

Senate Amendment 3445

PAG LIN

1 1 Amend House File 909, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, line 13, by striking the figure
1 4 <1,690,000> and inserting the following: <2,215,000>.
1 5 #2. Page 7, by inserting after line 13 the
1 6 following:
1 7 <The amount appropriated in this subsection for
1 8 addictive disorders reflects an increase of \$525,000
1 9 from the funding remaining in the gambling treatment
1 10 fund from the carryforward of appropriations made for
1 11 addictive disorders in previous fiscal years. Of this
1 12 amount, \$50,000 shall be transferred to the department
1 13 of corrections to supplement funding for the adult
1 14 drug court program in Polk county, \$25,000 shall be
1 15 transferred to the department of corrections to
1 16 supplement funding for the adult drug court program in
1 17 the second judicial district, \$150,000 shall be
1 18 transferred to the department of human rights to
1 19 supplement funding for the family development and
1 20 self-sufficiency program, and \$300,000 shall be
1 21 transferred to the department of human rights to be
1 22 used in addition to any other funding appropriated in
1 23 this Act for the energy utility assessment and
1 24 resolution program established pursuant to section
1 25 216A.104, as enacted by this Act.>
1 26 #3. Page 10, line 26, by striking the word
1 27 <commission> and inserting the following:
1 28 <department>.
1 29 #4. Page 10, lines 29 and 30, by striking the
1 30 words <, which shall be done by> and inserting the
1 31 following: <no later than>.
1 32 #5. Page 11, by inserting after line 18 the
1 33 following:
1 34 <Notwithstanding section 8.33, not more than 5
1 35 percent of the moneys designated in this subsection
1 36 that are allocated by the department for contracted
1 37 services other than family development and
1 38 self-sufficiency grant program services allocated
1 39 under this subsection, that remain unencumbered or
1 40 unobligated at the close of the fiscal year shall not
1 41 revert but shall remain available for expenditure for
1 42 the purposes designated until the close of the
1 43 succeeding fiscal year. However, unless such moneys
1 44 are encumbered or obligated on or before September 30,
1 45 2008, the moneys shall revert.>
1 46 #6. Page 14, line 26, by inserting after the
1 47 figure <217.12> the following: <and for not more than
1 48 the following full-time equivalent positions>.
1 49 #7. Page 14, by inserting after line 27 the
1 50 following:
2 1 <..... FTEs 14.00>
2 2 #8. By striking page 15, line 34, through page 16,
2 3 line 8.
2 4 #9. Page 16, line 21, by inserting after the word
2 5 <funding.> the following: <If child support
2 6 collections assigned under FIP are greater than
2 7 estimated or are otherwise determined not to be
2 8 required for maintenance of effort, the state share of
2 9 either amount may be transferred to or retained in the
2 10 child support payment account.>
2 11 #10. Page 16, line 35, by inserting after the word
2 12 <designated> the following: <and for not more than
2 13 the following full-time equivalent positions>.
2 14 #11. Page 17, by inserting after line 4 the
2 15 following:
2 16 <..... FTEs 16.50>
2 17 #12. Page 20, line 10, by striking the figure
2 18 <618,926,820> and inserting the following:
2 19 <618,826,820>.
2 20 #13. Page 23, line 2, by inserting after the
2 21 figure <2008.> the following: <If a prescriber
2 22 determines that all smoking cessation aids on the
2 23 preferred drug list are not effective or medically
2 24 appropriate for a patient, the prescriber may apply

2 25 for an exception to policy for another product
 2 26 approved by the United States food and drug
 2 27 administration for smoking cessation pursuant to 441
 2 28 IAC 1.8(1).>
 2 29 #14. Page 24, line 9, by inserting after the word
 2 30 <purposes> the following: <and for not more than the
 2 31 following full-time equivalent positions>.
 2 32 #15. Page 24, by inserting after line 10 the
 2 33 following:
 2 34 <..... FTEs 21.00>
 2 35 #16. Page 24, line 17, by inserting after the word
 2 36 <purposes> the following: <and for not more than the
 2 37 following full-time equivalent positions>.
 2 38 #17. Page 24, by inserting after line 18, the
 2 39 following:
 2 40 <..... FTEs 6.00>
 2 41 #18. Page 25, line 22, by inserting after the word
 2 42 <PROGRAM.> the following:
 2 43 <1.>
 2 44 #19. Page 25, by inserting after line 33 the
 2 45 following:
 2 46 <2. If sufficient funding is available under this
 2 47 Act, and if federal reauthorization of the state
 2 48 children's health insurance program provides
 2 49 sufficient federal allocations to the state and
 2 50 authorization to cover the following populations as an
 3 1 option under the state children's health insurance
 3 2 program, the department may expand coverage under the
 3 3 state children's health insurance program as follows:
 3 4 a. By eliminating the categorical exclusion of
 3 5 state employees from receiving state children's health
 3 6 insurance program benefits.
 3 7 b. By providing coverage for legal immigrant
 3 8 children and pregnant women not eligible under current
 3 9 federal guidelines.
 3 10 c. By covering children up to age twenty-one, or
 3 11 up to age twenty-three if the child is attending
 3 12 school.>
 3 13 #20. Page 25, by inserting after line 33 the
 3 14 following:
 3 15 <3. If the United States congress does not
 3 16 authorize additional federal funds necessary to
 3 17 address the shortfall for the state children's health
 3 18 insurance program for the federal fiscal year
 3 19 beginning October 1, 2006, and ending September 30,
 3 20 2007, the department may use 100 percent state funds
 3 21 from the appropriation made in this section for the
 3 22 period beginning July 1, 2007, and ending September
 3 23 30, 2007, and may additionally utilize funding from
 3 24 the appropriations made in this Act for medical
 3 25 assistance to maintain the state children's health
 3 26 insurance program. If deemed necessary, the
 3 27 department shall request a supplemental appropriation
 3 28 from the Eighty-second General Assembly, 2008 Session,
 3 29 to address any remaining shortfall for the fiscal year
 3 30 beginning July 1, 2007.>
 3 31 #21. Page 37, line 25, by striking the figure
 3 32 <5,273,361> and inserting the following: <5,367,652>.
 3 33 #22. Page 37, line 31, by striking the figure
 3 34 <6,409,501> and inserting the following: <6,540,101>.
 3 35 #23. Page 38, line 2, by striking the figure
 3 36 <9,358,177> and inserting the following: <9,606,542>.
 3 37 #24. Page 38, line 8, by striking the figure
 3 38 <1,339,216> and inserting the following: <1,522,598>.
 3 39 #25. Page 43, line 29, by striking the figure
 3 40 <15,901,927> and inserting the following:
 3 41 <16,101,927>.
 3 42 #26. Page 44, by inserting after line 3 the
 3 43 following:
 3 44 <3. Of the funds appropriated in this section,
 3 45 \$100,000 is transferred to the department of human
 3 46 rights to be used in addition to any other funding
 3 47 appropriated in this Act for the energy utility
 3 48 assessment and resolution program established pursuant
 3 49 to section 216A.104, as enacted by this Act.>
 3 50 #27. Page 44, line 27, by inserting after the
 4 1 figure <(1).> the following: <The inflation factor
 4 2 applied by the department shall not be less than
 4 3 zero.>
 4 4 #28. Page 51, by inserting after line 32 the
 4 5 following:

4 6 <Sec. _____. Section 217.23, subsection 2, Code
4 7 2007, is amended to read as follows:

4 8 2. The department ~~is hereby authorized to may~~
4 9 expend moneys from the support allocation of the
4 10 department as reimbursement for replacement or repair
4 11 of personal items of the department's employees
4 12 damaged or destroyed by clients of the department
4 13 during the employee's tour of duty. However, the
4 14 reimbursement shall not exceed ~~one three~~ hundred fifty
4 15 dollars for each item. The department shall establish
4 16 rules in accordance with chapter 17A to carry out the
4 17 purpose of this section.>

4 18 #29. Page 51, by inserting after line 32 the
4 19 following:

4 20 <Sec. _____. Section 231.33, Code 2007, is amended
4 21 by adding the following new subsection:
4 22 NEW SUBSECTION. 21. Provide the opportunity for
4 23 elders residing in the planning and service area to
4 24 offer substantive suggestions regarding the employment
4 25 practices of the area agency on aging.>

4 26 #30. By striking page 72, line 35, through page
4 27 73, line 8.

4 28 #31. Page 74, by inserting before line 14 the
4 29 following:

4 30 <Sec. _____. Section 331.439, subsection 5, Code
4 31 2007, is amended to read as follows:

4 32 5. a. A county shall implement the county's
4 33 management plan in a manner so as to provide adequate
4 34 funding for the entire fiscal year by budgeting for
4 35 ninety-nine percent of the funding anticipated to be
4 36 available for the plan. A county may expend all of
4 37 the funding anticipated to be available for the plan.

4 38 b. ~~If a county determines that the county cannot~~
4 39 ~~provide services in accordance with the county's~~
4 40 ~~management plan and remain in compliance with the~~
4 41 ~~budgeting requirement of paragraph "a" for the fiscal~~
4 42 ~~year, the county may implement a waiting list for the~~
4 43 ~~services. The procedures for establishing and~~
4 44 ~~applying a waiting list shall be specified in the~~
4 45 ~~county's management plan. If a county implements a~~
4 46 ~~waiting list for services, the county shall notify the~~
4 47 ~~department of human services. The department shall~~
4 48 ~~maintain on the department's internet website an~~
4 49 ~~up-to-date listing of the counties that have~~
4 50 ~~implemented a waiting list and the services affected~~
5 1 ~~by each waiting list.~~

5 2 Sec. _____. Section 331.440, subsection 4, as
5 3 enacted by 2006 Iowa Acts, chapter 1115, section 17,
5 4 is amended to read as follows:

5 5 4. a. An application for services may be made
5 6 through the central point of coordination process of
5 7 an adult person's county of residence. Effective July
5 8 1, 2007, if an adult person who is subject to a
5 9 central point of coordination process has legal
5 10 settlement in another county, the central point of
5 11 coordination process functions relating to the
5 12 application shall be performed by the central point of
5 13 coordination process of the person's county of
5 14 residence in accordance with the county of residence's
5 15 management plan approved under section 331.439 and the
5 16 person's county of legal settlement is responsible for
5 17 the cost of the services or other support authorized
5 18 at the rates reimbursed by the county of residence.

5 19 b. ~~The county of residence shall determine whether~~
5 20 ~~or not the person's county of legal settlement has~~
5 21 ~~implemented a waiting list in accordance with section~~
5 22 ~~331.439, subsection 5. If the person's county of~~
5 23 ~~legal settlement has implemented a waiting list, the~~
5 24 ~~services or other support for the person shall be~~
5 25 ~~authorized by the county of residence in accordance~~
5 26 ~~with the county of legal settlement's waiting list~~
5 27 ~~provisions.~~

5 28 c. At the time services or other support are
5 29 authorized, the county of residence shall send the
5 30 county of legal settlement a copy of the authorization
5 31 notice.>

5 32 #32. Page 84, line 30, by inserting after the word
5 33 <pool.> the following: <The mental health, mental
5 34 retardation, developmental disabilities, and brain
5 35 injury commission shall adopt rules pursuant to
5 36 chapter 17A providing criteria for the purposes of

5 37 this lettered paragraph and as necessary to implement
5 38 the other provisions of this subsection.>

5 39 #33. Page 86, line 12, by striking the word <The>
5 40 and inserting the following: <The Subject to the
5 41 amount available and obligated from the risk pool for
5 42 a fiscal year, the>.

