

House File 649

H-1593

1 Amend House File 649 as follows:

2 1. Page 1, line 2, after <AGING> by inserting <—
3 FY 2011-2012>

4 2. Page 2, line 31, after <HEALTH> by inserting <—
5 FY 2011-2012>

6 3. Page 2, by striking lines 32 through 35 and
7 inserting:

8 <Sec. _____. DEPARTMENT OF PUBLIC HEALTH. There is
9 appropriated from the>

10 4. Page 13, line 9, after <AFFAIRS> by inserting
11 <— FY 2011-2012>

12 5. Page 14, line 21, after <SERVICES> by inserting
13 <— FY 2011-2012>

14 6. Page 17, line 18, by striking <or 2011>

15 7. Page 36, line 23, by striking <in each fiscal
16 year>

17 8. Page 36, by striking line 30 and inserting <year
18 beginning July 1, 2011, as the result of>

19 9. Page 76, after line 19 by inserting:

20 <DIVISION

21 DEPARTMENT ON AGING — FY 2012-2013

22 Sec. _____. DEPARTMENT ON AGING. There is
23 appropriated from the general fund of the state to
24 the department on aging for the fiscal year beginning
25 July 1, 2012, and ending June 30, 2013, the following
26 amount, or so much thereof as is necessary, to be used
27 for the purposes designated:

28 For aging programs for the department on aging and
29 area agencies on aging to provide citizens of Iowa who
30 are 60 years of age and older with case management for
31 frail elders, Iowa's aging and disabilities resource
32 center, and other services which may include but are
33 not limited to adult day services, respite care, chore
34 services, information and assistance, and material aid,
35 for information and options counseling for persons with
36 disabilities who are 18 years of age or older, and
37 for salaries, support, administration, maintenance,
38 and miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:

40 \$ 9,852,577

41 FTEs 35.00

42 1. Funds appropriated in this section may be used
43 to supplement federal funds under federal regulations.
44 To receive funds appropriated in this section, a local
45 area agency on aging shall match the funds with moneys
46 from other sources according to rules adopted by the
47 department. Funds appropriated in this section may be
48 used for elderly services not specifically enumerated
49 in this section only if approved by an area agency on
50 aging for provision of the service within the area.

1 2. Of the funds appropriated in this section,
2 \$179,946 shall be transferred to the department
3 of economic development for the Iowa commission on
4 volunteer services to be used for the retired and
5 senior volunteer program.

6 3. a. The department on aging shall establish and
7 enforce procedures relating to expenditure of state and
8 federal funds by area agencies on aging that require
9 compliance with both state and federal laws, rules, and
10 regulations, including but not limited to all of the
11 following:

12 (1) Requiring that expenditures are incurred only
13 for goods or services received or performed prior to
14 the end of the fiscal period designated for use of the
15 funds.

16 (2) Prohibiting prepayment for goods or services
17 not received or performed prior to the end of the
18 fiscal period designated for use of the funds.

19 (3) Prohibiting the prepayment for goods or
20 services not defined specifically by good or service,
21 time period, or recipient.

22 (4) Prohibiting the establishment of accounts from
23 which future goods or services which are not defined
24 specifically by good or service, time period, or
25 recipient, may be purchased.

26 b. The procedures shall provide that if any funds
27 are expended in a manner that is not in compliance with
28 the procedures and applicable federal and state laws,
29 rules, and regulations, and are subsequently subject
30 to repayment, the area agency on aging expending such
31 funds in contravention of such procedures, laws, rules
32 and regulations, not the state, shall be liable for
33 such repayment.

34 DIVISION _____

35 DEPARTMENT OF PUBLIC HEALTH — FY 2012-2013

36 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
37 appropriated from the general fund of the state to
38 the department of public health for the fiscal year
39 beginning July 1, 2012, and ending June 30, 2013, the
40 following amounts, or so much thereof as is necessary,
41 to be used for the purposes designated:

42 1. ADDICTIVE DISORDERS

43 For reducing the prevalence of use of tobacco,
44 alcohol, and other drugs, and treating individuals
45 affected by addictive behaviors, including gambling,
46 and for not more than the following full-time
47 equivalent positions:

48 \$ 20,703,190
49 FTEs 13.00

50 a. (1) Of the funds appropriated in this

1 subsection, \$453,830 shall be transferred to the
2 alcoholic beverages division of the department of
3 commerce for enforcement of tobacco laws, regulations,
4 and ordinances in accordance with 2011 Iowa Acts, House
5 File 467, if enacted.

6 (2) Implementation of the tobacco use prevention
7 and control initiative for the fiscal year beginning
8 July 1, 2012, including efforts at the state and local
9 levels, as provided in chapter 142A, shall be limited
10 to the extent of the funding available.

11 b. Of the funds appropriated in this subsection,
12 \$20,249,360 shall be used for problem gambling and
13 substance abuse prevention, treatment, and recovery
14 services, including a 24-hour helpline, public
15 information resources, professional training, and
16 program evaluation.

17 (1) Of the funds allocated in this paragraph
18 "b", \$17,132,508 shall be used for substance abuse
19 prevention and treatment.

20 (a) Of the funds allocated in this subparagraph
21 (1), \$899,300 shall be used for the public purpose of
22 a grant program to provide substance abuse prevention
23 programming for children.

24 (i) Of the funds allocated in this subparagraph
25 division (a), \$427,539 shall be used for grant funding
26 for organizations that provide programming for
27 children by utilizing mentors. Programs approved for
28 such grants shall be certified or will be certified
29 within six months of receiving the grant award by the
30 Iowa commission on volunteer services as utilizing
31 the standards for effective practice for mentoring
32 programs.

33 (ii) Of the funds allocated in this subparagraph
34 division (a), \$426,839 shall be used for grant
35 funding for organizations that provide programming
36 that includes youth development and leadership. The
37 programs shall also be recognized as being programs
38 that are scientifically based with evidence of their
39 effectiveness in reducing substance abuse in children.

40 (iii) The department of public health shall utilize
41 a request for proposals process to implement the grant
42 program.

43 (iv) All grant recipients shall participate in a
44 program evaluation as a requirement for receiving grant
45 funds.

46 (v) Of the funds allocated in this subparagraph
47 subpart (a), up to \$44,922 may be used to administer
48 substance abuse prevention grants and for program
49 evaluations.

50 (b) Of the funds allocated in this subparagraph

1 (1), \$273,062 shall be used for culturally competent
2 substance abuse treatment pilot projects.

3 (i) The department shall utilize the amount
4 allocated in this subparagraph subpart (b) for at least
5 three pilot projects to provide culturally competent
6 substance abuse treatment in various areas of the
7 state. Each pilot project shall target a particular
8 ethnic minority population. The populations targeted
9 shall include but are not limited to African American,
10 Asian, and Latino.

11 (ii) The pilot project requirements shall provide
12 for documentation or other means to ensure access
13 to the cultural competence approach used by a pilot
14 project so that such approach can be replicated and
15 improved upon in successor programs.

16 (2) Of the funds allocated in this paragraph "b",
17 up to \$3,116,852 may be used for problem gambling
18 prevention, treatment, and recovery services.

19 (a) Of the funds allocated in this subparagraph
20 (2), \$2,579,000 shall be used for problem gambling
21 prevention and treatment.

22 (b) Of the funds allocated in this subparagraph
23 (2), up to \$437,852 may be used for a 24-hour helpline,
24 public information resources, professional training,
25 and program evaluation.

26 (c) Of the funds allocated in this subparagraph
27 (2), up to \$100,000 may be used for the licensing of
28 problem gambling treatment programs.

29 (3) It is the intent of the general assembly that
30 from the moneys allocated in this paragraph "b",
31 persons with a dual diagnosis of substance abuse
32 and gambling addictions shall be given priority in
33 treatment services.

34 c. Notwithstanding any provision of law to the
35 contrary, to standardize the availability, delivery,
36 cost of delivery, and accountability of problem
37 gambling and substance abuse treatment services
38 statewide, the department shall continue implementation
39 of a process to create a system for delivery of
40 treatment services in accordance with the requirements
41 specified in 2008 Iowa Acts, chapter 1187, section
42 3, subsection 4. To ensure the system provides a
43 continuum of treatment services that best meets the
44 needs of Iowans, the problem gambling and substance
45 abuse treatment services in any area may be provided
46 either by a single agency or by separate agencies
47 submitting a joint proposal.

48 (1) The system for delivery of substance abuse
49 and problem gambling treatment shall include problem
50 gambling prevention by July 1, 2012. The department

1 shall submit a proposed legislative bill in accordance
2 with section 2.16, for consideration during the 2012
3 legislative session, addressing any statutory revisions
4 necessary for full implementation of the system.

5 (2) The system for delivery of substance abuse and
6 problem gambling treatment shall include substance
7 abuse prevention by July 1, 2014.

8 (3) Of the funds allocated in paragraph "b", the
9 department may use up to \$100,000 for administrative
10 costs to continue developing and implementing the
11 process in accordance with this paragraph "c".

12 d. The requirement of section 123.53, subsection
13 5, is met by the appropriations and allocations made
14 in this Act for purposes of substance abuse treatment
15 and addictive disorders for the fiscal year beginning
16 July 1, 2011.

17 e. The department of public health shall work
18 with all other departments that fund substance
19 abuse prevention and treatment services and all
20 such departments shall, to the extent necessary,
21 collectively meet the state maintenance of effort
22 requirements for expenditures for substance abuse
23 services as required under the federal substance abuse
24 prevention and treatment block grant.

25 f. The department shall amend or otherwise
26 revise departmental policies and contract provisions
27 in order to eliminate free t-shirt distribution,
28 banner production, and other unnecessary promotional
29 expenditures.

30 2. HEALTHY CHILDREN AND FAMILIES

31 For promoting the optimum health status for
32 children, adolescents from birth through 21 years of
33 age, and families, and for not more than the following
34 full-time equivalent positions:

35 \$ 2,601,905
36 FTEs 10.00

37 a. Of the funds appropriated in this subsection,
38 not more than \$739,318 shall be used for the healthy
39 opportunities to experience success (HOPES)-healthy
40 families Iowa (HFI) program established pursuant to
41 section 135.106. The funding shall be distributed to
42 renew the grants that were provided to the grantees
43 that operated the program during the fiscal year ending
44 June 30, 2012.

45 b. Of the funds appropriated in this subsection,
46 \$287,520 shall be used to continue to address the
47 healthy mental development of children from birth
48 through five years of age through local evidence-based
49 strategies that engage both the public and private
50 sectors in promoting healthy development, prevention,

1 and treatment for children.

2 c. Of the funds appropriated in this subsection,
3 \$31,597 shall be distributed to a statewide dental
4 carrier to provide funds to continue the donated dental
5 services program patterned after the projects developed
6 by the lifeline network to provide dental services to
7 indigent elderly and disabled individuals.

8 d. Of the funds appropriated in this subsection,
9 \$112,677 shall be used for childhood obesity
10 prevention.

11 e. Of the funds appropriated in this subsection,
12 \$163,760 shall be used to provide audiological services
13 and hearing aids for children. The department may
14 enter into a contract to administer this paragraph.

15 f. Of the funds appropriated in this subsection,
16 \$50,000 shall be used for a matching dental education
17 loan repayment program in conjunction with the primary
18 care provider recruitment and retention endeavor
19 established in section 135.107. The department shall
20 work with a dental nonprofit health service corporation
21 to develop the criteria for the loan repayment program.

22 3. CHRONIC CONDITIONS

23 For serving individuals identified as having chronic
24 conditions or special health care needs, and for not
25 more than the following full-time equivalent positions:
26 \$ 3,262,256
27 FTEs 4.00

28 a. Of the funds appropriated in this subsection,
29 \$136,808 shall be used for grants to individual
30 patients who have phenylketonuria (PKU) to assist with
31 the costs of necessary special foods.

32 b. Of the funds appropriated in this subsection,
33 \$383,600 is allocated for continuation of the contracts
34 for resource facilitator services in accordance with
35 section 135.22B, subsection 9, and for brain injury
36 training services and recruiting of service providers
37 to increase the capacity within this state to address
38 the needs of individuals with brain injuries and such
39 individuals' families.

40 c. Of the funds appropriated in this subsection,
41 \$468,874 shall be used as additional funding to
42 leverage federal funding through the federal Ryan
43 White Care Act, Tit. II, AIDS drug assistance program
44 supplemental drug treatment grants.

45 d. Of the funds appropriated in this subsection,
46 \$31,254 shall be used for the public purpose of
47 providing a grant to an existing national-affiliated
48 organization to provide education, client-centered
49 programs, and client and family support for people
50 living with epilepsy and their families.

1 e. Of the funds appropriated in this subsection,
2 \$755,791 shall be used for child health specialty
3 clinics.

4 f. Of the funds appropriated in this subsection,
5 \$711,052 shall be used for the comprehensive cancer
6 control program to reduce the burden of cancer in
7 Iowa through prevention, early detection, effective
8 treatment, and ensuring quality of life. Of the funds
9 allocated in this lettered paragraph, \$363,987 shall
10 be used to support a melanoma research symposium,
11 a melanoma biorepository and registry, basic and
12 translational melanoma research, and clinical trials.

13 g. Of the funds appropriated in this subsection,
14 \$126,450 shall be used for cervical and colon cancer
15 screening.

16 h. Of the funds appropriated in this subsection,
17 \$421,782 shall be used for the center for congenital
18 and inherited disorders.

19 i. Of the funds appropriated in this subsection,
20 \$129,937 shall be used for the prescription drug
21 donation repository program created in chapter 135M.

