsection 2, after
42 notice is provided. The rules shall be reevaluated by
43 the department of human services with input from the
44 Iowa medical society and the Iowa pharmacy
45 association, upon submission of the final report or by
46 December 15, 2002, whichever occurs first:

B

47 \$ 414,000"

By OSTERHAUS of Jackson
HEATON of Henry

H-8822 FILED APRIL 11, 2000

A, w/o 4/11/00 (P. 1403)

B, adopted 4/11/00 (P. 1403)

SENATE FILE 2435

H-8825

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 24, by inserting after line 31, the
4 following:
5 "____. The department of human services shall seek
6 a waiver from the health care financing administration
7 of the United States department of health and human
8 services to permit families with children who are
9 eligible for medical assistance to elect to
10 participate under the HAWK-I program in lieu of
11 participation in the medical assistance program. If
12 the waiver is approved, the department shall implement
13 the provision."

By HANSEN of Pottawattamie
HEATON of Henry

H-8825 FILED APRIL 11, 2000

Adopted
4-11-00
(P. 1406)

SENATE FILE 2435

H-8826

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, line 31, by striking the figure
5 "13,530,112" and inserting the following:
6 "13,902,652".
7 2. Page 4, line 33, by striking the figure
8 "359.13" and inserting the following: "363.13".
9 3. Page 4, by striking lines 34 through 47 and
10 inserting the following:
11 "____. Page 50, by striking lines 3 through 9."

By JOCHUM of Dubuque

H-8826 FILED APRIL 11, 2000

Lost
4-11-00 (P. 1400)

SENATE FILE 2435

H-8827

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, line 28, by striking the figure
5 "5,540,000" and inserting the following: "5,970,000".
6 2. Page 4, by inserting after line 28 the
7 following:
8 "____". Page 49, line 12, by striking the figure
9 "154.16" and inserting the following: "164.16".
10 _____. Page 49, by inserting after line 12 the
11 following:
12 "The full-time equivalent position authorization in
13 this subsection includes an increase of 10.00 FTEs
14 over the previous fiscal year in order for the
15 department to assign 2.00 additional FTEs to each
16 region to increase reviews of registered and licensed
17 child care facilities.""
18 3. By renumbering as necessary.

By JOCHUM of Dubuque

H-8827 FILED APRIL 11, 2000

w/p
4/11/00 (p. 1399)

SENATE FILE 2435

H-8832

1 Amend the amendment H-8801, to Senate File 2435, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, line 16, by striking the figure
5 "44,370,000" and inserting the following:
6 "46,275,078".
7 2. Page 4, line 28, by striking the figure
8 "5,540,000" and inserting the following: "5,677,938".

By MURPHY of Dubuque

H-8832 FILED APRIL 11, 2000

lost
4-11-00 (p. 1398)

SENATE FILE 2435

H-8833

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 3, line 28 through page 4,
5 line 1 and inserting the following:

6 ""2. For transfer to the appropriation in this Act
7 for medical assistance to be used for payment of the
8 state portion of the nonfederal share of medical
9 assistance reimbursement for services provided to
10 eligible persons by certain qualified intermediate
11 care facilities for persons with mental retardation
12 (ICFMR) in accordance with this subsection:

13 \$ 300,000

14 For the purposes of this subsection, "eligible
15 persons" means persons with a brain or head injury who
16 are determined by the Iowa foundation for medical care
17 to meet entrance requirements for services at the
18 ICFMR level. The reimbursement rate for services
19 provided to eligible persons by those qualified ICFMRs
20 established and issued a certificate of need by the
21 health facilities council, on or before June 30, 1999,
22 for the primary purpose of serving persons with a head
23 or brain injury, shall be the facility's actual cost,
24 as determined from the annual actual cost reports
25 submitted to the department. The cost reports shall
26 be subject to annual audit by the department.
27 Responsibility for payment of the nonfederal share of
28 reimbursement paid for services provided to eligible
29 persons shall be as follows: the county of legal
30 settlement is responsible for an amount equal to the
31 nonfederal share of the 80th percentile of ICFMR
32 services and the state is responsible for the
33 remainder.""

By HEATON of Henry

H-8833 FILED APRIL 11, 2000

Adopted
4-11-00
(P. 1397)

SENATE FILE 2435

H-8834

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 28, by striking the figure
 5 "5,540,000" and inserting the following: "5,970,000".
 6 2. Page 4, by inserting after line 28 the
 7 following:
 8 "____. Page 49, line 12, by striking the figure
 9 "154.16" and inserting the following: "164.16".
 10 _____. Page 49, by inserting after line 12 the
 11 following:
 12 "The full-time equivalent position authorization in
 13 this subsection includes an increase of 10.00 FTEs
 14 over the previous fiscal year in order for the
 15 department to assign 2.00 additional FTEs to each
 16 region to increase on-site compliance checks of
 17 registered child care facilities and inspection visits
 18 to licensed child care facilities."
 19 3. By renumbering as necessary.

By JOCHUM of Dubuque

H-8834 FILED APRIL 11, 2000

Host
4-11-00 (p. 1399)

SENATE FILE 2435

H-8837

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, by inserting after line 8 the
 5 following:
 6 "4. For transfer to the department for the blind
 7 to be used to enable blind individuals to
 8 independently access newspapers through the operations
 9 of the Iowa radio reading information service:
 10 \$

25,000"

By BLODGETT of Cerro Gordo

H-8837 FILED APRIL 11, 2000

Adapted
4-11-00
(p. 1397)

SENATE FILE 2435

H-8838

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, by striking lines 17 through 26.
 5 2. By renumbering as necessary.

By MURPHY of Dubuque

H-8838 FILED APRIL 11, 2000

W/D 4/11/00 (p. 1399)

SENATE FILE 2435

H-8839

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 29, line 25, by striking the word "It"
4 and inserting the following:

5 "a. It".

6 2. Page 29, by inserting after line 32, the
7 following:

8 "b. Notwithstanding any provision to the contrary
9 under chapter 255, a person placed at the Iowa
10 juvenile home at Toledo shall be provided medical
11 services and treatment at a local clinic if the
12 medical services and treatment available are provided
13 by staff of the university of Iowa hospitals and
14 clinics and the university of Iowa hospitals and
15 clinics shall not charge the Iowa juvenile home at
16 Toledo for the services and treatment. For persons
17 placed at the Iowa juvenile home at Toledo who are
18 provided medical services and treatment at such a
19 local clinic, the university of Iowa hospitals and
20 clinics shall transfer funds appropriated to the
21 university hospitals for indigent patient care in an
22 amount sufficient to cover the total cost of the
23 medical services and treatment provided."

24 3. By renumbering as necessary.

By HEATON of Henry

H-8839 FILED APRIL 11, 2000

W/P
4-11-00
(P. 1406)

SENATE FILE 2435

H-8843

1 Amend the amendment, H-8801 to Senate File 2435 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:
6 "422,943,000".

7 2. Page 1, by striking lines 28 and 29, and
8 inserting the following:

9 "_____. The department shall use up to \$500,000 of
10 the funds appropriated in this section to provide
11 medical assistance or other".

By REYNOLDS of Van Buren
KREIMAN of Davis
DAVIS of Wapello

H-8843 FILED APRIL 11, 2000

W/D
4-11-00 (P.1402)

SENATE FILE 2435

H-8850

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 28, line 34 through page 29,
4 line 15.

5 2. By renumbering as necessary.

By JOCHUM of Dubuque

H-8850 FILED APRIL 11, 2000

Adopted
4-11-00 (1406)

SENATE FILE 2435

H-8854

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 23, by inserting after line 27 the
4 following:

5 "_____. The department shall adopt emergency rules
6 providing for reimbursement under medical assistance
7 of a family or pediatric nurse practitioner's
8 employing provider for services provided by the nurse
9 practitioner, regardless of whether the nurse
10 practitioner is under the supervision of or associated
11 with a physician or other health care provider."

12 2. By renumbering as necessary.

By REYNOLDS of Van Buren

H-8854 FILED APRIL 11, 2000

Adopted
4-11-00
(P. 1410)

SENATE FILE 2435

H-8855

1 Amend Senate File 2435, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 23, by inserting before line 28, the
4 following:

5 "Sec. ____ . MEDICAL ASSISTANCE -- INFANTS. There
6 is appropriated from the general fund of the state to
7 the department of human services for the fiscal year
8 beginning July 1, 2000, and ending June 30, 2001, the
9 following amount, or so much thereof as is necessary,
10 to be used for increasing the medical assistance
11 eligibility limit for infants under the pregnant women
12 and infants category to 200 percent of the federal
13 poverty level:

14 \$ 126,848"

15 2. By renumbering as necessary.

By OSTERHAUS of Jackson

H-8855 FILED APRIL 11, 2000

*lost 4-11-00
(P. 1410)*

SENATE FILE 2435

H-8856

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 18, line 17, by striking the figure
4 "422,451,028" and inserting the following:

5 "422,129,000".

By HEATON of Henry

H-8856 FILED APRIL 11, 2000

*adopted
4-11-00
(P. 1409)*

HOUSE AMENDMENT TO
SENATE FILE 2435

S-5387

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 6, line 9, by inserting after the word
4 "costs." the following: "The grant requirements shall
5 include provision for local match in the form of cash,
6 in-kind services, or other support."

7 2. Page 6, by inserting after line 27 the
8 following:

9 "e. The application for any of the grants
10 described in the lettered paragraphs of this
11 subsection shall not exceed two pages in length."

12 3. Page 18, line 17, by striking the figure
13 "422,451,028" and inserting the following:
14 "422,129,000".

15 4. Page 20, line 31, by inserting after the word
16 "disabilities," the following: "the department shall
17 aggressively pursue options to expand the waiver to
18 100 openings and in implementing the expanded waiver".

19 5. Page 20, line 35, by striking the words "The
20 openings" and inserting the following: "Priority
21 shall be given to those persons who are no longer
22 eligible for the ill and handicapped waiver due to
23 becoming eligible for federal supplemental security
24 income, otherwise the openings".

25 6. Page 21, by striking lines 34 and 35 and
26 inserting the following: "mental illness under the
27 medical assistance program, using county funding as a
28 match for the federal funding except for individuals
29 with state case status, for whom state funding shall
30 provide the match."

31 7. Page 22, by striking lines 1 through 27.

32 8. Page 23, by striking lines 3 through 20.

33 9. Page 23, by inserting after line 27 the
34 following:

35 "____. The department shall aggressively pursue
36 options for providing medical assistance or other
37 assistance to individuals with special needs who
38 become ineligible to continue receiving services under
39 the early and periodic, screening, diagnosis, and
40 treatment program under the medical assistance program
41 due to becoming 21 years of age, who have been
42 approved for additional assistance through the
43 department's exception to policy provisions, but who
44 have health care needs in excess of the funding
45 available through the exception to policy process."

46 10. Page 23, by inserting after line 27 the
47 following:

48 "____. The department shall adopt emergency rules
49 providing for reimbursement under medical assistance
50 of a family or pediatric nurse practitioner's

S-5387

S-5387

Page 2

1 employing provider for services provided by the nurse
2 practitioner, regardless of whether the nurse
3 practitioner is under the supervision of or associated
4 with a physician or other health care provider.

5 _____. Of the funds appropriated in this section,
6 \$100,000 is allocated for development of a plan for
7 implementation of a personal assistance services
8 program as described in House File 2380, as introduced
9 in the Seventy-eighth General Assembly, 2000 Session.
10 The target date used in the plan for implementation of
11 the program shall be July 1, 2002.

12 The department, in consultation with the department
13 of elder affairs, the Iowa department of public
14 health, the department of workforce development, the
15 department of education, division of vocational
16 rehabilitation, the department of economic
17 development, the Iowa state association of counties,
18 Iowa creative employment options, the community
19 services affiliate of the Iowa state association of
20 counties, and the personal assistance and family
21 support services council, shall convene a planning
22 committee, which includes consumers and family
23 members, advocates of consumers, providers of services
24 to consumers, and the entities consulted with, to
25 assist in the development of a plan for a personal
26 assistance services program based on principles and
27 standards described in this chapter. The membership
28 of the planning committee shall be appointed in a
29 manner so there are relatively equal proportions of
30 members with involvement in service management,
31 purchasing or approval, and members with an interest
32 in or involvement as a service consumer or advocate.
33 The planning committee shall also include four members
34 of the general assembly to serve in an ex officio,
35 nonvoting capacity with one each appointed by the
36 following: senate majority leader, senate minority
37 leader, speaker of the house of representatives, and
38 minority leader of the house of representatives. The
39 department may contract for services to support the
40 planning committee. At a minimum, the plan shall
41 include options to accomplish all of the following:
42 a. Designate a lead agency to be responsible for
43 administering the personal assistance services
44 program.

45 b. Provide that the personal assistance and family
46 support services policy council assist in the design,
47 implementation, marketing, and evaluation of the
48 state's personal assistance services program.

49 c. Provide a consumer-level administrative
50 oversight and technical assistance mechanism relating

S-5387

S-5387

Page 3

1 to the planning, administrative rules development, and
2 implementation of the personal assistance services
3 program.

4 d. Provide for a transition process, with action
5 steps and time lines, describing how the state will
6 make personal assistance services a viable option that
7 is more cost-effective and responsive to the needs and
8 preferences of consumers.

9 e. Describe a process for consolidating all
10 noninstitutional personal assistance services programs
11 funded through the medical assistance program.

12 f. Describe the type of personal assistance
13 services to be provided under the program.

14 g. Describe the method of delivery of personal
15 assistance services and how such services will be
16 delivered statewide.

17 h. Evaluate the feasibility of further reducing
18 costs and addressing consumer needs and preferences
19 through the provision of auxiliary services such as
20 assistive technology and home modifications.

21 i. Describe a program intake process that will be
22 uniform throughout the state.

23 j. Review and consolidate the eligibility
24 requirements, intake processes, assessment tools, and
25 other relevant processes of all existing personal
26 assistance services waiver and pilot programs into a
27 single, comprehensive system.

28 k. Describe the standards and mechanisms for
29 copayments or cost-sharing and the methods used to
30 determine income eligibility of persons with
31 disabilities.

32 l. Determine quality assurance outcomes and
33 safeguards against physical, emotional, or financial
34 abuse and exploitation.

35 m. Describe the appeal process.

36 n. Describe how the barriers and disincentives
37 that currently discourage people from becoming
38 personal assistants can be removed.

39 o. Address the issues of provider and consumer
40 liability.

41 p. Describe acceptable methods whereby independent
42 personal assistance services providers may pool
43 resources to ensure adequate coverage provisions for
44 health insurance, liability insurance, and workers'
45 compensation insurance.

46 q. Consult with the health care financing
47 administration of the United States department of
48 health and human services, in reviewing and completing
49 a plan for consolidation and coordination of funding
50 mechanisms and expenditures relative to health care

S-5387

-3-

S-5387

Page 4

1 facility services, intermediate care facilities for
2 persons with mental retardation services, all covered
3 home and community-based services provided under
4 section 1915(c) of the federal Social Security Act,
5 services provided under the personal care option of
6 the medical assistance program, and frail elderly
7 program services. The plan shall provide for
8 consolidation and coordination of funding mechanisms
9 and expenditures in order to provide funding for the
10 personal assistance services described in this
11 subsection and shall address the costs and potential
12 cost offsets in implementing the personal care option
13 under the medical assistance program.

14 r. Develop options to capitalize on and leverage
15 federal funding to the maximum extent possible under
16 the federal Ticket to Work and Work Incentives
17 Improvement Act of 1999, Pub. L. No. 106-170 and the
18 federal Workforce Investment Act of 1998, Pub. L. No.
19 105-220.