5 43 #34. Page 86, by inserting after line 27 the
5 44 following:
5 45 <l. If the board has made its decisions but has
5 46 determined that there are otherwise qualifying
5 47 requests for risk pool assistance that are beyond the
5 48 amount available in the risk pool fund for a fiscal
5 49 year, the board shall compile a list of such requests
5 50 and the supporting information for the requests. The
6 1 list and information shall be submitted to the mental
6 2 health, mental retardation, developmental
6 3 disabilities, and brain injury commission, the
6 4 department of human services, and the general
6 5 assembly.>

6 6 #35. Page 94, line 18, by inserting after the
6 7 figure <331.424A.> the following: <A county
6 8 transferring moneys from other funds of the county to
6 9 the county's services fund pursuant to this section or
6 10 utilizing the nonreversion authority provided in the
6 11 division of this Act relating to decategorization
6 12 project funding, shall submit a report detailing the
6 13 transfers made and fund affected and explaining how
6 14 the moneys made available by the nonreversion
6 15 authority were expended. The county shall submit the
6 16 report along with the county expenditure and
6 17 information report submitted by December 1, 2007, in
6 18 accordance with section 331.439.>

6 19 #36. Page 94, line 31, by striking the figure
6 20 <9,332,254> and inserting the following: <8,993,754>.

6 21 #37. Page 95, line 14, by striking the figure
6 22 <8,200,254> and inserting the following: <7,861,754>.

6 23 #38. Page 95, line 24, by inserting after the word
6 24 <promotion.> the following: <Of the funds allocated
6 25 in this lettered paragraph, not more than \$500,000
6 26 shall be used for cessation media promotion.>

6 27 #39. Page 95, line 30, by striking the figure
6 28 <439,000> and inserting the following: <877,500>.

6 29 #40. Page 96, line 8, by striking the figure <337>
6 30 and inserting the following: <910>.

6 31 #41. Page 96, line 12, by striking the figure
6 32 <517> and inserting the following: <906>.

6 33 #42. Page 96, by inserting after line 12 the
6 34 following:
6 35 <e. Of the funds appropriated in this subsection,
6 36 \$10,000 shall be used for public health education and
6 37 awareness of the children's vision initiatives,
6 38 including the InfantSee program and the student vision
6 39 program, administered through a statewide association
6 40 of optometric professionals for infants and preschool
6 41 children.

6 42 f. Of the funds appropriated in this subsection,
6 43 \$238,500 shall be used to provide audiological
6 44 services and hearing aids for children.

6 45 g. Of the funds appropriated in this subsection,
6 46 \$190,000 shall be used for implementation of the
6 47 families with a newborn child home visits program
6 48 pursuant to section 28.11, as enacted by this Act.>

6 49 #43. Page 96, line 14, by striking the figure
6 50 <1,178,981> and inserting the following: <1,188,981>.

7 1 #44. Page 96, by striking lines 20 and 21 and
7 2 inserting the following: <shall be used for the
7 3 comprehensive cancer control program to reduce the
7 4 burden of cancer in Iowa through>.

7 5 #45. Page 96, by inserting after line 31 the
7 6 following:

7 7 <e. Of the funds appropriated in this subsection,
7 8 \$10,000 shall be allocated to the university of Iowa,
7 9 Carver college of medicine, department of
7 10 cardiothoracic surgery, to offer extracorporeal
7 11 support for donation after cardiac death.>

7 12 #46. Page 96, line 33, by striking the figure
7 13 <3,025,000> and inserting the following: <2,890,000>.

7 14 #47. Page 97, line 3, by striking the figure
7 15 <200,000> and inserting the following: <300,000>.

7 16 #48. Page 98, by striking lines 18 through 20.

7 17 #49. Page 98, by inserting after line 26 the

7 18 following:

7 19 <ff. Of the funds appropriated in this subsection,
7 20 \$75,000 shall be used for implementation of the
7 21 recommendations of the direct care worker task force
7 22 established pursuant to 2005 Iowa Acts, chapter 88,
7 23 based upon the report submitted to the governor and
7 24 the general assembly in December 2006.

7 25 fff. Of the funds appropriated in this subsection,
7 26 \$140,000 shall be used for allocation to an
7 27 independent statewide direct care worker association
7 28 for education, outreach, leadership development,
7 29 mentoring, and other initiatives intended to enhance
7 30 the recruitment and retention of direct care workers
7 31 in health and long-term care.>

7 32 #50. Page 99, line 8, by striking the figure
7 33 <97,103,096> and inserting the following:
7 34 <97,203,096>.

7 35 #51. Page 99, line 10, by striking the figure
7 36 <78,065,357> and inserting the following:
7 37 <78,156,357>.

7 38 #52. Page 100, by striking lines 28 through 32.

7 39 #53. Page 100, by inserting before line 33 the
7 40 following:

7 41 <Sec. _____. DEPARTMENT OF CORRECTIONS. There is
7 42 appropriated from the health care trust fund created
7 43 in section 453A.35A to the department of corrections
7 44 for the fiscal year beginning July 1, 2007, and ending
7 45 June 30, 2008, the following amount, or so much
7 46 thereof as is necessary, for the purposes designated:
7 47 For additional funding for the drug court program
7 48 in the fourth judicial district:

7 49 \$ 25,000

7 50 Of the funds appropriated and allocated to the
8 1 department of corrections in this Act and in 2007 Iowa
8 2 Acts, House File 907, if enacted, for each drug court
8 3 program in the first, second, third, fourth, fifth,
8 4 sixth, and seventh judicial districts, \$50,000 shall
8 5 be used for substance abuse treatment, and for the
8 6 drug court program in the eighth judicial district
8 7 \$100,000 shall be used for substance abuse treatment.>

8 8 #54. Page 106, by striking lines 23 through 35 and
8 9 inserting the following: <providers for provision to
8 10 patients at the point of care, including the
8 11 development of a centralized intake concept to
8 12 determine the eligibility of safety net provider
8 13 patients for the prescription drug donation repository
8 14 program pursuant to chapter 135M, a drug discount
8 15 card, and pharmaceutical manufacturer assistance
8 16 programs.>

8 17 #55. Page 107, by striking lines 5 through 7 and
8 18 inserting the following:

8 19 <3. Utilization of a pharmacy benefits manager to
8 20 provide low cost patient access to drug therapies.>

8 21 #56. Page 107, by striking lines 8 through 10.

8 22 #57. Page 107, line 18, by striking the word
8 23 <three> and inserting the following: <two>.

8 24 #58. Page 115, line 8, by inserting after the word
8 25 <habilitation> the following: <or remedial>.

8 26 #59. Page 124, by inserting after line 21 the
8 27 following:

8 28 <DIVISION ____
8 29 DEPENDENT ADULT ABUSE

8 30 Sec. _____. Section 235B.3, subsection 1, Code 2007,
8 31 is amended to read as follows:

8 32 1. a. The department shall receive dependent
8 33 adult abuse reports and shall collect, maintain, and
8 34 disseminate the reports by establishing a central
8 35 registry for dependent adult abuse information. The
8 36 department shall evaluate the reports expeditiously.
8 37 However, the department of inspections and appeals is
8 38 solely responsible for the evaluation and disposition
8 39 of dependent adult abuse cases within health care
8 40 facilities and shall inform the department of human
8 41 services of such evaluations and dispositions.

8 42 b. Reports of dependent adult abuse which is the
8 43 result of the acts or omissions of the dependent adult
8 44 shall be collected and maintained in the files of the
8 45 dependent adult as assessments only and shall not be
8 46 included in the central registry.

8 47 c. A report of dependent adult abuse that meets
8 48 the definition of dependent adult abuse under section

8 49 235B.2, subsection 5, paragraph "a", subparagraph (1),
8 50 subparagraph subdivision (a) or (d), which the
9 1 department determines is minor, isolated, and unlikely
9 2 to reoccur shall be collected and maintained by the
9 3 department as an assessment only for a five-year
9 4 period and shall not be included in the central
9 5 registry and shall not be considered to be founded
9 6 dependent adult abuse. However, a subsequent report
9 7 of dependent adult abuse that meets the definition of
9 8 dependent adult abuse under section 235B.2, subsection
9 9 5, paragraph "a", subparagraph (1), subparagraph
9 10 subdivision (a) or (d), that occurs within the
9 11 five-year period and that is committed by the
9 12 caretaker responsible for the act or omission which
9 13 was the subject of the previous report of dependent
9 14 adult abuse which the department determined was minor,
9 15 isolated, and unlikely to reoccur shall not be
9 16 considered minor, isolated, and unlikely to reoccur.

9 17 Sec. ____ Section 235B.9, Code 2007, is amended by
9 18 adding the following new subsection:

9 19 NEW SUBSECTION. 5. Dependent adult abuse
9 20 information which is determined to be minor, isolated,
9 21 and unlikely to reoccur shall be expunged five years
9 22 after the receipt of the initial report by the
9 23 department. If a subsequent report of dependent adult
9 24 abuse committed by the caretaker responsible for the
9 25 act or omission which was the subject of the previous
9 26 report of dependent adult abuse which the department
9 27 determined was minor, isolated, and unlikely to
9 28 reoccur is received by the department within the
9 29 five-year period, the information shall be sealed ten
9 30 years after receipt of the subsequent report unless
9 31 good cause can be shown why the information should
9 32 remain open to authorized access.

9 33 DIVISION ____
9 34 ENERGY UTILITY ASSESSMENT AND
9 35 RESOLUTION PROGRAM

9 36 Sec. ____ NEW SECTION. 216A.104 ENERGY UTILITY
9 37 ASSESSMENT AND RESOLUTION PROGRAM.

9 38 1. The general assembly finds that provision of
9 39 assistance to prevent utility disconnections will also
9 40 prevent the development of public health risks due to
9 41 such disconnections. The division shall establish an
9 42 energy utility assessment and resolution program
9 43 administered by each community action agency for
9 44 persons with low incomes who have or need a deferred
9 45 payment agreement or are in need of an emergency fuel
9 46 delivery to address home energy utility costs.

9 47 2. A person must meet all of the following
9 48 requirements to be eligible for the program:

9 49 a. The person is eligible for the federal
9 50 low-income home energy assistance program.

10 1 b. The person is a residential customer of an
10 2 energy utility approved for the program by the
10 3 division.

10 4 c. The person has or is in need of a deferred
10 5 payment agreement to address the person's home energy
10 6 utility costs.

10 7 d. The person is able to maintain or regain
10 8 residential energy utility service in the person's own
10 9 name.

10 10 e. The person provides the information necessary
10 11 to determine the person's eligibility for the program.

10 12 f. The person complies with other eligibility
10 13 requirements adopted in rules by the division.

10 14 3. The program components shall include but are
10 15 not limited to all of the following:

10 16 a. Analysis of a program participant's current
10 17 financial situation.

10 18 b. Review of a program participant's resource and
10 19 money management options.

10 20 c. Skills development and assistance for a program
10 21 participant in negotiating a deferred payment
10 22 agreement with the participant's energy utility.

10 23 d. Development of a written household energy
10 24 affordability plan.

10 25 e. Provision of energy conservation training and
10 26 assistance.

10 27 f. A requirement that a program participant must
10 28 make uninterrupted, regular utility payments while
10 29 participating in the program.

10 30 4. The division shall implement accountability
10 31 measures for the program and require regular reporting
10 32 on the measures by the community action agencies.
10 33 5. The division shall implement the program
10 34 statewide, subject to the funding made available for
10 35 the program.

