

# House Amendment 8586

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1 1 Amend Senate File 2425, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 24, by striking the figure  
1 4 <4,851,698> and inserting the following: <5,251,698>.  
1 5 #2. Page 2, by inserting after line 21 the  
1 6 following:  
1 7 <\_\_\_\_. Of the funds appropriated in this section,  
1 8 \$200,000 shall be used to replace federal funding for  
1 9 the aging and disability resource center.>  
1 10 #3. Page 2, by inserting after line 21 the  
1 11 following:  
1 12 <\_\_\_\_. Of the funds appropriated in this section,  
1 13 \$200,000 shall be used for expansion of the elder  
1 14 abuse initiative program established pursuant to  
1 15 section 231.56A to additional counties.>  
1 16 #4. Page 4, by striking lines 1 through 8, and  
1 17 inserting the following:  
1 18 <\_\_\_\_. Of the funds appropriated in this  
1 19 subsection, \$100,000 shall be distributed to a  
1 20 statewide coalition that has demonstrated  
1 21 effectiveness in a research-based literacy program to  
1 22 train parents and health care providers about the  
1 23 importance of early childhood learning and literacy by  
1 24 providing parents with age-appropriate counseling on  
1 25 reading aloud to their children, giving children new  
1 26 books, and providing a literacy-rich physician waiting  
1 27 room environment.>  
1 28 #5. Page 4, by striking lines 9 through 13.  
1 29 #6. Page 5, lines 30 and 31, by striking the words  
1 30 and figures <pursuant to sections 135.102 and  
1 31 135.103>.  
1 32 #7. Page 6, line 13, by striking the figure  
1 33 <2,798,513> and inserting the following: <2,961,013>.  
1 34 #8. Page 6, line 24, by striking the figure  
1 35 <100,000> and inserting the following: <262,500>.  
1 36 #9. Page 8, by inserting after line 10 the  
1 37 following:  
1 38 <3. To enhance and standardize the availability,  
1 39 delivery, and cost of delivery of gambling treatment  
1 40 services statewide, the department shall implement a  
1 41 transition process to transfer the delivery of  
1 42 gambling treatment services to the network of licensed  
1 43 substance abuse treatment providers funded by the  
1 44 department. The transition process shall be completed  
1 45 by July 1, 2009.  
1 46 a. By December 1, 2008, licensed substance abuse  
1 47 treatment providers funded by the department shall  
1 48 submit to the department, plans and budgets that  
1 49 address transitioning gambling treatment services,  
1 50 providing gambling treatment services, and training  
2 1 staff to provide gambling treatment services. The  
2 2 format for the plans and budgets shall be developed by  
2 3 the department. Plans and budgets shall be approved  
2 4 or disapproved by the department. The department  
2 5 shall allocate funds to providers in accordance with  
2 6 approved plans and budgets.  
2 7 b. The transition process shall include the  
2 8 establishment of joint licensure for gambling and  
2 9 substance abuse treatment that includes one set of  
2 10 standards, one licensure survey, comprehensive  
2 11 technical assistance, and appropriately credentialed  
2 12 counselors to support the following goals:  
2 13 (1) Gambling treatment services are available to  
2 14 Iowans statewide.  
2 15 (2) The comorbidity and spectrum of conditions  
2 16 involving substance use disorders, problematic and  
2 17 pathological gambling, concerned persons, and mental  
2 18 health disorders are readily acknowledged and service  
2 19 providers have the skills to treat individuals who are  
2 20 symptomatic with combinations of these conditions.  
2 21 (3) Service providers also have the skills and  
2 22 delivery structures to welcome and treat individuals  
2 23 with single morbidity.  
2 24 (4) Licensure standards for gambling treatment and

2 25 substance abuse treatment services are uniform to the  
2 26 greatest possible extent, with no duplications or  
2 27 contradictions.

2 28 (5) Client admissions to gambling treatment  
2 29 services statewide are consistent with the incidence  
2 30 of problematic and pathological gambling.

2 31 (6) Outcome measures for gambling treatment  
2 32 services are uniform statewide.

2 33 (7) The costs to deliver gambling treatment  
2 34 services are better aligned with the costs to deliver  
2 35 substance abuse treatment services.