20 Sec. ____ . PHARMACEUTICAL CASE MANAGEMENT STUDY.

21 There is appropriated from the general fund of the
22 state to the department of human services for the
23 fiscal year beginning July 1, 2000, and ending June
24 30, 2001, the following amount or so much thereof as
25 is necessary, to be used for implementation of a
26 disease-specific pharmaceutical case management study
27 to measure the effects of case management for medical
28 assistance recipients identified by the department as
29 high risk for medication-related problems. The funds
30 shall be used to equally reimburse physician-
31 pharmacist teams who participate in the study. An
32 advisory committee whose membership consists of
33 representatives of the Iowa medical society, the Iowa
34 pharmacy association, and the department of human
35 services shall establish and implement the
36 pharmaceutical case management study. The university
37 of Iowa college of public health, in conjunction with
38 the colleges of medicine and pharmacy, shall perform
39 an evaluation of the study at no cost to the state and
40 shall submit a final report of the findings of the
41 evaluation and any recommendations to the general
42 assembly by December 15, 2002. The department shall
43 submit a progress report by December 15, 2001, and a
44 final report by December 15, 2002, to the general
45 assembly. The department shall adopt rules to
46 implement this section which comply with the notice of
47 intended action requirements of section 17A.4,
48 subsection 1, and which may be adopted as emergency
49 rules pursuant to section 17A.5, subsection 2, after
50 notice is provided. The rules shall be reevaluated by

S-5387

-4-

S-5387

Page 5

1 the department of human services with input from the
2 Iowa medical society and the Iowa pharmacy
3 association, upon submission of the final report or by
4 December 15, 2002, whichever occurs first:

5 \$ 414,000"

6 11. Page 24, line 23, by striking the words
7 "administrative contractor" and inserting the
8 following: "department".

9 12. Page 24, by inserting after line 31, the
10 following:

11 "____. The department of human services shall seek
12 a waiver from the health care financing administration
13 of the United States department of health and human
14 services to permit families with children who are
15 eligible for medical assistance to elect to
16 participate under the HAWK-I program in lieu of
17 participation in the medical assistance program. If
18 the waiver is approved, the department shall implement
19 the provision."

20 13. Page 25, line 5, by inserting after the word
21 "into" the following: "or extended".

22 14. Page 25, line 7, by inserting after the word
23 "treatment" the following: "provided at the state
24 mental health institute at Mount Pleasant".

25 15. Page 25, by inserting after line 10, the
26 following:

27 "Of the funds appropriated in this section, \$50,000
28 shall be used to continue the recruitment and
29 retention strategies project to provide additional
30 training and support for certified nurse aides
31 employed by nursing facilities."

32 16. By striking page 28, line 34 through page 29,
33 line 15.

34 17. Page 29, line 23, by striking the figure
35 "6,296,956" and inserting the following: "6,305,133".

36 18. Page 29, line 34, by striking the figure
37 "10,381,263" and inserting the following:
38 "10,405,336".

39 19. Page 30, line 23, by striking the figure
40 "108,788,161" and inserting the following:
41 "108,780,000".

42 20. Page 36, by striking lines 21 through 28, and
43 inserting the following:

44 "____. Of the funds appropriated in this section,
45 the department shall use \$687,876 for day treatment
46 and aftercare services for juvenile females with
47 provider selection made through a request for
48 proposals process. The goal of providing the services
49 is to ensure permanency, safety, and self-sufficiency
50 for juvenile females."

S-5387

S-5387

Page 6

1 21. Page 37, line 13, by striking the words "A
2 final".
3 22. Page 37, by striking lines 14 through 18.
4 23. Page 38, by inserting after line 2 the
5 following:
6 "_____. Any unanticipated federal funding that is
7 received during the fiscal year due to improvements in
8 the hours counted by the judicial branch under the
9 claiming process for federal Title IV-E funding are
10 appropriated to the department to be used for
11 additional or expanded services and support for court-
12 ordered services pursuant to section 232.141.
13 Notwithstanding section 8.33, moneys appropriated in
14 this subsection that remain unencumbered or
15 unobligated at the close of the fiscal year shall not
16 revert but shall remain available for expenditure for
17 the purposes designated until the close of the
18 succeeding fiscal year."
19 24. Page 39, line 30, by striking the figure
20 "7,219,958" and inserting the following: "7,220,487".
21 25. Page 40, line 1, by striking the figure
22 "17,448,229" and inserting the following:
23 "17,497,584".
24 26. Page 41, line 23, by striking the word
25 "voluntary".
26 27. Page 42, line 4, by inserting after the word
27 "state" the following: "or a county".
28 28. Page 42, by striking lines 23 and 24 and
29 inserting the following: "support, maintenance, and
30 miscellaneous purposes:"
31 29. Page 42, by striking line 26.
32 30. Page 42, by striking lines 28 and 29 and
33 inserting the following: "support, maintenance, and
34 miscellaneous purposes:"
35 31. Page 42, line 30, by striking the figure
36 "1,708,814" and inserting the following: "1,709,949".
37 32. Page 42, by striking line 31.
38 33. Page 44, by inserting after line 16 the
39 following:
40 "_____. If the department's administration and the
41 department of management concur with a finding by a
42 state hospital-school's superintendent that projected
43 revenues can reasonably be expected to pay the salary
44 and support costs for a new employee position, or that
45 such costs for adding a particular number of new
46 positions for the fiscal year would be less than the
47 overtime costs if new positions would not be added,
48 the superintendent may add the new position or
49 positions. If the vacant positions available to a
50 hospital-school do not include the position

S-5387

-6-

S-5387

Page 7

1 classification desired to be filled, the hospital-
 2 school's superintendent may reclassify any vacant
 3 position as necessary to fill the desired position.
 4 The superintendents of the hospital-schools may, by
 5 mutual agreement, pool vacant positions and position
 6 classifications during the course of the fiscal year
 7 in order to assist one another in filling necessary
 8 positions."

9 34. Page 45, line 18, by striking the word
 10 "amount" and inserting the following: "amounts".

11 35. Page 45, line 19, by striking the word
 12 "purpose" and inserting the following: "purposes".

13 36. Page 45, line 20, by striking the word "For"
 14 and inserting the following:

15 "1. For".

16 37. Page 45, line 24, by striking the figure
 17 "\$13,600,000" and inserting the following:

18 "\$13,000,000".

19 38. Page 45, by inserting after line 30 the
 20 following:

21 "2. For transfer to the appropriation in this Act
 22 for medical assistance to be used for payment of the
 23 state portion of the nonfederal share of medical
 24 assistance reimbursement for services provided to
 25 eligible persons by certain qualified intermediate
 26 care facilities for persons with mental retardation
 27 (ICFMR) in accordance with this subsection:

28 \$ 300,000

29 For the purposes of this subsection, "eligible
 30 persons" means persons with a brain or head injury who
 31 are determined by the Iowa foundation for medical care
 32 to meet entrance requirements for services at the
 33 ICFMR level. The reimbursement rate for services
 34 provided to eligible persons by those qualified ICFMRs
 35 established and issued a certificate of need by the
 36 health facilities council, on or before June 30, 1999,
 37 for the primary purpose of serving persons with a head
 38 or brain injury, shall be the facility's actual cost,
 39 as determined from the annual actual cost reports
 40 submitted to the department. The cost reports shall
 41 be subject to annual audit by the department.
 42 Responsibility for payment of the nonfederal share of
 43 reimbursement paid for services provided to eligible
 44 persons shall be as follows: the county of legal
 45 settlement is responsible for an amount equal to the
 46 nonfederal share of the 80th percentile of ICFMR
 47 services and the state is responsible for the
 48 remainder."

49 39. Page 45, by inserting before line 31 the
 50 following:

S-5387

S-5387

Page 8

1 "3. For transfer to the department for the blind
2 to be used for establishment of statewide access to
3 the newslines for the blind furnished by the national
4 federation of the blind:
5 \$ 25,000
6 4. For transfer to the department for the blind to
7 be used to enable blind individuals to independently
8 access newspapers through the operations of the Iowa
9 radio reading information service:
10 \$ 25,000"
11 40. Page 48, line 23, by striking the figure
12 "1,177,366" and inserting the following: "1,179,178".
13 41. Page 48, by striking line 24, and inserting
14 the following:
15 "..... FTES 20.00"
16 42. Page 49, line 4, by striking the figure
17 "44,222,546" and inserting the following:
18 "44,370,000".
19 43. Page 49, by inserting after line 7 the
20 following:
21 "The amount appropriated in this section includes
22 increased funding of \$147,454 to address staffing
23 issues in regard to child abuse assessment staff,
24 social workers, and support staff performing related
25 functions and for increased activities to improve
26 cooperation between field staff, law enforcement,
27 county attorneys, and mandatory reporters in
28 addressing reports of child abuse."
29 44. Page 49, line 11, by striking the figure
30 "5,659,370" and inserting the following: "5,540,000".
31 45. Page 49, line 21, by striking the figure
32 "13,623,100" and inserting the following:
33 "13,530,112".
34 46. Page 49, line 22, by striking the figure
35 "358.13" and inserting the following: "359.13".
36 47. Page 50, by striking lines 3 through 9 and
37 inserting the following:
38 "Sec. ____ . STATE-COUNTY ASSISTANCE FUNCTIONS.
39 There is appropriated from the general fund of the
40 state to the department of human services for the
41 fiscal year beginning July 1, 2000, and ending June
42 30, 2001, the following amount, or so much thereof as
43 is necessary, to be used for the purposes designated:
44 For contracting with a statewide association
45 representing county elected and appointed officials to
46 perform the state-county assistance team functions and
47 provide support to the state-county management
48 committee:
49 \$ 209,664"
50 48. Page 50, by inserting before line 10 the

S-5387

S-5387

Page 9

1 following:

2 "____. The general assembly is supportive of the
3 department's stated purposes in its efforts to review
4 the services administered by the department and the
5 reimbursement methodologies for those services. The
6 general assembly anticipates the department continuing
7 its review and consultation activities during the 2000
8 legislative interim in order to submit recommendations
9 and proposals for legislative consideration during the
10 2001 legislative session and the department shall not
11 implement changes in the reimbursement methodologies
12 without legislative approval."

13 49. Page 52, line 1, by inserting after the word
14 "system." the following: "In developing the case-mix
15 reimbursement methodology, the department shall work
16 with nursing facilities and patient advocates in
17 examining administrative costs."

18 50. Page 52, by striking lines 4 through 7, and
19 inserting the following: "additional documentation as
20 required by rule."

21 c. The cost report required to be submitted by
22 rule by nursing facilities reimbursed under the
23 medical assistance program shall also include a line
24 itemization of expenses attributable to the home or
25 principal office or headquarters of the nursing
26 facility, including but not limited to home-office
27 costs and management fees, within the administrative
28 cost line item.

29 d. All nursing facilities reimbursed under the
30 medical assistance program that are under common
31 ownership, management, or control shall utilize the
32 same fiscal accounting period. All cost reports
33 submitted by such facilities shall comply with all
34 cost report requirements under this subsection and as
35 required by rule."

36 51. Page 54, line 17, by striking the figure
37 "145.74" and inserting the following: "147.20".

38 52. Page 59, by inserting after line 9 the
39 following:

40 "Sec. 100. 1991 Iowa Acts, chapter 169, section 9,
41 as amended by 1996 Iowa Acts, chapter 1071, section 1,
42 is repealed.

43 On or before December 15, 2000, the prevention of
44 disabilities policy council shall submit a report to
45 the governor and the general assembly providing
46 findings and recommendations regarding the activities
47 and duties of the commission and the need for its
48 continuation."

49 53. Page 60, by inserting after line 1 the
50 following:

S-5387

-9-

S-5387

Page 10

1 "Sec. 101. NEW SECTION. 225B.8 REPEAL.

2 This chapter is repealed June 30, 2001."

3 54. Page 61, by inserting after line 13 the
4 following:

5 "3. The state training school shall name any other
6 newly constructed facilities to be dedicated at the
7 state training school during the fiscal year beginning
8 July 1, 1999, or July 1, 2000, as deemed appropriate
9 by the state training school administration to
10 properly recognize individuals who have made
11 significant contributions to the juvenile justice
12 system in general or the state training school in
13 particular."

14 55. Page 62, by inserting after line 28 the
15 following:

16 "____. Sections 100 and 101, repealing 1991 Iowa
17 Acts, chapter 169, section 9, as amended, and enacting
18 new Code section 225B.8."

19 56. Page 62, by inserting before line 29 the
20 following:

21 "____. Section 39, subsection 3, authorizing the
22 state training school administration to name certain
23 facilities to be dedicated during fiscal year 1999-
24 2000 or fiscal year 2000-2001."

25 57. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

Senate Concurred 4/25/00 (P. 1363)

RECEIVED FROM THE HOUSE

S-5387 FILED APRIL 12, 2000

SENATE FILE 2435

S-5602

1 Amend the House amendment, S-5387, to Senate File
2 2435, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 11 the
5 following:

6 "____. Page 16, line 24, by striking the figure
7 "6,454,841" and inserting the following: "6,471,841".

8 _____. Page 18, by inserting after line 7 the
9 following:

10 "____. The department shall expend up to \$51,000,
11 including federal financial participation, for the
12 fiscal year beginning July 1, 2000, for a child
13 support public awareness campaign. The department and
14 the office of the attorney general shall cooperate in
15 continuation of the campaign. The public awareness
16 campaign shall emphasize, through a variety of media
17 activities, the importance of maximum involvement of
18 both parents in the lives of their children as well as
19 the importance of payment of child support
20 obligations.""

21 2. By renumbering as necessary.

By JACK RIFE

W/D 4/25/00 (P. 1362)
S-5602 FILED APRIL 24, 2000

SENATE FILE 2435

S-5610

1 Amend the House amendment, S-5387, to Senate File
2 2435, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 "_____. Page 2, line 10, by striking the figure
7 "3,200,000" and inserting the following: "2,550,000".

8 _____. Page 2, line 16, by striking the figure
9 "3,200,000" and inserting the following: "2,550,000".

10 _____. Page 5, line 16, by striking the figure
11 "20,619,567" and inserting the following:
12 "23,219,567".

13 _____. Page 5, line 17, by striking the figure
14 "500,000" and inserting the following: "200,000".

15 _____. Page 6, line 2, by striking the figure
16 "500,000" and inserting the following: "200,000".

17 2. Page 1, by inserting after line 6 the
18 following:

19 "_____. Page 6, line 10, by striking the figure
20 "400,000" and inserting the following: "300,000".

21 _____. Page 6, by striking lines 19 through 27."

22 3. Page 1, line 7, by striking the words and
23 figure "after line 27" and inserting the following:
24 "before line 28".

25 4. Page 1, by inserting after line 11 the
26 following:

27 "_____. Page 16, line 24, by striking the figure
28 "6,454,841" and inserting the following: "6,654,841".

29 _____. Page 18, line 13, by inserting after the
30 word "assistance" the following: "reimbursement and
31 associated costs as specifically provided in the
32 reimbursement methodologies in effect on June 30,
33 2000, except as otherwise expressly authorized by
34 law".

35 5. Page 1, line 14, by striking the figure
36 "422,129,000" and inserting the following:
37 "400,662,028".

38 6. Page 1, by striking lines 19 through 24.

39 7. Page 1, by striking lines 26 through 30 and
40 inserting the following: "inserting the following:
41 "mental illness under the medical assistance program,
42 and county funding shall be used to provide the match
43 for the federal funding, except for individuals with
44 state case status, for whom state funding shall
45 provide the match. The department and county
46 representatives shall appear in January 2001 before
47 the joint appropriations subcommittee on human
48 services to report their proposals concerning
49 implementation of the option.""

50 8. By striking page 1, line 50, through page 2,

S-5610

S-5610

Page 2

1 line 4, and inserting the following: "for family and
2 pediatric nurse practitioners who are employed by a
3 hospital and are providing services in a hospital-
4 owned facility or in another location that is not on
5 or part of the hospital's licensed premises."

6 9. Page 2, by striking lines 5 through 11 and
7 inserting the following:

8 "____. Of the funds appropriated in this section,
9 \$100,000 is allocated for development of options for
10 implementation of a personal assistance services
11 program, based upon the provisions outlined in House
12 File 2380, as introduced in the Seventy-eighth General
13 Assembly, 2000 Session."

14 10. Page 2, line 22, by inserting after the word
15 "committee" the following: "on or before September 1,
16 2000".

17 11. Page 2, by striking lines 40 and 41 and
18 inserting the following: "planning committee."

