

CHAPTER 4**DEPARTMENT OF HUMAN SERVICES
FIELD SERVICES REORGANIZATION***H.F. 764*

AN ACT relating to the reorganization of the department of human services and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 217.42, Code 2001, is amended to read as follows:

217.42 ~~COUNTY CLUSTERS SERVICE AREAS~~ — OFFICES.

1. The organizational structure to deliver the department's field services shall be based upon ~~county clusters~~ service areas. ~~A county cluster shall consist of a single county, or a group of counties which have joined together to~~ The service areas shall serve as a basis for providing field services to persons residing in the ~~county or counties comprising the cluster service area~~. The ~~clusters~~ service areas shall be those designated by the department effective March 1, 1992 January 1, 2002. If it is necessary for the department to significantly modify its field operations or the composition of a designated county cluster, the department shall consult with the affected counties prior to implementing such action. A county may join a different cluster if it is mutually agreeable with the department and it occurs at the beginning of a fiscal year. The county boards of supervisors in a cluster shall advise the department on the selection of the area administrator responsible for the county cluster. In determining the service areas, the department shall consider other geographic service areas including but not limited to judicial districts and community empowerment areas. The department shall consult with the county boards of supervisors in a service area with respect to the selection of the service area manager responsible for the service area who is initially selected for the service area designated effective January 1, 2002, and any service area manager selected for the service area thereafter. Following establishment of the service areas effective January 1, 2002, if a county seeks to change the boundaries of a service area, the change shall only take place if the change is mutually agreeable to the department and all affected counties. If it is necessary for the department to significantly modify its field operations or the composition of a designated service area, or if it is necessary for the department to change the number of offices operating less than full-time, the department shall consult with the affected counties prior to implementing such action.

2. The department shall maintain an office in each county. Based on the annual appropriations for field operations, the department shall strive to maintain a full-time presence in each county. If it is not possible to maintain a full-time presence in each county, the department shall provide staff based on its caseweight system to assure the provision of services. The department shall consult with the county boards of supervisors of those counties regarding staffing prior to any modification of office hours.

3. A county or group of counties may voluntarily enter into a chapter 28E agreement with the department to provide funding or staff persons to deliver field services in ~~county cluster~~ and county offices. The agreement shall cover the full fiscal year but may be revised by mutual consent.

Sec. 2. Section 217.43, Code 2001, is amended by striking the section and inserting in lieu thereof the following:

217.43 SERVICE AREA ADVISORY BOARDS — LOCATION OF COUNTY OFFICES.

1. The department shall establish a service area advisory board in each service area. Each of the county boards of supervisors of the counties comprising the service area shall appoint two service area advisory board members. The following requirements apply to the appointments made by a county board of supervisors: the membership shall be appointed in accordance with section 69.16, relating to political affiliation, and section 69.16A, relating

to gender balance; not more than one of the members shall be a member of the board of supervisors; and appointments shall be made on the basis of interest in maintaining and improving service delivery. Appointments shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and the service area manager. A vacancy on the board shall be filled in the same manner as the original appointment. The boards of supervisors shall develop and agree to other organizational provisions involving the advisory board, including reporting requirements.

2. The purpose of the advisory boards is to improve communication and coordination between the department and the counties and to advise the department regarding maintenance and improvement of service delivery in the counties and communities comprising the service areas.

3. The department shall determine the community in which each county office will be located. The county board of supervisors shall determine the location of the office space for the county office. The county board of supervisors shall make reasonable efforts to collocate the office with other state and local government or private entity offices in order to maintain the offices in a cost-effective location that is convenient to the public.