2 36 c. From the amounts appropriated in this section  
2 37 and from other funding sources available for gambling  
2 38 and substance abuse treatment, the department may  
2 39 allocate up to \$100,000 for administrative costs to  
2 40 develop and implement the transition process in  
2 41 accordance with this subsection.>

2 42 [#10](#). Page 10, by inserting after line 32 the  
2 43 following:

2 44 <Notwithstanding section 8.33, moneys appropriated  
2 45 in this subsection that remain unencumbered or  
2 46 unobligated at the close of the fiscal year shall not  
2 47 revert but shall remain available for expenditure for  
2 48 the purposes designated until the close of the  
2 49 succeeding fiscal year. However, unless such moneys  
2 50 are encumbered or obligated on or before September 30,  
3 1 2009, the moneys shall revert.>

3 2 [#11](#). Page 10, line 34, by striking the figure  
3 3 <17,707,495> and inserting the following:  
3 4 <19,707,495>.

3 5 [#12](#). Page 11, by inserting before line 12 the  
3 6 following:

3 7 <Of the funds appropriated in this subsection,  
3 8 \$1,200,000 is allocated for additional income  
3 9 maintenance workers and \$800,000 is allocated for  
3 10 additional social workers.>

3 11 [#13](#). Page 14, by striking lines 30 through 34.

3 12 [#14](#). Page 15, by inserting after line 19 the  
3 13 following:

3 14 <The department shall amend the food stamp  
3 15 employment and training state plan in order to  
3 16 maximize to the fullest extent permitted by federal  
3 17 law the use of the fifty=fifty match provisions for  
3 18 the claiming of allowable federal matching funds from  
3 19 the United States department of agriculture pursuant  
3 20 to the federal food stamp employment and training  
3 21 program for providing education, employment, and  
3 22 training services for eligible food assistance program  
3 23 participants, including but not limited to related  
3 24 dependent care and transportation expenses.>

3 25 [#15](#). Page 19, line 10, by striking the figure  
3 26 <646,401,453> and inserting the following:  
3 27 <643,005,671>.

3 28 [#16](#). Page 24, line 35, by inserting after the word  
3 29 <Act,> the following: <beginning January 1, 2009,>.

3 30 [#17](#). Page 25, line 3, by inserting after the word  
3 31 <Act,> the following: <beginning January 1, 2009,>.

3 32 [#18](#). Page 25, by inserting after line 25 the  
3 33 following:

3 34 <\_\_\_\_. Of the funds appropriated in this section,  
3 35 \$250,000 shall be used to implement the provisions in  
3 36 2007 Iowa Acts, chapter 218, section 124, as amended  
3 37 by the Eighty=second General Assembly, 2008 Session,  
3 38 relating to eligibility for certain persons with  
3 39 disabilities under the medical assistance program.

3 40 \_\_\_\_\_. The department of human services shall  
3 41 conduct a review of the impact of broadening the list  
3 42 of drugs prescribed for the treatment of diabetes on  
3 43 the preferred drug list under the medical assistance  
3 44 program in order to promote drugs that are appropriate  
3 45 and therapeutically effective for persons with  
3 46 diabetes. The review shall include, at a minimum, a  
3 47 comparison of the effectiveness of drugs prescribed  
3 48 for the treatment of diabetes and a cost analysis.  
3 49 The department shall report its findings and  
3 50 recommendations to the individuals specified in this  
4 1 Act to receive reports by December 15, 2008.>

4 2 [#19](#). Page 27, line 27, by striking the figure  
4 3 <15,873,103> and inserting the following:  
4 4 <13,868,885>.