19 The planning committee shall review federal
20 guidelines and other guidance, other states'
21 approaches, and other resources in its planning
22 efforts. The planning committee shall submit to the
23 governor and the general assembly an initial set of
24 options on or before March 1, 2001, and a final set of
25 options, including a transition plan, on or before
26 January 31, 2002. The options which the planning
27 group shall provide shall include but are not limited
28 to all of the following:"

29 12. Page 5, by inserting after line 19 the
30 following:

31 "____. Representatives of the community action
32 program agencies receiving funding from the state to
33 provide outreach for the HAWK-I program shall appear
34 before the joint appropriations subcommittee on human
35 services in January 2001 to report the outcomes of the
36 outreach efforts."

37 13. Page 5, by inserting before line 20 the
38 following:

39 "____. Page 25, line 3, by striking the figure
40 "8,276,282" and inserting the following:
41 "8,426,282"."

42 14. Page 5, by striking lines 25 through 31.

43 15. Page 5, by inserting before line 32 the
44 following:

45 "____. By striking page 27, line 12, through page
46 28, line 4."

47 16. Page 5, line 38, by striking the figure
48 "10,405,336" and inserting the following:

49 "10,455,336".

50 17. Page 5, by inserting after line 38 the

S-5610

S-5610

Page 3

1 following:

2 "_____. Page 29, line 35, by striking the figure
3 "227.93" and inserting the following: "229.53".

4 _____ . Page 30, line 22, by inserting after the
5 word "services" the following: "reimbursement and
6 associated costs as specifically provided in the
7 reimbursement methodologies in effect on June 30,
8 2000, except as otherwise expressly authorized by
9 law".

10 18. Page 5, by striking lines 39 through 41.

11 19. Page 5, by inserting before line 42 the

12 following:

13 "_____. Page 30, by inserting after line 23 the
14 following:

15 "In addition to reimbursement methodology changes
16 to implement the recommendations of the child welfare
17 work group established by the legislative council, if
18 the department has completed its review of
19 reimbursement methodologies for child welfare
20 services, has developed options for changing
21 methodologies for child welfare services that are
22 complementary to those being implemented in accordance
23 with the child welfare work group recommendations, and
24 reported the options to the persons designated by this
25 Act to receive reports, the department may implement
26 one or more options on a pilot project basis that
27 affect not more than 50 children during the course of
28 the fiscal year. The department shall adopt rules to
29 implement any reimbursement changes for services paid
30 for in whole or in part under this section."

31 _____ . Page 31, by inserting after line 24 the
32 following:

33 "(3) The department shall work with private
34 providers of PMIC services to develop and implement a
35 plan that shall substantially reduce or eliminate
36 collection of client participation by PMICs. The plan
37 shall be implemented on or before December 1, 2000."

38 20. Page 6, line 2, by inserting after the word
39 "final" the following: "and inserting the following:
40 "The department and the work group shall appear in
41 January 2001 before the joint appropriations
42 subcommittee on human services to discuss the work
43 group findings and recommendations.""

44 21. Page 6, by inserting after line 18 the
45 following:

46 "_____. Page 39, line 24, by striking the figure
47 "12,782,425" and inserting the following:
48 "12,807,425".

49 22. Page 7, line 18, by striking the figure
50 "13,000,000" and inserting the following:

S-5610

-3-

S-5610

Page 4

1 "13,308,845".

2 23. By striking page 7, line 49, through page 8,
3 line 10.

4 24. Page 8, line 18, by striking the figure
5 "44,370,000" and inserting the following:

6 "44,795,000".

7 25. Page 8, by inserting after line 18 the
8 following:

9 "____". Page 49, line 5, by striking the figure
10 "1,918.54" and inserting the following: "1,921.50".

11 26. Page 8, by striking lines 29 and 30.

12 27. Page 8, line 33, by striking the figure
13 "13,530,112" and inserting the following:

14 "14,862,874".

15 28. Page 8, line 35, by striking the figure
16 "359.13" and inserting the following: "366.00".

17 29. Page 8, by striking lines 38 through 49 and
18 inserting the following:

19 ""4. The number of full-time equivalent positions
20 authorized in this section includes a reduction of all
21 but three of the full-time equivalent positions
22 previously assigned to the state-county assistance
23 team. One of the remaining full-time equivalent
24 positions shall provide staffing services to the
25 state-county management committee.""

26 30. Page 9, by striking line 12 and inserting the
27 following: "with express authorization in law.""

28 31. Page 9, by striking lines 28 through 35 and
29 inserting the following: "cost line item.""

30 32. Page 9, by inserting before line 36, the
31 following:

32 "____". Page 52, by inserting before line 8, the
33 following:

34 "c. The organizations representing certified nurse
35 aides and nursing facilities and other providers of
36 services employing certified nurse aides are requested
37 to discuss how nursing facilities and the other
38 providers can improve the ongoing training,
39 communication skills development, mentoring, and other
40 activities intended to enhance the expertise of
41 certified nurse aides. It is the intent of the
42 general assembly that the organizations involved with
43 the discussions will make a presentation to the joint
44 appropriations subcommittee on human services during
45 January 2001 concerning their discussions and plans
46 for improvements.""

47 33. Page 9, by inserting after line 48 the
48 following:

49 "____". Page 59, line 19, by striking the figure
50 "21,273,602" and inserting the following:

S-5610

S-5610

Page 5

1 "20,982,446".

2 _____ Page 59, line 26, by striking the figure

3 "1,500,000" and inserting the following:

4 "1,208,844".

5 34. Page 10, line 2, by striking the word and

6 figures "June 30, 2001" and inserting the following:

7 "July 1, 2001".

8 35. By renumbering, relettering, or redesignating

9 and correcting internal references as necessary.

By MAGGIE TINSMAN

S-5610 FILED APRIL 25, 2000

ADOPTED

(P. 1363)

SENATE FILE 2435

S-5614

1 Amend the amendment, S-5610, to the House

2 amendment, S-5387, to Senate File 2435, as amended,

3 passed, and reprinted by the Senate, as follows:

4 1. Page 1, by striking line 28 and inserting the

5 following:

6 ""6,454,841" and inserting the following:

7 "6,471,841".

8 _____. Page 18, by inserting after line 7 the

9 following:

10 "_____. The department shall expend up to \$51,000,

11 including federal financial participation, for the

12 fiscal year beginning July 1, 2000, for a child

13 support public awareness campaign. The department and

14 the office of the attorney general shall cooperate in

15 continuation of the campaign. The public awareness

16 campaign shall emphasize, through a variety of media

17 activities, the importance of maximum involvement of

18 both parents in the lives of their children as well as

19 the importance of payment of child support

20 obligations.""

21 2. By renumbering as necessary.

By JACK RIFE

S-5614 FILED APRIL 25, 2000

ADOPTED

(P. 1362)

SENATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 2435

H-9090

1 Amend the House amendment, S-5387, to Senate File
2 2435, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 "_____. Page 2, line 10, by striking the figure
7 "3,200,000" and inserting the following: "2,550,000".

8 "_____. Page 2, line 16, by striking the figure
9 "3,200,000" and inserting the following: "2,550,000".

10 "_____. Page 5, line 16, by striking the figure
11 "20,619,567" and inserting the following:
12 "23,219,567".

13 "_____. Page 5, line 17, by striking the figure
14 "500,000" and inserting the following: "200,000".

15 "_____. Page 6, line 2, by striking the figure
16 "500,000" and inserting the following: "200,000".

17 2. Page 1, by inserting after line 6 the
18 following:

19 "_____. Page 6, line 10, by striking the figure
20 "400,000" and inserting the following: "300,000".

21 "_____. Page 6, by striking lines 19 through 27."

22 3. Page 1, line 7, by striking the words and
23 figure "after line 27" and inserting the following:
24 "before line 28".

25 4. Page 1, by inserting after line 11 the
26 following:

27 "_____. Page 16, line 24, by striking the figure
28 "6,454,841" and inserting the following: "6,471,841".

29 "_____. Page 18, by inserting after line 7 the
30 following:

31 "_____. The department shall expend up to \$51,000,
32 including federal financial participation, for the
33 fiscal year beginning July 1, 2000, for a child
34 support public awareness campaign. The department and
35 the office of the attorney general shall cooperate in
36 continuation of the campaign. The public awareness
37 campaign shall emphasize, through a variety of media
38 activities, the importance of maximum involvement of
39 both parents in the lives of their children as well as
40 the importance of payment of child support
41 obligations."

42 "_____. Page 18, line 13, by inserting after the
43 word "assistance" the following: "reimbursement and
44 associated costs as specifically provided in the
45 reimbursement methodologies in effect on June 30,
46 2000, except as otherwise expressly authorized by
47 law".

48 5. Page 1, line 14, by striking the figure
49 "422,129,000" and inserting the following:
50 "400,662,028".

H-9090

H-9090

Page 2

- 1 6. Page 1, by striking lines 19 through 24.
- 2 7. Page 1, by striking lines 26 through 30 and
- 3 inserting the following: "inserting the following:
- 4 "mental illness under the medical assistance program,
- 5 and county funding shall be used to provide the match
- 6 for the federal funding, except for individuals with
- 7 state case status, for whom state funding shall
- 8 provide the match. The department and county
- 9 representatives shall appear in January 2001 before
- 10 the joint appropriations subcommittee on human
- 11 services to report their proposals concerning
- 12 implementation of the option.""
- 13 8. By striking page 1, line 50, through page 2,
- 14 line 4, and inserting the following: "for family and
- 15 pediatric nurse practitioners who are employed by a
- 16 hospital and are providing services in a hospital-
- 17 owned facility or in another location that is not on
- 18 or part of the hospital's licensed premises."
- 19 9. Page 2, by striking lines 5 through 11 and
- 20 inserting the following:
- 21 "____. Of the funds appropriated in this section,
- 22 \$100,000 is allocated for development of options for
- 23 implementation of a personal assistance services
- 24 program, based upon the provisions outlined in House
- 25 File 2380, as introduced in the Seventy-eighth General
- 26 Assembly, 2000 Session."
- 27 10. Page 2, line 22, by inserting after the word
- 28 "committee" the following: "on or before September 1,
- 29 2000".
- 30 11. Page 2, by striking lines 40 and 41 and
- 31 inserting the following: "planning committee.
- 32 The planning committee shall review federal
- 33 guidelines and other guidance, other states'
- 34 approaches, and other resources in its planning
- 35 efforts. The planning committee shall submit to the
- 36 governor and the general assembly an initial set of
- 37 options on or before March 1, 2001, and a final set of
- 38 options, including a transition plan, on or before
- 39 January 31, 2002. The options which the planning
- 40 group shall provide shall include but are not limited
- 41 to all of the following:"
- 42 12. Page 5, by inserting after line 19 the
- 43 following:
- 44 "____. Representatives of the community action
- 45 program agencies receiving funding from the state to
- 46 provide outreach for the HAWK-I program shall appear
- 47 before the joint appropriations subcommittee on human
- 48 services in January 2001 to report the outcomes of the
- 49 outreach efforts."
- 50 13. Page 5, by inserting before line 20 the

H-9090

H-9090

Page 3

1 following:
2 "_____. Page 25, line 3, by striking the figure
3 "8,276,282" and inserting the following:
4 "8,426,282".
5 14. Page 5, by striking lines 25 through 31.
6 15. Page 5, by inserting before line 32 the
7 following:
8 "_____. By striking page 27, line 12, through page
9 28, line 4."
10 16. Page 5, line 38, by striking the figure
11 "10,405,336" and inserting the following:
12 "10,455,336".
13 17. Page 5, by inserting after line 38 the
14 following:
15 "_____. Page 29, line 35, by striking the figure
16 "227.93" and inserting the following: "229.53".
17 _____. Page 30, line 22, by inserting after the
18 word "services" the following: "reimbursement and
19 associated costs as specifically provided in the
20 reimbursement methodologies in effect on June 30,
21 2000, except as otherwise expressly authorized by
22 law".
23 18. Page 5, by striking lines 39 through 41.
24 19. Page 5, by inserting before line 42 the
25 following:
26 "_____. Page 30, by inserting after line 23 the
27 following:
28 "In addition to reimbursement methodology changes
29 to implement the recommendations of the child welfare
30 work group established by the legislative council, if
31 the department has completed its review of
32 reimbursement methodologies for child welfare
33 services, has developed options for changing
34 methodologies for child welfare services that are
35 complementary to those being implemented in accordance
36 with the child welfare work group recommendations, and
37 reported the options to the persons designated by this
38 Act to receive reports, the department may implement
39 one or more options on a pilot project basis that
40 affect not more than 50 children during the course of
41 the fiscal year. The department shall adopt rules to
42 implement any reimbursement changes for services paid
43 for in whole or in part under this section."
44 _____. Page 31, by inserting after line 24 the
45 following:
46 "(3) The department shall work with private
47 providers of PMIC services to develop and implement a
48 plan that shall substantially reduce or eliminate
49 collection of client participation by PMICs. The plan
50 shall be implemented on or before December 1, 2000."

H-9090

-3-

H-9090

Page 4

1 20. Page 6, line 2, by inserting after the word
2 "final" the following: "and inserting the following:
3 "The department and the work group shall appear in
4 January 2001 before the joint appropriations
5 subcommittee on human services to discuss the work
6 group findings and recommendations.""

7 21. Page 6, by inserting after line 18 the
8 following:

9 "_____. Page 39, line 24, by striking the figure
10 "12,782,425" and inserting the following:

11 "12,807,425".

12 22. Page 7, line 18, by striking the figure
13 "13,000,000" and inserting the following:

14 "13,308,845".

15 23. By striking page 7, line 49, through page 8,
16 line 10.

17 24. Page 8, line 18, by striking the figure
18 "44,370,000" and inserting the following:

19 "44,795,000".

20 25. Page 8, by inserting after line 18 the
21 following:

22 "_____. Page 49, line 5, by striking the figure
23 "1,918.54" and inserting the following: "1,921.50".

24 26. Page 8, by striking lines 29 and 30.

25 27. Page 8, line 33, by striking the figure
26 "13,530,112" and inserting the following:

27 "14,862,874".

28 28. Page 8, line 35, by striking the figure
29 "359.13" and inserting the following: "366.00".

30 29. Page 8, by striking lines 38 through 49 and
31 inserting the following:

32 ""4. The number of full-time equivalent positions
33 authorized in this section includes a reduction of all
34 but three of the full-time equivalent positions
35 previously assigned to the state-county assistance
36 team. One of the remaining full-time equivalent
37 positions shall provide staffing services to the
38 state-county management committee.""

39 30. Page 9, by striking line 12 and inserting the
40 following: "with express authorization in law.""

41 31. Page 9, by striking lines 28 through 35 and
42 inserting the following: "cost line item.""

43 32. Page 9, by inserting before line 36, the
44 following:

45 "_____. Page 52, by inserting before line 8, the
46 following:

47 "c. The organizations representing certified nurse
48 aides and nursing facilities and other providers of
49 services employing certified nurse aides are requested
50 to discuss how nursing facilities and the other

H-9090

-4-

H-9090

Page 5

1 providers can improve the ongoing training,
2 communication skills development, mentoring, and other
3 activities intended to enhance the expertise of
4 certified nurse aides. It is the intent of the
5 general assembly that the organizations involved with
6 the discussions will make a presentation to the joint
7 appropriations subcommittee on human services during
8 January 2001 concerning their discussions and plans
9 for improvements."

10 33. Page 9, by inserting after line 48 the
11 following:

12 "_____. Page 59, line 19, by striking the figure
13 "21,273,602" and inserting the following:
14 "20,982,446".

15 _____ . Page 59, line 26, by striking the figure
16 "1,500,000" and inserting the following:
17 "1,208,844"."

18 34. Page 10, line 2, by striking the word and
19 figures "June 30, 2001" and inserting the following:
20 "July 1, 2001".

21 35. By renumbering, relettering, or redesignating
22 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-9090 FILED APRIL 25, 2000

*House Continued**4-25-00**(p.1800)*



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

May 17, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
LOCAL

MAY 18 2000

LEGISLATIVE SERVICE
BUREAU

Dear Mr. Secretary:

I hereby transmit Senate File 2435, an Act relating to appropriations for the Department of Human Services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability.