22 4. COMMUNITY CAPACITY

23 For strengthening the health care delivery system at
24 the local level, and for not more than the following
25 full-time equivalent positions:

26 \$ 3,677,659
27 FTEs 14.00

28 a. Of the funds appropriated in this subsection,
29 \$100,000 is allocated for a child vision screening
30 program implemented through the university of Iowa
31 hospitals and clinics in collaboration with early
32 childhood Iowa areas.

33 b. Of the funds appropriated in this subsection,
34 \$111,308 is allocated for continuation of an initiative
35 implemented at the university of Iowa and \$100,493 is
36 allocated for continuation of an initiative at the
37 state mental health institute at Cherokee to expand
38 and improve the workforce engaged in mental health
39 treatment and services. The initiatives shall receive
40 input from the university of Iowa, the department of
41 human services, the department of public health, and
42 the mental health, mental retardation, developmental
43 disabilities, and brain injury commission to address
44 the focus of the initiatives.

45 c. Of the funds appropriated in this subsection,
46 \$1,171,491 shall be used for essential public health
47 services that promote healthy aging throughout the
48 lifespan, contracted through a formula for local boards
49 of health, to enhance health promotion and disease
50 prevention services.

1 d. Of the funds appropriated in this section,
2 \$121,817 shall be deposited in the governmental public
3 health system fund created in section 135A.8 to be used
4 for the purposes of the fund.

5 e. Of the funds appropriated in this subsection,
6 \$106,279 shall be used for the mental health
7 professional shortage area program implemented pursuant
8 to section 135.80.

9 f. Of the funds appropriated in this subsection,
10 \$38,263 shall be used for a grant to a statewide
11 association of psychologists that is affiliated
12 with the American psychological association to be
13 used for continuation of a program to rotate intern
14 psychologists in placements in urban and rural mental
15 health professional shortage areas, as defined in
16 section 135.80.

17 g. Of the funds appropriated in this subsection,
18 the following amounts shall be allocated to the Iowa
19 collaborative safety net provider network established
20 pursuant to section 135.153 to be used for the purposes
21 designated:

22 (1) For distribution to the Iowa-Nebraska primary
23 care association for statewide coordination of the Iowa
24 collaborative safety net provider network:

25 \$ 116,597

26 (2) For distribution to the local boards of health
27 that provide direct services for pilot programs in
28 three counties to assist patients in determining an
29 appropriate medical home:

30 \$ 68,332

31 (3) For distribution to maternal and child health
32 centers for pilot programs in three counties to assist
33 patients in determining an appropriate medical home:

34 \$ 68,332

35 (4) For distribution to free clinics for necessary
36 infrastructure, statewide coordination, provider
37 recruitment, service delivery, and provision of
38 assistance to patients in determining an appropriate
39 medical home:

40 \$ 113,754

41 (5) For distribution to rural health clinics for
42 necessary infrastructure, statewide coordination,
43 provider recruitment, service delivery, and provision
44 of assistance to patients in determining an appropriate
45 medical home:

46 \$ 101,264

47 (6) For continuation of the safety net provider
48 patient access to specialty health care initiative as
49 described in 2007 Iowa Acts, chapter 218, section 109:

50 \$ 238,420

1 (7) For continuation of the pharmaceutical
2 infrastructure for safety net providers as described in
3 2007 Iowa Acts, chapter 218, section 108:

4 \$ 247,590

5 The Iowa collaborative safety net provider network
6 may continue to distribute funds allocated pursuant to
7 this lettered paragraph through existing contracts or
8 renewal of existing contracts.

9 h. The department shall utilize funds received
10 through the grant by the United States department
11 of health and human services, health resources and
12 services administration to develop and pilot a training
13 and credentialing model for direct care professionals,
14 to the extent allowable, to continue implementation
15 of the recommendations of the direct care worker task
16 force established pursuant to 2005 Iowa Acts, chapter
17 88, based upon the report submitted to the governor and
18 the general assembly in December 2006.

19 i. The department may utilize one of the full-time
20 equivalent positions authorized in this subsection for
21 administration of the activities related to the Iowa
22 collaborative safety net provider network.

23 j. Of the funds appropriated in this subsection,
24 the department may use up to \$60,000 for up to one
25 full-time equivalent position to administer the
26 volunteer health care provider program pursuant to
27 section 135.24.

28 5. HEALTHY AGING

29 To provide public health services that reduce risks
30 and invest in promoting and protecting good health over
31 the course of a lifetime with a priority given to older
32 Iowans and vulnerable populations:

33 \$ 7,297,142

34 a. Of the funds appropriated in this subsection,
35 \$2,009,187 shall be used for local public health
36 nursing services.

37 b. Of the funds appropriated in this subsection,
38 \$5,287,955 shall be used for home care aide services.

39 6. ENVIRONMENTAL HAZARDS

40 For reducing the public's exposure to hazards in the
41 environment, primarily chemical hazards, and for not
42 more than the following full-time equivalent positions:

43 \$ 813,777

44 FTEs 4.00

45 Of the funds appropriated in this subsection,
46 \$544,377 shall be used for childhood lead poisoning
47 provisions.

48 7. INFECTIOUS DISEASES

49 For reducing the incidence and prevalence of
50 communicable diseases, and for not more than the

1 following full-time equivalent positions:
2 \$ 1,345,847
3 FTEs 4.00

4 8. PUBLIC PROTECTION

5 For protecting the health and safety of the
6 public through establishing standards and enforcing
7 regulations, and for not more than the following
8 full-time equivalent positions:

9 \$ 2,906,532
10 FTEs 125.00

11 a. Of the funds appropriated in this subsection,
12 not more than \$424,146 shall be credited to the
13 emergency medical services fund created in section
14 135.25. Moneys in the emergency medical services fund
15 are appropriated to the department to be used for the
16 purposes of the fund.

17 b. Of the funds appropriated in this subsection,
18 \$210,619 shall be used for sexual violence prevention
19 programming through a statewide organization
20 representing programs serving victims of sexual
21 violence through the department's sexual violence
22 prevention program. The amount allocated in this
23 lettered paragraph shall not be used to supplant
24 funding administered for other sexual violence
25 prevention or victims assistance programs.

26 c. Of the funds appropriated in this subsection,
27 not more than \$436,582 shall be used for the state
28 poison control center.

29 9. RESOURCE MANAGEMENT

30 For establishing and sustaining the overall
31 ability of the department to deliver services to the
32 public, and for not more than the following full-time
33 equivalent positions:

34 \$ 819,554
35 FTEs 7.00

36 The university of Iowa hospitals and clinics under
37 the control of the state board of regents shall not
38 receive indirect costs from the funds appropriated in
39 this section. The university of Iowa hospitals and
40 clinics billings to the department shall be on at least
41 a quarterly basis.

42 DIVISION

43 DEPARTMENT OF VETERANS AFFAIRS — FY 2012-2013

44 Sec. ____ . DEPARTMENT OF VETERANS AFFAIRS. There
45 is appropriated from the general fund of the state to
46 the department of veterans affairs for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amounts, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

1 For salaries, support, maintenance, and
 2 miscellaneous purposes, including the war orphans
 3 educational assistance fund created in section
 4 35.8, and for not more than the following full-time
 5 equivalent positions:
 6 \$ 998,832
 7 FTEs 16.34

8 2. IOWA VETERANS HOME
 9 For salaries, support, maintenance, and
 10 miscellaneous purposes:

11 \$ 9,952,151
 12 a. The Iowa veterans home billings involving the
 13 department of human services shall be submitted to the
 14 department on at least a monthly basis.

15 b. If there is a change in the employer of
 16 employees providing services at the Iowa veterans home
 17 under a collective bargaining agreement, such employees
 18 and the agreement shall be continued by the successor
 19 employer as though there had not been a change in
 20 employer.

21 c. Within available resources and in conformance
 22 with associated state and federal program eligibility
 23 requirements, the Iowa veterans home may implement
 24 measures to provide financial assistance to or on
 25 behalf of veterans or their spouses participating in
 26 the community reentry program.

27 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF
 28 DECEASED VETERANS
 29 For provision of educational assistance pursuant to
 30 section 35.9:
 31 \$ 12,416

32 Sec. ____ . LIMITATION OF COUNTY
 33 COMMISSION OF VETERANS AFFAIRS FUND STANDING
 34 APPROPRIATIONS. Notwithstanding the standing
 35 appropriation in the following designated section for
 36 the fiscal year beginning July 1, 2012, and ending June
 37 30, 2013, the amounts appropriated from the general
 38 fund of the state pursuant to that section for the
 39 following designated purposes shall not exceed the
 40 following amount:

41 For the county commissions of veterans affairs fund
 42 under section 35A.16:
 43 \$ 990,000

44 DIVISION
 45 DEPARTMENT OF HUMAN SERVICES — FY 2012-2013
 46 Sec. ____ . TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 47 BLOCK GRANT. There is appropriated from the fund
 48 created in section 8.41 to the department of human
 49 services for the fiscal year beginning July 1, 2012,
 50 and ending June 30, 2013, from moneys received under

1 the federal temporary assistance for needy families
2 (TANF) block grant pursuant to the federal Personal
3 Responsibility and Work Opportunity Reconciliation
4 Act of 1996, Pub. L. No. 104-193, and successor
5 legislation, and from moneys received under the
6 emergency contingency fund for temporary assistance
7 for needy families state program established pursuant
8 to the federal American Recovery and Reinvestment
9 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
10 legislation, the following amounts, or so much
11 thereof as is necessary, to be used for the purposes
12 designated:

13 1. To be credited to the family investment program
14 account and used for assistance under the family
15 investment program under chapter 239B:

16 \$ 21,500,738

17 2. To be credited to the family investment program
18 account and used for the job opportunities and
19 basic skills (JOBS) program and implementing family
20 investment agreements in accordance with chapter 239B:

21 \$ 12,411,528

22 3. To be used for the family development and
23 self-sufficiency grant program in accordance with
24 section 216A.107:

25 \$ 2,898,980

26 Notwithstanding section 8.33, moneys appropriated in
27 this subsection that remain unencumbered or unobligated
28 at the close of the fiscal year shall not revert but
29 shall remain available for expenditure for the purposes
30 designated until the close of the succeeding fiscal
31 year. However, unless such moneys are encumbered or
32 obligated on or before September 30, 2013, the moneys
33 shall revert.

34 4. For field operations:

35 \$ 31,296,232

36 5. For general administration:

37 \$ 3,744,000

38 6. For state child care assistance:

39 \$ 16,382,687

40 The funds appropriated in this subsection shall be
41 transferred to the child care and development block
42 grant appropriation made by the Eighty-fourth General
43 Assembly, 2012 Session, for the federal fiscal year
44 beginning October 1, 2012, and ending September 30,
45 2013. Of this amount, \$200,000 shall be used for
46 provision of educational opportunities to registered
47 child care home providers in order to improve services
48 and programs offered by this category of providers and
49 to increase the number of providers. The department
50 may contract with institutions of higher education or

1 child care resource and referral centers to provide the
2 educational opportunities. Allowable administrative
3 costs under the contracts shall not exceed 5 percent.
4 The application for a grant shall not exceed two pages
5 in length.

6 7. For mental health and developmental disabilities
7 community services:

8 \$ 4,894,052

9 8. For child and family services:

10 \$ 32,084,430

11 9. For child abuse prevention grants:

12 \$ 125,000

13 10. For pregnancy prevention grants on the
14 condition that family planning services are funded:

15 \$ 1,930,067

16 Pregnancy prevention grants shall be awarded
17 to pregnancy prevention programs that are based
18 on existing models that have demonstrated positive
19 outcomes. Grants shall comply with the requirements
20 provided in 1997 Iowa Acts, chapter 208, section 14,
21 subsections 1 and 2, including the requirement that
22 grant programs must emphasize sexual abstinence.
23 Priority in the awarding of grants shall be given
24 to programs that serve areas of the state which
25 demonstrate the highest percentage of unplanned
26 pregnancies of females of childbearing age within the
27 geographic area to be served by the grant.

28 11. For technology needs and other resources
29 necessary to meet federal welfare reform reporting,
30 tracking, and case management requirements:

31 \$ 1,037,186

32 12. To be credited to the state child care
33 assistance appropriation made in this section to be
34 used for funding of community-based early childhood
35 programs targeted to children from birth through five
36 years of age developed by early childhood Iowa areas as
37 provided in section 256I.11:

38 \$ 6,350,000

39 The department shall transfer TANF block grant
40 funding appropriated and allocated in this subsection
41 to the child care and development block grant
42 appropriation in accordance with federal law as
43 necessary to comply with the provisions of this
44 subsection.

45 13. a. Notwithstanding any provision to the
46 contrary, including but not limited to requirements
47 in section 8.41 or provisions in 2011 or 2012 Iowa
48 Acts regarding the receipt and appropriation of
49 federal block grants, federal funds from the emergency
50 contingency fund for temporary assistance for needy

1 families state program established pursuant to the
2 federal American Recovery and Reinvestment Act of
3 2009, Pub. L. No. 111-5 § 2101, received by the state
4 during the fiscal year beginning July 1, 2011, and
5 ending June 30, 2012, not otherwise appropriated in
6 this section and remaining available as of July 1,
7 2012, and received by the state during the fiscal year
8 beginning July 1, 2012, and ending June 30, 2013, are
9 appropriated to the extent as may be necessary to be
10 used in the following priority order: the family
11 investment program for the fiscal year and for state
12 child care assistance program payments for individuals
13 enrolled in the family investment program who are
14 employed. The federal funds appropriated in this
15 paragraph "a" shall be expended only after all other
16 funds appropriated in subsection 1 for the assistance
17 under the family investment program under chapter 239B
18 have been expended.

19 b. The department shall, on a quarterly basis,
20 advise the legislative services agency and department
21 of management of the amount of funds appropriated in
22 this subsection that was expended in the prior quarter.