4 5 [#20](#). Page 31, line 13, by striking the figure

4 6 <88,557,565> and inserting the following:  
4 7 <88,210,005>.  
4 8 #21. Page 31, line 34, by striking the figure  
4 9 <36,441,744> and inserting the following:  
4 10 <35,841,744>.  
4 11 #22. Page 35, line 23, by striking the figure  
4 12 <1,030,000> and inserting the following: <1,130,000>.  
4 13 #23. Page 37, by inserting after line 21 the  
4 14 following:  
4 15 <25. Of the funds appropriated in this section,  
4 16 \$152,440 shall be used for continuation of the funding  
4 17 of one or more child welfare diversion and mediation  
4 18 pilot projects as provided in 2004 Iowa Acts, chapter  
4 19 1130, section 1.>  
4 20 #24. Page 37, line 29, by striking the figure  
4 21 <32,568,872> and inserting the following:  
4 22 <33,168,872>.  
4 23 #25. Page 44, by striking lines 2 through 13 and  
4 24 inserting the following:  
4 25 <6. Of the funds appropriated in this section,  
4 26 \$260,000 shall be used for a grant to a statewide  
4 27 association of counties for development and  
4 28 implementation of the community services network to  
4 29 replace the county management information system.>  
4 30 #26. Page 45, line 26, by striking the figure  
4 31 <16,682,067> and inserting the following:  
4 32 <16,982,067>.  
4 33 #27. Page 45, by inserting after line 33 the  
4 34 following:  
4 35 <3. Of the funds appropriated in this section,  
4 36 \$300,000 is allocated for opening a new Alzheimer's  
4 37 disease unit at one of the state mental health  
4 38 institutes.>  
4 39 #28. Page 48, by inserting after line 8 the  
4 40 following:  
4 41 <(4) A hospital is not eligible for an increase in  
4 42 reimbursement under the medical assistance program for  
4 43 the fiscal year beginning July 1, 2008, if at any time  
4 44 within the 24-month period directly preceding the  
4 45 start of that fiscal year, the hospital meets both of  
4 46 the following criteria:  
4 47 (a) Has been subject to a cease and desist order  
4 48 or other adverse order or adverse decision by the  
4 49 national labor relations board, either by the board or  
4 50 by an administrative law judge under the board, in  
5 1 response to an unfair labor practice charge, and the  
5 2 order or decision has not been subsequently overturned  
5 3 by administrative or judicial review.  
5 4 (b) Has been cited for a violation of the  
5 5 occupational health and safety administration of the  
5 6 United States department of labor pursuant to Iowa  
5 7 Code chapter 88, and the citation has not been  
5 8 subsequently overturned by administrative or judicial  
5 9 review.>  
5 10 #29. Page 48, line 21, by striking the figure  
5 11 <2008> and inserting the following: <2009>.  
5 12 #30. Page 54, by striking line 27 and inserting  
5 13 the following: <provider entities, the state and  
5 14 local offices of the long-term resident's care  
5 15 advocate, the older Iowans' legislature, area agencies  
5 16 on aging, the>.  
5 17 #31. Page 55, by striking lines 13 through 25.  
5 18 #32. Page 55, by inserting before line 26 the  
5 19 following:  
5 20 <\_\_\_\_. VISUAL INSPECTIONS AND REPAIR OF HAZARDS ==  
5 21 LEAD HAZARDS. The department of human services and  
5 22 the department of education shall adopt rules to  
5 23 require programs and facilities under the purview of  
5 24 the respective department to conduct visual  
5 25 assessments for lead hazards and to repair lead  
5 26 hazards identified.>  
5 27 #33. Page 63, line 7, by striking the figure  
5 28 <500,000> and inserting the following: <1,000,000>.  
5 29 #34. Page 63, by striking lines 32 through 35.  
5 30 #35. Page 89, line 20, by striking the figure  
5 31 <113,690,856> and inserting the following:  
5 32 <114,693,296>.  
5 33 #36. Page 94, by striking lines 20 through 30 and  
5 34 inserting the following:  
5 35 <TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
5 36 FAMILY DEVELOPMENT AND SELF-SUFFICIENCY GRANT PROGRAM

5 37 Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 218, section 7,  
5 38 subsection 3, is amended by adding the following new  
5 39 unnumbered paragraph:  
5 40 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
5 41 8.33, moneys appropriated in this subsection that  
5 42 remain unencumbered or unobligated at the close of the  
5 43 fiscal year shall not revert but shall remain  
5 44 available for expenditure for the purposes designated  
5 45 until the close of the succeeding fiscal year.  
5 46 However, unless such moneys are encumbered or  
5 47 obligated on or before September 30, 2008, the moneys  
5 48 shall revert.>

5 49 #37. Page 98, by inserting after line 6 the  
5 50 following:

6 1 <MI/MR/DD STATE CASES  
6 2 ADOPTION SUBSIDY

6 3 Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 218, section 25,  
6 4 subsection 3, is amended to read as follows:

6 5 3. Notwithstanding section 8.33, moneys  
6 6 appropriated in this section that remain unencumbered  
6 7 or unobligated at the close of the fiscal year shall  
6 8 not revert but shall remain available for expenditure  
6 9 for the purposes designated until the close of the  
6 10 succeeding fiscal year. The first \$1,000,000 of such  
6 11 moneys shall be transferred to the appropriation made  
6 12 for adoption subsidy for the fiscal year beginning  
6 13 July 1, 2008.>

6 14 #38. Page 100, line 10, by striking the word  
6 15 <subsection> and inserting the following:  
6 16 <subsections>.