The human services appropriations bill is a vitally important measure for literally hundreds of thousands of Iowans. For many of our neighbors, family members, and friends, it provides the services they most need to assist families, assure basic health care for children, nursing home care for senior citizens, treatment for those with mental illness, and assistance for those with mental retardation or developmental disabilities.

I am grateful that we, legislators and myself, were able to work together in several areas to bring about funding for needed services. This includes an additional \$650,000 to expand the number of school liaisons to an additional 25 schools and expand the family support subsidy program so that an additional 50 youngsters with mental retardation may remain in their own homes. Senate File 2435 also includes the addition of \$3.55 million to assist low income, working parents with child care and an additional \$2.55 to community empowerment programs to assist communities with their efforts in child care and helping families reach self sufficiency.

While I am supportive of some efforts this Legislature made, Senate File 2435 also provides funding that is \$3.6 million below the level that I recommended at the beginning of the session. It also contains sections that are either flawed or negatively impact the Department of Human Services efforts to carry out its duties in an effective manner. Therefore, I am unable to approve Senate File 2435 in its entirety.

Senate File 2435 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 4, subsection 1f in its entirety. This language would put restrictions on implementing electronic benefit transfer in the most cost effective manner as required by federal regulations.

I am unable to approve the designated portion of Section 8, subsection 11. This item purports to encourage the department to implement an adult mental health rehabilitation option under the medical assistance program. While I am supportive of this effort, this language relates to scheduling meetings for the next session and may have the opposite effect of the intended language by slowing down the process. For this reason, I am unable to support the designated portion of this item.

I am unable to approve the item designated as Section 8, subsection 15 in its entirety. This language proposes that the department pursue options to provide additional medical services that are not permitted under federal regulations to adults with special needs. While I am sympathetic to the intent of this section, no funding has been provided for this purpose. Without adequate resources, additional options are not viable.

I am unable to approve the item designated as Section 8, subsection 17 in its entirety. This language directs the department to study and provide options for personal assistance services. This same topic is addressed in subsection 14 which directs the Department of Human Services to pursue options for personal assistance services. The language in subsection 17 is very prescriptive, and additional funds were not added to the Medical Assistance program for this purpose. Striking this language allows us to retain the proposed \$100,000 for its original intended purpose of providing services to people for their health needs, rather than diverting these dollars to this proposed study.

I am unable to approve the item designated as Section 11, subsection 5 in its entirety. Here again, the bill contains language scheduling a meeting for the next legislative session. In this case, it applies to community action agencies that are not part of the department.

I am unable to approve the item designated as Section 16, unnumbered paragraph three. This item supports the department's initiatives in the area of revising reimbursement methodologies. However, it ties the language to a methodology that has been pending and may be under consideration by the federal government for an undetermined period of time. While this is pending, I am directing the department to proceed with the pilot proposal in the most effective manner possible.

I am unable to approve the item designated as Section 16, subsection 16 in its entirety. This section allocates \$50,000 for a child welfare services work group. However, no additional funds were added to the appropriation for this purpose. While appropriations for this work group's operation have been requested, its funding over the past several years have largely been the result of diverting funds from other purposes. The state would benefit more from utilizing appropriations, as originally intended, for services that directly affect Iowa children and families.

I am unable to approve the item designated as Section 20, subsection 7 in its entirety. This would require each mental health institute to continue the net budgeting accounting test of managing revenues and expenditures attributable to the mental health

institutes, and submit a status report in October 2000 that identifies the advantages and disadvantages of utilizing this budget approach. The institutes have previously conducted this test and reported the results. Given that Legislature's budgets for mental health institutions were significantly reduced below my recommendations, and absent an appropriation to accomplish these tasks, the state will benefit more from utilizing appropriations for services that directly assist Iowa children and families.

I am unable to approve the item designated as Section 24, subsection 2 in its entirety. This item would reimburse certain intermediate care facilities for the mentally retarded that predominantly care for persons with a head or brain injury in a different manner than other similar facilities. I am sensitive to the need for services for people with brain or head injuries. I had initially proposed new funding for programs that included brain injury which the legislature chose not to fund. This provision does not provide additional funding, but rather, it takes funds from state cases which serve persons with mental illness or developmental disabilities. It also gives the appearance of expanding services to additional people when it does not. Therefore, rather than implementing this section, I am directing the department to evaluate the system to determine if resources can be spent in a more efficient and effective manner.

I am unable to approve the item designated as Section 29, subsection 4 in its entirety. This would require the department to redirect state-county technical support staff. The result would be dramatically reduced services to counties. The department must retain the flexibility necessary to make staffing decisions based upon the need to provide services to Iowa children and families.

I am unable to approve the item designated as Section 29, subsection 5 in its entirety. This language addresses the department's efforts to seek and or revise reimbursement methodologies that would best provide the results needed for Iowa's families and children. While the thrust of the language is supportive of the department's efforts, this language appears to be flawed, and therefore, I am unable to support this item. However, the department will continue to work with the legislative branch in developing methodologies that will bring about the best results for Iowa's families.

I am unable to approve the item designated as Section 31, subsection 2d in its entirety. Here again, the bill contains language scheduling a meeting for next legislative session, in this case, with persons in the nursing industry.

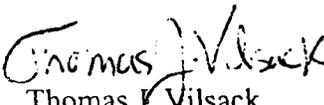
I am unable to approve the item designated as Section 36 in its entirety. This item requires the department to conduct an evaluation of the child protection system, including "a determination of whether the system changes have improved the safety of children and the support of families in the community, and should identify indicators of increased community involvement in child protection." This study has been requested, but no funds have been appropriated to complete the study for the last three years. The department will contract with consultants from nationally respected child welfare organizations, using funds from private sources to complete an assessment of the child protection system. However, the requirements of Section 36 would increase the scope of

that assessment and increase the cost. Rather than using state funding intended for other programs to meet this requirement, the state would benefit more from utilizing current appropriations for services that directly affect Iowa children and families.

I am unable to approve the items designated as Section 46, subsections 2, 3 and 8. These items, relating to effective dates, are not approved to be consistent with other actions disapproved in this bill.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2435 are hereby approved as of this date.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

Item Vetoed

SENATE FILE 2435

AN ACT

RELATING TO APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN SERVICES AND INCLUDING OTHER PROVISIONS AND APPROPRIATIONS INVOLVING HUMAN SERVICES AND HEALTH CARE, PROVIDING EFFECTIVE DATES, AND PROVIDING FOR RETROACTIVE APPLICABILITY.

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

Section 1. SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.

There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 1999, and ending June 30, 2000, from moneys received under the federal temporary assistance for needy families block grant, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For supplementation of the federal social services block grant appropriation in 1999 Iowa Acts, chapter 193, section 12, due to the federal reduction in this block grant and the corresponding decrease pursuant to 1999 Iowa Acts, chapter 193, section 16:
..... \$ 1,197,328

The moneys appropriated in this section are allocated for the indicated programs and functions within the department as follows:

1. General administration:	\$	76,136
.....		
2. Field operations:	\$	455,372
.....		
3. Child and family services:	\$	68,111
.....		
4. Local administrative costs and other local services:	\$	48,294
.....		
5. Volunteers:	\$	5,278
.....		
6. Community-based services:	\$	6,069
.....		
7. MH/MR/DD/BI community services (local purchase):	\$	538,068
.....		

Sec. 2. EARLY CHILDHOOD FUNDING.

1. There is appropriated from the fund created in section 8.41 to the department of human services for the specified fiscal years from moneys received under the federal temporary assistance for needy families block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, for distribution in addition to previously appropriated moneys to fund community-based programs targeted to children from birth through five years of age developed by community empowerment areas:

..... \$ 2,550,000

b. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, for distribution in addition to previously appropriated moneys to fund community-based programs targeted to children from birth through five years of age developed by community empowerment areas:

SF 2435

..... \$ 2,550,000

2. The appropriation made in 1998 Iowa Acts, chapter 1218, section 2, from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, and the appropriation made in subsection 1, paragraph "a", from moneys received under the federal temporary assistance for needy families block grant shall be used for funding of community-based programs targeted to children from birth through five years of age, developed by community empowerment areas as provided in this section.

3. The department may transfer federal temporary assistance for needy families block grant funding appropriated and allocated in this section to the child care and development block grant in accordance with federal law as necessary to comply with the provisions of this section. The funding shall then be provided to community empowerment areas for the fiscal year beginning July 1, 2000, in accordance with all of the following:

- a. The area must be approved as a designated community empowerment area by the Iowa empowerment board.
- b. The maximum funding amount a community empowerment area is eligible to receive shall be determined by applying the area's percentage of the state's average monthly family investment program population in the preceding fiscal year to the total amount appropriated and allocated in this section for fiscal year 2000-2001.
- c. A community empowerment area receiving funding shall comply with any federal reporting requirements associated with the use of that funding and other results and reporting requirements established by the Iowa empowerment board. The department shall provide technical assistance in identifying and meeting the federal requirements.
- d. The availability of funding provided under this section is subject to changes in federal requirements and amendments to Iowa law.

4. The moneys distributed in accordance with this section shall be used by communities for the purposes of enhancing quality child care capacity in support of parent capability to obtain or retain employment. The moneys shall be used with a primary emphasis on low-income families and children from birth to five years of age. Moneys shall be provided in a flexible manner to communities, and shall be used to implement strategies identified by the communities to achieve such purposes. The strategies may include but are not limited to developing capacity for regular child care, sick child care, night shifts child care, and emergency child care; enhancing linkages between the head start and early head start programs, early childhood development programs, and child care assistance programs; and implementing other strategies to enhance access to child care. The moneys may be used to either build capacity or for support of ongoing efforts. In addition to the full-time equivalent positions funded in this Act, 1.00 full-time equivalent position is authorized and the department may use funding appropriated in this section for provision of technical assistance and other support to communities developing and implementing strategies with moneys distributed in accordance with this section.

5. Moneys which are subject to this section which are not distributed to a community empowerment area or otherwise remain unobligated or unexpended at the end of the fiscal year shall revert to the fund created in section 8.41 to be available for appropriation by the general assembly in a subsequent fiscal year.

Sec. 3. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, from moneys received under the federal temporary assistance for needy families block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, which are federally appropriated for the federal fiscal years beginning October 1, 1998, and

ending September 30, 1999, and beginning October 1, 1999, and ending September 30, 2000, and beginning October 1, 2000, and ending September 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

Moneys appropriated in this section shall be used in accordance with the federal law making the funds available, applicable Iowa law, appropriations made from the general fund of the state in this Act for the purpose designated, and administrative rules adopted to implement the federal and Iowa law. If actual federal revenues credited to the fund created in section 8.41 through June 30, 2001, are less than the amounts appropriated in this section, the amounts appropriated shall be reduced proportionately and the department may reduce expenditures as deemed necessary by the department to meet the reduced funding level:

- 1. To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:
..... \$ 44,035,883
- 2. To be credited to the family investment program account and used for the job opportunities and basic skills (JOBS) program, and implementing family investment agreements, in accordance with chapter 239B:
..... \$ 19,980,113
- 3. For field operations:
..... \$ 12,870,415
- 4. For general administration:
..... \$ 3,227,683
- 5. For local administrative costs:
..... \$ 2,147,358
- 6. For state child care assistance:
..... \$ 23,219,567

a. Of the funds appropriated in this subsection, \$200,000 shall be used for child care emergency and start-up grants in accordance with this paragraph. The funding allocated in this paragraph shall be used to provide emergency grants to

- existing licensed or registered child care facilities having negative financial circumstances that will cause the facilities to close without outside assistance. The funding shall also be used to provide start-up funding to develop new licensed or registered child care facilities that will increase the availability of child care slots in communities. The department shall establish criteria for distribution of the grant funding. The criteria shall include a requirement that grant funding is used to further the long-term financial survival of grant recipients, a requirement that funding is targeted to facilities providing essential child care services to low-income families, required disclosure of necessary financial information, establishment of a maximum grant amount and a maximum number of grants to be issued in order to make funding available to as many facilities as possible, and other provisions to ensure appropriate use of the funding.

b. Of the funds appropriated in this subsection, \$200,000 shall be used for assistance to providers of child care to school-age children in accordance with this paragraph. Moneys allocated in this paragraph shall be used for grants to licensed child care facilities providing care to school-age children as of July 1, 2000. The grants shall be used to increase the number of school-age children served, for expansion of slots, or for transportation costs. The grant requirements shall include provision for local match in the form of cash, in-kind services, or other support.

c. Of the funds appropriated in this subsection, \$300,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed five percent.

d. The application for any of the grants described in the lettered paragraphs of this subsection shall not exceed two pages in length.

- 7. For emergency assistance:
..... \$ 2,763,605
 - 8. For mental health and developmental disabilities
community services:
..... \$ 4,620,848
 - 9. For child and family services:
..... \$ 23,586,793
 - 10. For child abuse prevention:
..... \$ 731,000
 - 11. For pregnancy prevention grants on the condition that
family planning services are funded:
..... \$ 2,517,477
- Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2000, if the programs are comprehensive in scope and have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2000, if the programs are comprehensive in scope and are based on existing models that have demonstrated positive outcomes. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females age 13 or older but younger than age 18 within the geographic area to be served by the grant.
- 12. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:
..... \$ 1,006,442
 - 13. For supervised community treatment under child and family services:
..... \$ 300,000
 - 14. For volunteers:
..... \$ 45,327
 - 15. For individual development accounts under chapter 541A:
..... \$ 200,000

Of the amounts appropriated in this section, \$11,877,714 for the fiscal year beginning July 1, 2000, shall be transferred to the appropriation of the federal social services block grant for that fiscal year.

Eligible funding available under the federal temporary assistance for needy families block grant that is not appropriated or not otherwise expended shall be considered reserved for economic downturns and welfare reform purposes and is subject to further state appropriation to support families in their movement toward self-sufficiency.

Sec. 4. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2000, and ending June 30, 2001, shall be used in accordance with the following requirements:

- a. The department shall provide assistance in accordance with chapter 239B.
- b. The department shall continue the special needs program under the family investment program.
- c. The department shall continue to comply with federal welfare reform data requirements pursuant to the appropriations made for that purpose.
- d. The department shall continue to make entrepreneurial training available to families receiving assistance under the family investment program. The department may contract for these services.
- e. The department shall continue expansion of the electronic benefit transfer program as necessary to comply with federal requirements. Notwithstanding 1998 Iowa Acts, chapter 1218, section 5, subsection 1, paragraph "d", and 1999 Iowa Acts, chapter 203, section 5, subsection 1, paragraph "d", the target date for statewide implementation of the program is October 1, 2002.
- f. The department, in entering into a contract relating to the equipment to be used in implementation of the electronic benefits transfer program in accordance with section 234.12A, shall only enter into a contract which provides for the use of

Verfied

a card which is compatible with the standards established for electronic transfer of funds under chapter 527 for a multiple-use terminal as defined in section 527.2, and which only provides for receipt of state benefits and entitlements under the purview of the department of human services.

Revised

2. The department may use a portion of the moneys credited to the family investment account under this section, as necessary for salaries, support, maintenance, and miscellaneous purposes for not more than the following full-time equivalent positions which are in addition to any other full-time equivalent positions authorized by this Act:

..... FTEs 8.00

3. The department may transfer funds in accordance with section 8.39, either federal or state, to or from the child care appropriations made for the fiscal year beginning July 1, 2000, if the department deems this would be a more effective method of paying for JOBS program child care, to maximize federal funding, or to meet federal maintenance of effort requirements.

4. Moneys appropriated in this Act and credited to the family investment program account for the fiscal year beginning July 1, 2000, and ending June 30, 2001, are allocated as follows:

a. For the food stamp employment and training program: \$ 250,000

b. For the family development and self-sufficiency grant program as provided under section 217.12: \$ 5,697,825

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not more than 5 percent of the funds shall be used for the administration of the grant program.