23 14. Of the amounts appropriated in this section,
24 \$12,962,008 for the fiscal year beginning July 1,
25 2012, shall be transferred to the appropriation of
26 the federal social services block grant made for that
27 fiscal year.

28 15. For continuation of the program allowing the
29 department to maintain categorical eligibility for the
30 food assistance program as required under the section
31 of this division relating to the family investment
32 account:

33 \$ 146,072

34 16. The department may transfer funds allocated
35 in this section to the appropriations made in this
36 Act for general administration and field operations
37 for resources necessary to implement and operate the
38 services referred to in this section and those funded
39 in the appropriation made in this division of this Act
40 for the family investment program from the general fund
41 of the state.

42 Sec. ____ . FAMILY INVESTMENT PROGRAM ACCOUNT.

43 1. Moneys credited to the family investment program
44 (FIP) account for the fiscal year beginning July
45 1, 2012, and ending June 30, 2013, shall be used to
46 provide assistance in accordance with chapter 239B.

47 2. The department may use a portion of the moneys
48 credited to the FIP account under this section as
49 necessary for salaries, support, maintenance, and
50 miscellaneous purposes.

1 3. The department may transfer funds allocated
2 in this section to the appropriations in this Act
3 for general administration and field operations for
4 resources necessary to implement and operate the
5 services referred to in this section and those funded
6 in the appropriation made in this division of this Act
7 for the family investment program from the general fund
8 of the state.

9 4. Moneys appropriated in this division of this Act
10 and credited to the FIP account for the fiscal year
11 beginning July 1, 2012, and ending June 30, 2013, are
12 allocated as follows:

13 a. To be retained by the department of human
14 services to be used for coordinating with the
15 department of human rights to more effectively serve
16 participants in the FIP program and other shared
17 clients and to meet federal reporting requirements
18 under the federal temporary assistance for needy
19 families block grant:

20 \$ 20,000

21 b. To the department of human rights for staffing,
22 administration, and implementation of the family
23 development and self-sufficiency grant program in
24 accordance with section 216A.107:

25 \$ 5,342,834

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

31 (2) The department of human rights may continue to
32 implement the family development and self-sufficiency
33 grant program statewide during fiscal year 2012-2013.

34 c. For the diversion subaccount of the FIP account:

35 \$ 1,698,400

36 A portion of the moneys allocated for the subaccount
37 may be used for field operations salaries, data
38 management system development, and implementation
39 costs and support deemed necessary by the director of
40 human services in order to administer the FIP diversion
41 program.

42 d. For the food stamp employment and training
43 program:

44 \$ 66,588

45 (1) The department shall amend the food stamp
46 employment and training state plan in order to maximize
47 to the fullest extent permitted by federal law the
48 use of the 50-50 match provisions for the claiming
49 of allowable federal matching funds from the United
50 States department of agriculture pursuant to the

1 federal food stamp employment and training program for
2 providing education, employment, and training services
3 for eligible food assistance program participants,
4 including but not limited to related dependent care and
5 transportation expenses.

6 (2) The department shall continue the categorical
7 federal food assistance program eligibility at 160
8 percent of the federal poverty level and continue to
9 eliminate the asset test from eligibility requirements,
10 consistent with federal food assistance program
11 requirements. The department shall include as many
12 food assistance households as is allowed by federal
13 law. The eligibility provisions shall conform to all
14 federal requirements including requirements addressing
15 individuals who are incarcerated or otherwise
16 ineligible.

17 e. For the JOBS program:
18 \$ 20,235,905

19 5. Of the child support collections assigned under
20 FIP, an amount equal to the federal share of support
21 collections shall be credited to the child support
22 recovery appropriation made in this division of this
23 Act. Of the remainder of the assigned child support
24 collections received by the child support recovery
25 unit, a portion shall be credited to the FIP account,
26 a portion may be used to increase recoveries, and a
27 portion may be used to sustain cash flow in the child
28 support payments account. If as a consequence of the
29 appropriations and allocations made in this section
30 the resulting amounts are insufficient to sustain
31 cash assistance payments and meet federal maintenance
32 of effort requirements, the department shall seek
33 supplemental funding. If child support collections
34 assigned under FIP are greater than estimated or are
35 otherwise determined not to be required for maintenance
36 of effort, the state share of either amount may be
37 transferred to or retained in the child support payment
38 account.

39 6. The department may adopt emergency rules for
40 the family investment, JOBS, food stamp, and medical
41 assistance programs if necessary to comply with federal
42 requirements.

43 Sec. ____ . FAMILY INVESTMENT PROGRAM GENERAL
44 FUND. There is appropriated from the general fund of
45 the state to the department of human services for the
46 fiscal year beginning July 1, 2012, and ending June 30,
47 2013, the following amount, or so much thereof as is
48 necessary, to be used for the purpose designated:

49 To be credited to the family investment program
50 (FIP) account and used for family investment program

1 assistance under chapter 239B:
2 \$ 50,421,027

3 1. Of the funds appropriated in this section,
4 \$7,824,377 is allocated for the JOBS program.

5 2. Of the funds appropriated in this section,
6 \$2,463,854 is allocated for the family development and
7 self-sufficiency grant program.

8 3. Notwithstanding section 8.39, for the fiscal
9 year beginning July 1, 2012, if necessary to meet
10 federal maintenance of effort requirements or to
11 transfer federal temporary assistance for needy
12 families block grant funding to be used for purposes
13 of the federal social services block grant or to meet
14 cash flow needs resulting from delays in receiving
15 federal funding or to implement, in accordance with
16 this division of this Act, activities currently funded
17 with juvenile court services, county, or community
18 moneys and state moneys used in combination with such
19 moneys, the department of human services may transfer
20 funds within or between any of the appropriations made
21 in this division of this Act and appropriations in law
22 for the federal social services block grant to the
23 department for the following purposes, provided that
24 the combined amount of state and federal temporary
25 assistance for needy families block grant funding for
26 each appropriation remains the same before and after
27 the transfer:

- 28 a. For the family investment program.
- 29 b. For child care assistance.
- 30 c. For child and family services.
- 31 d. For field operations.
- 32 e. For general administration.
- 33 f. MH/MR/DD/BI community services (local purchase).

34 This subsection shall not be construed to prohibit
35 the use of existing state transfer authority for other
36 purposes. The department shall report any transfers
37 made pursuant to this subsection to the legislative
38 services agency.

39 4. Of the funds appropriated in this section,
40 \$195,678 shall be used for continuation of a grant to
41 an Iowa-based nonprofit organization with a history
42 of providing tax preparation assistance to low-income
43 Iowans in order to expand the usage of the earned
44 income tax credit. The purpose of the grant is to
45 supply this assistance to underserved areas of the
46 state.

47 Sec. ____ . CHILD SUPPORT RECOVERY. There is
48 appropriated from the general fund of the state to
49 the department of human services for the fiscal year
50 beginning July 1, 2012, and ending June 30, 2013, the

1 following amount, or so much thereof as is necessary,
2 to be used for the purposes designated:

3 For child support recovery, including salaries,
4 support, maintenance, and miscellaneous purposes, and
5 for not more than the following full-time equivalent
6 positions:

7 \$ 13,219,255
8 FTEs 475.00

9 1. The department shall expend up to \$24,329,
10 including federal financial participation, for the
11 fiscal year beginning July 1, 2012, for a child support
12 public awareness campaign. The department and the
13 office of the attorney general shall cooperate in
14 continuation of the campaign. The public awareness
15 campaign shall emphasize, through a variety of media
16 activities, the importance of maximum involvement of
17 both parents in the lives of their children as well as
18 the importance of payment of child support obligations.

19 2. Federal access and visitation grant moneys shall
20 be issued directly to private not-for-profit agencies
21 that provide services designed to increase compliance
22 with the child access provisions of court orders,
23 including but not limited to neutral visitation sites
24 and mediation services.

25 3. The appropriation made to the department for
26 child support recovery may be used throughout the
27 fiscal year in the manner necessary for purposes of
28 cash flow management, and for cash flow management
29 purposes the department may temporarily draw more
30 than the amount appropriated, provided the amount
31 appropriated is not exceeded at the close of the fiscal
32 year.

33 4. With the exception of the funding amount
34 specified, the requirements established under 2001
35 Iowa Acts, chapter 191, section 3, subsection 5,
36 paragraph "c", subparagraph (3), shall be applicable
37 to parental obligation pilot projects for the fiscal
38 year beginning July 1, 2012, and ending June 30,
39 2013. Notwithstanding 441 IAC 100.8, providing for
40 termination of rules relating to the pilot projects,
41 the rules shall remain in effect until June 30, 2013.

42 Sec. ____ . HEALTH CARE TRUST FUND — MEDICAL
43 ASSISTANCE. Any funds remaining in the health care
44 trust fund created in section 453A.35A for the fiscal
45 year beginning July 1, 2012, and ending June 30,
46 2013, are appropriated to the department of human
47 services to supplement the medical assistance program
48 appropriations made in this Act, for medical assistance
49 reimbursement and associated costs, including
50 program administration and costs associated with

1 implementation.

2 Sec. ____ . MEDICAL ASSISTANCE. There is
3 appropriated from the general fund of the state to
4 the department of human services for the fiscal year
5 beginning July 1, 2012, and ending June 30, 2013, the
6 following amount, or so much thereof as is necessary,
7 to be used for the purpose designated:

8 For medical assistance reimbursement and associated
9 costs as specifically provided in the reimbursement
10 methodologies in effect on June 30, 2012, except as
11 otherwise expressly authorized by law, including
12 reimbursement for abortion services which shall be
13 available under the medical assistance program only for
14 those abortions which are medically necessary:

15 \$955,237,190

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

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

21 b. Any spontaneous abortion, commonly known as a
22 miscarriage, if not all of the products of conception
23 are expelled.

24 2. The department shall utilize not more than
25 \$60,000 of the funds appropriated in this section
26 to continue the AIDS/HIV health insurance premium
27 payment program as established in 1992 Iowa Acts,
28 Second Extraordinary Session, chapter 1001, section
29 409, subsection 6. Of the funds allocated in this
30 subsection, not more than \$5,000 may be expended for
31 administrative purposes.

32 3. Of the funds appropriated in this Act to the
33 department of public health for addictive disorders,
34 \$950,000 for the fiscal year beginning July 1, 2012,
35 shall be transferred to the department of human
36 services for an integrated substance abuse managed care
37 system. The department shall not assume management
38 of the substance abuse system in place of the managed
39 care contractor unless such a change in approach is
40 specifically authorized in law. The departments of
41 human services and public health shall work together
42 to maintain the level of mental health and substance
43 abuse services provided by the managed care contractor
44 through the Iowa plan for behavioral health. Each
45 department shall take the steps necessary to continue
46 the federal waivers as necessary to maintain the level
47 of services.

48 4. a. The department shall aggressively pursue
49 options for providing medical assistance or other
50 assistance to individuals with special needs who become

1 ineligible to continue receiving services under the
2 early and periodic screening, diagnostic, and treatment
3 program under the medical assistance program due
4 to becoming 21 years of age who have been approved
5 for additional assistance through the department's
6 exception to policy provisions, but who have health
7 care needs in excess of the funding available through
8 the exception to policy provisions.

9 b. Of the funds appropriated in this section,
10 \$100,000 shall be used for participation in one or more
11 pilot projects operated by a private provider to allow
12 the individual or individuals to receive service in the
13 community in accordance with principles established in
14 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
15 of providing medical assistance or other assistance to
16 individuals with special needs who become ineligible
17 to continue receiving services under the early and
18 periodic screening, diagnosis, and treatment program
19 under the medical assistance program due to becoming
20 21 years of age who have been approved for additional
21 assistance through the department's exception to policy
22 provisions, but who have health care needs in excess
23 of the funding available through the exception to the
24 policy provisions.

25 5. Of the funds appropriated in this section, up to
26 \$3,050,082 may be transferred to the field operations
27 or general administration appropriations in this Act
28 for operational costs associated with Part D of the
29 federal Medicare Prescription Drug Improvement and
30 Modernization Act of 2003, Pub. L. No. 108-173.

31 6. Of the funds appropriated in this section, up
32 to \$442,100 may be transferred to the appropriation
33 in this Act for medical contracts to be used for
34 clinical assessment services and prior authorization
35 of services.

36 7. A portion of the funds appropriated in this
37 section may be transferred to the appropriations in
38 this division of this Act for general administration,
39 medical contracts, the children's health insurance
40 program, or field operations to be used for the
41 state match cost to comply with the payment error
42 rate measurement (PERM) program for both the medical
43 assistance and children's health insurance programs
44 as developed by the centers for Medicare and Medicaid
45 services of the United States department of health and
46 human services to comply with the federal Improper
47 Payments Information Act of 2002, Pub. L. No. 107-300.

48 8. It is the intent of the general assembly
49 that the department continue to implement the
50 recommendations of the assuring better child health

1 and development initiative II (ABCDII) clinical panel
2 to the Iowa early and periodic screening, diagnostic,
3 and treatment services healthy mental development
4 collaborative board regarding changes to billing
5 procedures, codes, and eligible service providers.

6 9. Of the funds appropriated in this section,
7 a sufficient amount is allocated to supplement
8 the incomes of residents of nursing facilities,
9 intermediate care facilities for persons with mental
10 illness, and intermediate care facilities for persons
11 with mental retardation, with incomes of less than \$50
12 in the amount necessary for the residents to receive a
13 personal needs allowance of \$50 per month pursuant to
14 section 249A.30A.