6 17 #39. Page 100, by inserting after line 20 the  
6 18 following:

6 19 <NEW SUBSECTION. 9. For the medical assistance  
6 20 program only to the extent all other appropriations  
6 21 made for the program are insufficient:  
6 22 ..... \$ 2,500,000>

6 23 #40. Page 107, by inserting after line 14 the  
6 24 following:

6 25 <Sec. \_\_\_\_\_. Section 135.150, subsection 2, Code  
6 26 Supplement 2007, is amended to read as follows:

6 27 2. a. Moneys appropriated to the department under  
6 28 this section shall be for the purpose of operating a  
6 29 gambling treatment program and shall be used for  
6 30 funding of administrative costs and to provide  
6 31 programs which may include, but are not limited to,  
6 32 outpatient and follow-up treatment for persons  
6 33 affected by problem gambling, rehabilitation and  
6 34 residential treatment programs, information and  
6 35 referral services, crisis call access, education and  
6 36 preventive services, and financial management ~~and~~  
6 37 ~~credit counseling services.~~

6 38 b. A person shall not maintain or conduct a  
6 39 gambling treatment program funded under this section  
6 40 unless the person has obtained a license for the  
6 41 program from the department. The department shall  
6 42 adopt rules to establish standards for the licensing  
6 43 and operation of gambling treatment programs under  
6 44 this section. The rules shall specify, but are not  
6 45 limited to specifying, the qualifications for persons  
6 46 providing gambling treatment services, standards for  
6 47 the organization and administration of gambling  
6 48 treatment programs, and a mechanism to monitor  
6 49 compliance with this section and the rules adopted  
6 50 under this section. Effective on or after July 1,  
7 1 2009, the department shall adopt rules regarding the  
7 2 joint licensure of gambling treatment and substance  
7 3 abuse treatment programs including qualifications for  
7 4 persons providing the services.>

7 5 #41. Page 107, line 26, by inserting after the  
7 6 word <policy> the following: <bodies>.

7 7 #42. Page 123, by inserting after line 8 the  
7 8 following:

7 9 <Sec. \_\_\_\_\_. NEW SECTION. 249A.36 HEALTH CARE  
7 10 INFORMATION SHARING.

7 11 1. As a condition of doing business in the state,  
7 12 health insurers including self-insured plans, group  
7 13 health plans as defined in the federal Employee  
7 14 Retirement Income Security Act of 1974, Pub. L. No.  
7 15 93-406, service benefit plans, managed care  
7 16 organizations, pharmacy benefits managers, and other  
7 17 parties that are, by statute, contract, or agreement,

7 18 legally responsible for payment of a claim for a  
7 19 health care item or service, shall do all of the  
7 20 following:

7 21 a. Provide, with respect to individuals who are  
7 22 eligible for or are provided medical assistance under  
7 23 the state's medical assistance state plan, upon the  
7 24 request of the state, information to determine during  
7 25 what period the individual or the individual's spouse  
7 26 or dependents may be or may have been covered by a  
7 27 health insurer and the nature of the coverage that is  
7 28 or was provided by the health insurer, including the  
7 29 name, address, and identifying number of the plan, in  
7 30 accordance with section 505.25, in a manner prescribed  
7 31 by the department of human services or as agreed upon  
7 32 by the department and the entity specified in this  
7 33 section.

7 34 b. Accept the state's right of recovery and the  
7 35 assignment to the state of any right of an individual  
7 36 or other entity to payment from the party for an item  
7 37 or service for which payment has been made under the  
7 38 medical assistance state plan.

7 39 c. Respond to any inquiry by the state regarding a  
7 40 claim for payment for any health care item or service  
7 41 that is submitted no later than three years after the  
7 42 date of the provision of such health care item or  
7 43 service.

7 44 d. Agree not to deny any claim submitted by the  
7 45 state solely on the basis of the date of submission of  
7 46 the claim, the type or format of the claim form, or a  
7 47 failure to present proper documentation at the  
7 48 point-of-sale that is the basis of the claim, if all  
7 49 of the following conditions are met:

8 50 (1) The claim is submitted to the entity by the  
8 1 state within the three-year period beginning on the  
8 2 date on which the item or service was furnished.

8 3 (2) Any action by the state to enforce its rights  
8 4 with respect to such claim is commenced within six  
8 5 years of the date that the claim was submitted by the  
8 6 state.

8 7 2. The department of human services may adopt  
8 8 rules pursuant to chapter 17A as necessary to  
8 9 implement this section. Rules governing the exchange  
8 10 of information under this section shall be consistent  
8 11 with all laws, regulations, and rules relating to the  
8 12 confidentiality or privacy of personal information or  
8 13 medical records, including but not limited to the  
8 14 federal Health Insurance Portability and  
8 15 Accountability Act of 1996, Pub. L. No. 104-191, and  
8 16 regulations promulgated in accordance with that Act  
8 17 and published in 45 C.F.R. pts. 160 through 164.>  
8 18 #43. Page 126, by striking lines 18 through 24.  
8 19 #44. By renumbering as necessary.  
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8 24 SF 2425.519 82  
8 25 pf/jp/11642