10 36 DIVISION ____
10 37 PASSPORT SANCTIONS

10 38 Sec. _____. Section 252B.5, subsection 11, paragraph
10 39 a, Code 2007, is amended to read as follows:

10 40 a. Comply with federal procedures to periodically
10 41 certify to the secretary of the United States
10 42 department of health and human services, a list of the
10 43 names of obligors determined by the unit to owe
10 44 delinquent support, under a support order as defined
10 45 in section 252J.1, in excess of ~~five two thousand five~~
10 46 ~~hundred~~ dollars. The certification of the delinquent
10 47 amount owed may be based upon one or more support
10 48 orders being enforced by the unit if the delinquent
10 49 support owed exceeds ~~five two thousand five hundred~~
10 50 dollars. The certification shall include any amounts
11 1 which are delinquent pursuant to the periodic payment
11 2 plan when a modified order has been retroactively
11 3 applied. The certification shall be in a format and
11 4 shall include any supporting documentation required by
11 5 the secretary.

11 6 Sec. _____. Section 252B.5, subsection 11, paragraph
11 7 b, subparagraph (1), subparagraph subdivision (b),
11 8 Code 2007, is amended to read as follows:

11 9 (b) A statement providing information that if the
11 10 delinquency is in excess of ~~five two thousand five~~
11 11 ~~hundred~~ dollars, the United States secretary of state
11 12 may apply a passport sanction by revoking,
11 13 restricting, limiting, or refusing to issue a passport
11 14 as provided in 42 U.S.C. } 652(k).

11 15 Sec. _____. Section 252B.5, subsection 11, paragraph
11 16 b, subparagraph (2), subparagraph subdivision (a),
11 17 unnumbered paragraph 1, Code 2007, is amended to read
11 18 as follows:

11 19 A challenge shall be based upon mistake of fact.
11 20 For the purposes of this subsection, "mistake of fact"
11 21 means a mistake in the identity of the obligor or a
11 22 mistake in the amount of the delinquent child support
11 23 owed if the amount did not exceed ~~five two thousand~~
11 24 ~~five hundred~~ dollars on the date of the unit's
11 25 decision on the challenge.

11 26 Sec. _____. Section 252B.5, subsection 11, paragraph
11 27 c, Code 2007, is amended to read as follows:

11 28 c. Following certification to the secretary, if
11 29 the unit determines that an obligor no longer owes
11 30 delinquent support in excess of ~~five two thousand five~~
11 31 ~~hundred~~ dollars, the unit shall provide information
11 32 and notice as the secretary requires to withdraw the
11 33 certification for passport sanction.

11 34 Sec. _____. EFFECTIVE DATE. This division of this
11 35 Act takes effect October 1, 2007.

11 36 DIVISION ____
11 37 MANDATORY REVIEW AND ADJUSTMENT
11 38 OF CHILD SUPPORT ORDERS

11 39 Sec. _____. Section 252B.26, Code 2007, is amended
11 40 to read as follows:

11 41 252B.26 SERVICE OF PROCESS.
11 42 Notwithstanding any provision of law to the
11 43 contrary, the unit may serve a petition, notice, or
11 44 rule to show cause under chapter 252A, 252C, 252F,
11 45 252H, 252K, 598, or 665 as specified in each chapter,
11 46 or as follows:

11 47 1. The unit may serve a petition, notice, or rule
11 48 to show cause by certified mail. Return
11 49 acknowledgment is required to prove service by
11 50 certified mail, rules of civil procedure 1.303(5) and
12 1 1.308(5) shall not apply, and the return
12 2 acknowledgment shall be filed with the clerk of court.

12 3 2. The unit may serve a notice of intent under
12 4 chapter 252H, or a notice of decision under section
12 5 252H.14A, upon any party or parent who is receiving
12 6 family investment program assistance for the parent or
12 7 child by sending the notice by regular mail to the
12 8 address maintained by the department. Rules of civil
12 9 procedure 1.303(5) and 1.308(5) shall not apply and
12 10 the unit shall file proof of service as provided in

12 11 chapter 252H. If the notice is determined to be
12 12 undeliverable, the unit shall serve the notice as
12 13 otherwise provided in this section or by personal
12 14 service.

12 15 Sec. _____. Section 252H.7, subsection 2, unnumbered
12 16 paragraph 1, Code 2007, is amended to read as follows:

12 17 A parent may waive the postreview waiting period
12 18 provided for in section 252H.8, subsection 1A or 6,
12 19 for a court hearing or in section 252H.17 for
12 20 requesting of a second review.

12 21 Sec. _____. Section 252H.8, subsection 1, Code 2007,
12 22 is amended to read as follows:

12 23 1. For actions initiated under ~~subchapter II~~
12 24 section 252H.15, either parent or the unit may request
12 25 a court hearing within thirty days from the date of
12 26 issuance of the notice of decision under section
12 27 252H.16, or within ten days of the date of issuance of
12 28 the second notice of decision under section 252H.17,
12 29 whichever is later.

12 30 Sec. _____. Section 252H.8, Code 2007, is amended by
12 31 adding the following new subsection:

12 32 NEW SUBSECTION. 1A. For actions initiated under
12 33 section 252H.14A, either parent or the unit may
12 34 request a court hearing within ten days of the
12 35 issuance of the second notice of decision under
12 36 section 252H.17.

12 37 Sec. _____. Section 252H.8, subsection 4, paragraph
12 38 b, Code 2007, is amended to read as follows:

12 39 b. The return of service, proof of service,
12 40 acceptance of service, or signed statement by the
12 41 parent requesting review and adjustment or requesting
12 42 modification, waiving service of the notice.

12 43 Sec. _____. Section 252H.8, subsection 6, Code 2007,
12 44 is amended to read as follows:

12 45 6. For actions initiated under ~~subchapter II~~
12 46 section 252H.15, a hearing shall not be held for at
12 47 least thirty-one days following the date of issuance
12 48 of the notice of decision unless the parents have
12 49 jointly waived, in writing, the thirty-day postreview
12 50 period.

13 1 Sec. _____. Section 252H.9, subsection 1, Code 2007,
13 2 is amended to read as follows:

13 3 1. If timely request for a court hearing is not
13 4 made pursuant to section 252H.8, the unit shall
13 5 prepare and present an administrative order for
13 6 adjustment or modification, as applicable, for review
13 7 and approval, ex parte, to the district court where
13 8 the order to be adjusted or modified is filed.
13 9 Notwithstanding any other law to the contrary, if more
13 10 than one support order exists involving children with
13 11 the same legally established parents, for the purposes
13 12 of this subsection, the district court reviewing and
13 13 approving the matter shall have jurisdiction over all
13 14 other support orders entered by a court of this state
13 15 and affected under this subsection.

13 16 Sec. _____. Section 252H.10, unnumbered paragraph 1,
13 17 Code 2007, is amended to read as follows:

13 18 Pursuant to section 598.21C, any administrative or
13 19 court order resulting from an action initiated under
13 20 this chapter may be made retroactive only ~~to~~ from
13 21 three months after the date that all parties were
13 22 successfully served the notice required under section
13 23 252H.14A, 252H.15, or section 252H.19, as applicable.

13 24 Sec. _____. Section 252H.11, subsection 2, Code
13 25 2007, is amended to read as follows:

13 26 2. If the modification action filed by the parent
13 27 is subsequently dismissed before being heard by the
13 28 court, the unit shall continue the action previously
13 29 initiated under subchapter II or III, or initiate a
13 30 new action as follows:

13 31 a. If the unit previously initiated an action
13 32 under subchapter II, and had not issued a notice of
13 33 decision as required under section 252H.14A or
13 34 252H.16, the unit shall proceed as follows:

13 35 (1) If notice of intent to review was served
13 36 ninety days or less prior to the date the modification
13 37 action filed by the parent is dismissed, the unit
13 38 shall complete the review and issue the notice of
13 39 decision.

13 40 (2) If the modification action filed by the parent
13 41 is dismissed more than ninety days after the original

13 42 notice of intent to review was served, the unit shall
13 43 serve or issue a new notice of intent to review and
13 44 conduct the review.

13 45 (3) If the unit initiated a review under section
13 46 252H.14A, the unit may issue the notice of decision.

13 47 b. If the unit previously initiated an action
13 48 under subchapter II and had issued the notice of
13 49 decision as required under section 252H.14A or
13 50 252H.16, the unit shall proceed as follows:

14 1 (1) If the notice of decision was issued ninety
14 2 days or less prior to the date the modification action
14 3 filed by the parent is dismissed, the unit shall
14 4 request, obtain, and verify any new or different
14 5 information concerning the financial circumstances of
14 6 the parents and issue a revised notice of decision to
14 7 each parent, or if applicable, to the parent's
14 8 attorney.

14 9 (2) If the modification action filed by the parent
14 10 is dismissed more than ninety days after the date of
14 11 issuance of the notice of decision, the unit shall
14 12 serve or issue a new notice of intent to review
14 13 pursuant to section 252H.15 and conduct a review
14 14 pursuant to section 252H.16, or conduct a review and
14 15 serve a new notice of decision under section 252H.14A.

14 16 c. If the unit previously initiated an action
14 17 under subchapter III, the unit shall proceed as
14 18 follows:

14 19 (1) If the modification action filed by the parent
14 20 is dismissed more than ninety days after the original
14 21 notice of intent to modify was served, the unit shall
14 22 serve a new notice of intent to modify pursuant to
14 23 section 252H.19.

14 24 (2) If the modification action filed by the parent
14 25 is dismissed ninety days or less after the original
14 26 notice of intent to modify was served, the unit shall
14 27 complete the original modification action initiated by
14 28 the unit under this subchapter.

14 29 (3) Each parent shall be allowed at least twenty
14 30 days from the date the administrative modification
14 31 action is reinstated to request a court hearing as
14 32 provided for in section 252H.8.

14 33 Sec. ____ NEW SECTION. 252H.14A REVIEWS
14 34 INITIATED BY THE CHILD SUPPORT RECOVERY UNIT ==
14 35 ABBREVIATED METHOD.

14 36 1. Notwithstanding section 252H.15, to assist the
14 37 unit in meeting the requirement for reviews and
14 38 adjustments under the federal Deficit Reduction Act of
14 39 2005, Pub. L. No. 109=171, the unit may use procedures
14 40 under this section to review a support order if all
14 41 the following apply:

14 42 a. The right to ongoing child support is assigned
14 43 to the state of Iowa due to the receipt of family
14 44 investment program assistance, and a review of the
14 45 support order is required under section 7302 of the
14 46 federal Deficit Reduction Act of 2005, Pub. L. No.
14 47 109=171.

14 48 b. The unit has access to information concerning
14 49 the financial circumstances of each parent and one of
14 50 the following applies:

15 1 (1) The parent is a recipient of family investment
15 2 program assistance, medical assistance, or food
15 3 assistance from the department.

15 4 (2) The parent's income is from supplemental
15 5 security income paid pursuant to 42 U.S.C. } 1381a.

15 6 (3) The parent is a recipient of disability
15 7 benefits under the Act because of the parent's
15 8 disability.

15 9 (4) The parent is an inmate of an institution
15 10 under the control of the department of corrections.

15 11 2. If the conditions of subsection 1 are met, the
15 12 unit may conduct a review and determine whether an
15 13 adjustment is appropriate using information accessible
15 14 by the unit without issuing a notice under section
15 15 252H.15 or requesting additional information from the
15 16 parent.

15 17 3. Upon completion of the review, the unit shall
15 18 issue a notice of decision to each parent, or if
15 19 applicable, to each parent's attorney. The notice
15 20 shall be served in accordance with the rules of civil
15 21 procedure or as provided in section 252B.26.