15 10. Of the funds appropriated in this section,
16 the following amounts shall be transferred to the
17 appropriations made in this division of this Act for
18 the state mental health institutes:

- 19 a. Cherokee mental health institute \$
- 20 9,098,425
- 21 b. Clarinda mental health institute \$
- 22 1,977,305
- 23 c. Independence mental health institute \$
- 24 9,045,894
- 25 d. Mount Pleasant mental health institute \$
- 26 5,752,587

27 11. a. Of the funds appropriated in this section,
28 \$7,425,684 is allocated for the state match for a
29 disproportionate share hospital payment of \$19,133,430
30 to hospitals that meet both of the conditions specified
31 in subparagraphs (1) and (2). In addition, the
32 hospitals that meet the conditions specified shall
33 either certify public expenditures or transfer to
34 the medical assistance program an amount equal to
35 provide the nonfederal share for a disproportionate
36 share hospital payment of \$7,500,000. The hospitals
37 that meet the conditions specified shall receive and
38 retain 100 percent of the total disproportionate share
39 hospital payment of \$26,633,430.

40 (1) The hospital qualifies for disproportionate
41 share and graduate medical education payments.

42 (2) The hospital is an Iowa state-owned hospital
43 with more than 500 beds and eight or more distinct
44 residency specialty or subspecialty programs recognized
45 by the American college of graduate medical education.

46 b. Distribution of the disproportionate share
47 payments shall be made on a monthly basis. The total
48 amount of disproportionate share payments including
49 graduate medical education, enhanced disproportionate
50 share, and Iowa state-owned teaching hospital payments

1 shall not exceed the amount of the state's allotment
2 under Pub. L. No. 102-234. In addition, the total
3 amount of all disproportionate share payments shall not
4 exceed the hospital-specific disproportionate share
5 limits under Pub. L. No. 103-66.

6 12. The university of Iowa hospitals and clinics
7 shall either certify public expenditures or transfer to
8 the medical assistance appropriation an amount equal
9 to provide the nonfederal share for increased medical
10 assistance payments for inpatient and outpatient
11 hospital services of \$9,900,000. The university of
12 Iowa hospitals and clinics shall receive and retain 100
13 percent of the total increase in medical assistance
14 payments.

15 13. Of the funds appropriated in this section,
16 up to \$4,480,304 may be transferred to the IowaCare
17 account created in section 249J.24.

18 14. Of the funds appropriated in this section,
19 \$200,000 shall be used for the Iowa chronic care
20 consortium pursuant to 2003 Iowa Acts, chapter 112,
21 section 12, as amended by 2003 Iowa Acts, chapter 179,
22 sections 166 and 167.

23 15. One hundred percent of the nonfederal share of
24 payments to area education agencies that are medical
25 assistance providers for medical assistance-covered
26 services provided to medical assistance-covered
27 children, shall be made from the appropriation made in
28 this section.

29 16. Any new or renewed contract entered into by the
30 department with a third party to administer behavioral
31 health services under the medical assistance program
32 shall provide that any interest earned on payments
33 from the state during the state fiscal year shall be
34 remitted to the department and treated as recoveries to
35 offset the costs of the medical assistance program.

36 17. The department shall continue to implement the
37 provisions in 2007 Iowa Acts, chapter 218, section
38 124 and section 126, as amended by 2008 Iowa Acts,
39 chapter 1188, section 55, relating to eligibility for
40 certain persons with disabilities under the medical
41 assistance program in accordance with the federal
42 family opportunity Act.

43 18. A portion of the funds appropriated in this
44 section may be transferred to the appropriation in this
45 division of this Act for medical contracts to be used
46 for administrative activities associated with the money
47 follows the person demonstration project.

48 19. Of the funds appropriated in this section,
49 \$349,011 shall be used for the administration of the
50 health insurance premium payment program, including

1 salaries, support, maintenance, and miscellaneous
2 purposes for the fiscal year beginning July 1, 2012.

3 20. a. The department may increase the amounts
4 allocated for salaries, support, maintenance, and
5 miscellaneous purposes associated with the medical
6 assistance program as necessary to implement cost
7 containment efforts in order to accomplish medical
8 assistance program savings. The department shall
9 report any such increase to the legislative services
10 agency and department of management.

11 b. If the savings to the medical assistance
12 program exceed the cost, the department may transfer
13 any savings generated for the fiscal year due to
14 medical assistance program cost containment efforts
15 initiated pursuant to 2010 Iowa Acts, chapter 1031,
16 Executive Order No. 20, issued December 16, 2009, or
17 cost containment efforts initiated by the department
18 during fiscal year 2012-2013, to the appropriation made
19 in this division of this Act for medical contracts or
20 general administration to defray the increased contract
21 costs associated with implementing such efforts.

22 21. The department may implement cost containment
23 strategies recommended by the governor by using a sole
24 source contract process or by expanding an existing
25 contract without using a competitive process. The
26 department may adopt emergency rules to implement
27 the cost containment strategies recommended by the
28 governor.

29 22. The department shall report the implementation
30 of any cost containment strategies under this section
31 to the individuals specified in this Act to receive
32 reports on a quarterly basis.

33 23. Notwithstanding any provision of law to the
34 contrary, the department of human services shall
35 continue implementation of the amended section 1915(b)
36 waiver and Iowa plan contract for inclusion of remedial
37 services under the Iowa plan contract for the fiscal
38 year beginning July 1, 2012.

39 Sec. ____ . MEDICAL CONTRACTS. There is appropriated
40 from the general fund of the state to the department of
41 human services for the fiscal year beginning July 1,
42 2012, and ending June 30, 2013, the following amount,
43 or so much thereof as is necessary, to be used for the
44 purpose designated:

45 For medical contracts:
46 \$ 5,773,844

47 The department of inspections and appeals shall
48 provide all state matching funds for survey and
49 certification activities performed by the department
50 of inspections and appeals. The department of human

1 services is solely responsible for distributing the
2 federal matching funds for such activities.

3 Sec. ____ . STATE SUPPLEMENTARY ASSISTANCE.

4 1. There is appropriated from the general fund of
5 the state to the department of human services for the
6 fiscal year beginning July 1, 2012, and ending June 30,
7 2013, the following amount, or so much thereof as is
8 necessary, to be used for the purpose designated:

9 For the state supplementary assistance program:

10 \$ 17,850,747

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

18 3. If during the fiscal year beginning July 1,
19 2012, the department projects that state supplementary
20 assistance expenditures for a calendar year will not
21 meet the federal pass-through requirement specified
22 in Tit. XVI of the federal Social Security Act,
23 section 1618, as codified in 42 U.S.C. § 1382g,
24 the department may take actions including but not
25 limited to increasing the personal needs allowance
26 for residential care facility residents and making
27 programmatic adjustments or upward adjustments of the
28 residential care facility or in-home health-related
29 care reimbursement rates prescribed in this division of
30 this Act to ensure that federal requirements are met.
31 In addition, the department may make other programmatic
32 and rate adjustments necessary to remain within the
33 amount appropriated in this section while ensuring
34 compliance with federal requirements. The department
35 may adopt emergency rules to implement the provisions
36 of this subsection.

37 Sec. ____ . CHILDREN'S HEALTH INSURANCE

38 PROGRAM. There is appropriated from the general
39 fund of the state to the department of human services
40 for the fiscal year beginning July 1, 2012, and ending
41 June 30, 2013, the following amount, or so much thereof
42 as is necessary, to be used for the purpose designated:

43 For maintenance of the healthy and well kids in Iowa
44 (hawk-i) program pursuant to chapter 514I, including
45 supplemental dental services, for receipt of federal
46 financial participation under Tit. XXI of the federal
47 Social Security Act, which creates the children's
48 health insurance program:

49 \$ 32,927,152

50 Sec. ____ . CHILD CARE ASSISTANCE. There is

1 appropriated from the general fund of the state to
2 the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, the
4 following amount, or so much thereof as is necessary,
5 to be used for the purpose designated:
6 For child care programs:
7 \$ 53,237,662
8 1. Of the funds appropriated in this section,
9 \$51,868,235 shall be used for state child care
10 assistance in accordance with section 237A.13.
11 2. Nothing in this section shall be construed or
12 is intended as or shall imply a grant of entitlement
13 for services to persons who are eligible for assistance
14 due to an income level consistent with the waiting
15 list requirements of section 237A.13. Any state
16 obligation to provide services pursuant to this section
17 is limited to the extent of the funds appropriated in
18 this section.
19 3. Of the funds appropriated in this section,
20 \$432,453 is allocated for the statewide program for
21 child care resource and referral services under section
22 237A.26. A list of the registered and licensed child
23 care facilities operating in the area served by a
24 child care resource and referral service shall be made
25 available to the families receiving state child care
26 assistance in that area.
27 4. Of the funds appropriated in this section,
28 \$936,974 is allocated for child care quality
29 improvement initiatives including but not limited to
30 the voluntary quality rating system in accordance with
31 section 237A.30. The \$2,000,000 reduction applied to
32 the combined state and federal funding allocated for
33 quality improvement in the prior fiscal year shall be
34 continued.
35 5. The department may use any of the funds
36 appropriated in this section as a match to obtain
37 federal funds for use in expanding child care
38 assistance and related programs. For the purpose of
39 expenditures of state and federal child care funding,
40 funds shall be considered obligated at the time
41 expenditures are projected or are allocated to the
42 department's service areas. Projections shall be based
43 on current and projected caseload growth, current and
44 projected provider rates, staffing requirements for
45 eligibility determination and management of program
46 requirements including data systems management,
47 staffing requirements for administration of the
48 program, contractual and grant obligations and any
49 transfers to other state agencies, and obligations for
50 decategorization or innovation projects.

1 6. A portion of the state match for the federal
2 child care and development block grant shall be
3 provided as necessary to meet federal matching
4 funds requirements through the state general fund
5 appropriation made for child development grants and
6 other programs for at-risk children in section 279.51.

7 7. If a uniform reduction ordered by the governor
8 under section 8.31 or other operation of law,
9 transfer, or federal funding reduction reduces the
10 appropriation made in this section for the fiscal year,
11 the percentage reduction in the amount paid out to or
12 on behalf of the families participating in the state
13 child care assistance program shall be equal to or
14 less than the percentage reduction made for any other
15 purpose payable from the appropriation made in this
16 section and the federal funding relating to it. The
17 percentage reduction to the other allocations made in
18 this section shall be the same as the uniform reduction
19 ordered by the governor or the percentage change of the
20 federal funding reduction, as applicable. If there is
21 an unanticipated increase in federal funding provided
22 for state child care assistance, the entire amount
23 of the increase shall be used for state child care
24 assistance payments. If the appropriations made for
25 purposes of the state child care assistance program for
26 the fiscal year are determined to be insufficient, it
27 is the intent of the general assembly to appropriate
28 sufficient funding for the fiscal year in order to
29 avoid establishment of waiting list requirements.

30 8. Notwithstanding section 8.33, moneys
31 appropriated in this section or received from the
32 federal appropriations made for the purposes of this
33 section that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert to any fund
35 but shall remain available for expenditure for the
36 purposes designated until the close of the succeeding
37 fiscal year.

38 Sec. ____ . JUVENILE INSTITUTIONS. There is
39 appropriated from the general fund of the state to
40 the department of human services for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amounts, or so much thereof as is necessary,
43 to be used for the purposes designated:

44 1. For operation of the Iowa juvenile home at
45 Toledo and for salaries, support, maintenance, and
46 miscellaneous purposes, and for not more than the
47 following full-time equivalent positions:

48 \$ 8,380,319
49 FTEs 114.00

50 2. For operation of the state training school at

1 Eldora and for salaries, support, maintenance, and
2 miscellaneous purposes, and for not more than the
3 following full-time equivalent positions:

4 \$ 10,733,590
5 FTEs 164.30

6 Of the funds appropriated in this subsection,
7 \$91,150 shall be used for distribution to licensed
8 classroom teachers at this and other institutions under
9 the control of the department of human services based
10 upon the average student yearly enrollment at each
11 institution as determined by the department.

12 3. A portion of the moneys appropriated in this
13 section shall be used by the state training school and
14 by the Iowa juvenile home for grants for adolescent
15 pregnancy prevention activities at the institutions in
16 the fiscal year beginning July 1, 2012.

17 Sec. ____ . CHILD AND FAMILY SERVICES.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For child and family services:
24 \$ 83,020,163

25 2. In order to address a reduction of \$5,200,000
26 from the amount allocated under the appropriation made
27 for the purposes of this section in prior years for
28 purposes of juvenile delinquent graduated sanction
29 services, up to \$5,200,000 of the amount of federal
30 temporary assistance for needy families block grant
31 funding appropriated in this division of this Act for
32 child and family services shall be made available for
33 purposes of juvenile delinquent graduated sanction
34 services.

35 3. The department may transfer funds appropriated
36 in this section as necessary to pay the nonfederal
37 costs of services reimbursed under the medical
38 assistance program, state child care assistance
39 program, or the family investment program which are
40 provided to children who would otherwise receive
41 services paid under the appropriation in this section.
42 The department may transfer funds appropriated in this
43 section to the appropriations made in this division
44 of this Act for general administration and for field
45 operations for resources necessary to implement and
46 operate the services funded in this section.

47 4. a. Of the funds appropriated in this section,
48 up to \$30,169,129 is allocated as the statewide
49 expenditure target under section 232.143 for group
50 foster care maintenance and services. If the

1 department projects that such expenditures for the
2 fiscal year will be less than the target amount
3 allocated in this lettered paragraph, the department
4 may reallocate the excess to provide additional
5 funding for shelter care or the child welfare emergency
6 services addressed with the allocation for shelter
7 care.

8 b. If at any time after September 30, 2012,
9 annualization of a service area's current expenditures
10 indicates a service area is at risk of exceeding its
11 group foster care expenditure target under section
12 232.143 by more than 5 percent, the department and
13 juvenile court services shall examine all group
14 foster care placements in that service area in order
15 to identify those which might be appropriate for
16 termination. In addition, any aftercare services
17 believed to be needed for the children whose
18 placements may be terminated shall be identified. The
19 department and juvenile court services shall initiate
20 action to set dispositional review hearings for the
21 placements identified. In such a dispositional review
22 hearing, the juvenile court shall determine whether
23 needed aftercare services are available and whether
24 termination of the placement is in the best interest of
25 the child and the community.