(2) Based upon the annual evaluation report concerning each grantee funded by previously appropriated funds and through the solicitation of additional grant proposals, the family development and self-sufficiency council may use the allocated funds to renew or expand existing grants or award

new grants. In utilizing the increased funding to expand the program, the council shall give consideration, in addition to other criteria established by the council, to a grant proposal's intended use of local funds with a grant and to whether a grant proposal would expand the availability of the program's services to a wider geographic area.

(3) Family development and self-sufficiency grantees shall not supplant previous local funding with state or federal funds.

(4) The department shall continue to implement the family development and self-sufficiency grant program statewide during FY 2000-2001.

c. For income maintenance reengineering:

..... \$ 700,000

d. For the diversion program and incentive grants as follows:

(1) For the diversion subaccount of the family investment program account:

..... \$ 3,200,000

Moneys allocated to the diversion subaccount shall be used to continue the pilot initiative of providing incentives to assist families who meet income eligibility requirements for the family investment program in obtaining or retaining employment, to assist participant families in overcoming barriers to obtaining employment, and to assist families in stabilizing employment and in reducing the likelihood of the family returning to the family investment program. Incentives may be provided in the form of payment or services. The department may limit the availability of the pilot initiative on the basis of geographic area or numbers of individuals provided with incentives. The department shall attempt to assess and screen individuals who would most likely benefit from the services. The department shall continue the diversion initiative in the fiscal year 2000-2001. In addition to the full-time equivalent positions authorized in this Act, 1.00 FTE is authorized and the department may use up to \$50,000 to facilitate community investment in welfare

reform and to support continuation of the diversion program. The department may grant diversion moneys to the level of the entity operating an initiative. The department may adopt additional eligibility criteria as necessary for compliance with federal law and for screening those families who would be most likely to become eligible for the family investment program if diversion incentives would not be provided.

(2) For continuation of innovative strategies on a statewide or pilot project basis for supporting job retention, family structure, or both, including services to noncustodial parents and young parents:

..... \$ 650,000

(3) Of the moneys allocated in subparagraph (2), not more than \$250,000 shall be used to develop or continue community-level parental obligation pilot projects. A pilot project shall be operated with the goal of assisting parents who are living apart in meeting their parental obligations and in supporting their children. A pilot project may also seek to prevent the separation of families by including families at risk of separation in project services. Any pilot project shall maximize the use of existing community resources for family counseling, legal services, mediation, job training and job skills development, substance abuse treatment and prevention, health maintenance, and personal mentoring. Local communities shall also be encouraged to provide financial resources.

(a) Notwithstanding any other provision of law to the contrary, the department shall develop procedures for the pilot projects to expedite all of the following:

(i) The establishment and adjustment of support obligations, with the consent of both parents, in a manner which may deviate from the child support guidelines.

(ii) Changes in income withholding orders based on individual case circumstances.

(iii) Satisfaction of a portion of support amounts owed to the state based on cooperation and compliance by the noncustodial parent with project requirements.

(iv) Adjustment of visitation and shared custody arrangements in a manner which enhances the ability of each parent to meet parental obligations.

(b) The department shall adopt rules for the development, operation, and monitoring of a project; to establish the minimum required amount of community support; to establish expedited procedures; and to establish other criteria and procedures as appropriate.

(c) The department shall use the funds authorized in this subparagraph to employ one full-time equivalent position to manage the pilot project or projects. The department shall also use the authorized funds to employ other full-time equivalent positions or to provide services, as necessary, to assist in the coordination, development, and operation of community-level pilot projects and to achieve the expedited procedures established. Any full-time equivalent positions authorized in this subparagraph subdivision are in addition to any other full-time equivalent positions authorized by law.

(4) Of the moneys allocated in subparagraph (2), not more than \$200,000 shall be used to continue to study the impact that moving unemployed family investment program parents into employment has on the well-being of the children, the parent, and the family. The department shall include in this well-being study a method of actual contact with the families and children, and shall consider broad-based impacts, such as educational achievement, health status, housing stability, family stability, and use of supportive social services. The department shall also seek funding through foundations and the federal government in order to supplement the funding for this study. The results of the study shall be submitted to the persons required by this Act to receive reports.

(5) Of the moneys allocated in subparagraph (2), not more than \$100,000 shall be used for providing additional incentive payments to contracted agencies who demonstrate success at completing well-being visits for families terminated from the family investment program under a limited benefit plan. The department shall use these funds to increase payments to

agencies who complete a higher percentage of well-being visits, who achieve a significant percentage of visits in a face-to-face format, or who are able to observe and interact with the children during a significant percentage of visits.

5. Of the child support collections assigned under the family investment program, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation. The remainder of the assigned child support collections received by the child support recovery unit shall be credited to the family investment program account.

6. The department may adopt emergency administrative rules for the family investment, food stamp, and medical assistance programs, if necessary, to comply with federal requirements. Prior to adoption of the rules, the department shall consult with the welfare reform council and the chairpersons and ranking members of the joint appropriations subcommittee on human services.

7. The department may continue to streamline and simplify the employer verification process for applicants, participants, and employers in the administration of the department's programs. The department may contract with companies collecting data from employers when the information is needed in the administration of these programs. The department may limit the availability of the initiative on the basis of geographic area or number of individuals.

Sec. 5. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program account and used for family investment program assistance under chapter 239B:
..... \$ 35,545,738

1. The department of workforce development, in consultation with the department of human services, shall continue to utilize recruitment and employment practices to include former and current family investment program recipients.

2. The department of human services shall continue to work with the department of workforce development and local community collaborative efforts to provide support services for family investment program participants. The support services shall be directed to those participant families who would benefit from the support services and are likely to have success in achieving economic independence.

3. Of the funds appropriated in this section, \$9,564,352 is allocated for the JOBS program.

4. The department shall continue to work with religious organizations and other charitable institutions to increase the availability of host homes, referred to as second chance homes or other living arrangements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or arrangements is to provide a supportive and supervised living arrangement for minor parents receiving assistance under the family investment program who, under chapter 239B, may receive assistance while living in an alternative setting other than with their parent or legal guardian.

Sec. 6. EMERGENCY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For emergency assistance to families with dependent children for homeless prevention programs:
..... \$ 10,000

1. The emergency assistance provided for in this section and federal moneys appropriated for this purpose in this Act shall be available beginning October 1 of the fiscal year and shall be provided only if all other publicly funded resources

have been exhausted. Specifically, emergency assistance is the program of last resort and shall not supplant assistance provided by the low-income home energy assistance program (LIHEAP), county general relief, and veterans affairs programs. The department shall establish a \$500 maximum payment, per family, in a twelve-month period. The emergency assistance includes, but is not limited to, assisting people who face eviction, potential eviction, or foreclosure, utility shutoff or fuel shortage, loss of heating energy supply or equipment, homelessness, utility or rental deposits, or other specified crisis which threatens family or living arrangements. The emergency assistance shall be available to migrant families who would otherwise meet eligibility criteria. The department may contract for the administration and delivery of the program. The program shall be terminated when funds are exhausted.

2. For the fiscal year beginning July 1, 2000, the department shall continue the process for the state to receive refunds of utility and rent deposits, including any accrued interest, for emergency assistance recipients which were paid by persons other than the state. The department shall also receive refunds, including any accrued interest, of assistance paid with funding available under this program. The refunds received by the department under this subsection shall be deposited with the moneys of the appropriation made in this section and used as additional funds for the emergency assistance program. Notwithstanding section 8.33, moneys received by the department under this subsection which remain after the emergency assistance program is terminated and state or federal moneys in the emergency assistance account which remain unobligated or unexpended at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure when the program resumes operation on October 1 in the succeeding fiscal year.

3. Of the funds appropriated in this section, \$10,000 is allocated to the community voice mail program to continue the existing program. The funds shall be made available beginning

July 1, 2000. The community voice mail program shall submit semiannual reports to the department which, at a minimum, specify, on a county basis, the unduplicated number of households participating in the program for the previous six-month period. The report shall be submitted no later than the last business day of the month immediately following the end of the six-month period.

Sec. 7. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$ 6,471,841
.....	FTEs 272.40

1. The director of human services, within the limitations of the moneys appropriated in this section, or moneys transferred from the family investment program account for this purpose, shall establish new positions and add employees to the child support recovery unit if the director determines that both the current and additional employees together can reasonably be expected to maintain or increase net state revenue at or beyond the budgeted level.

2. Nonpublic assistance application fees and other user fees received by the child support recovery unit are appropriated and shall be used for the purposes of the child support recovery program. The director of human services may add positions within the limitations of the amount appropriated for salaries and support for the positions.

3. The director of human services, in consultation with the department of management and the legislative fiscal committee, is authorized to receive and deposit state child support incentive earnings in the manner specified under applicable federal requirements.

4. a. The director of human services may establish new positions and add state employees to the child support recovery unit or contract for delivery of services if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or nonrenewal of a chapter 28E contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions or contract, the positions or contract are necessary to ensure continued federal funding of the program, or the new positions or contract can reasonably be expected to recover at least twice the amount of money necessary to pay the salaries and support for the new positions or the contract will generate at least 200 percent of the cost of the contract.

b. Employees in full-time positions that transition from county government to state government employment under this subsection are exempt from testing, selection, and appointment provisions of chapter 19A and from the provisions of collective bargaining agreements relating to the filling of vacant positions.

5. If initiated by the judicial branch, the child support recovery unit shall continue to work with the judicial branch to determine the feasibility of implementing a pilot project utilizing a court-appointed referee for judicial determinations on child support matters. The extent and location of any pilot project shall be jointly developed by the judicial branch and the child support recovery unit.

6. Surcharges paid by obligors and received by the unit as a result of the referral of support delinquency by the child support recovery unit to any private collection agency are appropriated to the department and shall be used to pay the costs of any contracts with the collection agencies.

7. The department shall expend up to \$51,000, including federal financial participation, for the fiscal year beginning July 1, 2000, for a child support public awareness campaign. The department and the office of the attorney general shall

cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both parents in the lives of their children as well as the importance of payment of child support obligations.

Sec. 8. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2000, except as otherwise expressly authorized by law, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary:

..... \$400,662,028

1. Medically necessary abortions are those performed under any of the following conditions:

- a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.
- b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.
- c. The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- d. The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled.

2. Notwithstanding section 8.39, the department may transfer funds appropriated in this section to a separate account established in the department's case management unit for expenditures required to provide case management services for mental health, mental retardation, and developmental disabilities services under medical assistance which are jointly funded by the state and county, pending final settlement of the expenditures. Funds received by the case management unit in settlement of the expenditures shall be used to replace the transferred funds and are available for the purposes for which the funds were appropriated in this section.

3. a. The county of legal settlement shall be billed for 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization in accordance with sections 249A.26 and 249A.27, and 100 percent of the nonfederal share of the cost of care for adults which is reimbursed under a federally approved home and community-based waiver that would otherwise be approved for provision in an intermediate care facility for persons with mental retardation, provided under the medical assistance program. The state shall have responsibility for the remaining 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization. For persons without a county of legal settlement, the state shall have responsibility for 100 percent of the nonfederal share of the costs of case management provided for adults, day treatment, partial hospitalization, and the home and community-based waiver services. The case management services specified in this subsection shall be billed to a county only if the services are provided outside of a managed care contract.

b. The state shall pay the entire nonfederal share of the costs for case management services provided to persons 17 years of age and younger who are served in a medical assistance home and community-based waiver program for persons with mental retardation.

c. Medical assistance funding for case management services for eligible persons 17 years of age and younger shall also be provided to persons residing in counties with child welfare decategorization projects implemented in accordance with section 232.188, provided these projects have included these persons in their service plan and the decategorization project county is willing to provide the nonfederal share of costs.

d. When paying the necessary and legal expenses of intermediate care facilities for persons with mental retardation (ICFMR), the cost payment requirements of section 222.60 shall be considered fulfilled when payment is made in accordance with the medical assistance payment rates established for ICFMRs by the department and the state or a county of legal settlement is not obligated for any amount in excess of the rates.

4. The department shall utilize not more than \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session, Chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than \$5,000 may be expended for administrative purposes.

5. Of the funds appropriated to the Iowa department of public health for substance abuse grants, \$950,000 for the fiscal year beginning July 1, 2000, shall be transferred to the department of human services for an integrated substance abuse managed care system.

6. In administering the medical assistance home and community-based waiver for persons with physical disabilities, the department shall aggressively pursue options to expand the waiver to 100 openings and in implementing the expanded waiver the total number of openings for persons with physical disabilities served at any one time shall be limited to the number approved in the waiver by the secretary of the United States department of health and human services. The openings shall be available on a first-come, first-served basis.

7. The department of human services, in consultation with the Iowa department of public health and the department of education, shall continue the program to utilize the early and periodic screening, diagnosis, and treatment (EPSDT) funding under medical assistance, to the extent possible, to implement the screening component of the EPSDT program through the school system. The department may enter into contracts to utilize maternal and child health centers, the public health nursing program, or school nurses in implementing this provision.

8. The department shall continue the case study for outcome-based performance standards for programs serving persons with mental retardation or other developmental disabilities proposed pursuant to 1994 Iowa Acts, chapter 1170, section 56.

9. The department shall continue to pursue federal approval of a medical assistance home and community-based services waiver to allow children with mental retardation, who would otherwise require ICF/MR care, to be served in out-of-home settings of up to eight beds which meet standards established by the department. If the waiver is not approved, up to \$1,487,314 of the funds appropriated in this section may be transferred to the appropriation in this Act for child and family services, to be used for group foster care maintenance and services.

10. The department shall discontinue the following pilot programs on July 1, 2000:

- a. The telemedicine pilot program.
- b. The physician supervised weight-loss pilot program.

11. The department shall work with county representatives in aggressively taking the steps necessary to implement the rehabilitation option for services to persons with chronic mental illness under the medical assistance program, and county funding shall be used to provide the match for the federal funding, except for individuals with state case status, for whom state funding shall provide the match. The department and county representatives shall appear in January

Vote

2001 before the joint appropriations subcommittee on human services to report their proposals concerning implementation of the option.

12. The department shall increase the medical assistance eligibility income limit for pregnant women and infants under the mothers and children category to 200 percent of the federal poverty level.

13. If the health care financing administration approves a waiver request from the department, the department shall provide a period of 24 months of guaranteed eligibility for medical assistance family planning services, regardless of the change in circumstances of a woman who was a medical assistance recipient when a pregnancy ended.

14. The department of human services shall review the personal assistance services pilot project, and consumer-directed care provisions and other home and community-based services waivers utilized by the department and shall submit a report to the governor and the general assembly by December 15, 2000, regarding options for termination, expansion, and consolidation of the services and waivers.

15. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic, screening, diagnosis, and treatment program under the medical assistance program due to becoming 21 years of age, who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy process.

16. The department shall adopt emergency rules providing for reimbursement under medical assistance for family and pediatric nurse practitioners who are employed by a hospital and are providing services in a hospital-owned facility or in another location that is not on or part of the hospital's licensed premises.

Vote

Vote

17. Of the funds appropriated in this section, \$100,000 is allocated for development of options for implementation of a personal assistance services program, based upon the provisions outlined in House File 2380, as introduced in the Seventy-eighth General Assembly, 2000 Session.

The department, in consultation with the department of elder affairs, the Iowa department of public health, the department of workforce development, the department of education, division of vocational rehabilitation, the department of economic development, the Iowa state association of counties, Iowa creative employment options, the community services affiliate of the Iowa state association of counties, and the personal assistance and family support services council, shall convene a planning committee on or before September 1, 2000, which includes consumers and family members, advocates of consumers, providers of services to consumers, and the entities consulted with, to assist in the development of a plan for a personal assistance services program based on principles and standards described in this chapter. The membership of the planning committee shall be appointed in a manner so there are relatively equal proportions of members with involvement in service management, purchasing or approval, and members with an interest in or involvement as a service consumer or advocate. The planning committee shall also include four members of the general assembly to serve in an ex officio, nonvoting capacity with one each appointed by the following: senate majority leader, senate minority leader, speaker of the house of representatives, and minority leader of the house of representatives. The department may contract for services to support the planning committee.

