

House File 2435

H-8459

1 Amend House File 2435 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <DIVISION I

5 DEPARTMENT ON AGING

6 Section 1. 2011 Iowa Acts, chapter 129, section  
7 113, is amended to read as follows:

8 SEC. 113. DEPARTMENT ON AGING. There is  
9 appropriated from the general fund of the state to  
10 the department on aging for the fiscal year beginning  
11 July 1, 2012, and ending June 30, 2013, the following  
12 amount, or so much thereof as is necessary, to be used  
13 for the purposes designated:

14 For aging programs for the department on aging and  
15 area agencies on aging to provide citizens of Iowa who  
16 are 60 years of age and older with case management for  
17 frail elders, Iowa's aging and disabilities resource  
18 center, and other services which may include but are  
19 not limited to adult day services, respite care, chore  
20 services, information and assistance, and material aid,  
21 for information and options counseling for persons with  
22 disabilities who are 18 years of age or older, and  
23 for salaries, support, administration, maintenance,  
24 and miscellaneous purposes, and for not more than the  
25 following full-time equivalent positions:

26 .....	\$	5,151,288
27 .....		<u>10,402,577</u>
28 .....	FTEs	<del>35.00</del> 36.00

29 1. Funds appropriated in this section may be used  
30 to supplement federal funds under federal regulations.  
31 To receive funds appropriated in this section, a local  
32 area agency on aging shall match the funds with moneys  
33 from other sources according to rules adopted by the  
34 department. Funds appropriated in this section may be  
35 used for elderly services not specifically enumerated  
36 in this section only if approved by an area agency on  
37 aging for provision of the service within the area.

38 ~~2. The amount appropriated in this section includes~~  
39 ~~additional funding of \$225,000 for delivery of~~  
40 ~~long-term care services to seniors with low or moderate~~  
41 ~~incomes.~~

42 3. Of the funds appropriated in this section,  
43 ~~\$89,973~~ \$179,946 shall be transferred to the department  
44 of economic development for the Iowa commission on  
45 volunteer services to be used for the retired and  
46 senior volunteer program.

47 4. a. The department on aging shall establish and  
48 enforce procedures relating to expenditure of state and  
49 federal funds by area agencies on aging that require  
50 compliance with both state and federal laws, rules, and

1 regulations, including but not limited to all of the  
2 following:

3 (1) Requiring that expenditures are incurred only  
4 for goods or services received or performed prior to  
5 the end of the fiscal period designated for use of the  
6 funds.

7 (2) Prohibiting prepayment for goods or services  
8 not received or performed prior to the end of the  
9 fiscal period designated for use of the funds.

10 (3) Prohibiting the prepayment for goods or  
11 services not defined specifically by good or service,  
12 time period, or recipient.

13 (4) Prohibiting the establishment of accounts from  
14 which future goods or services which are not defined  
15 specifically by good or service, time period, or  
16 recipient, may be purchased.

17 b. The procedures shall provide that if any funds  
18 are expended in a manner that is not in compliance with  
19 the procedures and applicable federal and state laws,  
20 rules, and regulations, and are subsequently subject  
21 to repayment, the area agency on aging expending such  
22 funds in contravention of such procedures, laws, rules  
23 and regulations, not the state, shall be liable for  
24 such repayment.

25 5. Of the funds appropriated in this section,  
26 \$100,000 shall be used to provide an additional local  
27 long-term care resident's advocate to administer the  
28 certified volunteer long-term care resident's advocate  
29 program pursuant to section 231.45 as enacted in this  
30 2012 Act. It is the intent of the general assembly  
31 that the number of local long-term care resident's  
32 advocates as provided in section 231.42 be increased  
33 each year until 15 local long-term care resident's  
34 advocates are available in the state.

35 DIVISION II

36 DEPARTMENT OF PUBLIC HEALTH

37 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,  
38 is amended to read as follows:

39 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is  
40 appropriated from the general fund of the state to  
41 the department of public health for the fiscal year  
42 beginning July 1, 2012, and ending June 30, 2013, the  
43 following amounts, or so much thereof as is necessary,  
44 to be used for the purposes designated:

45 1. ADDICTIVE DISORDERS

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

1 ..... \$ ~~11,751,595~~  
 2 25,653,190  
 3 ..... FTEs 13.00

4 a. (1) Of the funds appropriated in this  
 5 subsection, ~~\$1,626,915~~ \$5,403,830 shall be used for  
 6 the tobacco use prevention and control initiative,  
 7 including efforts at the state and local levels, as  
 8 provided in chapter 142A. The commission on tobacco  
 9 use prevention and control established pursuant to  
 10 section 142A.3 shall advise the director of public  
 11 health in prioritizing funding needs and the allocation  
 12 of moneys appropriated for the programs and activities  
 13 of the initiative under this subparagraph (1) and shall  
 14 make recommendations to the director in the development  
 15 of budget requests relating to the initiative.

16 (2) (a) Of the funds allocated in this paragraph  
 17 "a", ~~\$226,915~~ \$453,830 shall be transferred to the  
 18 alcoholic beverages division of the department of  
 19 commerce for enforcement of tobacco laws, regulations,  
 20 and ordinances in accordance with 2011 Iowa Acts, House  
 21 File ~~467~~, as enacted chapter 63.

22 (b) For the fiscal year beginning July 1, 2012,  
 23 and ending June 30, 2013, the terms of a chapter  
 24 28D agreement, entered into between the division of  
 25 tobacco use prevention and control of the department  
 26 of public health and the alcoholic beverages division  
 27 of the department of commerce, governing compliance  
 28 checks conducted to ensure licensed retail tobacco  
 29 outlet conformity with tobacco laws, regulations, and  
 30 ordinances relating to persons under eighteen years of  
 31 age, shall restrict the number of such checks to one  
 32 check per retail outlet, and one additional check for  
 33 any retail outlet found to be in violation during the  
 34 first check.

35 b. Of the funds appropriated in this subsection,  
 36 ~~\$10,124,680~~ \$20,249,360 shall be used for problem  
 37 gambling and substance abuse prevention, treatment,  
 38 and recovery services, including a 24-hour helpline,  
 39 public information resources, professional training,  
 40 and program evaluation.

41 (1) Of the funds allocated in this paragraph "b",  
 42 ~~\$8,566,254~~ \$17,132,508 shall be used for substance  
 43 abuse prevention and treatment.

44 (a) Of the funds allocated in this subparagraph  
 45 (1), ~~\$449,650~~ \$899,300 shall be used for the public  
 46 purpose of a grant program to provide substance abuse  
 47 prevention programming for children.

48 (i) Of the funds allocated in this subparagraph  
 49 division (a), ~~\$213,769~~ \$427,539 shall be used for grant  
 50 funding for organizations that provide programming for

1 children by utilizing mentors. Programs approved for  
2 such grants shall be certified or will be certified  
3 within six months of receiving the grant award by the  
4 Iowa commission on volunteer services as utilizing  
5 the standards for effective practice for mentoring  
6 programs.

7 (ii) Of the funds allocated in this subparagraph  
8 division (a), ~~\$213,419~~ \$426,839 shall be used for grant  
9 funding for organizations that provide programming  
10 that includes youth development and leadership. The  
11 programs shall also be recognized as being programs  
12 that are scientifically based with evidence of their  
13 effectiveness in reducing substance abuse in children.

14 (iii) The department of public health shall utilize  
15 a request for proposals process to implement the grant  
16 program.

17 (iv) All grant recipients shall participate in a  
18 program evaluation as a requirement for receiving grant  
19 funds.

20 (v) Of the funds allocated in this subparagraph  
21 division (a), up to ~~\$22,461~~ \$44,922 may be used to  
22 administer substance abuse prevention grants and for  
23 program evaluations.

24 (b) Of the funds allocated in this subparagraph  
25 (1), ~~\$136,531~~ \$273,062 shall be used for culturally  
26 competent substance abuse treatment pilot projects.

27 (i) The department shall utilize the amount  
28 allocated in this subparagraph division (b) for at  
29 least three pilot projects to provide culturally  
30 competent substance abuse treatment in various areas  
31 of the state. Each pilot project shall target a  
32 particular ethnic minority population. The populations  
33 targeted shall include but are not limited to African  
34 American, Asian, and Latino.

35 (ii) The pilot project requirements shall provide  
36 for documentation or other means to ensure access  
37 to the cultural competence approach used by a pilot  
38 project so that such approach can be replicated and  
39 improved upon in successor programs.

40 (2) Of the funds allocated in this paragraph "b",  
41 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem  
42 gambling prevention, treatment, and recovery services.

43 (a) Of the funds allocated in this subparagraph  
44 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem  
45 gambling prevention and treatment.

46 (b) Of the funds allocated in this subparagraph  
47 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour  
48 helpline, public information resources, professional  
49 training, and program evaluation.

50 (c) Of the funds allocated in this subparagraph

1 (2), up to ~~\$50,000~~ \$100,000 may be used for the  
2 licensing of problem gambling treatment programs.

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

8 c. Notwithstanding any provision of law to the  
9 contrary, to standardize the availability, delivery,  
10 cost of delivery, and accountability of problem  
11 gambling and substance abuse treatment services  
12 statewide, the department shall continue implementation  
13 of a process to create a system for delivery of  
14 treatment services in accordance with the requirements  
15 specified in 2008 Iowa Acts, chapter 1187, section  
16 3, subsection 4. To ensure the system provides a  
17 continuum of treatment services that best meets the  
18 needs of Iowans, the problem gambling and substance  
19 abuse treatment services in any area may be provided  
20 either by a single agency or by separate agencies  
21 submitting a joint proposal.

22 (1) The system for delivery of substance abuse  
23 and problem gambling treatment shall include problem  
24 gambling prevention.

25 (2) The system for delivery of substance abuse and  
26 problem gambling treatment shall include substance  
27 abuse prevention by July 1, 2014.

28 (3) Of the funds allocated in paragraph "b",  
29 the department may use up to ~~\$50,000~~ \$100,000 for  
30 administrative costs to continue developing and  
31 implementing the process in accordance with this  
32 paragraph "c".

33 d. The requirement of section 123.53, subsection  
34 5, is met by the appropriations and allocations made  
35 in this Act for purposes of substance abuse treatment  
36 and addictive disorders for the fiscal year beginning  
37 July 1, 2012.

38 e. The department of public health shall work  
39 with all other departments that fund substance  
40 abuse prevention and treatment services and all  
41 such departments shall, to the extent necessary,  
42 collectively meet the state maintenance of effort  
43 requirements for expenditures for substance abuse  
44 services as required under the federal substance abuse  
45 prevention and treatment block grant.

46 f. The department shall amend or otherwise  
47 revise departmental policies and contract provisions  
48 in order to eliminate free t-shirt distribution,  
49 banner production, and other unnecessary promotional  
50 expenditures.

1 2. HEALTHY CHILDREN AND FAMILIES

2 For promoting the optimum health status for  
3 children, adolescents from birth through 21 years of  
4 age, and families, and for not more than the following  
5 full-time equivalent positions:

6 .....	\$	<u>1,297,135</u>
7 .....		<u>2,694,270</u>
8 .....	FTEs	10.00

9 a. Of the funds appropriated in this subsection,  
10 not more than ~~\$369,659~~ \$739,318 shall be used for  
11 the healthy opportunities to experience success  
12 (HOPES)-healthy families Iowa (HFI) program established  
13 pursuant to section 135.106. The funding shall be  
14 distributed to renew the grants that were provided  
15 to the grantees that operated the program during the  
16 fiscal year ending June 30, 2012.

17 0b. (1) In order to implement the legislative  
18 intent stated in sections 135.106 and 256I.9, that  
19 priority for home visitation program funding be given  
20 to programs using evidence-based or promising models  
21 for home visitation, it is the intent of the general  
22 assembly to phase-in the funding priority as follows:

23 (a) By July 1, 2013, 25 percent of state  
24 funds expended for home visiting programs are for  
25 evidence-based or promising program models.

26 (b) By July 1, 2014, 50 percent of state  
27 funds expended for home visiting programs are for  
28 evidence-based or promising program models.

29 (c) By July 1, 2015, 75 percent of state  
30 funds expended for home visiting programs are for  
31 evidence-based or promising program models.

32 (d) By July 1, 2016, 90 percent of state  
33 funds expended for home visiting programs are for  
34 evidence-based or promising program models. The  
35 remaining 10 percent of funds may be used for  
36 innovative program models that do not yet meet the  
37 definition of evidence-based or promising programs.