15 22 4. All of the following shall be included in the

15 23 notice of decision:
15 24 a. The legal basis and purpose of the action,
15 25 including an explanation of the procedures for
15 26 determining child support, the criteria for
15 27 determining the appropriateness of an adjustment, and
15 28 a statement that the unit used the child support
15 29 guidelines established pursuant to section 598.21B and
15 30 the provisions for medical support pursuant to chapter
15 31 252E.
15 32 b. Information sufficient to identify the affected
15 33 parties and the support order or orders affected.
15 34 c. An explanation of the legal rights and
15 35 responsibilities of the affected parties, including
15 36 time frames in which the parties must act.
15 37 d. A statement indicating whether the unit finds
15 38 that an adjustment is appropriate and the basis for
15 39 the determination.
15 40 e. Procedures for contesting the action, including
15 41 that if a parent requests a second review both parents
15 42 will be requested to submit financial or income
15 43 information as necessary for application of the child
15 44 support guidelines established pursuant to section
15 45 598.21B.
15 46 f. Other information as appropriate.
15 47 5. Section 252H.16, subsection 5, regarding a
15 48 revised notice of decision shall apply to a notice of
15 49 decision issued under this section.
15 50 6. Each parent shall have the right to challenge
16 1 the notice of decision issued under this section by
16 2 requesting a second review by the unit as provided in
16 3 section 252H.17. If there is no new or different
16 4 information to consider for the second review, the
16 5 unit shall issue a second notice of decision based on
16 6 prior information. Each parent shall have the right
16 7 to challenge the second notice of decision by
16 8 requesting a court hearing as provided in section
16 9 252H.8.
16 10 Sec. _____. Section 252H.15, subsection 1, Code
16 11 2007, is amended to read as follows:
16 12 1. ~~Prior~~ Unless an action is initiated under
16 13 section 252H.14A, prior to conducting a review of a
16 14 support order, the unit shall issue a notice of intent
16 15 to review and adjust to each parent, or if applicable,
16 16 to each parent's attorney. However, notice to a child
16 17 support agency or an agency entitled to receive child
16 18 or medical support payments as the result of an
16 19 assignment of support rights is not required.
16 20 Sec. _____. Section 252H.16, subsection 1, Code
16 21 2007, is amended to read as follows:
16 22 1. ~~The~~ For actions initiated under section
16 23 252H.15, the unit shall conduct the review and
16 24 determine whether an adjustment is appropriate. As
16 25 necessary, the unit shall make a determination of the
16 26 controlling order or the amount of delinquent support
16 27 due based upon the receipt of social security
16 28 disability payments as provided in sections 598.22 and
16 29 598.22C.
16 30 Sec. _____. Section 252H.17, subsections 1, 2, and
16 31 6, Code 2007, are amended to read as follows:
16 32 1. Each parent shall have the right to challenge
16 33 the notice of decision issued under section 252H.14A
16 34 or 252H.16, by requesting a second review by the unit.
16 35 2. A challenge shall be submitted, in writing, to
16 36 the local child support office that issued the notice
16 37 of decision, within thirty days of service of the
16 38 notice of decision under section 252H.14A or within
16 39 ten days of the issuance of the notice of decision
16 40 under section 252H.16.
16 41 6. The unit shall conduct a second review,
16 42 utilizing any new or additional information provided
16 43 or available since issuance of the notice of decision
16 44 under section 252H.14A or under section 252H.16, to
16 45 determine whether an adjustment is appropriate.
16 46 Sec. _____. RULES. Until the department of human
16 47 services amends rules pursuant to chapter 17A
16 48 necessary to conform with this Act, any existing rule
16 49 relating to review and adjustment of support orders
16 50 shall also apply to reviews initiated under section
17 1 252H.14A, as created in this Act, except that a
17 2 provision for a time limit, notice, or other procedure
17 3 which conflicts with a provision of this Act shall not

17 4 apply.
17 5 Sec. ____ EFFECTIVE DATE. This division of this
17 6 Act takes effect October 1, 2007.

17 7 DIVISION ____
17 8 MEDICAL SUPPORT

17 9 Sec. ____ Section 252B.5, subsection 2, Code 2007,
17 10 is amended to read as follows:

17 11 2. Aid in establishing paternity and securing a
17 12 court or administrative order for support pursuant to
17 13 chapter 252A, 252C, 252F, or 600B, or any other
17 14 chapter providing for the establishment of paternity
17 15 or support. In an action to establish support, the
17 16 resident parent may be a proper party defendant for
17 17 purposes of determining medical support as provided in
17 18 section 252E.1A. The unit's independent cause of
17 19 action shall not bar a party from seeking support in a
17 20 subsequent proceeding.

17 21 Sec. ____ Section 252C.1, subsection 6, Code 2007,
17 22 is amended to read as follows:

17 23 6. "Medical support" means either the provision of
17 24 coverage under a health benefit plan, including a
17 25 group or employment-related or an individual health
17 26 benefit plan, or a health benefit plan provided
17 27 pursuant to chapter 514E, to meet the medical needs of
17 28 a dependent and the cost of any premium required by a
17 29 health benefit plan, or the payment to the obligee of
17 30 a monetary amount in lieu of providing coverage under
17 31 a health benefit plan, either of which is an
17 32 obligation separate from any monetary amount of child
17 33 support ordered to be paid. "Medical support" which
17 34 consists of payment of a monetary amount in lieu of a
17 35 health benefit plan is also an obligation separate
17 36 from any monetary amount a parent is ordered to pay
17 37 for uncovered medical expenses pursuant to the
17 38 guidelines established pursuant to section 598.21B.

17 39 Sec. ____ Section 252C.3, subsection 1, unnumbered
17 40 paragraph 1, Code 2007, is amended to read as follows:

17 41 The administrator may issue a notice stating the
17 42 intent to secure an order for either ~~payment of~~
17 43 medical support ~~established~~ as ~~defined~~ provided in
17 44 chapter 252E or payment of an accrued or accruing
17 45 support debt due and owed to the department or an
17 46 individual under section 252C.2, or both. The notice
17 47 shall be served upon the responsible person in
17 48 accordance with the rules of civil procedure. The
17 49 notice shall include all of the following:

17 50 Sec. ____ Section 252C.3, subsection 1, paragraph
18 1 c, subparagraph (1), Code 2007, is amended to read as
18 2 follows:

18 3 (1) A statement that if the responsible person
18 4 desires to discuss the amount of support that ~~the a~~
18 5 responsible person should be required to pay, the
18 6 responsible person may, within ten days after being
18 7 served, contact the office of the child support
18 8 recovery unit which sent the notice and request a
18 9 negotiation conference.

18 10 Sec. ____ Section 252C.12, subsection 2, Code
18 11 2007, is amended to read as follows:

18 12 2. Upon receipt of a signed statement from ~~the~~
18 13 ~~each~~ responsible person waiving the time limitations
18 14 established in section 252C.3, the administrator may
18 15 proceed to enter an order for support and the court
18 16 may approve the order, whether or not the time
18 17 limitations have expired.

18 18 Sec. ____ Section 252D.18A, Code 2007, is amended
18 19 to read as follows:

18 20 252D.18A MULTIPLE INCOME WITHHOLDING ORDERS ==
18 21 ORDERS FOR HEALTH BENEFIT PLANS == AMOUNTS WITHHELD BY
18 22 PAYOR.

18 23 When the obligor ~~is responsible for paying~~ has more
18 24 than one support obligation ~~and or~~ the payor of income
18 25 has received more than one ~~income withholding~~ order or
18 26 notice ~~of an order~~ for the obligor for income
18 27 withholding or for coverage under a health benefit
18 28 plan pursuant to chapter 252E, the payor shall

18 29 withhold amounts in accordance with all of the
18 30 following:

18 31 1. The total of all amounts withheld shall not
18 32 exceed the amounts specified in 15 U.S.C. } 1673(b).
18 33 For orders or notices issued by the child support
18 34 recovery unit, the limit for the amount to be withheld

18 35 shall be specified in the order or notice.
18 36 2. As reimbursement for the payor's processing
18 37 costs, the payor may deduct a fee of no more than two
18 38 dollars for each payment withheld in addition to the
18 39 amount withheld for support.
18 40 3. Priority shall be given to the withholding of
18 41 current support ~~rather than delinquent support~~. The
18 42 payor shall not allocate amounts withheld in a manner
18 43 which results in the failure to withhold an amount for
18 44 one or more of the current child or spousal support
18 45 obligations. If the limits specified in subsection 1
18 46 prevent withholding the full amount specified in the
18 47 order or notice, the payor shall withhold amounts in
18 48 the following priority:
18 49 a. Withhold the amount specified for current child
18 50 and spousal support. To arrive at the amount to be
19 1 withheld for each obligee, the payor shall total the
19 2 amounts due for current child and spousal support
19 3 under the income withholding orders and the notices of
19 4 orders and determine the proportionate share for each
19 5 obligee. The proportionate share shall be determined
19 6 by dividing the amount due for current child and
19 7 spousal support for each order or notice of order by
19 8 the total due for current child and spousal support
19 9 for all orders and notices of orders. The results are
19 10 the percentages of the obligor's net income which
19 11 shall be withheld for each obligee.
19 12 b. If, after completing the calculation in
19 13 paragraph "a", the withholding limit specified under
19 14 subsection 1 has not been attained, the payor shall
19 15 withhold the amount necessary to comply with an order
19 16 or notice of order for a current premium for coverage
19 17 of a child under a health benefit plan as provided in
19 18 section 252D.30 or section 252E.1A, subsection 2, or
19 19 for a current monetary amount for the child for
19 20 medical support. If there is more than one medical
19 21 support order or notice of order for a current
19 22 monetary amount for a child, the payor shall total the
19 23 amounts due for current monetary amounts for all
19 24 children for medical support and determine the
19 25 proportionate share for each obligee. The
19 26 proportionate amounts shall be established utilizing
19 27 the procedures established in paragraph "a" for
19 28 current child and spousal support obligations.
19 29 ~~b-~~ c. If, after completing the calculation
19 30 calculations in paragraph paragraphs "a" and "b", the
19 31 withholding limit specified under subsection 1 has not
19 32 been attained, the payor shall total the amounts due
19 33 for arrearages and determine the proportionate share
19 34 for each obligee. The proportionate share amounts
19 35 shall be established utilizing the procedures
19 36 established in paragraph "a" for current child and
19 37 spousal support obligations.
19 38 d. If after completing the calculations in
19 39 paragraphs "a", "b", and "c", the withholding limit
19 40 specified in subsection 1 has not been attained, the
19 41 payor shall withhold the amount necessary for other
19 42 child support obligations, unless the order or notice
19 43 directs otherwise as provided by Title IV, part D, of
19 44 the federal Social Security Act.
19 45 4. The payor shall identify and report payments by
19 46 the obligor's name, account number, amount, and date
19 47 withheld pursuant to section 252D.17. ~~Until October~~
~~19 48 1, 1999, if payments for multiple obligees are~~
~~19 49 combined, the portion of the payment attributable to~~
~~19 50 each obligee shall be specifically identified.~~
~~20 1 Beginning October 1, 1999, if If payments for multiple~~
20 2 obligees are combined, the portion of the payment
20 3 attributable to each obligee shall be specifically
20 4 identified only if the payor is directed to do so by
20 5 the child support recovery unit.
20 6 Sec. ____ Section 252E.1, subsection 9, Code 2007,
20 7 is amended to read as follows:
20 8 9. "Medical support" means either the provision of
20 9 a health benefit plan, including a group or
20 10 employment-related or an individual health benefit
20 11 plan, or a health benefit plan provided pursuant to
20 12 chapter 514E, to meet the medical needs of a dependent
20 13 and the cost of any premium required by a health
20 14 benefit plan, or the payment to the obligee of a
20 15 monetary amount in lieu of a health benefit plan,

20 16 either of which is an obligation separate from any
20 17 monetary amount of child support ordered to be paid.
20 18 Medical support is not alimony. "Medical support"
20 19 which consists of payment of a monetary amount in lieu
20 20 of a health benefit plan is also an obligation
20 21 separate from any monetary amount a parent is ordered
20 22 to pay for uncovered medical expenses pursuant to the
20 23 guidelines established pursuant to section 598.21B.