The planning committee shall review federal guidelines and other guidance, other states' approaches, and other resources in its planning efforts. The planning committee shall submit to the governor and the general assembly an initial set of options on or before March 1, 2001, and a final set of options, including a transition plan, on or before January 31,

2002. The options which the planning group shall provide shall include but are not limited to all of the following:

- a. Designate a lead agency to be responsible for administering the personal assistance services program.
- b. Provide that the personal assistance and family support services policy council assist in the design, implementation, marketing, and evaluation of the state's personal assistance services program.
- c. Provide a consumer-level administrative oversight and technical assistance mechanism relating to the planning, administrative rules development, and implementation of the personal assistance services program.
- d. Provide for a transition process, with action steps and time lines, describing how the state will make personal assistance services a viable option that is more cost-effective and responsive to the needs and preferences of consumers.
- e. Describe a process for consolidating all noninstitutional personal assistance services programs funded through the medical assistance program.
- f. Describe the type of personal assistance services to be provided under the program.
- g. Describe the method of delivery of personal assistance services and how such services will be delivered statewide.
- h. Evaluate the feasibility of further reducing costs and addressing consumer needs and preferences through the provision of auxiliary services such as assistive technology and home modifications.
- i. Describe a program intake process that will be uniform throughout the state.
- j. Review and consolidate the eligibility requirements, intake processes, assessment tools, and other relevant processes of all existing personal assistance services waiver and pilot programs into a single, comprehensive system.
- k. Describe the standards and mechanisms for copayments or cost-sharing and the methods used to determine income eligibility of persons with disabilities.

*Retired
K. H. H.*

l. Determine quality assurance outcomes and safeguards against physical, emotional, or financial abuse and exploitation.

m. Describe the appeal process.

n. Describe how the barriers and disincentives that currently discourage people from becoming personal assistants can be removed.

o. Address the issues of provider and consumer liability.

p. Describe acceptable methods whereby independent personal assistance services providers may pool resources to ensure adequate coverage provisions for health insurance, liability insurance, and workers' compensation insurance.

q. Consult with the health care financing administration of the United States department of health and human services, in reviewing and completing a plan for consolidation and coordination of funding mechanisms and expenditures relative to health care facility services, intermediate care facilities for persons with mental retardation services, all covered home and community-based services provided under section 1915(c) of the federal Social Security Act, services provided under the personal care option of the medical assistance program, and frail elderly program services. The plan shall provide for consolidation and coordination of funding mechanisms and expenditures in order to provide funding for the personal assistance services described in this subsection and shall address the costs and potential cost offsets in implementing the personal care option under the medical assistance program.

r. Develop options to capitalize on and leverage federal funding to the maximum extent possible under the federal Ticket to Work and Work Incentives Improvement Act of 1999, Pub. L. No. 106-170 and the federal Workforce Investment Act of 1998, Pub. L. No. 105-220.

Sec. 9. PHARMACEUTICAL CASE MANAGEMENT STUDY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount or so much thereof as is necessary, to be used for

implementation of a disease-specific pharmaceutical case management study to measure the effects of case management for medical assistance recipients identified by the department as high risk for medication-related problems. The funds shall be used to equally reimburse physician-pharmacist teams who participate in the study. An advisory committee whose membership consists of representatives of the Iowa medical society, the Iowa pharmacy association, and the department of human services shall establish and implement the pharmaceutical case management study. The university of Iowa college of public health, in conjunction with the colleges of medicine and pharmacy, shall perform an evaluation of the study at no cost to the state and shall submit a final report of the findings of the evaluation and any recommendations to the general assembly by December 15, 2002. The department shall submit a progress report by December 15, 2001, and a final report by December 15, 2002, to the general assembly. The department shall adopt rules to implement this section which comply with the notice of intended action requirements of section 17A.4, subsection 1, and which may be adopted as emergency rules pursuant to section 17A.5, subsection 2, after notice is provided. The rules shall be reevaluated by the department of human services with input from the Iowa medical society and the Iowa pharmacy association, upon submission of the final report or by December 15, 2002, whichever occurs first:

..... \$ 414,000

Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 400,721
..... FTEs 17.00

Sec. 11. CHILDREN'S HEALTH INSURANCE PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (HAWK-I) program pursuant to chapter 514I for receipt of federal financial participation under Title XXI of the federal Social Security Act, which creates the state children's health insurance program:

..... \$ 4,984,508

1. The department may transfer funds appropriated in this section to be used for the purpose of expanding health care coverage to children under the medical assistance program. The department shall provide periodic updates to the general assembly of expenditures of funds appropriated in this section.

2. The department shall provide a report to the HAWK-I board and to the general assembly by January 15, 2001, specifying the actual cost reported by each participating insurer of providing monthly coverage to eligible children under the children's health insurance program.

3. Moneys in the HAWK-I trust fund are appropriated and shall be used to offset any program costs for the fiscal year beginning July 1, 2000, and ending June 30, 2001.

4. The department of human services shall seek a waiver from the health care financing administration of the United States department of health and human services to permit families with children who are eligible for medical assistance to elect to participate under the HAWK-I program in lieu of participation in the medical assistance program. If the waiver is approved, the department shall implement the provision.

Handwritten initials

5. Representatives of the community action program agencies receiving funding from the state to provide outreach for the HAWK-I program shall appear before the joint appropriations subcommittee on human services in January 2001 to report the outcomes of the outreach efforts.

Sec. 12. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 8,426,282

In any managed care contract for mental health or substance abuse services entered into or extended by the department on or after July 1, 2000, the request for proposals shall provide for coverage of dual diagnosis mental health and substance abuse treatment provided at the state mental health institute at Mount Pleasant. To the extent possible, the department shall also amend any such contract existing on July 1, 2000, to provide for such coverage.

Sec. 13. STATE SUPPLEMENTARY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For state supplementary assistance, funeral assistance, and the medical assistance home and community-based services waiver rent subsidy program:

..... \$ 19,985,747

1. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

2. a. If during the fiscal year beginning July 1, 2000, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-along requirement specified in Title XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this Act to ensure that federal requirements are met. The department may adopt emergency rules to implement the provisions of this subsection.

b. If during the fiscal year beginning July 1, 2000, the department projects that state supplementary assistance expenditures will exceed the amount appropriated, the department may transfer funds appropriated in this Act for medical assistance for the purposes of the state supplementary assistance program. However, funds shall only be transferred from the medical assistance appropriation if the funds transferred are projected to be in excess of the funds necessary for the medical assistance program.

3. The department may use up to \$75,000 of the funds appropriated in this section for a rent subsidy program for adult persons to whom all of the following apply:

a. Are receiving assistance under a medical assistance home and community-based services (HCBS) waiver.

b. Were discharged from a medical institution in which they have resided or were at risk of institutional placement, not to exceed 100 slots. Within available funding and demonstrated need, the department may make subsidy funds available to HCBS waiver-eligible adults meeting criteria in paragraph "a" and this paragraph at any time on or after July 1, 1995.

The goal of the subsidy program shall be to encourage and assist in enabling persons who currently reside in a medical institution to move to a community living arrangement. An

eligible person may receive assistance in meeting their rental expense and, in the initial two months of eligibility, in purchasing necessary household furnishings and supplies. The program shall be implemented so that it does not meet the federal definition of state supplementary assistance and will not impact the federal pass-along requirement specified in Title XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g.

Sec. 14. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

..... \$ 5,050,752

1. Of the funds appropriated in this section, \$4,414,109 shall be used for state child care assistance.

2. Nothing in this section shall be construed or is intended as, or shall imply, a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the requirements of this section. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

3. Of the funds appropriated in this section, \$636,641 is allocated for the statewide program for child care resource and referral services under section 237A.26.

4. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's regions. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems

management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

5. During the 2000-2001 fiscal year, the department shall utilize the moneys deposited in the child care credit fund created in section 237A.28 for state child care assistance, in addition to the moneys allocated for that purpose in this section.

Sec. 15. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For operation of the Iowa juvenile home at Toledo:
 - \$ 6,305,133
 - FTEs 136.54

It is the intent of the general assembly that beginning in the fiscal year commencing on July 1, 2001, the Iowa juvenile home at Toledo will serve only females. In preparation for this change, the department shall develop service options to appropriately place males for whom placement at the Iowa juvenile home would otherwise be appropriate. The principal option considered in placing males shall be placement at existing state or community-based facilities.

- 2. For operation of the state training school at Eldora:
 - \$ 10,455,336
 - FTEs 229.53

Of the funding appropriated in this subsection, \$40,000 is designated for aftercare services for persons who were placed at the state training school at Eldora.

3. During the fiscal year beginning July 1, 2000, the population levels at the state juvenile institutions shall not exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21, as adjusted for additional beds developed at the institutions.

4. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention activities at the institutions in the fiscal year beginning July 1, 2000.

5. Within the amounts appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

Sec. 16. CHILD AND FAMILY SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

- For child and family services reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2000, except as otherwise expressly authorized by law:
 - \$108,788,161

V. Todd

In addition to reimbursement methodology changes to implement the recommendations of the child welfare work group established by the legislative council, if the department has completed its review of reimbursement methodologies for child welfare services, has developed options for changing methodologies for child welfare services that are complementary to those being implemented in accordance with the child welfare work group recommendations, and reported the options to the persons designated by this Act to receive reports, the department may implement one or more options on a pilot project basis that affect not more than 50 children during the course of the fiscal year. The department shall adopt rules to implement any reimbursement changes for services paid for in whole or in part under this section.

1. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under medical assistance or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section.

The department may transfer funds appropriated in this section to the appropriations in this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

2. a. Of the funds appropriated in this section, up to \$27,764,744 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services.

b. If at any time after September 30, 2000, annualization of a region's current expenditures indicates a region is at risk of exceeding its group foster care expenditure target under section 232.143 by more than five percent, the department and juvenile court services shall examine all group foster care placements in that region in order to identify those which might be appropriate for termination. In addition, any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

c. (1) Of the funds appropriated in this section, not more than \$7,060,104 is allocated as the state match funding for psychiatric medical institutions for children,

(2) The department may transfer all or a portion of the amount allocated in this lettered paragraph for psychiatric medical institutions for children (PMICs) to the appropriation in this Act for medical assistance.

(3) The department shall work with private providers of PMIC services to develop and implement a plan that shall substantially reduce or eliminate collection of client participation by PMICs. The plan shall be implemented on or before December 1, 2000.

d. Of the funds allocated in this subsection, \$1,405,588 is allocated as the state match funding for 50 highly structured juvenile program beds. If the number of beds provided for in this lettered paragraph is not utilized, the remaining funds allocated may be used for group foster care.

e. For the fiscal year beginning July 1, 2000, the requirements of section 232.143 applicable to the juvenile court and to representatives of the juvenile court shall be applicable instead to juvenile court services and to representatives of juvenile court services. The representatives appointed by the department of human services and by juvenile court services to establish the plan to contain expenditures for children placed in group foster care ordered by the court within the budget target allocated to the region shall establish the plan in a manner so as to ensure the moneys allocated to the region under section 232.143 shall last the entire fiscal year. Funds for a child placed in group foster care shall be considered encumbered for the duration of the child's projected or actual length of stay, whichever is applicable.

f. The funding allocation in this subsection provides additional funding, compared to the fiscal year ending June 30, 1999, in an amount equal to the cost of 41 group foster care beds. It is the intent of the general assembly that the additional funding allow for the availability of at least 20 additional beds to be available for placement of females.

3. The department shall continue the goal that not more than 15 percent of the children placed in foster care funded under the federal Social Security Act, Title IV-E, may be placed in foster care for a period of more than 24 months.

4. In accordance with the provisions of section 232.188, the department shall continue the program to decategorize child welfare services in additional counties or clusters of counties.

5. A portion of the funding appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family

preservation or reunification project to stay together or to be reunified.

6. Notwithstanding section 234.35, subsection 1, for the fiscal year beginning July 1, 2000, state funding for shelter care paid pursuant to section 234.35, subsection 1, paragraph "h", shall be limited to \$7,155,611.

7. Of the funding appropriated in this section, up to \$627,616 may be used as determined by the department for any of the following purposes:

a. For general administration of the department to improve staff training efforts.

b. For oversight of termination of parental rights and permanency planning efforts on a statewide basis.

c. For personnel, assigned by the attorney general, to provide additional services relating to termination of parental rights and child in need of assistance cases.

d. For specialized permanency planning field operations staff.

8. The department may adopt administrative rules following consultation with child welfare services providers to implement outcome-based child welfare services pilot projects. The rules may include, but are not limited to, the development of program descriptions, provider licensing and certification standards, reimbursement and payment amounts, contract requirements, assessment and service necessity requirements, eligibility criteria, claims submission procedures, and accountability standards.

9. The department shall continue to make adoption presubsidy and adoption subsidy payments to adoptive parents at the beginning of the month for the current month.

10. Federal funds received by the state during the fiscal year beginning July 1, 2000, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section, shall be used as additional funding for services provided under this section. Moneys received by the department in accordance with the provisions of this subsection shall remain

available for the purposes designated until June 30, 2002, notwithstanding section 8.33.

11. The department and juvenile court services shall continue to develop criteria for the department regional administrator and chief juvenile court officer to grant exceptions to extend eligibility, within the funds allocated, for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18 who are subject to release from the state training school, a highly structured juvenile program, or group foster care.

12. Of the moneys appropriated in this section, not more than \$313,550 is allocated to provide clinical assessment services as necessary to continue funding of children's rehabilitation services under medical assistance in accordance with federal law and requirements. The funding allocated is the amount projected to be necessary for providing the clinical assessment services.

13. Of the funding appropriated in this section, \$3,696,286 shall be used for protective child care assistance.

14. Of the moneys appropriated in this section, up to \$3,290,000 is allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4.

a. Notwithstanding section 232.141 or any other provision of law, the amount allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator. The state court administrator shall make the determination of the distribution amounts on or before June 15, 2000.

b. Each judicial district shall continue the planning group for the court-ordered services for juveniles provided in that district which was established pursuant to 1991 Iowa Acts, chapter 267, section 119. A planning group shall continue to perform its duties as specified in that law. Reimbursement rates for providers of court-ordered evaluation and treatment services paid under section 232.141, subsection

4, shall be negotiated with providers by each judicial district's planning group.

c. The department of human services shall develop policies and procedures to ensure that the funds allocated in this subsection are spent only after all other reasonable actions have been taken to utilize other funding sources and community-based services. The policies and procedures shall be designed to achieve the following objectives relating to services provided under chapter 232:

(1) Maximize the utilization of funds which may be available from the medical assistance program including usage of the early and periodic screening, diagnosis, and treatment (EPSDT) program.

(2) Recover payments from any third-party insurance carrier which is liable for coverage of the services, including health insurance coverage.

(3) Pursue development of agreements with regularly utilized out-of-state service providers which are intended to reduce per diem costs paid to those providers.

d. Notwithstanding chapter 232 or any other provision of law, a district or juvenile court in a department of human services district shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district distribution amount to pay for the service. The chief juvenile court officer shall work with the judicial district planning group to encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The eight chief juvenile court officers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator to transfer funds between the districts' distribution amounts as prudent.

e. Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order

entered under chapter 232 which is a charge upon the state under section 232.141, subsection 4.

f. Of the funding allocated in this subsection, not more than \$100,000 may be used by the judicial branch for administration of the requirements under this subsection and for travel associated with court-ordered placements which are a charge upon the state pursuant to section 232.141, subsection 4.

15. a. Of the funding appropriated in this section, \$4,108,000 is allocated to provide school-based supervision of children adjudicated under chapter 232, including not more than \$580,000 from the allocation in this section for court-ordered services. Not more than \$15,000 of the funding allocated in this subsection may be used for the purpose of training.

b. To the extent possible, the personnel providing school-based services shall be prepared with training or experience relating to gender-specific programming to best intervene with youth at risk of being found delinquent or determined to be a child in need of assistance.

16. Of the moneys appropriated in this section, up to \$50,000 may be used to support the child welfare services work group.

17. Of the funds appropriated in this section, the department shall use \$687,876 for day treatment and aftercare services for juvenile females with provider selection made through a request for proposals process. The goal of providing the services is to ensure permanency, safety, and self-sufficiency for juvenile females.