38 (2) For the purposes of this lettered paragraph,  
39 unless the context otherwise requires:

40 (a) "Evidence-based program" means a program that  
41 is based on scientific evidence demonstrating that  
42 the program model is effective. An evidence-based  
43 program shall be reviewed onsite and compared to  
44 program model standards by the model developer or the  
45 developer's designee at least every five years to  
46 ensure that the program continues to maintain fidelity  
47 with the program model. The program model shall have  
48 had demonstrated significant and sustained positive  
49 outcomes in an evaluation utilizing a well-designed and  
50 rigorous randomized controlled research design or a

1 quasi-experimental research design, and the evaluation  
2 results shall have been published in a peer-reviewed  
3 journal.

4 (b) "Family support programs" includes group-based  
5 parent education or home visiting programs that are  
6 designed to strengthen protective factors, including  
7 parenting skills, increasing parental knowledge of  
8 child development, and increasing family functioning  
9 and problem solving skills. A family support program  
10 may be used as an early intervention strategy to  
11 improve birth outcomes, parental knowledge, family  
12 economic success, the home learning environment, family  
13 and child involvement with others, and coordination  
14 with other community resources. A family support  
15 program may have a specific focus on preventing child  
16 maltreatment or ensuring children are safe, healthy,  
17 and ready to succeed in school.

18 (c) "Promising program" means a program that meets  
19 all of the following requirements:

20 (i) The program conforms to a clear, consistent  
21 family support model that has been in existence for at  
22 least three years.

23 (ii) The program is grounded in relevant  
24 empirically-based knowledge.

25 (iii) The program is linked to program-determined  
26 outcomes.

27 (iv) The program is associated with a national  
28 or state organization that either has comprehensive  
29 program standards that ensure high-quality service  
30 delivery and continuous program quality improvement  
31 or the program model has demonstrated through the  
32 program's benchmark outcomes that the program has  
33 achieved significant positive outcomes equivalent  
34 to those achieved by program models with published  
35 significant and sustained results in a peer-reviewed  
36 journal.

37 (v) The program has been awarded the Iowa family  
38 support credential and has been reviewed onsite  
39 at least every five years to ensure the program's  
40 adherence to the Iowa family support standards approved  
41 by the early childhood Iowa state board created in  
42 section 256I.3 or a comparable set of standards. The  
43 onsite review is completed by an independent review  
44 team that is not associated with the program or the  
45 organization administering the program.

46 (3) (a) The data reporting requirements applicable  
47 to the HOPES-HFI program services shall include the  
48 requirements adopted by the early childhood Iowa state  
49 board pursuant to section 256I.4 for the family support  
50 programs targeted to families expecting a child or

1 with newborn and infant children through age five and  
2 funded through the state board. The department of  
3 public health may specify additional data reporting  
4 requirements for the HOPES-HFI program services.  
5 The HOPES-HFI program services shall be required to  
6 participate in a state administered internet-based  
7 data collection system by July 1, 2013. The annual  
8 reporting concerning the HOPES-HFI program services  
9 shall include program outcomes beginning with the 2015  
10 report.

11 (b) The data on families served that is collected  
12 by the HOPES-HFI program shall include but is not  
13 limited to basic demographic information, services  
14 received, funding utilized, and program outcomes for  
15 the children and families served.

16 (c) The HOPES-HFI program shall work with the early  
17 childhood Iowa state board in the state board's efforts  
18 to identify minimum competency standards for the  
19 employees and supervisors of family support programs  
20 funded. The HOPES-HFI program, along with the state  
21 board, shall submit recommendations concerning the  
22 standards to the governor and general assembly on or  
23 before January 1, 2014.

24 (d) On or before January 1, 2013, the HOPES-HFI  
25 program shall adopt criminal and child abuse record  
26 check requirements for the employees and supervisors of  
27 family support programs funded through the program.

28 (e) The HOPES-HFI program shall work with the early  
29 childhood Iowa state board in the state board's efforts  
30 to develop a plan to implement a coordinated intake and  
31 referral process for publicly funded family support  
32 programs in order to engage the families expecting a  
33 child or with newborn and infant children through age  
34 five in all communities in the state by July 1, 2015.

35 b. Of the funds appropriated in this subsection,  
36 \$164,942 \$329,885 shall be used to continue to address  
37 the healthy mental development of children from birth  
38 through five years of age through local evidence-based  
39 strategies that engage both the public and private  
40 sectors in promoting healthy development, prevention,  
41 and treatment for children. The department shall work  
42 with the department of human services, Iowa Medicaid  
43 enterprise, to develop a plan to secure matching  
44 medical assistance program funding to provide services  
45 under this paragraph, which may include a per member  
46 per month payment to reimburse the care coordination  
47 and community outreach services component that links  
48 young children and their families with identified  
49 service needs.

50 c. Of the funds appropriated in this subsection,



1 ~~\$15,798~~ \$31,597 shall be distributed to a statewide  
2 dental carrier to provide funds to continue the donated  
3 dental services program patterned after the projects  
4 developed by the lifeline network to provide dental  
5 services to indigent elderly and disabled individuals.

6 d. Of the funds appropriated in this subsection,  
7 ~~\$56,338~~ \$112,677 shall be used for childhood obesity  
8 prevention.

9 e. Of the funds appropriated in this subsection,  
10 ~~\$81,880~~ \$163,760 shall be used to provide audiological  
11 services and hearing aids for children. The department  
12 may enter into a contract to administer this paragraph.

13 f. Of the funds appropriated in this subsection,  
14 \$100,000 shall be transferred to the university of Iowa  
15 college of dentistry for provision of primary dental  
16 services to children. State funds shall be matched  
17 on a dollar-for-dollar basis. The university of Iowa  
18 college of dentistry shall coordinate efforts with the  
19 department of public health, bureau of oral health,  
20 to provide dental care to underserved populations  
21 throughout the state.

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 .....	\$	<u>1,680,828</u>
27 .....		<u>3,919,028</u>
28 .....	FTEs	<u>4.00</u>
29 .....		<u>5.00</u>

30 a. Of the funds appropriated in this subsection,  
31 ~~\$80,291~~ \$160,582 shall be used for grants to individual  
32 patients who have phenylketonuria (PKU) to assist with  
33 the costs of necessary special foods.

34 b. Of the funds appropriated in this subsection,  
35 ~~\$241,800~~ \$483,600 is allocated for continuation of  
36 the contracts for resource facilitator services in  
37 accordance with section 135.22B, subsection 9, and  
38 for brain injury training services and recruiting of  
39 service providers to increase the capacity within this  
40 state to address the needs of individuals with brain  
41 injuries and such individuals' families.

42 c. Of the funds appropriated in this subsection,  
43 ~~\$249,437~~ \$550,000 shall be used as additional funding  
44 to leverage federal funding through the federal Ryan  
45 White Care Act, Tit. II, AIDS drug assistance program  
46 supplemental drug treatment grants.

47 d. Of the funds appropriated in this subsection,  
48 ~~\$15,627~~ \$50,000 shall be used for the public purpose of  
49 providing a grant to an existing national-affiliated  
50 organization to provide education, client-centered

1 programs, and client and family support for people  
2 living with epilepsy and their families.

3 e. Of the funds appropriated in this subsection,  
4 ~~\$394,151~~ \$788,303 shall be used for child health  
5 specialty clinics.

6 f. Of the funds appropriated in this subsection,  
7 ~~\$248,533~~ \$497,065 shall be used for the comprehensive  
8 cancer control program to reduce the burden of cancer  
9 in Iowa through prevention, early detection, effective  
10 treatment, and ensuring quality of life. Of the funds  
11 allocated in this lettered paragraph, ~~\$75,000~~ \$150,000  
12 shall be used to support a melanoma research symposium,  
13 a melanoma biorepository and registry, basic and  
14 translational melanoma research, and clinical trials.

15 g. Of the funds appropriated in this subsection,  
16 ~~\$63,225~~ \$126,450 shall be used for cervical and colon  
17 cancer screening.

18 h. Of the funds appropriated in this subsection,  
19 ~~\$264,417~~ \$528,834 shall be used for the center for  
20 congenital and inherited disorders. A portion of  
21 the funds allocated in this lettered paragraph may  
22 be used for one full-time equivalent position for  
23 administration of the center.

24 i. Of the funds appropriated in this subsection,  
25 ~~\$64,968~~ \$129,937 shall be used for the prescription  
26 drug donation repository program created in chapter  
27 135M.

28 j. For provision of early prevention screening  
29 by pap smear and advanced screening by colposcope for  
30 women with incomes below 250 percent of the federal  
31 poverty level, as defined by the most recently revised  
32 poverty income guidelines issued by the United States  
33 department of health and human services, who are  
34 not covered by a third-party payer health policy or  
35 contract that pays for such procedures and related  
36 laboratory services:

37 ..... \$ 500,000

38 The department shall distribute the amount  
39 appropriated in this lettered paragraph to providers  
40 on behalf of eligible persons within the target  
41 population.

42 4. COMMUNITY CAPACITY

43 For strengthening the health care delivery system at  
44 the local level, and for not more than the following  
45 full-time equivalent positions:

46 ..... \$ 2,117,583

47 ..... 5,485,547

48 ..... FTEs 14.00

49 a. Of the funds appropriated in this subsection,  
50 ~~\$50,000~~ \$100,000 is allocated for a child vision

1 screening program implemented through the university of  
2 Iowa hospitals and clinics in collaboration with early  
3 childhood Iowa areas.

4 b. Of the funds appropriated in this subsection,  
5 ~~\$55,654~~ \$111,308 is allocated for continuation of an  
6 initiative implemented at the university of Iowa and  
7 ~~\$50,246~~ \$100,493 is allocated for continuation of an  
8 initiative at the state mental health institute at  
9 Cherokee to expand and improve the workforce engaged in  
10 mental health treatment and services. The initiatives  
11 shall receive input from the university of Iowa, the  
12 department of human services, the department of public  
13 health, and the mental health and disability services  
14 commission to address the focus of the initiatives.

15 c. Of the funds appropriated in this subsection,  
16 ~~\$585,745~~ \$1,171,491 shall be used for essential public  
17 health services that promote healthy aging throughout  
18 the lifespan, contracted through a formula for local  
19 boards of health, to enhance health promotion and  
20 disease prevention services.

21 d. Of the funds appropriated in this section,  
22 ~~\$60,908~~ \$121,817 shall be deposited in the governmental  
23 public health system fund created in section 135A.8 to  
24 be used for the purposes of the fund.

25 e. Of the funds appropriated in this subsection,  
26 ~~\$72,271~~ \$144,542 shall be used for the mental health  
27 professional shortage area program implemented pursuant  
28 to section 135.80.

29 f. Of the funds appropriated in this subsection,  
30 ~~\$19,131~~ \$38,263 shall be used for a grant to a  
31 statewide association of psychologists that is  
32 affiliated with the American psychological association  
33 to be used for continuation of a program to rotate  
34 intern psychologists in placements in urban and rural  
35 mental health professional shortage areas, as defined  
36 in section ~~135.80~~ 135.180.