26 5. In accordance with the provisions of section
27 232.188, the department shall continue the child
28 welfare and juvenile justice funding initiative during
29 fiscal year 2012-2013. Of the funds appropriated in
30 this section, \$1,717,753 is allocated specifically
31 for expenditure for fiscal year 2012-2013 through the
32 decategorization service funding pools and governance
33 boards established pursuant to section 232.188.

34 6. A portion of the funds appropriated in this
35 section may be used for emergency family assistance
36 to provide other resources required for a family
37 participating in a family preservation or reunification
38 project or successor project to stay together or to be
39 reunified.

40 7. Notwithstanding section 234.35 or any other
41 provision of law to the contrary, state funding for
42 shelter care and the child welfare emergency services
43 contracting implemented to provide for or prevent the
44 need for shelter care shall be limited to \$7,170,116.
45 The department may execute contracts that result from
46 the department's request for proposal, bid number
47 ACFS-11-114, to provide the range of child welfare
48 emergency services described in the request for
49 proposals, and any subsequent amendments to the request
50 for proposals.

1 8. Federal funds received by the state during
2 the fiscal year beginning July 1, 2012, as the
3 result of the expenditure of state funds appropriated
4 during a previous state fiscal year for a service or
5 activity funded under this section are appropriated
6 to the department to be used as additional funding
7 for services and purposes provided for under this
8 section. Notwithstanding section 8.33, moneys
9 received in accordance with this subsection that remain
10 unencumbered or unobligated at the close of the fiscal
11 year shall not revert to any fund but shall remain
12 available for the purposes designated until the close
13 of the succeeding fiscal year.

14 9. Of the funds appropriated in this section, at
15 least \$3,696,285 shall be used for protective child
16 care assistance.

17 10. a. Of the funds appropriated in this section,
18 up to \$2,062,488 is allocated for the payment of
19 the expenses of court-ordered services provided to
20 juveniles who are under the supervision of juvenile
21 court services, which expenses are a charge upon the
22 state pursuant to section 232.141, subsection 4. Of
23 the amount allocated in this lettered paragraph,
24 up to \$1,556,287 shall be made available to provide
25 school-based supervision of children adjudicated under
26 chapter 232, of which not more than \$15,000 may be used
27 for the purpose of training. A portion of the cost of
28 each school-based liaison officer shall be paid by the
29 school district or other funding source as approved by
30 the chief juvenile court officer.

31 b. Of the funds appropriated in this section, up to
32 \$748,985 is allocated for the payment of the expenses
33 of court-ordered services provided to children who are
34 under the supervision of the department, which expenses
35 are a charge upon the state pursuant to section
36 232.141, subsection 4.

37 c. Notwithstanding section 232.141 or any other
38 provision of law to the contrary, the amounts allocated
39 in this subsection shall be distributed to the
40 judicial districts as determined by the state court
41 administrator and to the department's service areas as
42 determined by the administrator of the department's
43 division of child and family services. The state court
44 administrator and the division administrator shall make
45 the determination of the distribution amounts on or
46 before June 15, 2012.

47 d. Notwithstanding chapter 232 or any other
48 provision of law to the contrary, a district or
49 juvenile court shall not order any service which is
50 a charge upon the state pursuant to section 232.141

1 if there are insufficient court-ordered services
2 funds available in the district court or departmental
3 service area distribution amounts to pay for the
4 service. The chief juvenile court officer and the
5 departmental service area manager shall encourage use
6 of the funds allocated in this subsection such that
7 there are sufficient funds to pay for all court-related
8 services during the entire year. The chief juvenile
9 court officers and departmental service area managers
10 shall attempt to anticipate potential surpluses and
11 shortfalls in the distribution amounts and shall
12 cooperatively request the state court administrator
13 or division administrator to transfer funds between
14 the judicial districts' or departmental service areas'
15 distribution amounts as prudent.

16 e. Notwithstanding any provision of law to the
17 contrary, a district or juvenile court shall not order
18 a county to pay for any service provided to a juvenile
19 pursuant to an order entered under chapter 232 which
20 is a charge upon the state under section 232.141,
21 subsection 4.

22 f. Of the funds allocated in this subsection, not
23 more than \$83,000 may be used by the judicial branch
24 for administration of the requirements under this
25 subsection.

26 g. Of the funds allocated in this subsection,
27 \$17,000 shall be used by the department of human
28 services to support the interstate commission for
29 juveniles in accordance with the interstate compact for
30 juveniles as provided in section 232.173.

31 11. Of the funds appropriated in this section,
32 \$4,522,602 is allocated for juvenile delinquent
33 graduated sanctions services. Any state funds saved as
34 a result of efforts by juvenile court services to earn
35 federal Tit. IV-E match for juvenile court services
36 administration may be used for the juvenile delinquent
37 graduated sanctions services.

38 12. Of the funds appropriated in this section,
39 \$988,285 shall be transferred to the department of
40 public health to be used for the child protection
41 center grant program in accordance with section
42 135.118.

43 13. If the department receives federal approval
44 to implement a waiver under Tit. IV-E of the federal
45 Social Security Act to enable providers to serve
46 children who remain in the children's families and
47 communities, for purposes of eligibility under the
48 medical assistance program, children who participate in
49 the waiver shall be considered to be placed in foster
50 care.

1 14. Of the funds appropriated in this section,
2 \$3,069,832 is allocated for the preparation for adult
3 living program pursuant to section 234.46.

4 15. Of the funds appropriated in this section,
5 \$520,150 shall be used for juvenile drug courts.
6 The amount allocated in this subsection shall be
7 distributed as follows:

8 To the judicial branch for salaries to assist with
9 the operation of juvenile drug court programs operated
10 in the following jurisdictions:

- 11 a. Marshall county:
12 \$ 62,708
- 13 b. Woodbury county:
14 \$ 125,682
- 15 c. Polk county:
16 \$ 195,892
- 17 d. The third judicial district:
18 \$ 67,934
- 19 e. The eighth judicial district:
20 \$ 67,934

21 16. Of the funds appropriated in this section,
22 \$227,337 shall be used for the public purpose of
23 providing a grant to a nonprofit human services
24 organization providing services to individuals and
25 families in multiple locations in southwest Iowa and
26 Nebraska for support of a project providing immediate,
27 sensitive support and forensic interviews, medical
28 exams, needs assessments, and referrals for victims of
29 child abuse and their nonoffending family members.

30 17. Of the funds appropriated in this section,
31 \$125,590 is allocated for the elevate approach of
32 providing a support network to children placed in
33 foster care.

34 18. Of the funds appropriated in this section,
35 \$202,000 is allocated for use pursuant to section
36 235A.1 for continuation of the initiative to address
37 child sexual abuse implemented pursuant to 2007 Iowa
38 Acts, chapter 218, section 18, subsection 21.

39 19. Of the funds appropriated in this section,
40 \$630,240 is allocated for the community partnership for
41 child protection sites.

42 20. Of the funds appropriated in this section,
43 \$371,250 is allocated for the department's minority
44 youth and family projects under the redesign of the
45 child welfare system.

46 21. Of the funds appropriated in this section,
47 \$1,200,495 is allocated for funding of the state match
48 for the federal substance abuse and mental health
49 services administration (SAMHSA) system of care grant.

50 22. Of the funds appropriated in this section, at

1 least \$147,158 shall be used for the child welfare
2 training academy.

3 23. Of the funds appropriated in this section,
4 \$25,000 shall be used for the public purpose of
5 providing a grant to a child welfare services provider
6 headquartered in a county with a population between
7 205,000 and 215,000 in the latest certified federal
8 census that provides multiple services including but
9 not limited to a psychiatric medical institution for
10 children, shelter, residential treatment, after school
11 programs, school-based programming, and an Asperger's
12 syndrome program, to be used for support services
13 for children with autism spectrum disorder and their
14 families.

15 Sec. ____ . ADOPTION SUBSIDY.

16 1. There is appropriated from the general fund of
17 the state to the department of human services for the
18 fiscal year beginning July 1, 2012, and ending June 30,
19 2013, the following amount, or so much thereof as is
20 necessary, to be used for the purpose designated:

21 For adoption subsidy payments and services:
22 \$ 36,897,591

23 2. The department may transfer funds appropriated
24 in this section to the appropriation made in this Act
25 for general administration for costs paid from the
26 appropriation relating to adoption subsidy.

27 3. Federal funds received by the state during the
28 fiscal year beginning July 1, 2012, as the result of
29 the expenditure of state funds during a previous state
30 fiscal year for a service or activity funded under
31 this section are appropriated to the department to
32 be used as additional funding for the services and
33 activities funded under this section. Notwithstanding
34 section 8.33, moneys received in accordance with this
35 subsection that remain unencumbered or unobligated at
36 the close of the fiscal year shall not revert to any
37 fund but shall remain available for expenditure for the
38 purposes designated until the close of the succeeding
39 fiscal year.

40 Sec. ____ . JUVENILE DETENTION HOME FUND. Moneys
41 deposited in the juvenile detention home fund
42 created in section 232.142 during the fiscal year
43 beginning July 1, 2012, and ending June 30, 2013, are
44 appropriated to the department of human services for
45 the fiscal year beginning July 1, 2012, and ending
46 June 30, 2013, for distribution of an amount equal
47 to a percentage of the costs of the establishment,
48 improvement, operation, and maintenance of county or
49 multicounty juvenile detention homes in the fiscal
50 year beginning July 1, 2011. Moneys appropriated for

1 distribution in accordance with this section shall be
2 allocated among eligible detention homes, prorated on
3 the basis of an eligible detention home's proportion
4 of the costs of all eligible detention homes in the
5 fiscal year beginning July 1, 2011. The percentage
6 figure shall be determined by the department based on
7 the amount available for distribution for the fund.
8 Notwithstanding section 232.142, subsection 3, the
9 financial aid payable by the state under that provision
10 for the fiscal year beginning July 1, 2012, shall be
11 limited to the amount appropriated for the purposes of
12 this section.

13 Sec. ____ . FAMILY SUPPORT SUBSIDY PROGRAM.

14 1. There is appropriated from the general fund of
15 the state to the department of human services for the
16 fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is
18 necessary, to be used for the purpose designated:

19 For the family support subsidy program subject
20 to the enrollment restrictions in section 225C.37,
21 subsection 3:

22 \$ 1,167,998

23 2. The department shall use at least \$385,500 of
24 the moneys appropriated in this section for the family
25 support center component of the comprehensive family
26 support program under section 225C.47. Not more than
27 \$25,000 of the amount allocated in this subsection
28 shall be used for administrative costs.

29 3. If at any time during the fiscal year, the
30 amount of funding available for the family support
31 subsidy program is reduced from the amount initially
32 used to establish the figure for the number of family
33 members for whom a subsidy is to be provided at any one
34 time during the fiscal year, notwithstanding section
35 225C.38, subsection 2, the department shall revise the
36 figure as necessary to conform to the amount of funding
37 available.

38 Sec. ____ . CONNER DECREE. There is appropriated
39 from the general fund of the state to the department of
40 human services for the fiscal year beginning July 1,
41 2012, and ending June 30, 2013, the following amount,
42 or so much thereof as is necessary, to be used for the
43 purpose designated:

44 For building community capacity through the
45 coordination and provision of training opportunities
46 in accordance with the consent decree of Conner v.
47 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
48 \$ 33,622

49 Sec. ____ . MENTAL HEALTH INSTITUTES. There is
50 appropriated from the general fund of the state to

1 the department of human services for the fiscal year
2 beginning July 1, 2012, and ending June 30, 2013, the
3 following amounts, or so much thereof as is necessary,
4 to be used for the purposes designated:

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

9 \$ 7,674,554
10 FTEs 168.50

11 2. For the state mental health institute at
12 Clarinda for salaries, support, maintenance, and
13 miscellaneous purposes, and for not more than the
14 following full-time equivalent positions:

15 \$ 6,510,702
16 FTEs 86.10

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

21 \$ 10,476,777
22 FTEs 233.00

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

27 \$ 1,053,121
28 FTEs 91.72

29 Sec. ____ STATE RESOURCE CENTERS.

30 1. There is appropriated from the general fund of
31 the state to the department of human services for the
32 fiscal year beginning July 1, 2012, and ending June 30,
33 2013, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 a. For the state resource center at Glenwood for
36 salaries, support, maintenance, and miscellaneous
37 purposes:

38 \$ 19,450,698

39 b. For the state resource center at Woodward for
40 salaries, support, maintenance, and miscellaneous
41 purposes:

42 \$ 13,492,418

43 2. The department may continue to bill for state
44 resource center services utilizing a scope of services
45 approach used for private providers of ICFMR services,
46 in a manner which does not shift costs between the
47 medical assistance program, counties, or other sources
48 of funding for the state resource centers.

49 3. The state resource centers may expand the
50 time-limited assessment and respite services during the

1 fiscal year.
2 4. If the department's administration and the
3 department of management concur with a finding by a
4 state resource center's superintendent that projected
5 revenues can reasonably be expected to pay the salary
6 and support costs for a new employee position, or
7 that such costs for adding a particular number of new
8 positions for the fiscal year would be less than the
9 overtime costs if new positions would not be added, the
10 superintendent may add the new position or positions.
11 If the vacant positions available to a resource center
12 do not include the position classification desired to
13 be filled, the state resource center's superintendent
14 may reclassify any vacant position as necessary to
15 fill the desired position. The superintendents of the
16 state resource centers may, by mutual agreement, pool
17 vacant positions and position classifications during
18 the course of the fiscal year in order to assist one
19 another in filling necessary positions.