18. The department shall maximize the capacity to draw federal funding under Title IV-E of the federal Social Security Act.

19. The department of human services shall convene a work group to determine the most appropriate methodology and manner for payment for services provided by psychiatric medical institutions for children (PMICs) funded under this section. The work group shall include representatives of providers of

such services, shall be geographically balanced, and shall be representative of both large and small providers. The work group's review shall include, at a minimum, retaining the current reimbursement methodology, providing reimbursement through the Iowa plan for behavioral health, providing reimbursement and supervision through the rehabilitative treatment and supported services program, or incorporating PMIC services into a revised service system developed pursuant to the recommendations of the legislative council's child welfare services work group. A priority in any determination shall be ensuring that the current level of federal financial participation is maintained at the maximum level. The department and the work group shall appear in January 2001 before the joint appropriations subcommittee on human services to discuss the work group findings and recommendations.

20. Of the funds appropriated in this section, \$118,642 is allocated as the state match for the federal safe and stable families grant available under Title IV-B of the federal Social Security Act and this allocation shall not be used, transferred, expended, or encumbered for any other purpose.

21. a. Notwithstanding section 234.39, subsection 5, and notwithstanding section 8.33, \$131,000 of the moneys appropriated in 1999 Iowa Acts, chapter 203, section 15, subsection 9, for the subsidized guardianship program shall not revert at the close of the fiscal year but shall remain available in the succeeding fiscal year to be expended for the purposes of this section.

b. Notwithstanding section 8.33, any moneys transferred pursuant to 1999 Iowa Acts, chapter 203, section 15, subsection 20, paragraph "c", remaining unexpended or unobligated at the close of the fiscal year shall not revert, but shall remain available in the succeeding fiscal year to be expended to complete the child welfare results-based reporting mechanism.

22. Any unanticipated federal funding that is received during the fiscal year due to improvements in the hours counted by the judicial branch under the claiming process for

federal Title IV-E funding are appropriated to the department to be used for additional or expanded services and support for court-ordered services pursuant to section 232.141. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. COMMUNITY-BASED PROGRAMS -- ADOLESCENT PREGNANCY PREVENTION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For community-based programs, on the condition that family planning services are funded, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:	
.....	\$ 280,228
.....	FTE 1.00

1. Funds appropriated in this section shall be used to provide adolescent pregnancy prevention grants which comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, and shall emphasize programs which target the middle school level.

2. It is the intent of the general assembly that the department of human services and the Iowa department of public health shall continue to identify existing abstinence education or community-based programs which comply with the requirements established in section 912, subchapter V, of the federal Social Security Act, as codified in 42 U.S.C. § 701 et seq. for the matching of federal funds.

Sec. 18. FAMILY SUPPORT SUBSIDY PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used by the division of children and family services for the purpose designated:

For the family support subsidy program:

..... \$ 2,028,215

The department may use up to \$267,000 of the moneys appropriated in this section to continue the children-at-home program in current counties, of which not more than \$20,000 shall be used for administrative costs.

Sec. 19. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... \$ 46,000

Sec. 20. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state mental health institute at Cherokee for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 12,807,425
..... FTEs 248.44

2. For the state mental health institute at Clarinda for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 7,220,487
..... FTEs 138.59

3. For the state mental health institute at Independence for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 17,497,584
..... FTEs 346.71

The state mental health institute at Independence shall continue the 30 psychiatric medical institution for children (PMIC) beds authorized in section 135H.6, in a manner which results in no net state expenditure amount in excess of the amount appropriated in this subsection. Counties are not responsible for the costs of PMIC services described in this subsection. Subject to the approval of the department, with the exception of revenues required under section 249A.11 to be credited to the appropriation in this Act for medical assistance, revenues attributable to the PMIC beds described in this subsection for the fiscal year beginning July 1, 2000, and ending June 30, 2001, shall be deposited in the institute's account, including but not limited to any of the following revenues:

a. The federal share of medical assistance revenue received under chapter 249A.

b. Moneys received through client participation.

c. Any other revenues directly attributable to the PMIC beds.

4. For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 5,357,453
..... FTEs 109.47

a. Funding is provided in this subsection for the mental health institute at Mount Pleasant to continue the dual diagnosis mental health and substance abuse program on a net budgeting basis in which 50 percent of the actual per diem and ancillary services costs are chargeable to the patient's county of legal settlement or as a state case, as appropriate. Subject to the approval of the department, revenues attributable to the dual diagnosis program for the fiscal year beginning July 1, 2000, and ending June 30, 2001, shall be deposited in the institute's account, including but not limited to all of the following revenues:

(1) Moneys received by the state from billings to counties under section 230.20.

(2) Moneys received from billings to the Medicare program.

(3) Moneys received from a managed care contractor providing services under contract with the department or any private third-party payer.

(4) Moneys received through client participation.

(5) Any other revenues directly attributable to the dual diagnosis program.

b. The following additional provisions are applicable in regard to the dual diagnosis program:

(1) A county may split the charges between the county's mental health, mental retardation, and developmental disabilities services fund and the county's budget for substance abuse expenditures.

(2) If an individual is committed to the custody of the department of corrections at the time the individual is referred for dual diagnosis treatment, the department of corrections shall be charged for the costs of treatment.

(3) Prior to an individual's admission for dual diagnosis treatment, the individual shall have been screened through a county's single entry point process to determine the appropriateness of the treatment.

(4) A county shall not be chargeable for the costs of treatment for an individual enrolled in and authorized by or decertified by a managed behavioral care plan under the medical assistance program.

5. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

6. As part of the discharge planning process at the state mental health institutes, the department shall provide assistance in obtaining eligibility for federal supplemental security income (SSI) to those individuals whose care at a state mental health institute is the financial responsibility of the state or a county.

Retain

7. Each state mental health institute shall continue the net budgeting accounting test of managing revenues and expenditures attributable to the mental health institute in a manner that permits the net state expenditure amount to be determined. Each mental health institute shall submit a status report in October 2000 to the governor and to the persons required to be submitted reports by this Act. The status report shall identify advantages and disadvantages of utilizing the net budgeting approach and any changes in policy or statute recommended to improve implementation of the approach.

Sec. 21. STATE HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state hospital-school at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 2,504,791

2. For the state hospital-school at Woodward for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,709,949

3. a. The department shall continue operating the state hospital-schools at Glenwood and Woodward with a net general fund appropriation. The amounts allocated in this section are the net amounts of state moneys projected to be needed for the state hospital-schools. The purposes of operating with a net general fund appropriation are to encourage the state hospital-schools to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts between the state hospital-schools and counties and other funders of services available from the hospital-schools. The state hospital-schools shall not be operated under the net appropriation in a manner which results in a cost increase to the state or cost shifting between the state, the medical assistance program, counties, or other

sources of funding for the state hospital-schools. Moneys allocated in subsection 1 may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for purposes of cash flow management the state hospital-schools may temporarily draw more than the amount allocated, provided the amount allocated is not exceeded at the close of the fiscal year.

b. Subject to the approval of the department, except for revenues under section 249A.11, revenues attributable to the state hospital-schools for the fiscal year beginning July 1, 2000, shall be deposited into each state hospital-school's account, including but not limited to all of the following:

- (1) Moneys received by the state from billings to counties under section 222.73.
- (2) The federal share of medical assistance revenue received under chapter 249A.
- (3) Federal Medicare program payments.
- (4) Moneys received from client financial participation.
- (5) Other revenues generated from current, new, or expanded services which the state hospital-school is authorized to provide.

c. For the purposes of allocating the salary adjustment fund moneys appropriated in another Act, the state hospital-schools shall be considered to be funded entirely with state moneys.

d. Notwithstanding section 8.33, up to \$500,000 of a state hospital-school's revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

4. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

5. The department may continue to bill for state hospital-school services utilizing a scope of services approach used for private providers of ICFMR services, in a manner which does not shift costs between the medical assistance program,

counties, or other sources of funding for the state hospital-schools.

6. The state hospital-schools may expand the time limited assessment and respite services during the fiscal year.

7. If the department's administration and the department of management concur with a finding by a state hospital-school's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a hospital-school do not include the position classification desired to be filled, the hospital-school's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the hospital-schools may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

Sec. 22. MENTAL ILLNESS SPECIAL SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For mental illness special services:
..... \$ 121,220

1. The department and the Iowa finance authority shall continue the financing for existing community-based facilities and the financing for the development of affordable community-based housing facilities. The department shall assure that clients are referred to the housing as it is developed.

2. The funds appropriated in this section are to provide funds for construction and start-up costs to develop community living arrangements to provide for persons with mental illness who are homeless. These funds may be used to match federal Stewart B. McKinney Homeless Assistance Act grant funds.

Sec. 23. SPECIAL NEEDS GRANTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To provide special needs grants to families with a family member at home who has a developmental disability or to a person with a developmental disability:

..... \$ 53,212

Grants must be used by a family to defray special costs of caring for the family member to prevent out-of-home placement of the family member or to provide for independent living costs. The grants may be administered by a private nonprofit agency which serves people statewide provided that no administrative costs are received by the agency.

Sec. 24. MI/MR/DD STATE CASES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For purchase of local services for persons with mental illness, mental retardation, and developmental disabilities where the client has no established county of legal settlement:

..... \$ 13,308,845

If a county has a county management plan which is approved by the director of human services pursuant to section 331.439, the services paid for under this section are exempt from the department's purchase of service system requirements. The department shall adopt rules to implement the provisions of this paragraph.

2. For transfer to the appropriation in this Act for medical assistance to be used for payment of the state portion of the nonfederal share of medical assistance reimbursement for services provided to eligible persons by certain qualified intermediate care facilities for persons with mental retardation (ICFMR) in accordance with this subsection:

Vetoed

Vetoed

..... \$ 300,000

For the purposes of this subsection, "eligible persons" means persons with a brain or head injury who are determined by the Iowa foundation for medical care to meet entrance requirements for services at the ICFMR level. The reimbursement rate for services provided to eligible persons by those qualified ICFMRs established and issued a certificate of need by the health facilities council, on or before June 30, 1999, for the primary purpose of serving persons with a head or brain injury, shall be the facility's actual cost, as determined from the annual actual cost reports submitted to the department. The cost reports shall be subject to annual audit by the department. Responsibility for payment of the nonfederal share of reimbursement paid for services provided to eligible persons shall be as follows: the county of legal settlement is responsible for an amount equal to the nonfederal share of the 80th percentile of ICFMR services and the state is responsible for the remainder.

Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES -- COMMUNITY SERVICES FUND. There is appropriated from the general fund of the state to the mental health and developmental disabilities community services fund created in section 225C.7 for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For mental health and developmental disabilities community services in accordance with this Act:
..... \$ 19,560,000

1. Of the funds appropriated in this section, \$19,530,000 shall be allocated to counties for funding of community-based mental health and developmental disabilities services. The moneys shall be allocated to a county as follows:

a. Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.

b. Fifty percent based upon the county's proportion of the state's general population.

2. a. A county shall utilize the funding the county receives pursuant to subsection 1 for services provided to persons with a disability, as defined in section 225C.2. However, no more than 50 percent of the funding shall be used for services provided to any one of the service populations.

b. A county shall use at least 50 percent of the funding the county receives under subsection 1 for contemporary services provided to persons with a disability, as described in rules adopted by the department.

3. Of the funds appropriated in this section, \$30,000 shall be used to support the Iowa compass program providing computerized information and referral services for Iowans with disabilities and their families.

4. a. Funding appropriated for purposes of the federal social services block grant is allocated for distribution to counties for local purchase of services for persons with mental illness or mental retardation or other developmental disability.

b. The funds allocated in this subsection shall be expended by counties in accordance with the county's approved county management plan. A county without an approved county management plan shall not receive allocated funds until the county's management plan is approved.

c. The funds provided by this subsection shall be allocated to each county as follows:

(1) Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.

(2) Fifty percent based upon the amount provided to the county for local purchase of services in the preceding fiscal year.

5. A county is eligible for funds under this section if the county qualifies for a state payment as described in section 331.439.

Sec. 26. PERSONAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For continuation of a pilot project for the personal assistance services program in accordance with this section:
..... \$ 364,000

1. The funds appropriated in this section shall be used to continue the pilot project for the personal assistance services program under section 225C.46 in an urban and a rural area. Not more than \$36,400 shall be used for administrative costs. The pilot project and any federal home and community-based waiver developed under the medical assistance program shall not be implemented in a manner which would require additional county or state costs for assistance provided to an individual served under the pilot project or the waiver.

2. It is the intent of the general assembly that for any new applicants for personal assistance, priority shall be given to providing assistance to individuals for education, job training, and other forms of employment support. It is also the intent of the general assembly that if other programs become available which provide similar services, current recipients of personal assistance for whom these similar services are appropriate shall be assisted in attaining eligibility for these programs.

3. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to provide personal assistance payments until the close of the succeeding fiscal year.

Sec. 27. SEXUALLY VIOLENT PREDATORS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 1,179,178
..... FTEs 20.00

2. Notwithstanding section 8.33, \$250,000 of the moneys appropriated in 1999 Iowa Acts, chapter 203, section 30, that remain unexpended or unobligated at the close of the fiscal year shall not revert but shall remain available in the succeeding fiscal year to be used for the purposes of this section.

Sec. 28. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 44,795,000
..... FTEs 1,921.50

Priority in filling full-time equivalent positions shall be given to those positions related to child protection services.

The amount appropriated in this section includes increased funding of \$147,454 to address staffing issues in regard to child abuse assessment staff, social workers, and support staff performing related functions and for increased activities to improve cooperation between field staff, law enforcement, county attorneys, and mandatory reporters in addressing reports of child abuse.

2. For regional offices, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 5,659,370
..... FTEs 154.16

Sec. 29. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... \$ 14,862,874
..... FTEs 366.00

1. Of the funds appropriated in this section, \$57,000 is allocated for the prevention of disabilities policy council established in section 225B.3.

2. Of the funds appropriated in this section, \$129,971 for the fiscal year beginning July 1, 2000, shall be transferred to the state university of Iowa for the university-affiliated program for the support of Iowa creative employment options (CEO).

3. If an expenditure reduction or other cost-saving measure is deemed necessary to maintain expenditures within the amount appropriated to the department in this section, the department shall not implement the reduction or other measure in a manner which reduces service funding for disability rehabilitation programs, including but not limited to, statewide supported employment programs.

4. The number of full-time equivalent positions authorized in this section includes a reduction of all but three of the full-time equivalent positions previously assigned to the state-county assistance team. One of the remaining full-time equivalent positions shall provide staffing services to the state-county management committee.

5. The general assembly is supportive of the department's stated purposes in its efforts to review the services administered by the department and the reimbursement methodologies for those services. The general assembly anticipates the department continuing its review and consultation activities during the 2000 legislative interim in

Vote
Vote

Noted

order to submit recommendations and proposals for legislative consideration during the 2001 legislative session and the department shall not implement changes in the reimbursement methodologies with express authorization in law.

Sec. 30. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:
..... \$ 118,250

Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. For the fiscal year beginning July 1, 2000, the rate for skilled nursing facilities shall remain at the rates in effect on June 30, 2000.

b. For the fiscal year beginning July 1, 2000, the dispensing fee for pharmacists shall remain at the rate in effect on June 30, 2000. The reimbursement policy for drug product costs shall be in accordance with federal requirements.

c. For the fiscal year beginning July 1, 2000, reimbursement rates for inpatient and outpatient hospital services shall remain at the rates in effect on June 30, 2000. The department shall continue the outpatient hospital reimbursement system based upon ambulatory patient groups implemented pursuant to 1994 Iowa Acts, chapter 1186, section 25, subsection 1, paragraph "f". In addition, the department shall continue the revised medical assistance payment policy implemented pursuant to that paragraph to provide reimbursement for costs of screening and treatment provided in the hospital emergency room if made pursuant to the prospective payment methodology developed by the department for the payment of outpatient services provided under the medical assistance program.

d. Reimbursement rates for rural health clinics, hospices, independent laboratories, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. Reimbursement rates for home health agencies shall remain at the rates in effect on June 30, 2000.

f. Federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

g. Beginning July 1, 2000, the reimbursement rates for dental services shall remain at the rates in effect on June 30, 2000.

h. Beginning July 1, 2000, the reimbursement rates for community mental health centers shall be increased by 16.63 percent over the rates in effect on June 30, 2000.

i. For the fiscal year beginning July 1, 2000, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2000.