20 24 Sec. ____ NEW SECTION. 252E.1A ESTABLISHING AND
20 25 MODIFYING ORDERS FOR MEDICAL SUPPORT.

20 26 This section shall apply to all initial or modified
20 27 orders for support entered under chapter 234, 252A,
20 28 252C, 252F, 252H, 598, 600B, or any other applicable
20 29 chapter.

20 30 1. An order or judgment that provides for
20 31 temporary or permanent support for a child shall
20 32 include a provision for medical support for the child
20 33 as provided in this section.

20 34 2. The court shall order as medical support for
20 35 the child a health benefit plan if available to either
20 36 parent at the time the order is entered or modified.
20 37 A plan is available if the plan is accessible and the
20 38 cost of the plan is reasonable.

20 39 a. The cost of a health benefit plan is considered
20 40 reasonable, and such amount shall be stated in the
20 41 order, if one of the following applies:

20 42 (1) The premium cost for a child to the parent
20 43 ordered to provide the plan does not exceed five
20 44 percent of that parent's gross income.

20 45 (2) The premium cost for a child exceeds five
20 46 percent of the gross income of the parent ordered to
20 47 provide the plan and that parent consents or does not
20 48 object to entry of that order.

20 49 b. For purposes of this section, "gross income"
20 50 has the same meaning as gross income for calculation
21 1 of support under the guidelines established under
21 2 section 598.21B.

21 3 c. For purposes of this section, the premium cost
21 4 for a child to the parent ordered to provide the plan
21 5 means the amount of the premium cost for family
21 6 coverage to the parent which is in excess of the
21 7 premium cost for single coverage, regardless of the
21 8 number of individuals covered under the plan.
21 9 However, this paragraph shall not be interpreted to
21 10 reduce the amount of the health insurance premium
21 11 deduction a parent may be entitled to when calculating
21 12 the amount of a child support obligation under Iowa
21 13 court rule 9.5 of the child support guidelines.

21 14 3. If a health benefit plan is not available at
21 15 the time of the entry of the order, the court shall
21 16 order a reasonable monetary amount in lieu of a health
21 17 benefit plan, which amount shall be stated in the
21 18 order. For purposes of this subsection, a reasonable
21 19 amount means five percent of the gross income of the
21 20 parent ordered to provide the monetary amount for
21 21 medical support. This subsection shall not apply in
21 22 any of the following circumstances:

21 23 a. If the parent's monthly support obligation
21 24 established pursuant to the child support guidelines
21 25 prescribed by the supreme court pursuant to section
21 26 598.21B is the minimum obligation amount.

21 27 b. If subsection 7, paragraph "e" applies.

21 28 4. If the court orders the custodial parent to
21 29 provide a health benefit plan under subsection 2, the
21 30 court may also order the noncustodial parent to
21 31 provide a reasonable monetary amount in lieu of a
21 32 health benefit plan. For purposes of this subsection,
21 33 a reasonable monetary amount means an amount not to
21 34 exceed the lesser of a reasonable amount as described
21 35 in subsection 3, or the premium cost of coverage for
21 36 the child to the custodial parent as described in
21 37 subsection 2, paragraph "c".

21 38 5. Notwithstanding the requirements of this
21 39 section, the court may order provisions in the
21 40 alternative to those provided in this section to
21 41 address the health care needs of the child if the
21 42 court determines that extreme circumstances so require
21 43 and documents the court's written findings in the
21 44 order.

21 45 6. An order, decree, or judgment entered before
21 46 March 1, 2008, that provides for the support of a

21 47 child may be modified in accordance with this section.
21 48 7. If the child support recovery unit is providing
21 49 services under chapter 252B and initiating an action
21 50 to establish or modify support, all the following
22 1 shall also apply:

22 2 a. If a health benefit plan is available as
22 3 described in subsection 2 to the noncustodial parent,
22 4 the unit shall seek an order for the noncustodial
22 5 parent to provide the plan.

22 6 b. If a health benefit plan is available as
22 7 described in subsection 2 to the custodial parent and
22 8 not to the noncustodial parent, the unit shall seek an
22 9 order for the custodial parent to provide the plan.

22 10 c. If a health benefit plan is available as
22 11 described in subsection 2 to each parent, and if there
22 12 is an order for joint physical care, the unit shall
22 13 seek an order for the parent currently ordered to
22 14 provide a health benefit plan to provide the plan. If
22 15 there is no current order for a health benefit plan
22 16 for the child, the unit shall seek an order for the
22 17 parent who is currently providing a health benefit
22 18 plan to provide the plan.

22 19 d. If a health benefit plan is not available, and
22 20 the noncustodial parent does not have income which may
22 21 be subject to income withholding for collection of a
22 22 reasonable monetary amount in lieu of a health benefit
22 23 plan at the time of the entry of the order, the unit
22 24 shall seek an order that the noncustodial parent
22 25 provide a health benefit plan when a plan becomes
22 26 available at reasonable cost, and the order shall
22 27 specify the amount of reasonable cost as defined in
22 28 subsection 2.

22 29 e. This section shall not apply to chapter 252H,
22 30 subchapter IV.

22 31 Sec. . NEW SECTION. 252E.2A SATISFACTION OF
22 32 MEDICAL SUPPORT ORDER.

22 33 This section shall apply if the child support
22 34 recovery unit is providing services under chapter
22 35 252B.

22 36 1. Notwithstanding any law to the contrary and
22 37 without a court order, a medical support order for a
22 38 child shall be deemed satisfied with regard to the
22 39 department, the child, the obligor, and the obligee
22 40 for the period during which all the following
22 41 conditions are met:

22 42 a. The order is issued under any applicable
22 43 chapter of the Code.

22 44 b. The unit is notified that the conditions of
22 45 paragraph "c" are met and there is a pending action to
22 46 establish or modify support initiated by the unit, or
22 47 the parent ordered to provide medical support submits
22 48 a written statement to the unit that the requirements
22 49 of paragraph "c" are met.

22 50 c. The parent ordered to provide medical support
23 1 or the parent from whom the unit is seeking to
23 2 establish or modify medical support meets at least one
23 3 of the following conditions:

23 4 (1) The parent is an inmate of an institution
23 5 under the control of the department of corrections or
23 6 a comparable institution in another state.

23 7 (2) The parent's monthly child support obligation
23 8 under the guidelines established pursuant to section
23 9 598.21B is the minimum obligation amount.

23 10 (3) The parent is a recipient of assistance under
23 11 chapter 239B or 249A, or under comparable laws of
23 12 another state.

23 13 (4) The parent is residing with any child for whom
23 14 the parent is legally responsible and that child is a
23 15 recipient of assistance under chapter 239B, 249A, or
23 16 514I, or under comparable laws of another state. For
23 17 purposes of this subparagraph, "legally responsible"
23 18 means the parent has a legal obligation to the child
23 19 as specified in Iowa court rule 9.7 of the child
23 20 support guidelines.

23 21 d. The unit files a notice of satisfaction with
23 22 the clerk of the district court. The effective date
23 23 of the satisfaction shall be stated in the notice and
23 24 the effective date shall be no later than forty-five
23 25 days after the unit issues the notice of satisfaction.

23 26 2. If a medical support order is satisfied under
23 27 subsection 1, the satisfaction shall continue until

23 28 all of the following apply:
23 29 a. The unit is notified that none of the
23 30 conditions specified in subsection 1, paragraph "c",
23 31 still applies.
23 32 b. The unit files a satisfaction termination
23 33 notice that the requirements for a satisfaction under
23 34 this section no longer apply. The effective date
23 35 shall be stated in the satisfaction termination notice
23 36 and the effective date shall be no later than
23 37 forty-five days after the unit issues the satisfaction
23 38 termination notice.
23 39 3. The unit shall mail a copy of the notice of
23 40 satisfaction and the satisfaction termination notice
23 41 to the last known address of the obligor and obligee.
23 42 4. The department of human services may match data
23 43 for enrollees of the hawk=i program created pursuant
23 44 to chapter 514I with data of the unit to assist the
23 45 unit in implementing this section.
23 46 5. An order, decree, or judgment entered or
23 47 pending on or before March 1, 2008, that provides for
23 48 the support of a child may be satisfied as provided in
23 49 this section.
23 50 Sec. _____. Section 252E.4, subsection 1, Code 2007,
24 1 is amended to read as follows:
24 2 1. When a support order requires an obligor to
24 3 provide coverage under a health benefit plan, the
24 4 district court or the department may enter an ex parte
24 5 order directing an employer to take all actions
24 6 necessary to enroll an obligor's dependent for
24 7 coverage under a health benefit plan or may include
24 8 the provisions in an ex parte income withholding order
24 9 or notice of income withholding pursuant to chapter
24 10 252D. The child support recovery unit, where
24 11 appropriate, shall issue a national medical support
24 12 notice to an employer within two business days after
24 13 the date information regarding a newly hired employee
24 14 is entered into the centralized employee registry and
24 15 matched with a noncustodial parent in the case being
24 16 enforced by the unit, or upon receipt of other
24 17 employment information for such parent. The
24 18 department may amend the information in the ex parte
24 19 order or may amend or terminate the national medical
24 20 support notice regarding health insurance provisions
24 21 if necessary to comply with health insurance
24 22 requirements including but not limited to the
24 23 provisions of section 252E.2, subsection 2, or to
24 24 correct a mistake of fact.
24 25 Sec. _____. Section 252E.5, subsection 3, Code 2007,
24 26 is amended to read as follows:
24 27 3. The employer shall withhold from the employee's
24 28 compensation, the employee's share, if any, of
24 29 premiums for the health benefit plan in an amount that
24 30 does not exceed the amount specified in the national
24 31 medical support notice or order or the amount
24 32 specified in 15 U.S.C. } 1673(b) and which is
24 33 consistent with federal law. The employer shall
24 34 forward the amount withheld to the insurer. If the
24 35 employee has more than one obligation and if there is
24 36 insufficient compensation available to meet the
24 37 employee's share necessary for coverage of the child
24 38 under a health benefit plan as required under this
24 39 section or section 252D.30, and to comply with an
24 40 order to withhold or notice under section 252D.17, the
24 41 employer shall allocate the funds available in
24 42 accordance with section 252D.18A.
24 43 Sec. _____. Section 252F.1, Code 2007, is amended by
24 44 adding the following new subsection:
24 45 NEW SUBSECTION. 3A. "Party" means a putative
24 46 father or a mother.
24 47 Sec. _____. Section 252F.3, subsection 1, unnumbered
24 48 paragraph 1, Code 2007, is amended to read as follows:
24 49 The unit may prepare a notice of alleged paternity
24 50 and support debt to be served on ~~the putative father a~~
25 1 party if the mother of the child provides a written
25 2 statement to the unit certifying in accordance with
25 3 section 622.1 that the putative father is or may be
25 4 the biological father of the child or children
25 5 involved. The notice shall be accompanied by a copy
25 6 of the statement and served on the putative father in
25 7 accordance with rule of civil procedure 1.305.
25 8 Service upon the mother shall not constitute valid