20 5. If existing capacity limitations are reached
21 in operating units, a waiting list is in effect
22 for a service or a special need for which a payment
23 source or other funding is available for the service
24 or to address the special need, and facilities for
25 the service or to address the special need can be
26 provided within the available payment source or other
27 funding, the superintendent of a state resource center
28 may authorize opening not more than two units or
29 other facilities and begin implementing the service
30 or addressing the special need during fiscal year
31 2012-2013.

32 Sec. ____ . MI/MR/DD STATE CASES.

33 1. There is appropriated from the general fund of
34 the state to the department of human services for the
35 fiscal year beginning July 1, 2012, and ending June 30,
36 2013, the following amount, or so much thereof as is
37 necessary, to be used for the purpose designated:

38 For distribution to counties for state case services
39 for persons with mental illness, mental retardation,
40 and developmental disabilities in accordance with
41 section 331.440:
42 \$ 12,169,482

43 2. For the fiscal year beginning July 1, 2012,
44 and ending June 30, 2013, \$200,000 is allocated for
45 state case services from the amounts appropriated from
46 the fund created in section 8.41 to the department
47 of human services from the funds received from the
48 federal government under 42 U.S.C. ch. 6A, subch. XVII,
49 relating to the community mental health center block
50 grant, for the federal fiscal years beginning October

1 1, 2010, and ending September 30, 2011, beginning
2 October 1, 2011, and ending September 30, 2012, and
3 beginning October 1, 2012, and ending September 30,
4 2013. The allocation made in this subsection shall be
5 made prior to any other distribution allocation of the
6 appropriated federal funds.

7 3. Notwithstanding section 8.33, moneys
8 appropriated in this section that remain unencumbered
9 or unobligated at the close of the fiscal year shall
10 not revert but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.

13 Sec. ____ . MENTAL HEALTH AND DEVELOPMENTAL
14 DISABILITIES — COMMUNITY SERVICES FUND. There is
15 appropriated from the general fund of the state to the
16 mental health and developmental disabilities community
17 services fund created in section 225C.7 for the fiscal
18 year beginning July 1, 2012, and ending June 30,
19 2013, the following amount, or so much thereof as is
20 necessary, to be used for the purpose designated:

21 For mental health and developmental disabilities
22 community services in accordance with this division of
23 this Act:

24 \$ 14,211,100

25 1. Of the funds appropriated in this section,
26 \$14,187,556 shall be allocated to counties for funding
27 of community-based mental health and developmental
28 disabilities services. The moneys shall be allocated
29 to a county as follows:

30 a. Fifty percent based upon the county's proportion
31 of the state's population of persons with an annual
32 income which is equal to or less than the poverty
33 guideline established by the federal office of
34 management and budget.

35 b. Fifty percent based upon the county's proportion
36 of the state's general population.

37 2. a. A county shall utilize the funding the
38 county receives pursuant to subsection 1 for services
39 provided to persons with a disability, as defined in
40 section 225C.2. However, no more than 50 percent of
41 the funding shall be used for services provided to any
42 one of the service populations.

43 b. A county shall use at least 50 percent of
44 the funding the county receives under subsection 1
45 for contemporary services provided to persons with
46 a disability, as described in rules adopted by the
47 department.

48 3. Of the funds appropriated in this section,
49 \$23,544 shall be used to support the Iowa compass
50 program providing computerized information and referral

1 services for Iowans with disabilities and their
2 families.

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

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

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

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

21 (2) Fifty percent based upon the amount provided
22 to the county for local purchase of services in the
23 preceding fiscal year.

24 5. A county is eligible for funds under this
25 section if the county qualifies for a state payment as
26 described in section 331.439.

27 6. The most recent population estimates issued by
28 the United States bureau of the census shall be applied
29 for the population factors utilized in this section.

30 Sec. ____ . SEXUALLY VIOLENT PREDATORS.

31 1. There is appropriated from the general fund of
32 the state to the department of human services for the
33 fiscal year beginning July 1, 2012, and ending June 30,
34 2013, the following amount, or so much thereof as is
35 necessary, to be used for the purpose designated:

36 For costs associated with the commitment and
37 treatment of sexually violent predators in the unit
38 located at the state mental health institute at
39 Cherokee, including costs of legal services and
40 other associated costs, including salaries, support,
41 maintenance, and miscellaneous purposes, and for not
42 more than the following full-time equivalent positions:
43 \$ 7,674,554
44 FTEs 89.50

45 2. Unless specifically prohibited by law, if the
46 amount charged provides for recoupment of at least
47 the entire amount of direct and indirect costs, the
48 department of human services may contract with other
49 states to provide care and treatment of persons placed
50 by the other states at the unit for sexually violent

1 predators at Cherokee. The moneys received under such
2 a contract shall be considered to be repayment receipts
3 and used for the purposes of the appropriation made in
4 this section.

5 Sec. ____ . FIELD OPERATIONS. There is appropriated
6 from the general fund of the state to the department of
7 human services for the fiscal year beginning July 1,
8 2012, and ending June 30, 2013, the following amount,
9 or so much thereof as is necessary, to be used for the
10 purposes designated:

11 For field operations, including salaries, support,
12 maintenance, and miscellaneous purposes, and for not
13 more than the following full-time equivalent positions:
14 \$ 55,339,921
15 FTEs 1,781.00

16 Priority in filling full-time equivalent positions
17 shall be given to those positions related to child
18 protection services and eligibility determination for
19 low-income families.

20 Sec. ____ . GENERAL ADMINISTRATION. There is
21 appropriated from the general fund of the state to
22 the department of human services for the fiscal year
23 beginning July 1, 2012, and ending June 30, 2013, the
24 following amount, or so much thereof as is necessary,
25 to be used for the purpose designated:

26 For general administration, including salaries,
27 support, maintenance, and miscellaneous purposes, and
28 for not more than the following full-time equivalent
29 positions:
30 \$ 15,146,745
31 FTEs 285.00

32 1. Of the funds appropriated in this section,
33 \$38,543 allocated for the prevention of disabilities
34 policy council established in section 225B.3.

35 2. The department shall report at least monthly
36 to the legislative services agency concerning the
37 department's operational and program expenditures.

38 3. Of the funds appropriated in this section,
39 \$150,000 shall be used to continue the program to
40 provide technical assistance, support, and consultation
41 to providers of habilitation services and home and
42 community-based waiver services for adults with
43 disabilities under the medical assistance program.

44 4. Of the funds appropriated in this section,
45 \$200,000 shall be used to expand the provision of
46 nationally accredited and recognized internet-based
47 training to include mental health and disability
48 services providers.

49 Sec. ____ . VOLUNTEERS. There is appropriated from
50 the general fund of the state to the department of

1 human services for the fiscal year beginning July 1,
2 2012, and ending June 30, 2013, the following amount,
3 or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For development and coordination of volunteer
6 services:

7 \$ 84,660

8 Sec. ____ . MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
9 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
10 UNDER THE DEPARTMENT OF HUMAN SERVICES.

11 1. a. (1) For the fiscal year beginning July 1,
12 2012, the total state funding amount for the nursing
13 facility budget shall not exceed \$225,502,551.

14 (2) The department, in cooperation with nursing
15 facility representatives, shall review projections for
16 state funding expenditures for reimbursement of nursing
17 facilities on a quarterly basis and the department
18 shall determine if an adjustment to the medical
19 assistance reimbursement rate is necessary in order to
20 provide reimbursement within the state funding amount
21 for the fiscal year. Notwithstanding 2001 Iowa Acts,
22 chapter 192, section 4, subsection 2, paragraph "c",
23 and subsection 3, paragraph "a", subparagraph (2), if
24 the state funding expenditures for the nursing facility
25 budget for the fiscal year is projected to exceed the
26 amount specified in subparagraph (1), the department
27 shall adjust the reimbursement for nursing facilities
28 reimbursed under the case-mix reimbursement system to
29 maintain expenditures of the nursing facility budget
30 within the specified amount for the fiscal year.

31 (3) For the fiscal year beginning July 1, 2012,
32 special population nursing facilities shall be
33 reimbursed in accordance with the methodology in effect
34 on June 30, 2012.

35 b. For the fiscal year beginning July 1, 2012, the
36 department shall reimburse pharmacy dispensing fees
37 using a single rate of \$4.34 per prescription or the
38 pharmacy's usual and customary fee, whichever is lower.

39 c. (1) For the fiscal year beginning July 1, 2012,
40 reimbursement rates for outpatient hospital services
41 shall remain at the rates in effect on June 30, 2012.

42 (2) For the fiscal year beginning July 1, 2012,
43 reimbursement rates for inpatient hospital services
44 shall remain at the rates in effect on June 30, 2012.

45 (3) For the fiscal year beginning July 1, 2012, the
46 graduate medical education and disproportionate share
47 hospital fund shall remain at the amount in effect on
48 June 30, 2012.

49 (4) In order to ensure the efficient use of limited
50 state funds in procuring health care services for

1 low-income Iowans, funds appropriated in this Act for
2 hospital services shall not be used for activities
3 which would be excluded from a determination of
4 reasonable costs under the federal Medicare program
5 pursuant to 42 U.S.C. § 1395X(v)(1)(N).

6 d. For the fiscal year beginning July 1, 2012,
7 reimbursement rates for rural health clinics, hospices,
8 and acute mental hospitals shall be increased in
9 accordance with increases under the federal Medicare
10 program or as supported by their Medicare audited
11 costs.

12 e. For the fiscal year beginning July 1, 2012,
13 independent laboratories and rehabilitation agencies
14 shall be reimbursed using the same methodology in
15 effect on June 30, 2012.

16 f. For the fiscal year beginning July 1, 2012,
17 reimbursement rates for home health agencies shall
18 remain at the rates in effect on June 30, 2012, not to
19 exceed a home health agency's actual allowable cost.

20 g. For the fiscal year beginning July 1, 2012,
21 federally qualified health centers shall receive
22 cost-based reimbursement for 100 percent of the
23 reasonable costs for the provision of services to
24 recipients of medical assistance.

25 h. For the fiscal year beginning July 1, 2012, the
26 reimbursement rates for dental services shall remain at
27 the rates in effect on June 30, 2012.

28 i. For the fiscal year beginning July 1, 2012,
29 state-owned psychiatric medical institutions for
30 children shall be reimbursed in accordance with section
31 249A.31.

32 j. For the fiscal year beginning July 1,
33 2012, unless otherwise specified in this Act,
34 all noninstitutional medical assistance provider
35 reimbursement rates shall remain at the rates in effect
36 on June 30, 2012, except for area education agencies,
37 local education agencies, infant and toddler services
38 providers, and those providers whose rates are required
39 to be determined pursuant to section 249A.20.

40 k. Notwithstanding any provision to the contrary,
41 for the fiscal year beginning July 1, 2012, the
42 reimbursement rate for anesthesiologists shall remain
43 at the rate in effect on June 30, 2012.

44 l. Notwithstanding section 249A.20, for the fiscal
45 year beginning July 1, 2012, the average reimbursement
46 rate for health care providers eligible for use of the
47 federal Medicare resource-based relative value scale
48 reimbursement methodology under that section shall
49 remain at the rate in effect on June 30, 2012; however,
50 this rate shall not exceed the maximum level authorized

1 by the federal government.

2 m. For the fiscal year beginning July 1, 2012, the
3 reimbursement rate for residential care facilities
4 shall not be less than the minimum payment level as
5 established by the federal government to meet the
6 federally mandated maintenance of effort requirement.
7 The flat reimbursement rate for facilities electing not
8 to file annual cost reports shall not be less than the
9 minimum payment level as established by the federal
10 government to meet the federally mandated maintenance
11 of effort requirement.

12 n. For the fiscal year beginning July 1, 2012,
13 inpatient mental health services provided at hospitals
14 shall remain at the rates in effect on June 30, 2012,
15 subject to Medicaid program upper payment limit rules;
16 community mental health centers and providers of mental
17 health services to county residents pursuant to a
18 waiver approved under section 225C.7, subsection 3,
19 shall be reimbursed at 100 percent of the reasonable
20 costs for the provision of services to recipients
21 of medical assistance; and psychiatrists shall be
22 reimbursed at the medical assistance program fee for
23 service rate.

24 o. For the fiscal year beginning July 1, 2012, the
25 reimbursement rate for consumer-directed attendant care
26 shall remain at the rates in effect on June 30, 2012.

27 p. For the fiscal year beginning July 1, 2012, the
28 reimbursement rate for providers of family planning
29 services that are eligible to receive a 90 percent
30 federal match shall remain at the rates in effect on
31 June 30, 2012.

32 2. For the fiscal year beginning July 1, 2012, the
33 reimbursement rate for providers reimbursed under the
34 in-home-related care program shall not be less than the
35 minimum payment level as established by the federal
36 government to meet the federally mandated maintenance
37 of effort requirement.

38 3. Unless otherwise directed in this section, when
39 the department's reimbursement methodology for any
40 provider reimbursed in accordance with this section
41 includes an inflation factor, this factor shall not
42 exceed the amount by which the consumer price index for
43 all urban consumers increased during the calendar year
44 ending December 31, 2002.

45 4. For the fiscal year beginning July 1, 2012,
46 notwithstanding section 234.38, the foster family basic
47 daily maintenance rate and the maximum adoption subsidy
48 rate for children ages 0 through 5 years shall be
49 \$15.74, the rate for children ages 6 through 11 years
50 shall be \$16.37, the rate for children ages 12 through

1 15 years shall be \$17.92, and the rate for children
2 and young adults ages 16 and older shall be \$18.16.
3 The maximum supervised apartment living foster care
4 reimbursement rate shall be \$25.00 per day. For youth
5 ages 18 to 21 who have exited foster care, the maximum
6 preparation for adult living program maintenance rate
7 shall be \$574.00 per month. The maximum payment for
8 adoption subsidy nonrecurring expenses shall be limited
9 to \$500 and the disallowance of additional amounts
10 for court costs and other related legal expenses
11 implemented pursuant to 2010 Iowa Acts, chapter 1031,
12 section 408 shall be continued.