37 g. Of the funds appropriated in this subsection,  
38 the following amounts shall be allocated to the Iowa  
39 collaborative safety net provider network established  
40 pursuant to section 135.153 to be used for the purposes  
41 designated. The following amounts allocated under  
42 this lettered paragraph shall be distributed to  
43 the specified provider and shall not be reduced for  
44 administrative or other costs prior to distribution:

45 (1) For distribution to the Iowa primary care  
46 association for statewide coordination of the Iowa  
47 collaborative safety net provider network:  
48 ..... \$ 66,290  
49 ..... 150,000  
50 (1A) For distribution to the Iowa primary care

1 association to be used for the following women's health  
2 initiatives:

3 (a) To establish a grant program for training  
4 sexual assault response team (SART) members, including  
5 representatives of law enforcement, victim advocates,  
6 prosecutors, and certified medical personnel:

7 ..... \$ 50,000

8 (b) To promote access to primary and preventive  
9 health care and for provision of assistance to patients  
10 in determining an appropriate medical home:

11 ..... \$ 75,000

12 (1B) For distribution to federally qualified  
13 health centers for necessary infrastructure, statewide  
14 coordination, provider recruitment, service delivery,  
15 and provision of assistance to patients in determining  
16 an appropriate medical home:

17 ..... \$ 125,000

18 (2) For distribution to the local boards of health  
19 that provide direct services for pilot programs in  
20 three counties to assist patients in determining an  
21 appropriate medical home:

22 ..... \$ 38,804

23 ..... 77,609

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

27 ..... \$ 38,804

28 ..... 100,000

29 (4) For distribution to free clinics for necessary  
30 infrastructure, statewide coordination, provider  
31 recruitment, service delivery, and provision of  
32 assistance to patients in determining an appropriate  
33 medical home:

34 ..... \$ 62,025

35 ..... 424,050

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

41 ..... \$ 55,215

42 ..... 150,000

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

46 ..... \$ 130,000

47 ..... 400,000

48 (7) For continuation of the pharmaceutical  
49 infrastructure for safety net providers as described in  
50 2007 Iowa Acts, chapter 218, section 108:

1 ..... \$ 135,000  
2 435,000

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

7 ~~h. (1) Of the funds appropriated in this~~  
8 ~~subsection, \$74,500 shall be used for continued~~  
9 ~~implementation of the recommendations of the direct~~  
10 ~~care worker task force established pursuant to 2005~~  
11 ~~Iowa Acts, chapter 88, based upon the report submitted~~  
12 ~~to the governor and the general assembly in December~~  
13 ~~2006. The department may use a portion of the funds~~  
14 ~~allocated in this lettered paragraph for an additional~~  
15 ~~position to assist in the continued implementation.~~

16 i. (1) Of the funds appropriated in this  
17 subsection, ~~\$65,050~~ \$145,100 shall be used for  
18 allocation to an independent statewide direct care  
19 worker association that serves the entirety of the  
20 direct care workforce under a contract with terms  
21 determined by the director of public health relating  
22 to education, outreach, leadership development,  
23 mentoring, and other initiatives intended to enhance  
24 the recruitment and retention of direct care workers in  
25 health care and long-term care settings.

26 (2) Of the funds appropriated in this subsection,  
27 ~~\$29,000~~ \$58,000 shall be used to provide scholarships  
28 or other forms of subsidization for direct care  
29 worker educational conferences, training, or outreach  
30 activities.

31 j. Of the funds appropriated in this subsection,  
32 the department may use up to ~~\$29,259~~ \$58,518 for up to  
33 one full-time equivalent position to administer the  
34 volunteer health care provider program pursuant to  
35 section 135.24.

36 k. Of the funds appropriated in this subsection,  
37 ~~\$25,000~~ \$50,000 shall be used for a matching dental  
38 education loan repayment program to be allocated to a  
39 dental nonprofit health service corporation to develop  
40 the criteria and implement the loan repayment program.

41 l. Of the funds appropriated in this subsection,  
42 \$250,000 shall be used as state matching funds for  
43 the primary care provider recruitment and retention  
44 endeavor established pursuant to section 135.107.  
45 Notwithstanding any provision to the contrary  
46 including whether a community is located in a federally  
47 designated health professional shortage area, the funds  
48 shall be used for loans to medical students who upon  
49 receiving a permanent license in this state will engage  
50 in the full-time practice of medicine and surgery or

1 osteopathic medicine and surgery specializing in family  
2 medicine, pediatrics, psychiatry, internal medicine,  
3 or general surgery in a city within the state with a  
4 population of less than 26,000 that is located more  
5 than 20 miles from a city with a population of 50,000  
6 or more. The department may adopt rules pursuant to  
7 chapter 17A to implement this paragraph "1".

8 m. Of the funds appropriated in this subsection,  
9 \$100,000 shall be used for the purposes of the Iowa  
10 donor registry as specified in section 142C.18.

11 n. Of the funds appropriated in this subsection,  
12 \$100,000 shall be used for continuation of a grant to a  
13 nationally affiliated volunteer eye organization that  
14 has an established program for children and adults  
15 and that is solely dedicated to preserving sight and  
16 preventing blindness through education, nationally  
17 certified vision screening and training, and community  
18 and patient service programs.

19 5. HEALTHY AGING

20 To provide public health services that reduce risks  
21 and invest in promoting and protecting good health over  
22 the course of a lifetime with a priority given to older  
23 Iowans and vulnerable populations:

24 ..... \$ 3,648,571  
25 ..... 7,297,142

26 a. Of the funds appropriated in this subsection,  
27 \$1,004,593 \$2,009,187 shall be used for local public  
28 health nursing services.

29 b. Of the funds appropriated in this subsection,  
30 \$2,643,977 \$5,287,955 shall be used for home care aide  
31 services.

32 6. ENVIRONMENTAL HAZARDS

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

36 ..... \$ 406,888  
37 ..... 813,777  
38 ..... FTEs 4.00

39 Of the funds appropriated in this subsection,  
40 \$272,188 \$544,377 shall be used for childhood lead  
41 poisoning provisions.

42 7. INFECTIOUS DISEASES

43 a. For reducing the incidence and prevalence  
44 of communicable diseases, and for not more than the  
45 following full-time equivalent positions:

46 ..... \$ 672,923  
47 ..... 2,395,847  
48 ..... FTEs 4.00

49 b. For the human papillomavirus vaccination public  
50 awareness program in accordance with section 135.11,

1 subsection 31, as enacted by this Act:  
2 ..... \$ 50,000

3 The department of public health may seek private  
4 sector moneys for the purpose of supporting the public  
5 awareness program.

6 c. For provision of vaccinations for human  
7 papillomavirus to persons age 19 through 26 with  
8 incomes below 300 percent of the federal poverty level,  
9 as defined by the most recently revised poverty income  
10 guidelines issued by the United States department of  
11 health and human services, who are not covered by a  
12 third-party payer health policy or contract that pays  
13 for such vaccinations:

14 ..... \$ 1,000,000

15 The department shall distribute the amount  
16 appropriated in this lettered paragraph to providers  
17 on behalf of eligible persons within the target  
18 population.

19 8. PUBLIC PROTECTION

20 For protecting the health and safety of the  
21 public through establishing standards and enforcing  
22 regulations, and for not more than the following  
23 full-time equivalent positions:

24 ..... \$ 1,388,116  
25 ..... 3,216,567  
26 ..... FTEs 125.00

27 a. Of the funds appropriated in this subsection,  
28 not more than ~~\$235,845~~ \$471,690 shall be credited to  
29 the emergency medical services fund created in section  
30 135.25. Moneys in the emergency medical services fund  
31 are appropriated to the department to be used for the  
32 purposes of the fund.

33 b. Of the funds appropriated in this subsection,  
34 ~~\$105,309~~ \$210,619 shall be used for sexual violence  
35 prevention programming through a statewide organization  
36 representing programs serving victims of sexual  
37 violence through the department's sexual violence  
38 prevention program. The amount allocated in this  
39 lettered paragraph shall not be used to supplant  
40 funding administered for other sexual violence  
41 prevention or victims assistance programs.

42 c. Of the funds appropriated in this subsection,  
43 not more than ~~\$218,291~~ \$539,477 shall be used for the  
44 state poison control center.

45 d. Of the funds appropriated in this subsection,  
46 \$337,440 shall be used for the purposes of the board  
47 of direct care professionals as established pursuant  
48 to the division of this 2012 Act enacting new Code  
49 chapter 152F. The direct care worker advisory council  
50 established pursuant to 2008 Iowa Acts, chapter 1188,

1 section 69, may continue to provide expertise and  
2 leadership relating to the recommendations in the  
3 advisory council's final report submitted to the  
4 governor and the general assembly in March 2012.

5 9. RESOURCE MANAGEMENT

6 For establishing and sustaining the overall  
7 ability of the department to deliver services to the  
8 public, and for not more than the following full-time  
9 equivalent positions:

10 .....	\$	409,777
11 .....		819,554
12 .....	FTEs	7.00

13 The university of Iowa hospitals and clinics under  
14 the control of the state board of regents shall not  
15 receive indirect costs from the funds appropriated in  
16 this section. The university of Iowa hospitals and  
17 clinics billings to the department shall be on at least  
18 a quarterly basis.

19 DIVISION III

20 DEPARTMENT OF VETERANS AFFAIRS

21 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,  
22 is amended to read as follows:

23 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There  
24 is appropriated from the general fund of the state to  
25 the department of veterans affairs for the fiscal year  
26 beginning July 1, 2012, and ending June 30, 2013, the  
27 following amounts, or so much thereof as is necessary,  
28 to be used for the purposes designated:

29 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

30 For salaries, support, maintenance, and  
31 miscellaneous purposes, including the war orphans  
32 educational assistance fund created in section  
33 35.8, and for not more than the following full-time  
34 equivalent positions:

35 .....	\$	499,416
36 .....		1,010,832
37 .....	FTEs	16.34

38 2. IOWA VETERANS HOME

39 For salaries, support, maintenance, and  
40 miscellaneous purposes:

41 .....	\$	4,476,075
42 .....		8,952,151

43 a. The Iowa veterans home billings involving the  
44 department of human services shall be submitted to the  
45 department on at least a monthly basis.

46 b. If there is a change in the employer of  
47 employees providing services at the Iowa veterans home  
48 under a collective bargaining agreement, such employees  
49 and the agreement shall be continued by the successor  
50 employer as though there had not been a change in



1 employer.

2 c. Within available resources and in conformance  
3 with associated state and federal program eligibility  
4 requirements, the Iowa veterans home may implement  
5 measures to provide financial assistance to or  
6 on behalf of veterans or their spouses who are  
7 participating in the community reentry program.

8 d. The Iowa veterans home expenditure report  
9 shall be submitted monthly to the legislative services  
10 agency.

11 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF  
12 DECEASED VETERANS

13 For provision of educational assistance pursuant to  
14 section 35.9:

15 ..... \$ 6,208  
16 12,416

17 4. HOME OWNERSHIP ASSISTANCE PROGRAM

18 For transfer to the Iowa finance authority for the  
19 continuation of the home ownership assistance program  
20 for persons who are or were eligible members of the  
21 armed forces of the United States, pursuant to section  
22 16.54:

23 ..... \$ 1,600,000

24 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,  
25 is amended to read as follows:

26 SEC. 116. LIMITATION OF COUNTY

27 COMMISSION OF VETERANS AFFAIRS FUND STANDING

28 APPROPRIATIONS. Notwithstanding the standing  
29 appropriation in the following designated section for  
30 the fiscal year beginning July 1, 2012, and ending June  
31 30, 2013, the amounts appropriated from the general  
32 fund of the state pursuant to that section for the  
33 following designated purposes shall not exceed the  
34 following amount:

35 For the county commissions of veterans affairs fund  
36 under section 35A.16:

37 ..... \$ 495,000  
38 990,000

39 DIVISION IV

40 DEPARTMENT OF HUMAN SERVICES

41 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,  
42 is amended to read as follows:

43 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

44 BLOCK GRANT. There is appropriated from the fund  
45 created in section 8.41 to the department of human  
46 services for the fiscal year beginning July 1, 2012,  
47 and ending June 30, 2013, from moneys received under  
48 the federal temporary assistance for needy families  
49 (TANF) block grant pursuant to the federal Personal  
50 Responsibility and Work Opportunity Reconciliation

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

10 1. To be credited to the family investment program  
11 account and used for assistance under the family  
12 investment program under chapter 239B:  
13 ..... \$ ~~10,750,369~~  
14 19,790,365

15 2. To be credited to the family investment program  
16 account and used for the job opportunities and  
17 basic skills (JOBS) program and implementing family  
18 investment agreements in accordance with chapter 239B:  
19 ..... \$ ~~6,205,764~~  
20 12,411,528

21 3. To be used for the family development and  
22 self-sufficiency grant program in accordance with  
23 section 216A.107:  
24 ..... \$ ~~1,449,490~~  
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 ..... \$ ~~15,648,116~~  
36 31,296,232

37 5. For general administration:  
38 ..... \$ ~~1,872,000~~  
39 3,744,000

40 6. For state child care assistance:  
41 ..... \$ ~~8,191,343~~  
42 16,382,687

43 The funds appropriated in this subsection shall  
44 be transferred to the child care and development  
45 block grant appropriation made pursuant to 2011 Iowa  
46 Acts, chapter 126, section 32, by the Eighty-fourth  
47 General Assembly, 2012 Session, for the federal fiscal  
48 year beginning October 1, 2012, and ending September  
49 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall  
50 be used for provision of educational opportunities

1 to registered child care home providers in order to  
 2 improve services and programs offered by this category  
 3 of providers and to increase the number of providers.  
 4 The department may contract with institutions of higher  
 5 education or child care resource and referral centers  
 6 to provide the educational opportunities. Allowable  
 7 administrative costs under the contracts shall not  
 8 exceed 5 percent. The application for a grant shall  
 9 not exceed two pages in length.