Sec. 3. Section 217.44, Code 2001, is amended to read as follows:

217.44 COUNTY CLUSTER SERVICE AREAS — EMPLOYEE AND VOLUNTEER RECORD CHECKS.

1. The department shall conduct criminal and child and dependent adult abuse record checks of persons who are potential employees, employees, potential volunteers, and volunteers in ~~county cluster~~ service area offices in a position having direct contact with the department's clients. The record checks shall be performed in this state and the department may conduct these checks in other states. If the department determines that a person has been convicted of a crime or has a record of founded child or dependent adult abuse, the department shall perform an evaluation to determine whether the crime or founded abuse warrants prohibition of the person's employment or participation as a volunteer. The record checks and evaluation shall be performed in accordance with procedures adopted for this purpose by the department.

2. In an evaluation, the department shall consider the nature and seriousness of the crime or founded child or dependent adult abuse in relation to the position sought or held, the time elapsed since the commission of the crime or founded abuse, the circumstances under which the crime or founded abuse was committed, the degree of rehabilitation, the likelihood that the person will commit the crime or founded abuse again, and the number of crimes or founded abuses committed by the person involved.

3. The department may permit a person who is evaluated to be employed or to participate as a volunteer if the person complies with the department's conditions relating to employment or participation as a volunteer which may include completion of additional training.

4. If the department determines that the person has committed a crime or has a record of founded child or dependent adult abuse which warrants prohibition of employment or participation as a volunteer, the person shall not be employed by or participate as a volunteer in a department ~~cluster~~ service area office in a position having direct contact with the department's clients.

Sec. 4. Section 251.3, subsection 1, Code 2001, is amended to read as follows:

1. Appoint such personnel as may be necessary for the efficient discharge of the duties imposed upon the administrator in the administration of emergency relief, and to make such rules and regulations as the administrator deems necessary or advisable covering the administrator's activities and those of the ~~county cluster~~ service area advisory boards created under section 217.43, concerning emergency relief.

Sec. 5. Section 251.5, Code 2001, is amended to read as follows:

251.5 DUTIES OF THE COUNTY CLUSTER SERVICE AREA ADVISORY BOARD.

A ~~county cluster~~ service area advisory board created in section 217.43 shall perform the

following activities for any county in the board's ~~county-cluster~~ service area concerning emergency relief:

1. Cooperate with a county's board of supervisors in all matters pertaining to administration of relief.
2. At the request of a county's board of supervisors, prepare requests for grants of state funds.
3. At the request of a county's board of supervisors, administer county relief funds.
4. In a county receiving grants of state funds upon approval of the director of revenue and finance and the county's board of supervisors, administer both state and county relief funds.
5. Perform other duties as may be prescribed by the administrator and a county's board of supervisors.

Sec. 6. Section 251.7, Code 2001, is amended to read as follows:

251.7 COUNTY APPOINTEES TO ACT AS EXECUTIVE OFFICERS.

The county board of supervisors may appoint an individual to serve as the executive officer of the ~~county-cluster~~ service area advisory board in all matters pertaining to relief for that county.

Sec. 7. Section 252.6, Code 2001, is amended to read as follows:

252.6 ENFORCEMENT OF LIABILITY.

Upon the failure of such relatives to assist or maintain a poor person who has made application for assistance, the county board of supervisors, ~~county-cluster~~ service area advisory board created under section 217.43, or state division of child and family services of the department of human services may apply to the district court of the county where the poor person resides or may be found, for an order to compel the assistance or maintenance.

Sec. 8. Section 331.321, subsection 1, paragraph f, Code 2001, is amended to read as follows:

f. The members of the ~~county-cluster~~ service area advisory board in accordance with section 217.43.

Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved November 16, 2001

CHAPTER 5

STATE GOVERNMENT EMPLOYMENT — REDUCTIONS-IN-FORCE INITIATIVES

S.F. 551

AN ACT relating to state government employment by providing termination incentive programs for eligible state employees, abolishing the workforce attrition program and fund, creating initiatives to increase the ratio of state employees per supervisor and to evaluate the state's job classification system, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION.** 70A.38 YEARS OF SERVICE INCENTIVE PROGRAM.

1. As used in this section, unless the context provides otherwise:
 - a. "Credited service" means service under the Iowa public employees' retirement system,