13 5. For the fiscal year beginning July 1, 2012,
14 the maximum reimbursement rates under the supervised
15 apartment living program and for social services
16 providers under contract shall remain at the rates
17 in effect on June 30, 2012, or the provider's actual
18 and allowable cost plus inflation for each service,
19 whichever is less. However, if a new service or
20 service provider is added after June 30, 2012, the
21 initial reimbursement rate for the service or provider
22 shall be based upon actual and allowable costs.
23 Providers may also be eligible for an additional
24 amount as specified under the department's request for
25 proposal, bid number ACFS-11-115.

26 6. For the fiscal year beginning July 1, 2012,
27 the reimbursement rates for family-centered service
28 providers, family foster care service providers, group
29 foster care service providers, and the resource family
30 recruitment and retention contractor shall remain at
31 the rates in effect on June 30, 2012.

32 7. The group foster care reimbursement rates
33 paid for placement of children out of state shall
34 be calculated according to the same rate-setting
35 principles as those used for in-state providers,
36 unless the director of human services or the director's
37 designee determines that appropriate care cannot be
38 provided within the state. The payment of the daily
39 rate shall be based on the number of days in the
40 calendar month in which service is provided.

41 8. a. For the fiscal year beginning July 1, 2012,
42 the reimbursement rate paid for shelter care and
43 the child welfare emergency services implemented to
44 provide or prevent the need for shelter care shall be
45 established in a contract based on the requirements
46 of the department's request for proposal, bid number
47 ACFS-11-114.

48 b. For the fiscal year beginning July 1, 2012,
49 the combined service and maintenance components of
50 the reimbursement rate paid for shelter care services

1 shall be based on the financial and statistical report
2 submitted to the department. The maximum reimbursement
3 rate shall be \$92.36 per day. The department shall
4 reimburse a shelter care provider at the provider's
5 actual and allowable unit cost, plus inflation, not to
6 exceed the maximum reimbursement rate.

7 c. Notwithstanding section 232.141, subsection 8,
8 for the fiscal year beginning July 1, 2012, the amount
9 of the statewide average of the actual and allowable
10 rates for reimbursement of juvenile shelter care homes
11 that is utilized for the limitation on recovery of
12 unpaid costs shall remain at the amount in effect for
13 this purpose in the fiscal year beginning July 1, 2011.

14 9. For the fiscal year beginning July 1, 2012, the
15 department shall calculate reimbursement rates for
16 intermediate care facilities for persons with mental
17 retardation at the 80th percentile. Beginning July 1,
18 2012, the rate calculation methodology shall utilize
19 the consumer price index inflation factor applicable to
20 the fiscal year beginning July 1, 2012.

21 10. For the fiscal year beginning July 1, 2012,
22 for child care providers reimbursed under the state
23 child care assistance program, the department shall
24 set provider reimbursement rates based on the rate
25 reimbursement survey completed in December 2004.
26 Effective July 1, 2012, the child care provider
27 reimbursement rates shall remain at the rates in effect
28 on June 30, 2012. The department shall set rates in a
29 manner so as to provide incentives for a nonregistered
30 provider to become registered by applying the increase
31 only to registered and licensed providers.

32 11. The department may adopt emergency rules to
33 implement this section.

34 Sec. _____. EMERGENCY RULES.

35 1. If specifically authorized by a provision of
36 this division of this Act, the department of human
37 services or the mental health, and disability services
38 commission may adopt administrative rules under section
39 17A.4, subsection 3, and section 17A.5, subsection
40 2, paragraph "b", to implement the provisions and
41 the rules shall become effective immediately upon
42 filing or on a later effective date specified in the
43 rules, unless the effective date is delayed by the
44 administrative rules review committee. Any rules
45 adopted in accordance with this section shall not
46 take effect before the rules are reviewed by the
47 administrative rules review committee. The delay
48 authority provided to the administrative rules review
49 committee under section 17A.4, subsection 7, and
50 section 17A.8, subsection 9, shall be applicable to a

1 delay imposed under this section, notwithstanding a
2 provision in those sections making them inapplicable
3 to section 17A.5, subsection 2, paragraph "b". Any
4 rules adopted in accordance with the provisions of this
5 section shall also be published as notice of intended
6 action as provided in section 17A.4.

7 2. If during the fiscal year beginning July 1,
8 2012, the department of human services is adopting
9 rules in accordance with this section or as otherwise
10 directed or authorized by state law, and the rules will
11 result in an expenditure increase beyond the amount
12 anticipated in the budget process or if the expenditure
13 was not addressed in the budget process for the
14 fiscal year, the department shall notify the persons
15 designated by this division of this Act for submission
16 of reports, the chairpersons and ranking members of
17 the committees on appropriations, and the department
18 of management concerning the rules and the expenditure
19 increase. The notification shall be provided at least
20 30 calendar days prior to the date notice of the rules
21 is submitted to the administrative rules coordinator
22 and the administrative code editor.

23 Sec. _____. REPORTS. Any reports or information
24 required to be compiled and submitted under this Act
25 shall be submitted to the chairpersons and ranking
26 members of the joint appropriations subcommittee on
27 health and human services, the legislative services
28 agency, and the legislative caucus staffs on or before
29 the dates specified for submission of the reports or
30 information.

31 Sec. _____. EFFECTIVE DATE. The following provision
32 of this division of this Act, being deemed of immediate
33 importance, take effect upon enactment:

34 The provision under the appropriation for child and
35 family services, relating to requirements of section
36 232.143 for representatives of the department of human
37 services and juvenile court services to establish a
38 plan for continuing group foster care expenditures for
39 fiscal year 2012-2013.

40 DIVISION _____
41 PHARMACEUTICAL SETTLEMENT ACCOUNT,
42 IOWACARE ACCOUNT, HEALTH CARE
43 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,
44 QUALITY ASSURANCE TRUST FUND,
45 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND — FY
46 2012-2013

47 Sec. _____. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
48 is appropriated from the pharmaceutical settlement
49 account created in section 249A.33 to the department of
50 human services for the fiscal year beginning July 1,

1 2012, and ending June 30, 2013, the following amount,
2 or so much thereof as is necessary, to be used for the
3 purpose designated:

4 Notwithstanding any provision of law to the
5 contrary, to supplement the appropriations made in this
6 Act for medical contracts under the medical assistance
7 program:

8 \$ 5,433,613

9 Sec. ____ . APPROPRIATIONS FROM IOWACARE ACCOUNT.

10 1. There is appropriated from the IowaCare account
11 created in section 249J.24 to the state board of
12 regents for distribution to the university of Iowa
13 hospitals and clinics for the fiscal year beginning
14 July 1, 2012, and ending June 30, 2013, the following
15 amount, or so much thereof as is necessary, to be used
16 for the purposes designated:

17 For salaries, support, maintenance, equipment, and
18 miscellaneous purposes, for the provision of medical
19 and surgical treatment of indigent patients, for
20 provision of services to members of the expansion
21 population pursuant to chapter 249J, and for medical
22 education:

23 \$ 27,284,584

24 a. Funds appropriated in this subsection shall
25 not be used to perform abortions except medically
26 necessary abortions, and shall not be used to operate
27 the early termination of pregnancy clinic except for
28 the performance of medically necessary abortions. For
29 the purpose of this subsection, medically necessary
30 abortions are those performed under any of the
31 following conditions:

32 (1) The attending physician certifies that
33 continuing the pregnancy would endanger the life of the
34 pregnant woman.

35 (2) Any spontaneous abortion, commonly known as a
36 miscarriage, if not all of the products of conception
37 are expelled.

38 b. Notwithstanding any provision of law to the
39 contrary, the amount appropriated in this subsection
40 shall be distributed based on claims submitted,
41 adjudicated, and paid by the Iowa Medicaid enterprise.

42 c. The university of Iowa hospitals and clinics
43 shall certify public expenditures in an amount equal
44 to provide the nonfederal share on total expenditures
45 not to exceed \$20,000,000.

46 2. There is appropriated from the IowaCare account
47 created in section 249J.24 to the state board of
48 regents for distribution to the university of Iowa
49 hospitals and clinics for the fiscal year beginning
50 July 1, 2012, and ending June 30, 2013, the following

1 amount, or so much thereof as is necessary, to be used
2 for the purposes designated:

3 For salaries, support, maintenance, equipment, and
4 miscellaneous purposes, for the provision of medical
5 and surgical treatment of indigent patients, for
6 provision of services to members of the expansion
7 population pursuant to chapter 249J, and for medical
8 education:
9 \$ 54,226,279

10 Notwithstanding any provision of law to the
11 contrary, the amount appropriated in this subsection
12 shall be distributed based on claims submitted,
13 adjudicated, and paid by the Iowa Medicaid enterprise.

14 3. There is appropriated from the IowaCare account
15 created in section 249J.24, to the state board
16 of regents for distribution to university of Iowa
17 physicians for the fiscal year beginning July 1, 2012,
18 and ending June 30, 2013, the following amount, or
19 so much thereof as is necessary to be used for the
20 purposes designated:

21 For salaries, support, maintenance, equipment, and
22 miscellaneous purposes for the provision of medical and
23 surgical treatment of indigent patients, for provision
24 of services to members of the expansion population
25 pursuant to chapter 249J, and for medical education:
26 \$ 14,000,000

27 Notwithstanding any provision of law to the
28 contrary, the amount appropriated in this subsection
29 shall be distributed based on claims submitted,
30 adjudicated, and paid by the Iowa Medicaid enterprise.
31 Once the entire amount appropriated in this subsection
32 has been distributed, claims shall continue to
33 be submitted and adjudicated by the Iowa Medicaid
34 enterprise; however, no payment shall be made based
35 upon such claims.

36 4. There is appropriated from the IowaCare account
37 created in section 249J.24 to the department of human
38 services for the fiscal year beginning July 1, 2012,
39 and ending June 30, 2013, the following amount, or
40 so much thereof as is necessary, to be used for the
41 purposes designated:

42 For distribution to a publicly owned acute care
43 teaching hospital located in a county with a population
44 over 350,000 for the provision of medical and surgical
45 treatment of indigent patients, for provision of
46 services to members of the expansion population
47 pursuant to chapter 249J, and for medical education:
48 \$ 51,500,000

49 a. Notwithstanding any provision of law to the
50 contrary, the amount appropriated in this subsection

1 shall be distributed based on claims submitted,
2 adjudicated, and paid by the Iowa Medicaid enterprise
3 plus a monthly disproportionate share hospital payment.
4 Any amount appropriated in this subsection in excess
5 of \$48,500,000 shall be distributed only if the sum of
6 the expansion population claims adjudicated and paid
7 by the Iowa Medicaid enterprise plus the estimated
8 disproportionate share hospital payments exceeds
9 \$48,500,000. The amount paid in excess of \$48,500,000
10 shall not adjust the original monthly payment amount
11 but shall be distributed monthly based on actual claims
12 adjudicated and paid by the Iowa Medicaid enterprise
13 plus the estimated disproportionate share hospital
14 amount. Any amount appropriated in this subsection
15 in excess of \$48,500,000 shall be allocated only
16 if federal funds are available to match the amount
17 allocated.

18 b. Notwithstanding the total amount of proceeds
19 distributed pursuant to section 249J.24, subsection 6,
20 paragraph "a", unnumbered paragraph 1, for the fiscal
21 year beginning July 1, 2012, and ending June 30, 2013,
22 the county treasurer of a county with a population
23 of over 350,000 in which a publicly owned acute care
24 teaching hospital is located shall distribute the
25 proceeds collected pursuant to section 347.7 in a
26 total amount of \$38,000,000, which would otherwise be
27 distributed to the county hospital, to the treasurer of
28 state for deposit in the IowaCare account.

29 c. (1) Notwithstanding the amount collected
30 and distributed for deposit in the IowaCare account
31 pursuant to section 249J.24, subsection 6, paragraph
32 "a", subparagraph (1), the first \$19,000,000 in
33 proceeds collected pursuant to section 347.7 between
34 July 1, 2012, and December 31, 2012, shall be
35 distributed to the treasurer of state for deposit in
36 the IowaCare account and collections during this time
37 period in excess of \$19,000,000 shall be distributed
38 to the acute care teaching hospital identified in this
39 subsection.

40 (2) Notwithstanding the amount collected and
41 distributed for deposit in the IowaCare account
42 pursuant to section 249J.24, subsection 6, paragraph
43 "a", subparagraph (2), the first \$19,000,000 in
44 collections pursuant to section 347.7 between January
45 1, 2013, and June 30, 2013, shall be distributed to the
46 treasurer of state for deposit in the IowaCare account
47 and collections during this time period in excess of
48 \$19,000,000 shall be distributed to the acute care
49 teaching hospital identified in this subsection.

50 5. There is appropriated from the IowaCare account

1 created in section 249J.24 to the department of human
2 services for the fiscal year beginning July 1, 2012,
3 and ending June 30, 2013, the following amount, or so
4 much thereof as is necessary to be used for the purpose
5 designated:

6 For payment to the regional provider network
7 specified by the department pursuant to section 249J.7
8 for provision of covered services to members of the
9 expansion population pursuant to chapter 249J:

10 \$ 6,000,000

11 Notwithstanding any provision of law to the
12 contrary, the amount appropriated in this subsection
13 shall be distributed based on claims submitted,
14 adjudicated, and paid by the Iowa Medicaid enterprise.
15 Once the entire amount appropriated in this subsection
16 has been distributed, claims shall continue to
17 be submitted and adjudicated by the Iowa Medicaid
18 enterprise; however, no payment shall be made based
19 upon such claims.