10 7. For distribution to counties for state case  
 11 services for persons with mental health and illness,  
 12 an intellectual disability, or a developmental  
 13 disabilities community services disability in  
 14 accordance with section 331.440:

15 ..... \$ 2,447,026  
 16 ..... 4,894,052

17 8. For child and family services:  
 18 ..... \$ 16,042,215  
 19 ..... 32,084,430

20 9. For child abuse prevention grants:  
 21 ..... \$ 62,500  
 22 ..... 125,000

23 10. For pregnancy prevention grants on the  
 24 condition that family planning services are funded:  
 25 ..... \$ 965,033  
 26 ..... 1,930,067

27 Pregnancy prevention grants shall be awarded to  
 28 programs in existence on or before July 1, 2012, if the  
 29 programs have demonstrated positive outcomes. Grants  
 30 shall be awarded to pregnancy prevention programs  
 31 which are developed after July 1, 2012, if the programs  
 32 are based on existing models that have demonstrated  
 33 positive outcomes. Grants shall comply with the  
 34 requirements provided in 1997 Iowa Acts, chapter  
 35 208, section 14, subsections 1 and 2, including the  
 36 requirement that grant programs must emphasize sexual  
 37 abstinence. Priority in the awarding of grants shall  
 38 be given to programs that serve areas of the state  
 39 which demonstrate the highest percentage of unplanned  
 40 pregnancies of females of childbearing age within the  
 41 geographic area to be served by the grant.

42 11. For technology needs and other resources  
 43 necessary to meet federal welfare reform reporting,  
 44 tracking, and case management requirements:  
 45 ..... \$ 518,593  
 46 ..... 1,037,186

47 12. To be credited to the state child care  
 48 assistance appropriation made in this section to be  
 49 used for funding of community-based early childhood  
 50 programs targeted to children from birth through five

1 years of age developed by early childhood Iowa areas as  
2 provided in section 256I.11:

3 ..... \$ 3,175,000  
4 ..... 6,350,000

5 The department shall transfer TANF block grant  
6 funding appropriated and allocated in this subsection  
7 to the child care and development block grant  
8 appropriation in accordance with federal law as  
9 necessary to comply with the provisions of this  
10 subsection.

11 13. a. Notwithstanding any provision to the  
12 contrary, including but not limited to requirements  
13 in section 8.41 or provisions in 2011 or 2012 Iowa  
14 Acts regarding the receipt and appropriation of  
15 federal block grants, federal funds from the emergency  
16 contingency fund for temporary assistance for needy  
17 families state program established pursuant to the  
18 federal American Recovery and Reinvestment Act of 2009,  
19 Pub. L. No. 111-5 § 2101, block grant received by the  
20 state during the fiscal year beginning July 1, 2011,  
21 and ending June 30, 2012, not otherwise appropriated  
22 in this section and remaining available as of for  
23 the fiscal year beginning July 1, 2012, and received  
24 by the state during the fiscal year beginning July  
25 1, 2012, and ending June 30, 2013, are appropriated  
26 to the department of human services to the extent as  
27 may be necessary to be used in the following priority  
28 order: the family investment program for the fiscal  
29 year and for state child care assistance program  
30 payments for individuals enrolled in the family  
31 investment program who are employed. The federal funds  
32 appropriated in this paragraph "a" shall be expended  
33 only after all other funds appropriated in subsection 1  
34 for the assistance under the family investment program  
35 under chapter 239B have been expended.

36 b. The department shall, on a quarterly basis,  
37 advise the legislative services agency and department  
38 of management of the amount of funds appropriated in  
39 this subsection that was expended in the prior quarter.

40 14. Of the amounts appropriated in this section,  
41 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning  
42 July 1, 2012, shall be transferred to the appropriation  
43 of the federal social services block grant made for  
44 that fiscal year.

45 15. For continuation of the program allowing the  
46 department to maintain categorical eligibility for the  
47 food assistance program as required under the section  
48 of this division relating to the family investment  
49 account:

50 ..... \$ 73,036

25,000

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

Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended to read as follows:

SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

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

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

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

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

a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in the FIP program and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy families block grant:	\$	10,000
		<u>20,000</u>

b. To the department of human rights for staffing, administration, and implementation of the family development and self-sufficiency grant program in accordance with section 216A.107:	\$	2,671,417
		<u>5,942,834</u>

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not more than 5 percent of the

1 funds shall be used for the administration of the grant  
2 program.

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

6 c. For the diversion subaccount of the FIP account:  
7 ..... \$ ~~849,200~~  
8 1,698,400

9 A portion of the moneys allocated for the subaccount  
10 may be used for field operations salaries, data  
11 management system development, and implementation  
12 costs and support deemed necessary by the director of  
13 human services in order to administer the FIP diversion  
14 program.

15 d. For the food stamp employment and training  
16 program:  
17 ..... \$ ~~33,294~~  
18 66,588

19 (1) The department shall amend the food stamp  
20 employment and training state plan in order to maximize  
21 to the fullest extent permitted by federal law the  
22 use of the 50-50 match provisions for the claiming  
23 of allowable federal matching funds from the United  
24 States department of agriculture pursuant to the  
25 federal food stamp employment and training program for  
26 providing education, employment, and training services  
27 for eligible food assistance program participants,  
28 including but not limited to related dependent care and  
29 transportation expenses.

30 (2) The department shall continue the categorical  
31 federal food assistance program eligibility at 160  
32 percent of the federal poverty level and continue to  
33 eliminate the asset test from eligibility requirements,  
34 consistent with federal food assistance program  
35 requirements. The department shall include as many  
36 food assistance households as is allowed by federal  
37 law. The eligibility provisions shall conform to all  
38 federal requirements including requirements addressing  
39 individuals who are incarcerated or otherwise  
40 ineligible.

41 e. For the JOBS program:  
42 ..... \$ ~~10,117,952~~  
43 20,235,905

44 5. Of the child support collections assigned under  
45 FIP, an amount equal to the federal share of support  
46 collections shall be credited to the child support  
47 recovery appropriation made in this division of this  
48 Act. Of the remainder of the assigned child support  
49 collections received by the child support recovery  
50 unit, a portion shall be credited to the FIP account,

1 a portion may be used to increase recoveries, and a  
2 portion may be used to sustain cash flow in the child  
3 support payments account. If as a consequence of the  
4 appropriations and allocations made in this section  
5 the resulting amounts are insufficient to sustain  
6 cash assistance payments and meet federal maintenance  
7 of effort requirements, the department shall seek  
8 supplemental funding. If child support collections  
9 assigned under FIP are greater than estimated or are  
10 otherwise determined not to be required for maintenance  
11 of effort, the state share of either amount may be  
12 transferred to or retained in the child support payment  
13 account.

14 6. The department may adopt emergency rules for  
15 the family investment, JOBS, food stamp, and medical  
16 assistance programs if necessary to comply with federal  
17 requirements.

18 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,  
19 is amended to read as follows:

20 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL  
21 FUND. 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 To be credited to the family investment program  
27 (FIP) account and used for family investment program  
28 assistance under chapter 239B:  
29 ..... \$ ~~25,085,513~~  
30 50,742,028

31 1. Of the funds appropriated in this section,  
32 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS  
33 program.

34 2. Of the funds appropriated in this section,  
35 ~~\$1,231,927~~ \$3,063,854 is allocated for the family  
36 development and self-sufficiency grant program.

37 3. Notwithstanding section 8.39, for the fiscal  
38 year beginning July 1, 2012, if necessary to meet  
39 federal maintenance of effort requirements or to  
40 transfer federal temporary assistance for needy  
41 families block grant funding to be used for purposes  
42 of the federal social services block grant or to meet  
43 cash flow needs resulting from delays in receiving  
44 federal funding or to implement, in accordance with  
45 this division of this Act, activities currently funded  
46 with juvenile court services, county, or community  
47 moneys and state moneys used in combination with such  
48 moneys, the department of human services may transfer  
49 funds within or between any of the appropriations made  
50 in this division of this Act and appropriations in law

1 for the federal social services block grant to the  
2 department for the following purposes, provided that  
3 the combined amount of state and federal temporary  
4 assistance for needy families block grant funding for  
5 each appropriation remains the same before and after  
6 the transfer:

- 7 a. For the family investment program.
- 8 b. For child care assistance.
- 9 c. For child and family services.
- 10 d. For field operations.
- 11 e. For general administration.
- 12 f. ~~MH/MR/DD/BI community services (local purchase).~~

13 For distribution to counties for state case services  
14 for persons with mental illness, an intellectual  
15 disability, or a developmental disability in accordance  
16 with section 331.440.

17 This subsection shall not be construed to prohibit  
18 the use of existing state transfer authority for other  
19 purposes. The department shall report any transfers  
20 made pursuant to this subsection to the legislative  
21 services agency.

22 4. Of the funds appropriated in this section,  
23 ~~\$97,839~~ \$195,678 shall be used for continuation of a  
24 grant to an Iowa-based nonprofit organization with a  
25 history of providing tax preparation assistance to  
26 low-income Iowans in order to expand the usage of the  
27 earned income tax credit. The purpose of the grant is  
28 to supply this assistance to underserved areas of the  
29 state.

30 4A. Of the funds appropriated in this section,  
31 \$500,000 shall be used for distribution to a nonprofit,  
32 tax-exempt association that receives donations under  
33 section 170 of the Internal Revenue Code and whose  
34 members include Iowa food banks and their affiliates  
35 that together serve all counties in the state, to be  
36 used to purchase food for distribution to food-insecure  
37 Iowans:

38 ..... \$ 500,000

39 In purchasing food under this subsection, a  
40 preference shall be given to the purchase of food  
41 produced, processed, or packaged within this state  
42 whenever reasonably practicable.

43 5. The department may transfer funds appropriated  
44 in this section to the appropriations made in this  
45 division of this Act for general administration and  
46 field operations as necessary to administer this  
47 section and the overall family investment program.

48 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,  
49 is amended to read as follows:

50 SEC. 120. CHILD SUPPORT RECOVERY. 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 purposes designated:

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

10	.....	\$	<del>6,559,627</del>
11			<u>13,377,993</u>
12	.....	FTEs	<u>475.00</u>

13 1. The department shall expend up to ~~\$12,164~~  
14 \$24,329, including federal financial participation, for  
15 the fiscal year beginning July 1, 2012, for a child  
16 support public awareness campaign. The department and  
17 the office of the attorney general shall cooperate in  
18 continuation of the campaign. The public awareness  
19 campaign shall emphasize, through a variety of media  
20 activities, the importance of maximum involvement of  
21 both parents in the lives of their children as well as  
22 the importance of payment of child support obligations.

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

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

37 4. With the exception of the funding amount  
38 specified, the requirements established under 2001  
39 Iowa Acts, chapter 191, section 3, subsection 5,  
40 paragraph "c", subparagraph (3), shall be applicable  
41 to parental obligation pilot projects for the fiscal  
42 year beginning July 1, 2012, and ending June 30,  
43 2013. Notwithstanding 441 IAC 100.8, providing for  
44 termination of rules relating to the pilot projects,  
45 the rules shall remain in effect until June 30, 2013.

46 MEDICAL ASSISTANCE PROGRAM

47 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,  
48 unnumbered paragraph 2, is amended to read as follows:

49 For medical assistance program reimbursement and  
50 associated costs as specifically provided in the

1 reimbursement methodologies in effect on June 30,  
2 2012, except as otherwise expressly authorized by  
3 law, and consistent with options under federal law and  
4 regulations:

5 ..... ~~\$914,993,421~~  
6 845,601,256

7 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

8 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,  
9 subsection 11, paragraph a, unnumbered paragraph 1, is  
10 amended to read as follows:

11 Of the funds appropriated in this section,  
12 ~~\$7,425,684~~ \$7,678,245 is allocated for the state  
13 match for a disproportionate share hospital payment  
14 of \$19,133,430 to hospitals that meet both of the  
15 conditions specified in subparagraphs (1) and (2).  
16 In addition, the hospitals that meet the conditions  
17 specified shall either certify public expenditures  
18 or transfer to the medical assistance program an  
19 amount equal to provide the nonfederal share for a  
20 disproportionate share hospital payment of \$7,500,000.  
21 The hospitals that meet the conditions specified  
22 shall receive and retain 100 percent of the total  
23 disproportionate share hospital payment of \$26,633,430.