25 9 service upon the putative father. The notice shall
25 10 include or be accompanied by all of the following:
25 11 Sec. _____. Section 252F.3, subsection 1, paragraphs
25 12 d, f, g, h, j, k, and m, Code 2007, are amended to
25 13 read as follows:
25 14 d. A statement that if paternity is established,
25 15 ~~the putative father a party~~ has a duty to provide
25 16 accrued and accruing medical support to the child or
25 17 children in accordance with chapter 252E.
25 18 f. (1) The right of ~~the putative father a party~~
25 19 to request a conference with the unit to discuss
25 20 paternity establishment and the amount of support that
25 21 ~~the putative father a party~~ may be required to ~~pay~~
25 22 ~~provide~~, within ten days of the date of service of the
25 23 original notice or, if paternity is contested and
25 24 paternity testing is conducted, within ten days of the
25 25 date the paternity test results are issued or mailed
25 26 to ~~the putative father a party~~ by the unit.
25 27 (2) A statement that if a conference is requested,
25 28 ~~the putative father a party~~ shall have one of the
25 29 following time frames, whichever is the latest, to
25 30 send a written request for a court hearing on the
25 31 issue of support to the unit:
25 32 (a) Ten days from the date set for the conference.
25 33 (b) Twenty days from the date of service of the
25 34 original notice.
25 35 (c) If paternity was contested and paternity
25 36 testing was conducted, and ~~the putative father a party~~
25 37 does not deny paternity after the testing or challenge
25 38 the paternity test results, twenty days from the date
25 39 paternity test results are issued or mailed by the
25 40 unit to the ~~putative father party~~.
25 41 (3) A statement that after the holding of the
25 42 conference, the unit shall issue a new notice of
25 43 alleged paternity and finding of financial
25 44 responsibility for child support or medical support,
25 45 or both, to be provided in person to ~~the putative~~
25 46 ~~father each party~~ or sent to ~~the putative father each~~
25 47 ~~party~~ by regular mail addressed to the ~~putative~~
25 48 ~~father's party's~~ last known address or, if applicable,
25 49 to the last known address of the ~~putative father's~~
25 50 ~~party's~~ attorney.
26 1 (4) A statement that if the unit issues a new
26 2 notice of alleged paternity and finding of financial
26 3 responsibility for child support or medical support,
26 4 or both, ~~the putative father a party~~ shall have one of
26 5 the following time frames, whichever is the latest, to
26 6 send a written request for a court hearing on the
26 7 issue of support to the unit:
26 8 (a) Ten days from the date of issuance of the new
26 9 notice.
26 10 (b) Twenty days from the date of service of the
26 11 original notice.
26 12 (c) If paternity was contested and paternity
26 13 testing conducted, and ~~the putative father a party~~
26 14 does not deny paternity after the testing or challenge
26 15 the paternity test results, twenty days from the date
26 16 the paternity test results are issued or mailed to the
26 17 ~~putative father party~~ by the unit.
26 18 g. A statement that if a conference is not
26 19 requested, and ~~the putative father a party~~ does not
26 20 deny paternity or challenge the results of any
26 21 paternity testing conducted but objects to the finding
26 22 of financial responsibility or the amount of child
26 23 support or medical support, or both, the ~~putative~~
26 24 ~~father party~~ shall send a written request for a court
26 25 hearing on the issue of support to the unit within
26 26 twenty days of the date of service of the original
26 27 notice, or, if paternity was contested and paternity
26 28 testing conducted, and ~~the putative father a party~~
26 29 does not deny paternity after the testing or challenge
26 30 the paternity test results, within twenty days from
26 31 the date the paternity test results are issued or
26 32 mailed to the ~~putative father party~~ by the unit,
26 33 whichever is later.
26 34 h. A statement that if a timely written request
26 35 for a hearing on the issue of support is received by
26 36 the unit, the ~~putative father party~~ shall have the
26 37 right to a hearing to be held in district court and
26 38 that if no timely written request is received and
26 39 paternity is not contested, the administrator shall

26 40 enter an order establishing the putative father as the
26 41 father of the child or children and establishing child
26 42 support or medical support, or both, in accordance
26 43 with the notice of alleged paternity and support debt.
26 44 j. A written explanation of ~~the putative father's~~
26 45 a party's right to deny paternity, the procedures for
26 46 denying paternity, and the consequences of the denial.
26 47 k. A statement that if ~~the putative father a party~~
26 48 contests paternity, the putative father party shall
26 49 have twenty days from the date of service of the
26 50 original notice to submit a written denial of
27 1 paternity to the unit.
27 2 m. A statement that if paternity tests are
27 3 conducted, the unit shall provide a copy of the test
27 4 results to ~~the putative father each party~~ in person or
27 5 send a copy to ~~the putative father each party~~ by
27 6 regular mail, addressed to the ~~putative father's~~
27 7 party's last known address, or, if applicable, to the
27 8 last known address of the ~~putative father's party's~~
27 9 attorney.
27 10 Sec. _____. Section 252F.3, subsection 3, unnumbered
27 11 paragraph 1, Code 2007, is amended to read as follows:
27 12 If notice is served on ~~the putative father a party,~~
27 13 the unit shall file a true copy of the notice and the
27 14 original return of service with the appropriate clerk
27 15 of the district court as follows:
27 16 Sec. _____. Section 252F.3, subsection 4, unnumbered
27 17 paragraph 1, Code 2007, is amended to read as follows:
27 18 A ~~putative father party~~ or the child support
27 19 recovery unit may request a court hearing regarding
27 20 establishment of paternity or a determination of
27 21 support, or both.
27 22 Sec. _____. Section 252F.3, subsection 4, paragraph
27 23 c, Code 2007, is amended to read as follows:
27 24 c. Any objection to the results of paternity tests
27 25 shall be filed no later than twenty days after the
27 26 date paternity test results are issued or mailed to
27 27 ~~the putative father each party~~ by the unit. Any
27 28 objection to paternity test results filed by a party
27 29 more than twenty days after the date paternity tests
27 30 are issued or mailed to the ~~putative father party~~ by
27 31 the unit shall not be accepted or considered by the
27 32 court.
27 33 Sec. _____. Section 252F.3, subsection 5, Code 2007,
27 34 is amended to read as follows:
27 35 5. If a timely written response and request for a
27 36 court hearing is not received by the unit and ~~the~~
27 37 ~~putative father a party~~ does not deny paternity, the
27 38 administrator shall enter an order in accordance with
27 39 section 252F.4.
27 40 Sec. _____. Section 252F.3, subsection 6, paragraphs
27 41 a, f, and m, Code 2007, are amended to read as
27 42 follows:
27 43 a. If a party contests the establishment of
27 44 paternity, the party shall submit, within twenty days
27 45 of service of the notice on the ~~putative father party~~
27 46 under subsection 1, a written statement contesting
27 47 paternity establishment to the unit. Upon receipt of
27 48 a written challenge of paternity establishment, or
27 49 upon initiation by the unit, the administrator shall
27 50 enter ex parte administrative orders requiring the
28 1 mother, child or children involved, and the putative
28 2 father to submit to paternity testing. Either the
28 3 mother or putative father may contest paternity under
28 4 this chapter.
28 5 f. An original copy of the test results shall be
28 6 filed with the clerk of the district court in the
28 7 county where the notice was filed. The child support
28 8 recovery unit shall issue a copy of the filed test
28 9 results to ~~the putative father and mother of the child~~
28 10 ~~or children each party~~ in person, or by regular mail
28 11 to the last known address of each, or if applicable,
28 12 to the last known address of the attorney for each.
28 13 However, if the action is the result of a request from
28 14 a foreign jurisdiction, the unit shall issue a copy of
28 15 the results to the initiating agency in that foreign
28 16 jurisdiction.
28 17 m. If the paternity test results exclude the
28 18 putative father as a potential biological father of
28 19 the child or children, and additional tests are not
28 20 requested by either party or conducted on the unit's

28 21 initiative, or if additional tests exclude the
28 22 putative father as a potential biological father, the
28 23 unit shall withdraw its action against the putative
28 24 father and shall file a notice of the withdrawal with
28 25 the clerk of the district court, and shall provide a
28 26 copy of the notice to ~~the putative father~~ each party
28 27 in person, or by regular mail sent to ~~the putative~~
~~28 28 father's~~ each party's last known address, or if
28 29 applicable, the last known address of the putative
~~28 30 father's party's~~ attorney.

28 31 Sec. _____. Section 252F.4, Code 2007, is amended to
28 32 read as follows:

28 33 252F.4 ENTRY OF ORDER.

28 34 1. If ~~the putative father fails~~ both parties fail
28 35 to respond to the initial notice within twenty days
28 36 after the date of service of the notice or ~~fails fail~~
28 37 to appear at a conference pursuant to section 252F.3
28 38 on the scheduled date of the conference, and paternity
28 39 has not been contested and ~~the putative father fails~~
28 40 both parties fail to timely request a court hearing on
28 41 the issue of support, the administrator shall enter an
28 42 order against the ~~putative father parties~~, declaring
28 43 the putative father to be the legal father of the
28 44 child or children involved and assessing any accrued
28 45 and accruing child support obligation pursuant to the
28 46 guidelines established under section 598.21B, and
28 47 medical support pursuant to chapter 252E, ~~against the~~
~~28 48 father.~~

28 49 2. If paternity is contested pursuant to section
28 50 252F.3, subsection 6, and the party contesting
29 1 paternity fails to appear for a paternity test and
29 2 fails to request a rescheduling pursuant to section
29 3 252F.3, or fails to appear for both the initial and
29 4 the rescheduled paternity tests and ~~the putative~~
~~29 5 father fails~~ both parties fail to timely request a
29 6 court hearing on the issue of support, the
29 7 administrator shall enter an order against the
29 8 ~~putative father parties~~ declaring the putative father
29 9 to be the legal father of the child or children
29 10 involved and assessing any accrued and accruing child
29 11 support obligation pursuant to the guidelines
29 12 established under section 598.21B, and medical support
29 13 pursuant to chapter 252E, ~~against the father.~~

29 14 3. If ~~the putative father appears~~ at a conference
29 15 pursuant to section 252F.3 is held, and paternity is
29 16 not contested, and ~~the putative father fails~~ both
~~29 17 parties fail~~ to timely request a court hearing on the
29 18 issue of support, the administrator shall enter an
29 19 order against the ~~putative father parties~~ after the
29 20 second notice has been sent declaring the putative
29 21 father to be the legal father of the child or children
29 22 involved and assessing any accrued and accruing child
29 23 support obligation pursuant to the guidelines
29 24 established under section 598.21B, and medical support
29 25 pursuant to chapter 252E, ~~against the father.~~

29 26 4. If paternity was contested and paternity
29 27 testing was performed and the putative father was not
29 28 excluded, if the test results indicate that the
29 29 probability of the putative father's paternity is
29 30 ninety-five percent or greater, if the test results
29 31 are not timely challenged, and if ~~the putative father~~
~~29 32 fails~~ both parties fail to timely request a court
29 33 hearing on the issue of support, the administrator
29 34 shall enter an order against the ~~putative father~~
29 35 parties declaring the putative father to be the legal
29 36 father of the child or children involved and assessing
29 37 any accrued and accruing child support obligation
29 38 pursuant to the guidelines established under section
29 39 598.21B, and medical support pursuant to chapter 252E,
~~29 40 against the father.~~

29 41 5. The administrator shall establish a support
29 42 obligation under this section based upon the best
29 43 information available to the unit and pursuant to
29 44 section 252B.7A.