20 6. There is appropriated from the IowaCare account
21 created in section 249J.24 to the department of human
22 services for the fiscal year beginning July 1, 2012,
23 and ending June 30, 2013, the following amount, or
24 so much thereof as is necessary to be used for the
25 purposes designated:

26 For payment to nonparticipating providers for
27 covered services provided in accordance with section
28 249J.24A:

29 \$ 2,000,000

30 Sec. ____ . APPROPRIATIONS FROM ACCOUNT FOR HEALTH
31 CARE TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.
32 Notwithstanding any provision to the contrary, there
33 is appropriated from the account for health care
34 transformation created in section 249J.23 to the
35 department of human services for the fiscal year
36 beginning July 1, 2012, and ending June 30, 2013, the
37 following amounts, or so much thereof as is necessary,
38 to be used for the purposes designated:

39 1. For the costs of medical examinations for the
40 expansion population pursuant to section 249J.6:

41 \$ 556,800

42 2. For the provision of an IowaCare nurse helpline
43 for the expansion population as provided in section
44 249J.6:

45 \$ 100,000

46 3. For other health promotion partnership
47 activities pursuant to section 249J.14:

48 \$ 600,000

49 4. For the costs related to audits, performance
50 evaluations, and studies required pursuant to chapter

1 249J:
2 \$ 125,000
3 5. For administrative costs associated with chapter
4 249J:
5 \$ 1,132,412
6 6. For planning and development, in cooperation
7 with the department of public health, of a phased-in
8 program to provide a dental home for children in
9 accordance with section 249J.14:
10 \$ 1,000,000
11 7. For continuation of the establishment of the
12 tuition assistance for individuals serving individuals
13 with disabilities pilot program, as enacted in 2008
14 Iowa Acts, chapter 1187, section 130:
15 \$ 50,000
16 8. For medical contracts:
17 \$ 2,000,000
18 9. For payment to the publicly owned acute care
19 teaching hospital located in a county with a population
20 of over 350,000 that is a participating provider
21 pursuant to chapter 249J:
22 \$ 290,000
23 Disbursements under this subsection shall be made
24 monthly. The hospital shall submit a report following
25 the close of the fiscal year regarding use of the
26 funds appropriated in this subsection to the persons
27 specified in this Act to receive reports.
28 Notwithstanding section 8.39, subsection 1, without
29 the prior written consent and approval of the governor
30 and the director of the department of management, the
31 director of human services may transfer funds among
32 the appropriations made in this section as necessary
33 to carry out the purposes of the account for health
34 care transformation. The department shall report
35 any transfers made pursuant to this section to the
36 legislative services agency.
37 10. For the medical home system advisory council
38 established pursuant to section 135.159:
39 \$ 200,000
40 Sec. _____. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF
41 INSPECTIONS AND APPEALS. There is appropriated from
42 the Medicaid fraud account created in section 249A.7
43 to the department of inspections and appeals for the
44 fiscal year beginning July 1, 2012, and ending June 30,
45 2013, the following amount, or so much thereof as is
46 necessary, to be used for the purposes designated:
47 For the inspection and certification of assisted
48 living programs and adult day care services, including
49 program administration and costs associated with
50 implementation:

1 \$ 1,339,527

2 Sec. ____ . MEDICAID FRAUD ACCOUNT — DEPARTMENT
3 OF HUMAN SERVICES. There is appropriated from the
4 Medicaid fraud account created in section 249A.7 to
5 the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amount, or so much thereof as is necessary,
8 to be used for the purposes designated:

9 To supplement the appropriation made in this Act
10 from the general fund of the state to the department of
11 human services for medical assistance:

12 \$ 2,000,000

13 Sec. ____ . QUALITY ASSURANCE TRUST FUND —
14 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
15 any provision to the contrary and subject to the
16 availability of funds, there is appropriated from the
17 quality assurance trust fund created in section 249L.4
18 to the department of human services for the fiscal year
19 beginning July 1, 2012, and ending June 30, 2013, the
20 following amounts, or so much thereof as is necessary
21 for the purposes designated:

22 To supplement the appropriation made in this Act
23 from the general fund of the state to the department of
24 human services for medical assistance:

25 \$ 29,000,000

26 Sec. ____ . HOSPITAL HEALTH CARE ACCESS TRUST FUND
27 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
28 any provision to the contrary and subject to the
29 availability of funds, there is appropriated from
30 the hospital health care access trust fund created in
31 section 249M.4 to the department of human services for
32 the fiscal year beginning July 1, 2012, and ending June
33 30, 2013, the following amounts, or so much thereof as
34 is necessary, for the purposes designated:

35 1. To supplement the appropriation made in this Act
36 from the general fund of the state to the department of
37 human services for medical assistance:

38 \$ 39,223,800

39 2. For deposit in the nonparticipating provider
40 reimbursement fund created in section 249J.24A to be
41 used for the purposes of the fund:

42 \$ 776,200

43 Sec. ____ . MEDICAL ASSISTANCE PROGRAM —
44 NONREVERSION FOR FY 2012-2013. Notwithstanding
45 section 8.33, if moneys appropriated for purposes of
46 the medical assistance program for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, from
48 the general fund of the state, the Medicaid fraud
49 account, the quality assurance trust fund, and the
50 hospital health care access trust fund, are in excess

1 of actual expenditures for the medical assistance
2 program and remain unencumbered or unobligated at the
3 close of the fiscal year, the excess moneys shall not
4 revert but shall remain available for expenditure for
5 the purposes of the medical assistance program until
6 the close of the succeeding fiscal year.

7 DIVISION

8 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL
9 YEAR 2012-2013

10 Sec. ____ . MENTAL HEALTH, MENTAL RETARDATION, AND
11 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX
12 RELIEF. Notwithstanding the standing appropriation
13 in section 426B.1, subsection 2, for the fiscal year
14 beginning July 1, 2012, and ending June 30, 2013,
15 the amount appropriated from the general fund of the
16 state pursuant to that provision shall not exceed the
17 following amount:

18 \$ 81,199,911

19 Sec. ____ . ADULT MH/MR/DD SERVICES ALLOWED GROWTH
20 FUNDING — FY 2012-2013.

21 1. There is appropriated from the general fund of
22 the state to the department of human services for the
23 fiscal year beginning July 1, 2012, and ending June 30,
24 2013, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For distribution to counties of the county mental
27 health, mental retardation, and developmental
28 disabilities allowed growth factor adjustment for
29 fiscal year 2012-2013 as provided in this section in
30 lieu of the allowed growth factor provisions of section
31 331.438, subsection 2, and section 331.439, subsection
32 3, and chapter 426B:

33 \$ 48,697,893

34 2. Of the amount appropriated in this section,
35 \$12,000,000 shall be distributed as provided in this
36 subsection.

37 a. To be eligible to receive a distribution under
38 this subsection, a county must meet the following
39 requirements:

40 (1) The county is levying for the maximum amount
41 allowed for the county's mental health, mental
42 retardation, and developmental disabilities services
43 fund under section 331.424A for taxes due and payable
44 in the fiscal year beginning July 1, 2012, or the
45 county is levying for at least 90 percent of the
46 maximum amount allowed for the county's services fund
47 and that levy rate is more than \$2 per \$1,000 of the
48 assessed value of all taxable property in the county.

49 (2) In the fiscal year beginning July 1, 2010,
50 the county's mental health, mental retardation, and

1 developmental disabilities services fund ending balance
2 under generally accepted accounting principles was
3 equal to or less than 15 percent of the county's actual
4 gross expenditures for that fiscal year.

5 b. The amount of a county's distribution from the
6 allocation made in this subsection shall be determined
7 based upon the county's proportion of the general
8 population of the counties eligible to receive a
9 distribution under this subsection. The most recent
10 population estimates issued by the United States
11 bureau of the census shall be applied in determining
12 population for the purposes of this paragraph.

13 c. The distributions made pursuant to this
14 subsection are subject to the distribution provisions
15 and withholding requirements established in this
16 section for the county mental health, mental
17 retardation, and developmental disabilities allowed
18 growth factor adjustment for the fiscal year beginning
19 July 1, 2012.

20 3. The following amount of the funding appropriated
21 in this section is the allowed growth factor adjustment
22 for fiscal year 2012-2013, and shall be credited to the
23 allowed growth funding pool created in the property tax
24 relief fund and for distribution in accordance with
25 section 426B.5, subsection 1:

26 \$ 36,697,893

27 4. The following formula amounts shall be utilized
28 only to calculate preliminary distribution amounts for
29 the allowed growth factor adjustment for fiscal year
30 2012-2013 under this section by applying the indicated
31 formula provisions to the formula amounts and producing
32 a preliminary distribution total for each county:

33 a. For calculation of a distribution amount for
34 eligible counties from the allowed growth funding pool
35 created in the property tax relief fund in accordance
36 with the requirements in section 426B.5, subsection 1:

37 \$ 49,773,346

38 b. For calculation of a distribution amount for
39 counties from the mental health and developmental
40 disabilities (MH/DD) community services fund
41 in accordance with the formula provided in the
42 appropriation made for the MH/DD community services
43 fund for the fiscal year beginning July 1, 2012:

44 \$ 14,187,556

45 5. a. After applying the applicable statutory
46 distribution formulas to the amounts indicated in
47 subsection 4 for purposes of producing preliminary
48 distribution totals, the department of human services
49 shall apply a withholding factor to adjust an eligible
50 individual county's preliminary distribution total.

1 In order to be eligible for a distribution under
2 this section, a county must be levying 90 percent or
3 more of the maximum amount allowed for the county's
4 mental health, mental retardation, and developmental
5 disabilities services fund under section 331.424A for
6 taxes due and payable in the fiscal year for which the
7 distribution is payable.

8 b. An ending balance percentage for each county
9 shall be determined by expressing the county's ending
10 balance on a modified accrual basis under generally
11 accepted accounting principles for the fiscal year
12 beginning July 1, 2010, in the county's mental health,
13 mental retardation, and developmental disabilities
14 services fund created under section 331.424A, as a
15 percentage of the county's gross expenditures from that
16 fund for that fiscal year. If a county borrowed moneys
17 for purposes of providing services from the county's
18 services fund on or before July 1, 2010, and the
19 county's services fund ending balance for that fiscal
20 year includes the loan proceeds or an amount designated
21 in the county budget to service the loan for the
22 borrowed moneys, those amounts shall not be considered
23 to be part of the county's ending balance for purposes
24 of calculating an ending balance percentage under this
25 subsection.

26 c. For purposes of calculating withholding
27 factors and for ending balance amounts used for other
28 purposes under law, the county ending balances shall
29 be adjusted, using forms developed for this purpose
30 by the county finance committee, to disregard the
31 temporary funding increase provided to the counties
32 for the fiscal year through the federal American
33 Recovery and Reinvestment Act of 2009, Pub. L. No.
34 111-5. In addition, a county may adjust the ending
35 balance amount by rebating to the department all or
36 a portion of the allowed growth and MH/DD services
37 fund moneys the county received for the fiscal year
38 beginning July 1, 2011, in accordance with this Act, or
39 from any other services fund moneys available to the
40 county. The rebate must be remitted to the department
41 on or before June 1, 2012, in order to be counted.
42 The amount rebated by a county shall be subtracted
43 dollar-for-dollar from the county's ending balance
44 amount for the fiscal year beginning July 1, 2010, for
45 purposes of calculating the withholding factor and
46 for other ending balance purposes for the fiscal year
47 beginning July 1, 2012. The rebates received by the
48 department shall be credited to the property tax relief
49 fund and distributed as additional funding for the
50 fiscal year beginning July 1, 2012, in accordance with

1 the formula provisions in this section.

2 d. The withholding factor for a county shall be the
3 following applicable percent:

4 (1) For an ending balance percentage of less than
5 5 percent, a withholding factor of 0 percent. In
6 addition, a county that is subject to this lettered
7 paragraph shall receive an inflation adjustment equal
8 to 3 percent of the gross expenditures reported for the
9 county's services fund for the fiscal year.

10 (2) For an ending balance percentage of 5 percent
11 or more but less than 10 percent, a withholding factor
12 of 0 percent. In addition, a county that is subject
13 to this lettered paragraph shall receive an inflation
14 adjustment equal to 2 percent of the gross expenditures
15 reported for the county's services fund for the fiscal
16 year.

17 (3) For an ending balance percentage of 10 percent
18 or more but less than 25 percent, a withholding factor
19 of 25 percent. However, for counties with an ending
20 balance of 10 percent or more but less than 15 percent,
21 the amount withheld shall be limited to the amount by
22 which the county's ending balance was in excess of the
23 ending balance percentage of 10 percent.

24 (4) For an ending balance percentage of 25 percent
25 or more, a withholding percentage of 100 percent.

26 6. The total withholding amounts applied pursuant
27 to subsection 5 shall be equal to a withholding target
28 amount of \$13,075,453. If the department of human
29 services determines that the amount appropriated
30 is insufficient or the amount to be withheld in
31 accordance with subsection 5 is not equal to the target
32 withholding amount, the department shall adjust the
33 withholding factors listed in subsection 5 as necessary
34 to achieve the target withholding amount. However, in
35 making such adjustments to the withholding factors,
36 the department shall strive to minimize changes to the
37 withholding factors for those ending balance percentage
38 ranges that are lower than others and shall only adjust
39 the zero withholding factor or the inflation adjustment
40 percentages specified in subsection 5, paragraph "d",
41 when the amount appropriated is insufficient.>

42 10. By renumbering as necessary.

HEATON of Henry