24 MEDICAL ASSISTANCE — IOWACARE TRANSFER

25 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,  
26 subsection 13, is amended to read as follows:

27 13. Of the funds appropriated in this section,  
28 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the  
29 IowaCare account created in section 249J.24.

30 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

31 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,  
32 subsection 20, paragraphs a and d, are amended to read  
33 as follows:

34 a. The department may continue to implement cost  
35 containment strategies recommended by the governor, ~~and~~  
36 for the fiscal year beginning July 1, 2011, and shall  
37 implement new strategies for the fiscal year beginning  
38 July 1, 2012, as specified in this division of this  
39 2012 Act. The department may adopt emergency rules for  
40 such implementation.

41 d. If the savings to the medical assistance program  
42 for the fiscal year beginning July 1, 2012, exceed  
43 the cost, the department may transfer any savings  
44 generated for the fiscal year due to medical assistance  
45 program cost containment efforts initiated pursuant  
46 to 2010 Iowa Acts, chapter 1031, Executive Order No.  
47 20, issued December 16, 2009, or cost containment  
48 strategies initiated pursuant to this subsection, to  
49 the appropriation made in this division of this Act  
50 for medical contracts or general administration to

1 defray the increased contract costs associated with  
2 implementing such efforts.

3 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,  
4 is amended by adding the following new subsections:

5 NEW SUBSECTION. 23. The department shall implement  
6 a hospital inpatient reimbursement policy to provide  
7 for the combining of an original claim for an inpatient  
8 stay with a claim for a subsequent inpatient stay when  
9 the patient is admitted within seven days of discharge  
10 from the original hospital stay for the same condition.

11 NEW SUBSECTION. 24. The department shall  
12 transition payment for and administration of services  
13 provided by psychiatric medical institutions for  
14 children to the Iowa plan.

15 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH  
16 DISABILITIES

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,  
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 25. The department of human  
20 services shall adopt rules for the Medicaid for  
21 employed people with disabilities program to provide  
22 that until such time as the department adopts  
23 rules, annually, to implement the most recently  
24 revised poverty guidelines published by the United  
25 States department of health and human services, the  
26 calculation of gross income eligibility and premium  
27 amounts shall not include any increase in unearned  
28 income attributable to a social security cost-of-living  
29 adjustment for an individual or member of the  
30 individual's family whose unearned income is included  
31 in such calculation.

32 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,  
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 27. The funds received through  
36 participation in the medical assistance state balancing  
37 incentive payments program created pursuant to section  
38 10202 of the federal Patient Protection and Affordable  
39 Care Act of 2010, Pub. L. No. 111-148 (2010), as  
40 amended by the federal Health Care and Education  
41 Reconciliation Act of 2010, Pub. L. No. 111-152,  
42 shall be used by the department of human services to  
43 comply with the requirements of the program including  
44 developing a no wrong door single entry point system;  
45 providing a conflict-free case management system;  
46 providing core standardized assessment instruments;  
47 complying with data collection requirements relating to  
48 services, quality, and outcomes; meeting the applicable  
49 target spending percentage required under the program  
50 to rebalance long-term care spending under the medical

1 assistance program between home and community-based  
2 services and institution-based services; and for new or  
3 expanded medical assistance program non-institutionally  
4 based long-term care services and supports.

5 Sec. 16. 2011 Iowa Acts, chapter 129, section 123,  
6 is amended to read as follows:

7 SEC. 123. MEDICAL CONTRACTS. There is appropriated  
8 from the general fund of the state to the department of  
9 human services for the fiscal year beginning July 1,  
10 2012, and ending June 30, 2013, the following amount,  
11 or so much thereof as is necessary, to be used for the  
12 purpose designated:

13 For medical contracts:

14 ..... \$ ~~5,453,728~~  
15 8,460,680

16 1. The department of inspections and appeals  
17 shall provide all state matching funds for survey and  
18 certification activities performed by the department  
19 of inspections and appeals. The department of human  
20 services is solely responsible for distributing the  
21 federal matching funds for such activities.

22 2. Of the funds appropriated in this section,  
23 ~~\$25,000~~ \$50,000 shall be used for continuation of home  
24 and community-based services waiver quality assurance  
25 programs, including the review and streamlining of  
26 processes and policies related to oversight and quality  
27 management to meet state and federal requirements.

28 3. Of the amount appropriated in this section, up  
29 to \$200,000 may be transferred to the appropriation for  
30 general administration in this division of this Act to  
31 be used for additional full-time equivalent positions  
32 in the development of key health initiatives such as  
33 cost containment, development and oversight of managed  
34 care programs, and development of health strategies  
35 targeted toward improved quality and reduced costs in  
36 the Medicaid program.

37 Sec. 17. 2011 Iowa Acts, chapter 129, section 124,  
38 is amended to read as follows:

39 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

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

45 For the state supplementary assistance program:

46 ..... \$ ~~8,425,373~~  
47 15,450,747

48 2. The department shall increase the personal needs  
49 allowance for residents of residential care facilities  
50 by the same percentage and at the same time as federal

1 supplemental security income and federal social  
2 security benefits are increased due to a recognized  
3 increase in the cost of living. The department may  
4 adopt emergency rules to implement this subsection.

5 3. If during the fiscal year beginning July 1,  
6 2012, the department projects that state supplementary  
7 assistance expenditures for a calendar year will not  
8 meet the federal pass-through requirement specified  
9 in Tit. XVI of the federal Social Security Act,  
10 section 1618, as codified in 42 U.S.C. § 1382g,  
11 the department may take actions including but not  
12 limited to increasing the personal needs allowance  
13 for residential care facility residents and making  
14 programmatic adjustments or upward adjustments of the  
15 residential care facility or in-home health-related  
16 care reimbursement rates prescribed in this division of  
17 this Act to ensure that federal requirements are met.  
18 In addition, the department may make other programmatic  
19 and rate adjustments necessary to remain within the  
20 amount appropriated in this section while ensuring  
21 compliance with federal requirements. The department  
22 may adopt emergency rules to implement the provisions  
23 of this subsection.

24 Sec. 18. 2011 Iowa Acts, chapter 129, section 125,  
25 is amended to read as follows:

26 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

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

32 For maintenance of the healthy and well kids in Iowa  
33 (hawk-i) program pursuant to chapter 514I, including  
34 supplemental dental services, for receipt of federal  
35 financial participation under Tit. XXI of the federal  
36 Social Security Act, which creates the children's  
37 health insurance program:

38 ..... \$ ~~16,403,051~~  
39 40,400,160

40 2. Of the funds appropriated in this section,  
41 ~~\$64,475~~ \$141,450 is allocated for continuation of the  
42 contract for outreach with the department of public  
43 health.

44 Sec. 19. 2011 Iowa Acts, chapter 129, section 126,  
45 is amended to read as follows:

46 SEC. 126. CHILD CARE ASSISTANCE. There is  
47 appropriated from the general fund of the state to  
48 the department of human services for the fiscal year  
49 beginning July 1, 2012, and ending June 30, 2013, the  
50 following amount, or so much thereof as is necessary,

1 to be used for the purpose designated:

2 For child care programs:

3 ..... \$ ~~26,618,831~~  
4 61,087,940

5 1. Of the funds appropriated in this section,  
6 ~~\$25,948,041~~ \$59,718,513 shall be used for state child  
7 care assistance in accordance with section 237A.13.

8 2. Nothing in this section shall be construed or  
9 is intended as or shall imply a grant of entitlement  
10 for services to persons who are eligible for assistance  
11 due to an income level consistent with the waiting  
12 list requirements of section 237A.13. Any state  
13 obligation to provide services pursuant to this section  
14 is limited to the extent of the funds appropriated in  
15 this section.

16 3. Of the funds appropriated in this section,  
17 ~~\$216,226~~ \$432,453 is allocated for the statewide  
18 program for child care resource and referral services  
19 under section 237A.26. A list of the registered and  
20 licensed child care facilities operating in the area  
21 served by a child care resource and referral service  
22 shall be made available to the families receiving state  
23 child care assistance in that area.

24 4. Of the funds appropriated in this section,  
25 ~~\$468,487~~ \$936,974 is allocated for child care quality  
26 improvement initiatives including but not limited to  
27 the voluntary quality rating system in accordance with  
28 section 237A.30.

29 5. The department may use any of the funds  
30 appropriated in this section as a match to obtain  
31 federal funds for use in expanding child care  
32 assistance and related programs. For the purpose of  
33 expenditures of state and federal child care funding,  
34 funds shall be considered obligated at the time  
35 expenditures are projected or are allocated to the  
36 department's service areas. Projections shall be based  
37 on current and projected caseload growth, current and  
38 projected provider rates, staffing requirements for  
39 eligibility determination and management of program  
40 requirements including data systems management,  
41 staffing requirements for administration of the  
42 program, contractual and grant obligations and any  
43 transfers to other state agencies, and obligations for  
44 decategorization or innovation projects.

45 6. A portion of the state match for the federal  
46 child care and development block grant shall be  
47 provided as necessary to meet federal matching  
48 funds requirements through the state general fund  
49 appropriation made for child development grants and  
50 other programs for at-risk children in section 279.51.

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

24 8. Notwithstanding section 8.33, moneys  
 25 appropriated in this section or advanced for purposes  
 26 of the programs developed by early childhood Iowa  
 27 areas, advanced for purposes of wraparound child care,  
 28 or received from the federal appropriations made for  
 29 the purposes of this section that remain unencumbered  
 30 or unobligated at the close of the fiscal year shall  
 31 not revert to any fund but shall remain available for  
 32 expenditure for the purposes designated until the close  
 33 of the succeeding fiscal year.

34 Sec. 20. 2011 Iowa Acts, chapter 129, section 127,  
 35 is amended to read as follows:

36 SEC. 127. JUVENILE INSTITUTIONS. There is  
 37 appropriated from the general fund of the state to  
 38 the department of human services 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. For operation of the Iowa juvenile home at  
 43 Toledo and for salaries, support, maintenance, and  
 44 miscellaneous purposes, and for not more than the  
 45 following full-time equivalent positions:  
 46 ..... \$ 4,129,125  
 47 ..... 8,328,264  
 48 ..... FTEs 114.00

49 2. For operation of the state training school at  
 50 Eldora and for salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the  
 2 following full-time equivalent positions:  
 3 ..... \$ 5,319,338  
 4 ..... 10,740,988  
 5 ..... FTEs 164.30

6 Of the funds appropriated in this subsection,  
 7 ~~\$45,575~~ \$91,150 shall be used for distribution  
 8 to licensed classroom teachers at this and other  
 9 institutions under the control of the department of  
 10 human services based upon the average student yearly  
 11 enrollment at each institution as determined by the  
 12 department.

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

18 Sec. 21. 2011 Iowa Acts, chapter 129, section 128,  
 19 is amended to read as follows:

20 SEC. 128. CHILD AND FAMILY SERVICES.

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 child and family services:  
 27 ..... \$ 41,415,081  
 28 ..... 83,669,130

29 2. In order to address a reduction of \$5,200,000  
 30 from the amount allocated under the appropriation made  
 31 for the purposes of this section in prior years for  
 32 purposes of juvenile delinquent graduated sanction  
 33 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of  
 34 federal temporary assistance for needy families block  
 35 grant funding appropriated in this division of this Act  
 36 for child and family services shall be made available  
 37 for purposes of juvenile delinquent graduated sanction  
 38 services.

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



1 department may transfer funds appropriated in this  
2 section to the appropriation made in this division of  
3 this Act for adoption subsidy to support the adjustment  
4 in reimbursement rates for specified child welfare  
5 providers as provided in this 2012 Act.

6 4. a. Of the funds appropriated in this section,  
7 up to ~~\$15,084,564~~ \$31,438,622 is allocated as the  
8 statewide expenditure target under section 232.143  
9 for group foster care maintenance and services. If  
10 the department projects that such expenditures for  
11 the fiscal year will be less than the target amount  
12 allocated in this lettered paragraph, the department  
13 may reallocate the excess to provide additional  
14 funding for shelter care or the child welfare emergency  
15 services addressed with the allocation for shelter  
16 care.

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

35 5. In accordance with the provisions of section  
36 232.188, the department shall continue the child  
37 welfare and juvenile justice funding initiative during  
38 fiscal year 2012-2013. Of the funds appropriated  
39 in this section, ~~\$858,876~~ \$1,717,753 is allocated  
40 specifically for expenditure for fiscal year 2012-2013  
41 through the decategorization service funding pools  
42 and governance boards established pursuant to section  
43 232.188.