29 45 6. The order shall contain all of the following:

- 29 46 a. A declaration of paternity.
- 29 47 b. The amount of monthly support to be paid, with
29 48 direction as to the manner of payment.
- 29 49 c. The amount of accrued support.
- 29 50 d. The name of the custodial parent or caretaker.
- 30 1 e. The name and birth date of the child or

30 2 children to whom the order applies.
30 3 f. A statement that property of ~~the father a party~~
30 4 ~~ordered to provide support~~ is subject to income
30 5 withholding, liens, garnishment, tax offset, and other
30 6 collection actions.
30 7 g. The medical support required pursuant to
30 8 chapter 598 and chapter 252E.
30 9 h. A statement that ~~the father a party who is~~
30 10 ~~ordered to provide support~~ is required to inform the
30 11 child support recovery unit, on a continuing basis, of
30 12 the name and address of the ~~father's party's~~ current
30 13 employer, whether the ~~father party~~ has access to
30 14 health insurance coverage ~~through employment or at~~
30 15 ~~reasonable cost through other sources as required in~~
30 16 ~~the order~~, and if so, the health insurance policy
30 17 information.
30 18 i. If paternity was contested ~~by the putative~~
30 19 ~~father~~, the amount of any judgment assessed to the
30 20 father for costs of paternity tests conducted pursuant
30 21 to this chapter.
30 22 j. Statements as required pursuant to section
30 23 598.22B.
30 24 7. If paternity is not contested but ~~the putative~~
30 25 ~~father a party~~ does wish to challenge the issues of
30 26 child or medical support, the administrator shall
30 27 enter an order establishing paternity and reserving
30 28 the issues of child or medical support for
30 29 determination by the district court.
30 30 Sec. _____. Section 252F.5, subsection 2, Code 2007,
30 31 is amended to read as follows:
30 32 2. An action under this chapter may be certified
30 33 to the district court if a party timely contests
30 34 paternity establishment or paternity test results, or
30 35 if ~~the putative father a party~~ requests a court
30 36 hearing on the issues of child or medical support, or
30 37 both, or upon the initiation of the unit as provided
30 38 in this chapter. Review by the district court shall
30 39 be an original hearing before the court.
30 40 Sec. _____. Section 252F.5, subsection 3, paragraph
30 41 c, Code 2007, is amended to read as follows:
30 42 c. A timely written objection to paternity
30 43 establishment or paternity test results has been
30 44 received from a party, or a timely written request for
30 45 a court hearing on the issue of support has been
30 46 received from ~~the putative father a party~~ by the unit,
30 47 or the unit has requested a court hearing on the
30 48 unit's own initiative.
30 49 Sec. _____. Section 252H.2, subsection 2, paragraph
30 50 b, Code 2007, is amended to read as follows:
31 1 b. An addition of or change to provisions for
31 2 medical support as ~~defined provided in section 252E.1~~
31 3 ~~chapter 252E~~.
31 4 Sec. _____. Section 252H.2, subsection 13, Code
31 5 2007, is amended to read as follows:
31 6 13. "Support order" means ~~a "court order" as~~
31 7 ~~defined in section 252C.1 or an order establishing~~
31 8 ~~support entered pursuant to an administrative or~~
31 9 ~~quasi-judicial process if authorized by law an order~~
31 10 ~~for support issued pursuant to chapter 232, 234, 252A,~~
31 11 ~~252C, 252E, 252F, 252H, 598, 600B, or any other~~
31 12 ~~applicable chapter, or under a comparable statute of a~~
31 13 ~~foreign jurisdiction as registered with the clerk of~~
31 14 ~~court or certified to the child support recovery unit.~~
31 15 Sec. _____. NEW SECTION. 252H.3A ADDING A PARTY.
31 16 A mother or father may be added as a proper party
31 17 defendant to a support order upon service of a notice
31 18 as provided in this chapter and without a court order
31 19 as provided in the rules of civil procedure.
31 20 Sec. _____. Section 252H.14, subsection 1, paragraph
31 21 b, Code 2007, is amended to read as follows:
31 22 ~~b. The right to any ongoing medical support~~
31 23 ~~obligation is currently assigned to the state due to~~
31 24 ~~the receipt of public assistance unless:~~
31 25 (1) ~~b.~~ The support order does not already
31 26 ~~includes include~~ provisions requiring the parent
31 27 ~~ordered to pay child support to also provide for~~
31 28 medical support.
31 29 (2) ~~The parent entitled to receive support has~~
31 30 ~~satisfactory health insurance coverage for the~~
31 31 ~~children, excluding coverage resulting from the~~
31 32 ~~receipt of public assistance benefits.~~

31 33 Sec. _____. Section 252H.14, subsection 2, Code
31 34 2007, is amended to read as follows:
31 35 2. The unit may periodically initiate a request to
31 36 a child support agency of another state to conduct a
31 37 review of a support order entered in that state when
31 38 the right to any ongoing child or medical support
31 39 obligation due under the order is currently assigned
31 40 to the state of Iowa or if the order does not include
31 41 provisions for medical support.

31 42 Sec. _____. Section 598.21B, subsection 3, Code
31 43 2007, is amended to read as follows:

31 44 3. MEDICAL SUPPORT. The court shall order ~~as~~
31 45 child medical support ~~a health benefit plan as defined~~
31 46 ~~in chapter 252E if available to either parent at a~~
31 47 ~~reasonable cost. A health benefit plan is considered~~
31 48 ~~reasonable in cost if it is employment-related or~~
31 49 ~~other group health insurance, regardless of the~~
31 50 ~~service delivery mechanism as provided in section~~
32 1 ~~252E.1A.~~ The premium cost of ~~the a~~ health benefit
32 2 plan may be considered by the court as a reason for
32 3 varying from the child support guidelines. ~~If a~~
32 4 ~~health benefit plan is not available at a reasonable~~
32 5 ~~cost, the court may order any other provisions for~~
32 6 ~~medical support as defined in chapter 252E.~~

32 7 Sec. _____. Section 598.21C, subsection 2, paragraph
32 8 a, Code 2007, is amended to read as follows:

32 9 a. Subject to 28 U.S.C. } 1738B, but
32 10 notwithstanding subsection 1, a substantial change of
32 11 circumstances exists when the court order for child
32 12 support varies by ten percent or more from the amount
32 13 which would be due pursuant to the most current child
32 14 support guidelines established pursuant to section
32 15 598.21B or ~~the obligor a parent has access to a health~~
32 16 ~~benefit plan, available as provided in section 252E.1A~~
32 17 ~~and the current order for support does not contain~~
32 18 ~~provisions for medical support, and the dependents are~~
32 19 ~~not covered by a health benefit plan provided by the~~
32 20 ~~obligee, excluding coverage pursuant to chapter 249A~~
32 21 ~~or a comparable statute of a foreign jurisdiction.~~

32 22 Sec. _____. AMENDING AND NULLIFICATION OF
32 23 ADMINISTRATIVE RULES.

32 24 1. Until the department of human services amends
32 25 rules pursuant to chapter 17A necessary to conform
32 26 with this Act, all of the following shall apply:

32 27 a. The child support recovery unit may initiate
32 28 proceedings to establish or modify orders for medical
32 29 support for a child in accordance with section 252E.1A
32 30 as created in this Act, regardless of whether support
32 31 is assigned to the state.

32 32 b. The term "child support account" in existing
32 33 rules shall also mean a specified monetary amount for
32 34 medical support, unless the context otherwise
32 35 requires.

32 36 c. A reference to a health benefit plan at
32 37 reasonable cost shall mean reasonable cost as defined
32 38 in section 252E.1A, as enacted in this Act.

32 39 d. A requirement for including a provision for an
32 40 employment-related or other group health benefit plan,
32 41 or for determining medical support, shall be limited
32 42 and applied in accordance with section 252E.1A, as
32 43 created in this Act.

32 44 2. 441 Iowa administrative Code, rule 98.3,
32 45 relating to the establishment of medical support is
32 46 nullified.

32 47 Sec. _____. EFFECTIVE DATE. This division of this
32 48 Act takes effect March 1, 2008.

32 49 DIVISION ____
32 50 PHYSICIAN ASSISTANTS

33 1 Sec. _____. Section 147.14, subsection 12, Code
33 2 2007, is amended to read as follows:

33 3 12. For the board of physician assistant
33 4 examiners, ~~three~~ five members licensed to practice as
33 5 physician assistants, at least two of whom practice in
33 6 counties with a population of less than fifty
33 7 thousand, one member licensed to practice medicine and
33 8 surgery who supervises a physician assistant, one
33 9 member licensed to practice osteopathic medicine and
33 10 surgery who supervises a physician assistant, and two
33 11 members who are not licensed to practice either
33 12 medicine and surgery or osteopathic medicine and
33 13 surgery or licensed as a physician assistant and who

33 14 shall represent the general public. At least one of
33 15 the physician members shall be in practice in a county
33 16 with a population of less than fifty thousand. A
33 17 majority of members of the board constitutes a quorum.
33 18 Sec. _____. NEW SECTION. 148C.12 ANNUAL REPORT.
33 19 By January 31 of each year the board and the board
33 20 of medical examiners shall provide to the general
33 21 assembly and the governor a joint report detailing the
33 22 boards' collaborative efforts and team building
33 23 practices.

33 24 DIVISION _____

33 25 NEWBORN HOME VISITS

33 26 Sec. _____. NEW SECTION. 28.11 FAMILIES WITH A
33 27 NEWBORN CHILD == HOME VISITS.

33 28 1. a. The Iowa empowerment board shall implement
33 29 a program with the goal of making available a home
33 30 visit for each household in the state with a family
33 31 that has a newborn child. The components of the home
33 32 visit shall include but are not limited to assessing
33 33 the child's home environment, educating the families
33 34 concerning newborn children, and assisting families in
33 35 accessing appropriate services.

33 36 b. The Iowa board shall coordinate with existing
33 37 programs that provide a visit to families with a
33 38 newborn child as necessary to make the best use of
33 39 resources while expanding the availability of home
33 40 visits.

33 41 2. The home visit program implemented under this
33 42 section shall be administered at the local level
33 43 through the local board of health as defined in
33 44 section 137.2. The following requirements shall apply
33 45 to local programs receiving funding under the program:

33 46 a. Home visits shall be made by qualified and
33 47 trained staff.

33 48 b. The program staff shall demonstrate a capacity
33 49 to competently complete home visits and facilitate
33 50 referrals to and interventions by other resources
34 1 available in the community, based upon needs
34 2 identified during a home visit.

34 3 c. The local program must have an acceptable plan
34 4 for implementing a cooperative arrangement with local
34 5 hospitals and birthing centers for the hospitals and
34 6 centers to provide referral information for contacting
34 7 families with a newborn child.

34 8 d. The local program must have the capacity to
34 9 bill third-party payors as appropriate and to leverage
34 10 additional resources, such as local cash or in-kind
34 11 matching contributions to sustain and enhance the
34 12 local program.

34 13 e. The local program must apply performance
34 14 measures identified by the Iowa board and the local
34 15 program administrator and shall report outcome
34 16 information on a regular basis identified by the Iowa
34 17 board.