2. a. The basis for establishing the maximum medical assistance reimbursement rate for nursing facilities shall be the 70th percentile of facility costs as calculated from the June 30, 1999, unaudited compilation of cost and statistical data submitted by each facility on medical assistance cost reports. At such time as the department implements a transitional case-mix reimbursement methodology pursuant to 2000 Iowa Acts, Senate File 2193, nursing facilities shall be reimbursed in accordance with the transitional payment system. In developing the case-mix reimbursement methodology, the department shall work with nursing facilities and patient advocates in examining administrative costs.

b. Nursing facilities reimbursed under the medical assistance program shall continue to submit cost reports and additional documentation as required by rule.

c. The cost report required to be submitted by rule by nursing facilities reimbursed under the medical assistance program shall also include a line itemization of expenses attributable to the home or principal office or headquarters of the nursing facility, including but not limited to home-office costs and management fees, within the administrative cost line item.

d. The organizations representing certified nurse aides and nursing facilities and other providers of services employing certified nurse aides are requested to discuss how nursing facilities and the other providers can improve the ongoing training, communication skills development, mentoring, and other activities intended to enhance the expertise of certified nurse aides. It is the intent of the general assembly that the organizations involved with the discussions will make a presentation to the joint appropriations subcommittee on human services during January 2001 concerning their discussions and plans for improvements.

3. For the fiscal year beginning July 1, 2000, the maximum cost reimbursement rate for residential care facilities reimbursed by the department shall not be less than \$24.26 per day for the time period of July 1, 2000, through June 30, 2001. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall not be less than \$17.36 per day for the time period of July 1, 2000, through June 30, 2001.

4. For the fiscal year beginning July 1, 2000, the maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall not be less than \$466.49 per month for the time period of July 1, 2000, through June 30, 2001.

5. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 1999.

6. Notwithstanding section 234.38, in the fiscal year beginning July 1, 2000, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$14.00, the rate for children ages 6 through 11 years shall be \$14.78, the rate for children ages 12 through 15 years shall be \$16.53, and the rate for children ages 16 and older shall be \$16.53.

7. For the fiscal year beginning July 1, 2000, the maximum reimbursement rates for adoption and independent living services shall remain at the rates in effect on June 30, 2000. The maximum reimbursement rates for other social service providers shall remain at the rates in effect on June 30, 2000. However, the rates may be adjusted under any of the following circumstances:

a. If a new service was added after June 30, 2000, the initial reimbursement rate for the service shall be based upon actual and allowable costs.

b. If a social service provider loses a source of income used to determine the reimbursement rate for the provider, the provider's reimbursement rate may be adjusted to reflect the loss of income, provided that the lost income was used to support actual and allowable costs of a service purchased under a purchase of service contract.

c. The department revises the reimbursement rates as part of the changes in the mental health and developmental disabilities services system initiated pursuant to 1995 Iowa Acts, chapter 206, and associated legislation.

8. The group foster care reimbursement rates paid for placement of children out-of-state shall be calculated according to the same rate-setting principles as those used for in-state providers unless the director determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

9. For the fiscal year beginning July 1, 2000, the reimbursement rates for rehabilitative treatment and support services providers shall remain at the rates in effect on June 30, 2000.

10. For the fiscal year beginning July 1, 2000, the combined service and maintenance components of the reimbursement rate paid to a shelter care provider shall be based on the cost report submitted to the department. The maximum reimbursement rate shall be \$79.70 per day. If the department would reimburse the provider at less than the maximum rate but the provider's cost report justifies a rate of at least \$79.70, the department shall readjust the provider's reimbursement rate to the maximum reimbursement rate.

11. For the fiscal year beginning July 1, 2000, the department shall calculate reimbursement rates for intermediate care facilities for persons with mental retardation at the 80th percentile.

12. For the fiscal year beginning July 1, 2000, for child care providers, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 1998. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered.

13. Effective July 1, 2000, the maximum reimbursement rate for psychiatric medical institutions for children (PMICs) shall be increased to \$147.20 per day, based on per day rates for actual costs on June 30, 2000.

14. For the fiscal year beginning July 1, 2000, reimbursements for providers reimbursed by the department of human services may be modified if appropriated funding is allocated for that purpose from the senior living trust fund created in section 249H.4, as enacted in 2000 Iowa Acts, Senate File 2193, or as specified in appropriations from the tobacco settlement fund created in section 12.65.

15. The department may adopt emergency rules to implement this section.

Sec. 32. MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY -- DEPOSIT AND APPROPRIATION. Notwithstanding the deposit provisions of sections 321.218A and 321A.32A, moneys collected during the fiscal year beginning July 1, 2000, and ending June

30, 2001, by the state department of transportation pursuant to those sections shall be deposited to the credit of the department of human services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, and are appropriated as follows:

1. An amount equal to ten percent of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 1999. Moneys appropriated in this subsection shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all eligible detention homes in the fiscal year beginning July 1, 1999. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2000, shall be limited to the amount appropriated for the purposes of this subsection.

2. For renewal of a grant to a county with a population between 168,000 and 175,000 for implementation of the county's runaway treatment plan under section 232.195:

..... \$ 80,000

3. For grants to counties implementing a runaway treatment plan under section 232.195.

4. The remainder for additional allocations to county or multicounty juvenile detention homes, in accordance with the distribution requirements of subsection 1.

Sec. 33. TRANSFER AUTHORITY. Subject to the provisions of section 8.39, for the fiscal year beginning July 1, 2000, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding, the department of human services may transfer within or between any of the appropriations made in this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the

combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

1. For the family investment program.
2. For emergency assistance.
3. For child care assistance.
4. For child and family services.
5. For field operations.
6. For general administration.
7. MH/MR/DD/BI community services (local purchase).

This section shall not be construed to prohibit existing state transfer authority for other purposes.

Sec. 34. FRAUD AND RECOUPMENT ACTIVITIES. During the fiscal year beginning July 1, 2000, notwithstanding the restrictions in section 239B.14, recovered moneys generated through fraud and recoupment activities are appropriated to the department of human services to be used for additional fraud and recoupment activities performed by the department of human services or the department of inspections and appeals, and the department of human services may add not more than five full-time equivalent positions, in addition to those authorized in this Act, subject to both of the following conditions:

1. The director of human services determines that the investment can reasonably be expected to increase recovery of assistance paid in error, due to fraudulent or nonfraudulent actions, in excess of the amount recovered in the fiscal year beginning July 1, 1997.

2. The amount expended for the additional fraud and recoupment activities shall not exceed the amount of the projected increase in assistance recovered.

Sec. 35. FINANCIAL ASSISTANCE SERVICES.

1. For purposes of this section, "financial assistance services" means services or other assistance provided under one or more of the following programs administered by the department of human services: family investment program, PROMISE JOBS program, medical assistance program, food stamp

program, state child care assistance program, refugee cash assistance program, emergency assistance program, and child support recovery program.

2. During the fiscal year beginning July 1, 2000, and ending June 30, 2001, the department of human services may continue to conduct a pilot program or pilot programs for provisions of financial assistance services.

3. Any pilot program conducted in accordance with this section shall be designed to meet one or more of the following financial assistance services goals:

- a. A reduction in paperwork for applicants and recipients of services, or staff, or both.

- b. Streamlining or expediting the eligibility determination process, to decrease the length of time it takes to inform applicants for financial assistance services as to the disposition of their request for the services.

- c. Streamlining or expediting the referral process for family investment program applicants and recipients to other financial assistance services such as PROMISE JOBS or child support recovery, so that referrals can be initiated in a more timely manner in order to help move applicants and recipients more quickly to economic self-sufficiency or toward reduced reliance on government assistance.

- d. Improved coordination of the management of financial assistance services as applicants for and recipients of the services work toward economic self-sufficiency.

- e. Identification of policies, procedures, and practices that could be altered or eliminated without materially affecting the desired results for the family assistance services.

4. Any pilot program conducted in accordance with this section is subject to the following limitations and parameters:

- a. Notwithstanding any administrative rule, that is not based in federal law, the department may alter policies, procedures, and practices to waive the administrative rule, that are based in state law, provided that the alterations do

not decrease an applicant's or recipient's choice of, or ability to obtain, financial assistance services from the department in comparison with the financial assistance services that would otherwise be available. The department may operate one or more pilot projects under this paragraph, in not more than fourteen counties.

b. If the department obtains a waiver of federal law or regulation, the department may alter policies, procedures, and practices that are based in federal law, provided that the alterations do not decrease an applicant's or recipient's choice of, or ability to obtain, financial assistance services from the department in comparison with the financial assistance services that would otherwise be available. The department may operate one or more projects under this paragraph, in not more than fourteen counties.

c. In order to facilitate rapid implementation, except as provided in paragraph "d", any pilot program authorized under this section is exempt from the rulemaking procedures and rulemaking requirements of chapter 17A. However, following development of the pilot program, the department shall provide a list of the laws or rules being waived to the chairpersons and ranking members of the joint appropriations subcommittee on human services, the administrative rules review committee, the administrative rules coordinator, the legislative fiscal bureau, and the legislative service bureau. In implementing a pilot program under this section, the department shall take steps to make applicants and recipients of services aware of their choices, expectations, rights, and responsibilities.

d. The department shall adopt emergency rules establishing a framework for the pilot projects implemented under this section. The rules shall identify the participating counties, the maximum duration of each pilot project, and generally describe the scope and nature of each pilot project. Within this framework, the department retains broad discretion to revise a pilot project without further rulemaking describing the revision.

VE TOED

Sec. 36. CHILD PROTECTION EVALUATION. The department shall fulfill the requirements of 1997 Iowa Acts, chapter 176, section 23, and 1999 Iowa Acts, chapter 203, section 45, for an independent evaluation of the child protection system by including the evaluation elements in its independent review contracted for in the Spring of 2000.

Sec. 37. 1991 Iowa Acts, chapter 169, section 9, as amended by 1996 Iowa Acts, chapter 1071, section 1, is repealed.

On or before December 15, 2000, the prevention of disabilities policy council shall submit a report to the governor and the general assembly providing findings and recommendations regarding the activities and duties of the commission and the need for its continuation.

Sec. 38. 1999 Iowa Acts, chapter 208, section 1, unnumbered paragraphs 2 and 3, and subsection 4, are amended to read as follows:

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, in accordance with section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B:

..... \$ ~~21,773,602~~
20,982,446

The funding appropriated in this section is the allowed growth factor adjustment of ~~1-57~~-percent for fiscal year 2000-2001, and is allocated as follows:

4. For deposit in the risk pool created in the property tax relief fund pursuant to section 426B.5, subsection 3:
..... \$ ~~2,000,000~~
1,208,844

Sec. 39. 2000 Iowa Acts, Senate File 2193, section 20, subsection 3, unnumbered paragraph 1, is amended to read as follows:

To implement nursing facility provider reimbursement at the seventieth percentile of facility costs as calculated from the June 30, 2000, unaudited compilation of cost and statistical

data submitted by each facility on medical assistance cost reports and to implement case-mix reimbursement methodology changes:

..... \$ 17,750,000

Sec. 40. NEW SECTION. 225B.8 REPEAL.

This chapter is repealed July 1, 2001.

Sec. 41. Section 249A.3, subsection 1, paragraph k, Code Supplement 1999, is amended to read as follows:

k. Is a pregnant woman or infant whose income is more than the limit prescribed under the federal Medicare Catastrophic Coverage Act of 1988, Pub. L. No. 100-360, § 302, but not more than one two hundred eighty-five percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

Sec. 42. ARLENE DAYHOFF EDUCATIONAL COMPLEX.

1. The general assembly makes the following findings:

a. That Arlene H. Dayhoff recognized the important role of good educational and recreational facilities in maintaining the quality of the state training school's work with this state's most troubled youth and worked tirelessly for approval of new facilities.

b. That Arlene H. Dayhoff has the distinction of serving during 1987-1997 as chairperson of the council on human services, the primary policymaking body for the department of human services, and having the longest tenure of anyone in that office.

c. That Arlene H. Dayhoff is known for her active life in service activity with her twenty-three years of employment in the field of nursing and as a volunteer and board member with many human services and health endeavors, including St. Luke's hospital and hospital foundation, Iowa commission for the blind, American red cross, Linn county association for mental health, and Linn county retarded citizens, and has been nationally recognized for her leadership by the national governors' association distinguished service award.

d. That following her tenure on the council on human services, Arlene H. Dayhoff continued her commitment to troubled children by serving as co-chairperson of the legislative council's child welfare work group from the work group's creation in November 1997 through the present time.

e. That it is fitting to recognize Arlene H. Dayhoff's many contributions to improving the lives of children with the dedication of the new educational and recreational facilities at the state training school in her name.

2. The educational and recreational facilities to be dedicated in the spring of 2001 at the state training school in Eldora, Iowa, are named the "Arlene Dayhoff Educational Complex" in honor of Arlene H. Dayhoff and an appropriate commemorative plaque shall be placed near the entrance of the educational complex in recognition of Arlene Dayhoff and the outstanding contribution she has made to the state training school and the state of Iowa.

3. The state training school shall name any other newly constructed facilities to be dedicated at the state training school during the fiscal year beginning July 1, 1999, or July 1, 2000, as deemed appropriate by the state training school administration to properly recognize individuals who have made significant contributions to the juvenile justice system in general or the state training school in particular.

Sec. 43. SUBSIDIZED GUARDIANSHIP -- RULES -- CONTINGENCY -- RETROACTIVITY. The rules adopted pursuant to 441 IAC 204 relating to the subsidized guardianship program shall not be applicable until such time as funding is appropriated after July 1, 2000, for this purpose by the general assembly. This provision is retroactively applicable to April 1, 2000.

Sec. 44. EMERGENCY RULES. If specifically authorized by a provision of this Act, the department of human services or the mental health and developmental disabilities commission may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing, unless the effective date is delayed

by the administrative rules review committee, notwithstanding section 17A.4, subsection 5, and section 17A.8, subsection 9, or a later effective date is specified in the rules. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 45. REPORTS. Any reports or information required to be compiled and submitted under this Act shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on human services, the legislative fiscal bureau, the legislative service bureau, and to the caucus staffs on or before the dates specified for submission of the reports or information.

Sec. 46. EFFECTIVE DATES. The following provisions of this Act, being deemed of immediate importance, take effect upon enactment:

1. Section 1, relating to the social services block grant supplementation.

2. Section 4, subsection 1, paragraph "f", relating to electronic benefits transfer contracting.

3. Section 8, subsection 15, relating to the pilot project for continuous eligibility under the medical assistance program.

4. Section 16, subsection 2, paragraph "e", relating to requirements of section 232.143, for the 2000-2001 fiscal year.

5. Section 16, subsection 14, paragraph "a", relating to determining allocation of court-ordered services funding.

6. Section 16, subsection 21, relating to nonreversion of certain funding appropriated in 1999 Iowa Acts, chapter 203.

7. Section 27, subsection 2, relating to nonreversion of moneys appropriated in 1999 Iowa Acts, chapter 203, section 30.

8. Section 36, relating to an independent evaluation of the child protection system.

DeFOED

DeFOED

9. Sections 37 and 40, repealing 1991 Iowa Acts, chapter 169, section 9, as amended, and enacting new Code section 225B.8.

10. Section 42, subsection 3, authorizing the state training school administration to name certain facilities to be dedicated during fiscal year 1999-2000 or fiscal year 2000-2001.

11. Section 43, relating to the applicability of certain administrative rules involving subsidized guardianship.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2435, Seventy-eighth General Assembly.

Stem DeFOED
Approved 5/17/00 2000

MICHAEL E. MARSHALL
Secretary of the Senate

THOMAS J. VILSACK
Governor