44 6. A portion of the funds appropriated in this  
45 section may be used for emergency family assistance  
46 to provide other resources required for a family  
47 participating in a family preservation or reunification  
48 project or successor project to stay together or to be  
49 reunified.

50 7. Notwithstanding section 234.35 or any other

1 provision of law to the contrary, state funding for  
2 shelter care and the child welfare emergency services  
3 contracting implemented to provide for or prevent the  
4 need for shelter care shall be limited to ~~\$3,585,058~~  
5 \$7,385,639. The department may continue or execute  
6 contracts that result from the department's request for  
7 proposal, bid number ACFS-11-114, to provide the range  
8 of child welfare emergency services described in the  
9 request for proposals, and any subsequent amendments to  
10 the request for proposals.

11 8. Federal funds received by the state during  
12 the fiscal year beginning July 1, 2012, as the  
13 result of the expenditure of state funds appropriated  
14 during a previous state fiscal year for a service or  
15 activity funded under this section are appropriated  
16 to the department to be used as additional funding  
17 for services and purposes provided for under this  
18 section. Notwithstanding section 8.33, moneys  
19 received in accordance with this subsection that remain  
20 unencumbered or unobligated at the close of the fiscal  
21 year shall not revert to any fund but shall remain  
22 available for the purposes designated until the close  
23 of the succeeding fiscal year.

24 ~~9. Of the funds appropriated in this section, at~~  
25 ~~least \$1,848,142 shall be used for protective child~~  
26 ~~care assistance.~~

27 10. a. Of the funds appropriated in this section,  
28 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the  
29 payment of the expenses of court-ordered services  
30 provided to juveniles who are under the supervision of  
31 juvenile court services, which expenses are a charge  
32 upon the state pursuant to section 232.141, subsection  
33 4. Of the amount allocated in this lettered paragraph,  
34 up to ~~\$778,143~~ \$1,556,287 shall be made available  
35 to provide school-based supervision of children  
36 adjudicated under chapter 232, of which not more than  
37 ~~\$7,500~~ \$15,000 may be used for the purpose of training.  
38 A portion of the cost of each school-based liaison  
39 officer shall be paid by the school district or other  
40 funding source as approved by the chief juvenile court  
41 officer.

42 b. Of the funds appropriated in this section, up to  
43 ~~\$374,492~~ \$748,985 is allocated for the payment of the  
44 expenses of court-ordered services provided to children  
45 who are under the supervision of the department,  
46 which expenses are a charge upon the state pursuant to  
47 section 232.141, subsection 4.

48 c. Notwithstanding section 232.141 or any other  
49 provision of law to the contrary, the amounts allocated  
50 in this subsection shall be distributed to the

1 judicial districts as determined by the state court  
2 administrator and to the department's service areas as  
3 determined by the administrator of the department's  
4 division of child and family services. The state court  
5 administrator and the division administrator shall make  
6 the determination of the distribution amounts on or  
7 before June 15, 2012.

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

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

33 f. Of the funds allocated in this subsection, not  
34 more than ~~\$41,500~~ \$83,000 may be used by the judicial  
35 branch for administration of the requirements under  
36 this subsection.

37 g. Of the funds allocated in this subsection,  
38 ~~\$8,500~~ \$17,000 shall be used by the department of human  
39 services to support the interstate commission for  
40 juveniles in accordance with the interstate compact for  
41 juveniles as provided in section 232.173.

42 11. Of the funds appropriated in this section,  
43 ~~\$2,961,301~~ \$6,222,602 is allocated for juvenile  
44 delinquent graduated sanctions services. Any state  
45 funds saved as a result of efforts by juvenile court  
46 services to earn federal Tit. IV-E match for juvenile  
47 court services administration may be used for the  
48 juvenile delinquent graduated sanctions services.

49 12. Of the funds appropriated in this section,  
50 ~~\$494,142~~ \$2,238,285 shall be transferred to the

1 department of public health to be used for the child  
2 protection center grant program in accordance with  
3 section 135.118. Of the amount allocated in this  
4 subsection, \$250,000 shall be used for a center for the  
5 Black Hawk county area.

6 13. If the department receives federal approval  
7 to implement a waiver under Tit. IV-E of the federal  
8 Social Security Act to enable providers to serve  
9 children who remain in the children's families and  
10 communities, for purposes of eligibility under the  
11 medical assistance program, children who participate in  
12 the waiver shall be considered to be placed in foster  
13 care.

14 14. Of the funds appropriated in this section,  
15 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation  
16 for adult living program pursuant to section 234.46.

17 15. Of the funds appropriated in this section,  
18 ~~\$260,075~~ \$520,150 shall be used for juvenile drug  
19 courts. The amount allocated in this subsection shall  
20 be distributed as follows:

21 To the judicial branch for salaries to assist with  
22 the operation of juvenile drug court programs operated  
23 in the following jurisdictions:

24 a. Marshall county:	
25 .....	\$ 31,354
26	<u>62,708</u>
27 b. Woodbury county:	
28 .....	\$ 62,841
29	<u>125,682</u>
30 c. Polk county:	
31 .....	\$ 97,946
32	<u>195,892</u>
33 d. The third judicial district:	
34 .....	\$ 33,967
35	<u>67,934</u>
36 e. The eighth judicial district:	
37 .....	\$ 33,967
38	<u>67,934</u>

39 16. Of the funds appropriated in this section,  
40 ~~\$113,668~~ \$227,337 shall be used for the public purpose  
41 of providing continuing a grant to a nonprofit human  
42 services organization providing services to individuals  
43 and families in multiple locations in southwest  
44 Iowa and Nebraska for support of a project providing  
45 immediate, sensitive support and forensic interviews,  
46 medical exams, needs assessments, and referrals for  
47 victims of child abuse and their nonoffending family  
48 members.

49 17. Of the funds appropriated in this section,  
50 ~~\$62,795~~ \$200,590 is allocated for the elevate foster

1 care youth council approach of providing a support  
2 network to children placed in foster care.

3 18. Of the funds appropriated in this section,  
4 ~~\$101,000~~ \$202,000 is allocated for use pursuant to  
5 section 235A.1 for continuation of the initiative to  
6 address child sexual abuse implemented pursuant to 2007  
7 Iowa Acts, chapter 218, section 18, subsection 21.

8 19. Of the funds appropriated in this section,  
9 ~~\$315,120~~ \$630,240 is allocated for the community  
10 partnership for child protection sites.

11 20. Of the funds appropriated in this section,  
12 ~~\$185,625~~ \$371,250 is allocated for the department's  
13 minority youth and family projects under the redesign  
14 of the child welfare system.

15 21. Of the funds appropriated in this section,  
16 ~~\$600,247~~ \$1,436,595 is allocated for funding of the  
17 state match for community circle of care collaboration  
18 for children and youth in northeast Iowa, formerly  
19 referred to as the federal substance abuse and mental  
20 health services administration (SAMHSA) system of care  
21 grant.

22 22. Of the funds appropriated in this section, at  
23 least ~~\$73,579~~ \$147,158 shall be used for the child  
24 welfare training academy.

25 23. Of the funds appropriated in this section,  
26 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
27 of continuation of a grant to a child welfare services  
28 provider headquartered in a county with a population  
29 between 205,000 and 215,000 in the latest certified  
30 federal census that provides multiple services  
31 including but not limited to a psychiatric medical  
32 institution for children, shelter, residential  
33 treatment, after school programs, school-based  
34 programming, and an Asperger's syndrome program, to  
35 be used for support services for children with autism  
36 spectrum disorder and their families.

37 23A. Of the funds appropriated in this section,  
38 \$25,000 shall be used for the public purpose of  
39 providing a grant to a hospital-based provider  
40 headquartered in a county with a population between  
41 90,000 and 95,000 in the latest certified federal  
42 census that provides multiple services including but  
43 not limited to diagnostic, therapeutic, and behavioral  
44 services to individuals with autism spectrum disorder  
45 across the lifespan. The grant recipient shall utilize  
46 the funds to implement a pilot project to determine the  
47 necessary support services for children with autism  
48 spectrum disorder and their families to be included in  
49 the children's disabilities services system. The grant  
50 recipient shall submit findings and recommendations

1 based upon the results of the pilot project to the  
2 individuals specified in this division of this Act for  
3 submission of reports by December 31, 2012.

4 24. Of the funds appropriated in this section  
5 ~~\$125,000~~ \$327,947 shall be used for continuation of the  
6 central Iowa system of care program grant through June  
7 30, 2013.

8 25. Of the funds appropriated in this section,  
9 ~~\$80,000~~ \$160,000 shall be used for the public  
10 purpose of the continuation of a system of care  
11 grant implemented in Cerro Gordo and Linn counties in  
12 accordance with this Act in FY 2011-2012.

13 Sec. 22. 2011 Iowa Acts, chapter 129, section 129,  
14 is amended to read as follows:

15 SEC. 129. 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 ..... \$ 16,633,295  
23 33,238,897

24 2. The department may transfer funds appropriated  
25 in this section to the appropriation made in this  
26 division of this Act for general administration  
27 for costs paid from the appropriation relating to  
28 adoption subsidy. The department may transfer funds  
29 appropriated in this section to the appropriation  
30 made in this division of this Act for child and family  
31 services to support the adjustment in reimbursement  
32 rates for specified child welfare providers as provided  
33 in this 2012 Act.

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

47 Sec. 23. 2011 Iowa Acts, chapter 129, section 131,  
48 is amended to read as follows:

49 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

50 1. There is appropriated from the general fund of

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

5 For the family support subsidy program subject  
6 to the enrollment restrictions in section 225C.37,  
7 subsection 3:

8 ..... \$ 583,999  
9 1,096,784

10 2. The department shall use at least ~~\$192,750~~  
11 \$385,500 of the moneys appropriated in this section  
12 for the family support center component of the  
13 comprehensive family support program under section  
14 225C.47. Not more than ~~\$12,500~~ \$25,000 of the  
15 amount allocated in this subsection shall be used for  
16 administrative costs.

17 3. If at any time during the fiscal year, the  
18 amount of funding available for the family support  
19 subsidy program is reduced from the amount initially  
20 used to establish the figure for the number of family  
21 members for whom a subsidy is to be provided at any one  
22 time during the fiscal year, notwithstanding section  
23 225C.38, subsection 2, the department shall revise the  
24 figure as necessary to conform to the amount of funding  
25 available.

26 Sec. 24. 2011 Iowa Acts, chapter 129, section 132,  
27 is amended to read as follows:

28 SEC. 132. CONNER DECREE. There is appropriated  
29 from the general fund of the state to the department of  
30 human services for the fiscal year beginning July 1,  
31 2012, and ending June 30, 2013, the following amount,  
32 or so much thereof as is necessary, to be used for the  
33 purpose designated:

34 For building community capacity through the  
35 coordination and provision of training opportunities  
36 in accordance with the consent decree of Conner v.  
37 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):  
38 ..... \$ ~~16,811~~  
39 33,622

40 Sec. 25. 2011 Iowa Acts, chapter 129, section 133,  
41 is amended to read as follows:

42 SEC. 133. MENTAL HEALTH INSTITUTES. There is  
43 appropriated from the general fund of the state to  
44 the department of human services for the fiscal year  
45 beginning July 1, 2012, and ending June 30, 2013, the  
46 following amounts, or so much thereof as is necessary,  
47 to be used for the purposes designated:

48 1. For the state mental health institute at  
49 Cherokee for salaries, support, maintenance, and  
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:  
 2 ..... \$ ~~2,938,654~~  
 3 5,641,037  
 4 ..... FTEs 168.50

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

9 ..... \$ ~~3,205,867~~  
 10 6,463,337  
 11 ..... FTEs 86.10

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

16 ..... \$ ~~5,137,842~~  
 17 9,804,212  
 18 ..... FTEs 233.00

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

23 ..... \$ ~~472,161~~  
 24 944,323  
 25 ..... FTEs 97.72

26 Sec. 26. 2011 Iowa Acts, chapter 129, section 134,  
 27 is amended to read as follows:

28 SEC. 134. STATE RESOURCE CENTERS.

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

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

37 ..... \$ ~~9,253,900~~  
 38 19,092,576

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

42 ..... \$ ~~6,392,829~~  
 43 13,176,093

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

50 3. The state resource centers may expand the



1 time-limited assessment and respite services during the  
2 fiscal year.