34 18 DIVISION _____

34 19 TELECOMMUTING

34 20 Sec. _____. STATE EMPLOYEE TELECOMMUTING == POLICY
34 21 DEVELOPMENT == IMPLEMENTATION.

34 22 1. The director of a department or state agency to
34 23 which appropriations are made pursuant to the
34 24 provisions of this Act shall assess the extent to
34 25 which job classifications or individual employment
34 26 positions with the department or agency might be
34 27 effectively performed from an employee's residence or
34 28 other remote location through telecommuting, thereby
34 29 increasing office space within the department or
34 30 agency and reducing administrative costs. The
34 31 assessment shall include an estimate of the number of
34 32 department or agency employees whose job
34 33 responsibilities could be effectively performed on a
34 34 telecommuting basis, projected costs of establishing
34 35 and maintaining work stations at an employee's
34 36 residence or other remote location and providing
34 37 telecommuter support, anticipated savings to the
34 38 department or agency through a reduction in the
34 39 office-based workforce, and anticipated time and cost
34 40 savings to telecommuting employees. A report
34 41 summarizing the assessment shall be submitted to the
34 42 director of the department of administrative services,
34 43 and the members of the general assembly, by November
34 44 1, 2007.

34 45 2. Based on the assessment conducted pursuant to
34 46 subsection 1, the director shall develop a
34 47 telecommuter employment policy for the department or
34 48 agency and a timeline for initial policy
34 49 implementation and plans for expanding the number of
34 50 telecommuting employees. Specific office-based
35 1 workforce reduction percentages shall be left to the
35 2 discretion of the director, but the director shall
35 3 implement a policy transferring some number of
35 4 office-based employees to telecommuter status by
35 5 January 1, 2008. The director shall report to the
35 6 director of the department of administrative services
35 7 and the members of the general assembly on an annual
35 8 basis beginning January 1, 2009, the number of
35 9 telecommuting employees, cost savings achieved by the
35 10 department or agency, and plans for continued transfer
35 11 of office-based employees to telecommuter status.

35 12 DIVISION _____
35 13 DENTAL BOARD

35 14 Sec. _____. Section 10A.402, subsection 1, Code
35 15 2007, as amended by 2007 Iowa Acts, Senate File 74,
35 16 section 6, is amended to read as follows:

35 17 1. Investigations relative to the practice of
35 18 regulated professions and occupations, except those
35 19 within the jurisdiction of the board of medicine, the
35 20 board of pharmacy, the dental board ~~of dentistry~~, and
35 21 the board of nursing.

35 22 Sec. _____. Section 135.11A, unnumbered paragraph 1,
35 23 Code 2007, as amended by 2007 Iowa Acts, Senate File
35 24 74, section 19, is amended to read as follows:

35 25 There shall be a professional licensure division
35 26 within the department of public health. Each board
35 27 under chapter 147 or under the administrative
35 28 authority of the department, except the board of
35 29 nursing, board of medicine, dental board ~~of dentistry~~,
35 30 and board of pharmacy, shall receive administrative
35 31 and clerical support from the division and may not
35 32 employ its own support staff for administrative and
35 33 clerical duties.

35 34 Sec. _____. Section 135.24, subsection 2, paragraph
35 35 a, Code 2007, as amended by 2007 Iowa Acts, Senate
35 36 File 74, section 20, is amended to read as follows:

35 37 a. Procedures for registration of health care
35 38 providers deemed qualified by the board of medicine,
35 39 the board of physician assistants, the dental board ~~of~~
35 40 ~~dentistry~~, the board of nursing, the board of
35 41 chiropractic, the board of psychology, the board of
35 42 social work, the board of behavioral science, the
35 43 board of pharmacy, the board of optometry, the board
35 44 of podiatry, the board of physical and occupational
35 45 therapy, the board for respiratory care, and the Iowa
35 46 department of public health, as applicable.

35 47 Sec. _____. Section 135.31, Code 2007, as amended by
35 48 2007 Iowa Acts, Senate File 74, section 21, is amended
35 49 to read as follows:

35 50 135.31 LOCATION OF BOARDS == RULEMAKING.

36 1 The offices for the board of medicine, the board of
36 2 pharmacy, the board of nursing, and the dental board
36 3 ~~of dentistry~~ shall be located within the department of
36 4 public health. The individual boards shall have
36 5 policymaking and rulemaking authority.

36 6 Sec. _____. Section 136C.3, subsection 2, unnumbered
36 7 paragraph 1, Code 2007, as amended by 2007 Iowa Acts,
36 8 Senate File 74, section 23, is amended to read as
36 9 follows:

36 10 Establish minimum training standards including
36 11 continuing education requirements, and administer
36 12 examinations and disciplinary procedures for operators
36 13 of radiation machines and users of radioactive
36 14 materials. A state of Iowa license to practice
36 15 medicine, osteopathy, chiropractic, podiatry,
36 16 dentistry, dental hygiene, or veterinary medicine, or
36 17 licensure as a physician assistant pursuant to chapter
36 18 148C, or certification by the dental board ~~of~~
36 19 ~~dentistry~~ in dental radiography, or by the board of
36 20 podiatry in podiatric radiography, or enrollment in a
36 21 program or course of study approved by the Iowa
36 22 department of public health which includes the
36 23 application of radiation to humans satisfies the
36 24 minimum training standards for operation of radiation
36 25 machines only.

36 26 Sec. _____. Section 139A.22, subsection 6, Code
36 27 2007, as amended by 2007 Iowa Acts, Senate File 74,
36 28 section 25, is amended to read as follows:
36 29 6. The board of medicine, the board of physician
36 30 assistants, the board of podiatry, the board of
36 31 nursing, the dental board ~~of dentistry~~, and the board
36 32 of optometry shall require that licensees comply with
36 33 the recommendations issued by the centers for disease
36 34 control and prevention of the United States department
36 35 of health and human services for preventing
36 36 transmission of human immunodeficiency virus and
36 37 hepatitis B virus to patients during exposure-prone
36 38 invasive procedures, with the recommendations of the
36 39 expert review panel established pursuant to subsection
36 40 3, with hospital protocols established pursuant to
36 41 subsection 1, and with health care facility procedures
36 42 established pursuant to subsection 2, as applicable.
36 43 Sec. _____. Section 147.13, subsection 8, Code 2007,
36 44 as amended by 2007 Iowa Acts, Senate File 74, section
36 45 32, is amended to read as follows:
36 46 8. For dentistry, dental hygiene, and dental
36 47 assisting, the dental board ~~of dentistry~~.
36 48 Sec. _____. Section 147.40, Code 2007, as amended by
36 49 2007 Iowa Acts, Senate File 74, section 50, is amended
36 50 to read as follows:
37 1 147.40 CERTIFICATION OF APPLICANTS.
37 2 Every examination shall be passed upon in
37 3 accordance with the established rules of the board and
37 4 shall be satisfactory to at least a majority of the
37 5 professional members of the board. In the case of the
37 6 dental board ~~of dentistry~~, only licensed dentist
37 7 members of the board shall determine whether an
37 8 applicant has passed the examination to practice as a
37 9 licensed dentist. After each examination, the board
37 10 shall certify the names of the successful applicants
37 11 to the department in the manner prescribed by it. The
37 12 department shall then issue the proper license.
37 13 Sec. _____. Section 147.80, subsections 1 and 11,
37 14 Code 2007, as amended by 2007 Iowa Acts, Senate File
37 15 74, section 63, are amended to read as follows:
37 16 1. License to practice dentistry issued upon the
37 17 basis of an examination given by the dental board ~~of~~
37 18 ~~dentistry~~, license to practice dentistry issued under
37 19 a reciprocal agreement, resident dentist's license,
37 20 renewal of a license to practice dentistry.
37 21 11. License to practice dental hygiene issued upon
37 22 the basis of an examination given by the dental board
37 23 ~~of dentistry~~, license to practice dental hygiene
37 24 issued under a reciprocal agreement, renewal of a
37 25 license to practice dental hygiene.
37 26 Sec. _____. Section 147.80, unnumbered paragraph 3,
37 27 Code 2007, as amended by 2007 Iowa Acts, Senate File
37 28 74, section 63, is amended to read as follows:
37 29 The board of medicine, the board of pharmacy, the
37 30 dental board ~~of dentistry~~, and the board of nursing
37 31 shall retain individual executive officers, but shall
37 32 make every effort to share administrative, clerical,
37 33 and investigative staffs to the greatest extent
37 34 possible. The department shall annually submit a
37 35 status report to the general assembly in December
37 36 regarding the sharing of staff during the previous
37 37 fiscal year.
37 38 Sec. _____. Section 147.88, Code 2007, as amended by
37 39 2007 Iowa Acts, Senate File 74, section 65, is amended
37 40 to read as follows:
37 41 147.88 INSPECTIONS.
37 42 The department of inspections and appeals may
37 43 perform inspections as required by this subtitle,
37 44 except for the board of medicine, board of pharmacy,
37 45 board of nursing, and the dental board ~~of dentistry~~.
37 46 The department of inspections and appeals shall employ
37 47 personnel related to the inspection functions.
37 48 Sec. _____. Section 147.107, subsection 2,
37 49 unnumbered paragraph 1, Code 2007, as amended by 2007
37 50 Iowa Acts, Senate File 74, section 78, is amended to
38 1 read as follows:
38 2 A pharmacist, physician, dentist, or podiatric
38 3 physician who dispenses prescription drugs, including
38 4 but not limited to controlled substances, for human
38 5 use, may delegate nonjudgmental dispensing functions
38 6 to staff assistants only when verification of the

38 7 accuracy and completeness of the prescription is
38 8 determined by the pharmacist or practitioner in the
38 9 pharmacist's or practitioner's physical presence.
38 10 However, the physical presence requirement does not
38 11 apply when a pharmacist or practitioner is utilizing
38 12 an automated dispensing system. When using an
38 13 automated dispensing system the pharmacist or
38 14 practitioner shall utilize an internal quality control
38 15 assurance plan that ensures accuracy for dispensing.
38 16 Verification of automated dispensing accuracy and
38 17 completeness remains the responsibility of the
38 18 pharmacist or practitioner and shall be determined in
38 19 accordance with rules adopted by the board of
38 20 pharmacy, the board of medicine, the dental board of
~~38 21 dentistry~~, and the board of podiatry for their
38 22 respective licensees.

38 23 Sec. _____. Section 147.114, Code 2007, as amended
38 24 by 2007 Iowa Acts, Senate File 74, section 81, is
38 25 amended to read as follows:

38 26 147.114 INSPECTOR.

38 27 An inspector may be appointed by the dental board
38 28 ~~of dentistry~~ pursuant to the provisions of chapter 8A,
38 29 subchapter IV.

38 30 Sec. _____. Section 153.12, as enacted by 2007 Iowa
38 31 Acts, Senate File 74, section 132, is amended to read
38 32 as follows:

38 33 153.12 BOARD DEFINED.

38 34 As used in this chapter, "board" means the dental
38 35 ~~board of dentistry~~, created under chapter 147.

38 36 Sec. _____. Section 272C.1, subsection 6, paragraph
38 37 j, Code 2007, as amended by 2007 Iowa Acts, Senate
38 38 File 74, section 171, is amended to read as follows:

38 39 j. The dental board ~~of dentistry~~, created pursuant
38 40 to chapter 147.>

38 41 #60. By renumbering, relettering, or redesignating
38 42 and correcting internal references as necessary.

38 43

38 44

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38 46 COMMITTEE ON APPROPRIATIONS

38 47 ROBERT E. DVORSKY, CHAIRMAN

38 48 HF 909.723 82

38 49 pf/gg/9213