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

21 5. If existing capacity limitations are reached  
22 in operating units, a waiting list is in effect  
23 for a service or a special need for which a payment  
24 source or other funding is available for the service  
25 or to address the special need, and facilities for  
26 the service or to address the special need can be  
27 provided within the available payment source or other  
28 funding, the superintendent of a state resource center  
29 may authorize opening not more than two units or  
30 other facilities and begin implementing the service  
31 or addressing the special need during fiscal year  
32 2012-2013.

33 Sec. 27. 2011 Iowa Acts, chapter 129, section 135,  
34 is amended to read as follows:

35 SEC. 135. MI/MR/DD STATE CASES.

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

41 For distribution to counties for state case services  
42 for persons with mental illness, mental retardation,  
43 and developmental disabilities in accordance with  
44 section 331.440:

45 ..... \$ ~~6,084,741~~  
46 12,169,482

47 2. For the fiscal year beginning July 1, 2012, and  
48 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated  
49 for state case services from the amounts appropriated  
50 from the fund created in section 8.41 to the department

1 of human services from the funds received from the  
2 federal government under 42 U.S.C. ch. 6A, subch. XVII,  
3 relating to the community mental health center block  
4 grant, for the federal fiscal years beginning October  
5 1, 2010, and ending September 30, 2011, beginning  
6 October 1, 2011, and ending September 30, 2012, and  
7 beginning October 1, 2012, and ending September 30,  
8 2013. The allocation made in this subsection shall be  
9 made prior to any other distribution allocation of the  
10 appropriated federal funds.

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

17 Sec. 28. 2011 Iowa Acts, chapter 129, section 137,  
18 is amended to read as follows:

19 SEC. 137. SEXUALLY VIOLENT PREDATORS.

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

25 For costs associated with the commitment and  
26 treatment of sexually violent predators in the unit  
27 located at the state mental health institute at  
28 Cherokee, including costs of legal services and  
29 other associated costs, including salaries, support,  
30 maintenance, and miscellaneous purposes, and for not  
31 more than the following full-time equivalent positions:  
32 ..... \$ ~~3,775,363~~  
33 ..... 9,113,668  
34 ..... FTEs ~~89.50~~  
35 ..... 115.50

36 2. Unless specifically prohibited by law, if the  
37 amount charged provides for recoupment of at least  
38 the entire amount of direct and indirect costs, the  
39 department of human services may contract with other  
40 states to provide care and treatment of persons placed  
41 by the other states at the unit for sexually violent  
42 predators at Cherokee. The moneys received under such  
43 a contract shall be considered to be repayment receipts  
44 and used for the purposes of the appropriation made in  
45 this section.

46 Sec. 29. 2011 Iowa Acts, chapter 129, section 138,  
47 is amended to read as follows:

48 SEC. 138. FIELD OPERATIONS. There is appropriated  
49 from the general fund of the state 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 purposes designated:

4 For field operations, including salaries, support,  
5 maintenance, and miscellaneous purposes, and for not  
6 more than the following full-time equivalent positions:  
7 ..... \$ 27,394,960  
8 ..... 61,915,440  
9 ..... FTEs 1,781.00

10 Priority in filling full-time equivalent positions  
11 shall be given to those positions related to child  
12 protection services and eligibility determination for  
13 low-income families.

14 Notwithstanding section 8.33, moneys appropriated in  
15 this section that remain unencumbered or unobligated  
16 at the close of the fiscal year shall not revert but  
17 shall remain available for expenditure for the purposes  
18 designated until the close of the succeeding fiscal  
19 year.

20 Sec. 30. 2011 Iowa Acts, chapter 129, section 139,  
21 is amended to read as follows:

22 SEC. 139. GENERAL ADMINISTRATION. There is  
23 appropriated from the general fund of the state to  
24 the department of human services for the fiscal year  
25 beginning July 1, 2012, and ending June 30, 2013, the  
26 following amount, or so much thereof as is necessary,  
27 to be used for the purpose designated:

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

32 ..... \$ 7,298,372  
33 ..... 15,841,874  
34 ..... FTEs ~~285.00~~ 295.00

35 1. Of the funds appropriated in this section,  
36 ~~\$19,271~~ \$38,543 allocated for the prevention of  
37 disabilities policy council established in section  
38 225B.3.

39 2. The department shall report at least monthly  
40 to the legislative services agency concerning the  
41 department's operational and program expenditures.

42 3. Of the funds appropriated in this section,  
43 ~~\$66,150~~ \$132,300 shall be used to continue the contract  
44 for the provision of a program to provide technical  
45 assistance, support, and consultation to providers of  
46 habilitation services and home and community-based  
47 services waiver services for adults with disabilities  
48 under the medical assistance program.

49 4. Of the funds appropriated in this section,  
50 ~~\$88,200~~ \$500,000 shall be used to continue the contract

1 to expand the provision of nationally accredited and  
2 recognized internet-based training to include mental  
3 health and disability services providers.

4 5. Of the funds appropriated in this section,  
5 ~~\$250,000~~ \$500,000 shall be used for continuation of  
6 child protection system improvements addressed in 2011  
7 Iowa Acts, ~~House File 562, as enacted~~ chapter 28.

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

14 Sec. 31. 2011 Iowa Acts, chapter 129, section 140,  
15 is amended to read as follows:

16 SEC. 140. VOLUNTEERS. There is appropriated from  
17 the general fund of the state to the department of  
18 human services for the fiscal year beginning July 1,  
19 2012, and ending June 30, 2013, the following amount,  
20 or so much thereof as is necessary, to be used for the  
21 purpose designated:

22 For development and coordination of volunteer  
23 services:

24 ..... \$ 42,330  
25 84,660

26 PROVIDER REIMBURSEMENT — NURSING FACILITIES

27 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,  
28 subsection 1, paragraph a, subparagraph (1), is amended  
29 to read as follows:

30 (1) For the fiscal year beginning July 1, 2012, the  
31 total state funding amount for the nursing facility  
32 budget shall not exceed ~~\$225,457,724~~ \$239,726,901.

33 Sec. 33. 2011 Iowa Acts, chapter ~~129~~, section 141,  
34 subsection 1, paragraph a, is amended by adding the  
35 following new subparagraph:

36 NEW SUBPARAGRAPH. (1A) For the fiscal year  
37 beginning July 1, 2012, and ending June 30, 2013,  
38 and within the total state funding amount identified  
39 in subparagraph (1), the department shall distribute  
40 not more than \$2,500,000 in reimbursement to nursing  
41 facilities by adjusting the statewide median of the  
42 direct care component of nursing facility costs based  
43 upon the most recent cost report submitted by the  
44 nursing facility for the period ending on or before  
45 December 31, 2011, and inflating these costs forward to  
46 July 1, 2012, by using the midpoint of each cost report  
47 and applying the skilled nursing facility market basket  
48 index. The department shall adjust the reimbursement  
49 calculated under this subparagraph as necessary to  
50 maintain expenditures of the nursing facility budget

1 within the state funding amount specified in this  
2 subparagraph and within the total state funding amount  
3 identified in subparagraph (1) for the fiscal year.

4 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH  
5 AGENCIES, HCBS WAIVER

6 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,  
7 subsection 1, paragraphs b, f, i, and q, are amended  
8 to read as follows:

9 b. (1) For the fiscal year beginning July 1, 2012,  
10 the department shall reimburse pharmacy dispensing  
11 fees using a ~~single rate of range~~ between \$4.34 per  
12 prescription or the pharmacy's usual and customary fee,  
13 whichever is lower, and \$11.10 per prescription. The  
14 actual dispensing fee set within the range shall be  
15 determined by a cost of dispensing survey performed  
16 by the department and required to be completed by all  
17 medical assistance program participating pharmacies.  
18 ~~However, the department shall adjust the dispensing fee~~  
19 ~~specified in this paragraph to distribute an additional~~  
20 ~~\$2,981,980 in reimbursements for pharmacy dispensing~~  
21 ~~fees under this paragraph for the fiscal year.~~

22 (2) The department shall implement an average  
23 acquisition cost reimbursement methodology for all  
24 drugs covered under the medical assistance program.  
25 The methodology shall utilize a survey of pharmacy  
26 invoices from a rotation of pharmacies in determining  
27 the average acquisition cost component of pharmacy  
28 reimbursement. Pharmacies and providers that are  
29 enrolled in the medical assistance program shall make  
30 available drug acquisition cost invoice information,  
31 product availability information if known, and other  
32 information deemed necessary by the department to  
33 assist the department in monitoring and revising the  
34 reimbursement rates and for efficient operation of  
35 the pharmacy benefit. The department shall provide a  
36 process for pharmacies to address average acquisition  
37 cost prices that are not reflective of the actual cost  
38 of a drug.

39 (a) A pharmacy or provider shall produce and submit  
40 the requested information in the manner and format  
41 requested by the department or its designee at no cost  
42 to the department or its designee.

43 (b) A pharmacy or provider shall submit information  
44 to the department or its designee within the time  
45 frame indicated following receipt of a request for  
46 information unless the department or its designee  
47 grants an extension upon written request of the  
48 pharmacy or provider.

49 f. For the fiscal year beginning July 1, 2012,  
50 reimbursement rates for home health agencies shall

1 ~~remain at~~ be increased by 2 percent over the rates in  
2 effect on June 30, 2012, not to exceed a home health  
3 agency's actual allowable cost.

4 i. (1) For the fiscal year beginning July 1,  
5 2012, state-owned psychiatric medical institutions  
6 for children shall receive cost-based reimbursement  
7 for 100 percent of the actual and allowable costs for  
8 the provision of services to recipients of medical  
9 assistance.

10 (2) For the nonstate-owned psychiatric medical  
11 institutions for children, reimbursement rates shall be  
12 based on the reimbursement methodology developed by the  
13 department as required for federal compliance.

14 (3) As a condition of participation in the medical  
15 assistance program, enrolled providers shall accept the  
16 medical assistance reimbursement rate for any covered  
17 goods or services provided to recipients of medical  
18 assistance who are children under the custody of a  
19 psychiatric medical institution for children.

20 q. ~~For the fiscal year beginning July 1, 2012, the~~  
21 ~~department shall adjust the rates in effect on June 30,~~  
22 ~~2012, reimbursement rates for providers of home and~~  
23 ~~community-based services waiver services to distribute~~  
24 ~~an additional \$1,500,000 in reimbursements to such~~  
25 ~~providers for the fiscal year shall be increased by 2~~  
26 ~~percent over the rates in effect on June 30, 2012.~~

27 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE  
28 PROVIDERS

29 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,  
30 is amended by adding the following new subsection:

31 NEW SUBSECTION. 6A. For the fiscal year beginning  
32 July 1, 2012, the department shall adjust the  
33 foster family basic daily maintenance rate, the  
34 maximum adoption subsidy rates for children, the  
35 family-centered service providers rate, the family  
36 foster care service providers rate, the group foster  
37 care service providers rate, and the resource family  
38 recruitment and retention contractor rate, as such  
39 rates are identified in this section and were in effect  
40 on June 30, 2012, in order to distribute an additional  
41 \$3,070,512 in state reimbursements equitably to such  
42 providers for the fiscal year.

43 PROVIDER REIMBURSEMENT — CHILD CARE

44 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,  
45 subsection 10, is amended to read as follows:

46 10. For the fiscal year beginning July 1, 2012,  
47 for child care providers reimbursed under the state  
48 child care assistance program, the department shall  
49 set provider reimbursement rates based on the rate  
50 reimbursement survey completed in December 2004.

1 Effective July 1, 2012, the child care provider  
2 reimbursement rates shall ~~remain at~~ be increased by 4  
3 percent over the rates in effect on June 30, 2012. The  
4 department shall set rates in a manner so as to provide  
5 incentives for a nonregistered provider to become  
6 registered by applying the increase only to registered  
7 and licensed providers.

8 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER  
9 SERVICE PROVIDERS

10 Sec. 37. 2011 Iowa Acts, chapter 129, section 141,  
11 is amended by adding the following new subsection:  
12 NEW SUBSECTION. 10A. The department shall review  
13 reimbursement of home health agency and home and  
14 community-based services waiver services providers  
15 and shall submit a recommendation for a rebasing  
16 methodology applicable to such providers for the fiscal  
17 year beginning July 1, 2013, and thereafter, to the  
18 individuals identified in this division of this Act for  
19 receipt of reports.

20 ELDERLY WAIVER

21 Sec. 38. 2011 Iowa Acts, chapter 129, section 141,  
22 is amended by adding the following new subsection:  
23 NEW SUBSECTION. 10B. The department shall  
24 increase the monthly reimbursement cap for the medical  
25 assistance home and community-based services waiver for  
26 the elderly to \$1,400 per month.

27 REPORTS

28 Sec. 39. 2011 Iowa Acts, chapter 129, section 143,  
29 is amended to read as follows:

30 SEC. 143. REPORTS. Any reports or other  
31 information required to be compiled and submitted  
32 under this Act shall be submitted to the chairpersons  
33 and ranking members of the joint appropriations  
34 subcommittee on health and human services, the  
35 legislative services agency, and the legislative caucus  
36 staffs on or before the dates specified for submission  
37 of the reports or information.

38 DIVISION V

39 HEALTH CARE ACCOUNTS AND FUNDS

40 PHARMACEUTICAL SETTLEMENT ACCOUNT

41 Sec. 40. 2011 Iowa Acts, chapter 129, section 145,  
42 is amended to read as follows:

43 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There  
44 is appropriated from the pharmaceutical settlement  
45 account created in section 249A.33 to the department of  
46 human services for the fiscal year beginning July 1,  
47 2012, and ending June 30, 2013, the following amount,  
48 or so much thereof as is necessary, to be used for the  
49 purpose designated:

50 Notwithstanding any provision of law to the

1 contrary, to supplement the appropriations made in this  
2 Act for medical contracts under the medical assistance  
3 program for the fiscal year beginning July 1, 2012, and  
4 ending June 30, 2013:

5 ..... \$ 2,716,807

6 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA  
7 HOSPITALS AND CLINICS

8 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,  
9 subsection 2, unnumbered paragraph 2, is amended to  
10 read as follows:

11 For salaries, support, maintenance, equipment, and  
12 miscellaneous purposes, for the provision of medical  
13 and surgical treatment of indigent patients, for  
14 provision of services to members of the expansion  
15 population pursuant to chapter 249J, and for medical  
16 education:

17 ..... \$ ~~44,226,279~~  
18 45,654,133

19 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING  
20 HOSPITAL

21 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,  
22 subsection 4, unnumbered paragraph 2, is amended to  
23 read as follows:

24 For distribution to a publicly owned acute care  
25 teaching hospital located in a county with a population  
26 over 350,000 for the provision of medical and surgical  
27 treatment of indigent patients, for provision of  
28 services to members of the expansion population  
29 pursuant to chapter 249J, and for medical education:

30 ..... \$ ~~65,000,000~~  
31 70,000,000

32 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL  
33 ALLOCATIONS

34 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,  
35 subsection 4, paragraphs a and b, are amended to read  
36 as follows:

37 a. Notwithstanding any provision of law to the  
38 contrary, the amount appropriated in this subsection  
39 shall be distributed based on claims submitted,  
40 adjudicated, and paid by the Iowa Medicaid enterprise  
41 plus a monthly disproportionate share hospital payment.  
42 Any amount appropriated in this subsection in excess  
43 of ~~\$60,000,000~~ \$65,000,000 shall be distributed  
44 only if the sum of the expansion population claims  
45 adjudicated and paid by the Iowa Medicaid enterprise  
46 plus the estimated disproportionate share hospital  
47 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount  
48 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall  
49 not adjust the original monthly payment amount but  
50 shall be distributed monthly based on actual claims



1 adjudicated and paid by the Iowa Medicaid enterprise  
2 plus the estimated disproportionate share hospital  
3 amount. Any amount appropriated in this subsection in  
4 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated  
5 only if federal funds are available to match the  
6 amount allocated. Pursuant to paragraph "b", of the  
7 amount appropriated in this subsection, not more than  
8 \$4,000,000 shall be distributed for prescription drugs,  
9 and podiatry services, and optometric services.

10 b. Notwithstanding any provision of law to the  
11 contrary, the hospital identified in this subsection,  
12 shall be reimbursed for outpatient prescription drugs,  
13 and podiatry services, and optometric services provided  
14 to members of the expansion population pursuant to all  
15 applicable medical assistance program rules, in an  
16 amount not to exceed \$4,000,000.

17 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

18 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,  
19 subsection 5, unnumbered paragraph 2, is amended to  
20 read as follows:

21 For payment to the regional provider network  
22 specified by the department pursuant to section 249J.7  
23 for provision of covered services to members of the  
24 expansion population pursuant to chapter 249J:  
25 ..... \$ 3,472,176  
26 ..... 4,986,366

27 ACCOUNT FOR HEALTH CARE TRANSFORMATION

28 Sec. 45. 2011 Iowa Acts, chapter 129, section 148,  
29 is amended to read as follows:

30 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR  
31 HEALTH CARE TRANSFORMATION — DEPARTMENT OF HUMAN  
32 SERVICES. Notwithstanding any provision to the  
33 contrary, there is appropriated from the account for  
34 health care transformation created in section 249J.23  
35 to the 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 provision of an IowaCare nurse helpline  
40 for the expansion population as provided in section  
41 249J.6:

42 ..... \$ 50,000  
43 ..... 100,000

44 2. For other health promotion partnership  
45 activities pursuant to section 249J.14:

46 ..... \$ 300,000  
47 ..... 600,000

48 3. For the costs related to audits, performance  
49 evaluations, and studies required pursuant to chapter  
50 249J:

1 ..... \$ 62,500  
2 ..... 125,000  
3 4. For administrative costs associated with chapter  
4 249J:  
5 ..... \$ 566,206  
6 ..... 1,132,412  
7 5. For planning and development, in cooperation  
8 with the department of public health, of a phased-in  
9 program to provide a dental home for children in  
10 accordance with section 249J.14:  
11 ..... \$ 500,000  
12 ..... 1,000,000  
13 6. For continuation of the establishment of the  
14 tuition assistance for individuals serving individuals  
15 with disabilities pilot program, as enacted in 2008  
16 Iowa Acts, chapter 1187, section 130:  
17 ..... \$ 25,000  
18 ..... 50,000  
19 7. For medical contracts:  
20 ..... \$ 1,000,000  
21 ..... 2,400,000  
22 8. For payment to the publicly owned acute care  
23 teaching hospital located in a county with a population  
24 of over 350,000 that is a participating provider  
25 pursuant to chapter 249J:  
26 ..... \$ 145,000  
27 ..... 540,000  
28 Disbursements under this subsection shall be made  
29 monthly. The hospital shall submit a report following  
30 the close of the fiscal year regarding use of the  
31 funds appropriated in this subsection to the persons  
32 specified in this Act to receive reports.  
33 9. For transfer to the department of public health  
34 to be used for the costs of medical home system  
35 advisory council established pursuant to section  
36 135.159:  
37 ..... \$ 116,679  
38 ..... 233,357  
39 10. For continued implementation of a uniform cost  
40 report:  
41 ..... \$ 75,000  
42 ..... 150,000  
43 11. For continued implementation of an electronic  
44 medical records system:  
45 ..... \$ 50,000  
46 ..... 100,000  
47 Notwithstanding section 8.33, funds allocated in  
48 this subsection that remain unencumbered or unobligated  
49 at the close of the fiscal year shall not revert but  
50 shall remain available in succeeding fiscal years to be

1 used for the purposes designated.

2 12. For transfer to the department of public health  
3 to support the department's activities relating to  
4 health and long-term care access as specified pursuant  
5 to chapter 135, division XXIV:

6 .....	\$	<del>67,107</del>
7		<u>134,214</u>

8 13. For continuation of an accountable care  
9 organization pilot project:

10 .....	\$	<del>50,000</del>
11		<u>100,000</u>

12 14. For the continued development of a provider  
13 payment system plan to provide recommendations to  
14 reform the health care provider payment system as an  
15 effective way to promote coordination of care, lower  
16 costs, and improve quality:

17 .....	\$	<u>100,000</u>
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18 15. For transfer to the department of public health  
19 to be used as state matching funds for the health  
20 information technology system network developed by the  
21 department of public health:

22 .....	\$	<del>181,993</del>
23		<u>363,987</u>

24 16. To supplement the appropriation for medical  
25 assistance:

26 .....	\$	<del>1,956,245</del>
27		<u>4,106,245</u>

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 MEDICAID FRAUD FUND

38 Sec. 46. 2011 Iowa Acts, chapter 129, section 150,  
39 is amended to read as follows:

40 SEC. 150. MEDICAID FRAUD ~~ACCOUNT~~ FUND — DEPARTMENT  
41 OF HUMAN SERVICES. There is appropriated from the  
42 Medicaid fraud account fund created in section 249A.7  
43 to the department of human services for the fiscal year  
44 beginning July 1, 2012, and ending June 30, 2013, the  
45 following amount, or so much thereof as is necessary,  
46 to be used for the purposes designated:

47 To supplement the appropriation made in this Act  
48 from the general fund of the state to the department of  
49 human services for medical assistance for the fiscal  
50 year beginning July 1, 2012, and ending June 30, 2013:

50 .....	\$	<u>2,000,000</u>
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1 QUALITY ASSURANCE TRUST FUND

2 Sec. 47. 2011 Iowa Acts, chapter 129, section 151,  
3 is amended to read as follows:

4 SEC. 151. QUALITY ASSURANCE TRUST FUND —

5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
6 any provision to the contrary and subject to the  
7 availability of funds, there is appropriated from the  
8 quality assurance trust fund created in section 249L.4  
9 to the department of human services for the fiscal year  
10 beginning July 1, 2012, and ending June 30, 2013, the  
11 following amounts, or so much thereof as is necessary  
12 for the purposes designated:

13 To supplement the appropriation made in this Act  
14 from the general fund of the state to the department of  
15 human services for medical assistance:

16 ..... \$ ~~29,000,000~~  
17 26,500,000

18 HOSPITAL HEALTH CARE ACCESS TRUST FUND

19 Sec. 48. 2011 Iowa Acts, chapter 129, section 152,  
20 is amended to read as follows:

21 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND

22 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
23 any provision to the contrary and subject to the  
24 availability of funds, there is appropriated from  
25 the hospital health care access trust fund created in  
26 section 249M.4 to the department of human services for  
27 the fiscal year beginning July 1, 2012, and ending June  
28 30, 2013, the following amounts, or so much thereof as  
29 is necessary, for the purposes designated:

30 1. To supplement the appropriation made in this Act  
31 from the general fund of the state to the department of  
32 human services for medical assistance:

33 ..... \$ ~~39,223,800~~  
34 33,898,400

35 2. For deposit in the nonparticipating provider  
36 reimbursement fund created in section 249J.24A to be  
37 used for the purposes of the fund:

38 ..... \$ ~~776,200~~  
39 801,600

40 MISCELLANEOUS PROVISIONS

41 Sec. 49. REPEAL. 2011 Iowa Acts, chapter 129,  
42 section 149, is repealed.

43 DIVISION VI

44 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT  
45 CONTINGENCY FUND

46 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM —  
47 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE  
48 OF FUNDS — FY 2011-2012.

49 1. Moneys received from the federal government  
50 through the child enrollment contingency fund

1 established pursuant to section 103 of the federal  
2 Children's Health Insurance Program Reauthorization  
3 Act of 2009, Pub. L. No. 111-3, are appropriated to  
4 the department of human services for the fiscal year  
5 beginning July 1, 2011, and ending June 30, 2012, to be  
6 used in addition to any other amounts appropriated for  
7 the same purposes for the fiscal year as follows:

8 a. For adoption subsidy payments and services:  
9 ..... \$ 2,177,355

10 b. For child care programs:  
11 ..... \$ 1,212,432

12 c. For transfer to the department of public health  
13 to be used for tobacco use prevention, cessation, and  
14 treatment through support of Quitline Iowa:

15 ..... \$ 350,000

16 2. Notwithstanding section 8.39, and to the extent  
17 that funds appropriated in this section are unexpended  
18 or unobligated for the purposes specified in subsection  
19 1, the department of human services may transfer funds  
20 within or between any of the appropriations made in  
21 this section for the following purposes:

22 a. For adoption subsidy payments and services.

23 b. For child care assistance.

24 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —  
25 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE  
26 OF FUNDS — FY 2012-2013.

27 1. a. Moneys received from the federal government  
28 through the child enrollment contingency fund  
29 established pursuant to section 103 of the federal  
30 Children's Health Insurance Program Reauthorization  
31 Act of 2009, Pub. L. No. 111-3, are appropriated to  
32 the department of human services for the fiscal year  
33 beginning July 1, 2012, and ending June 30, 2013, to be  
34 used in addition to any other amounts appropriated for  
35 the same purposes for the fiscal year as follows:

36 (1) For adoption subsidy payments and services:  
37 ..... \$ 5,290,441

38 (2) For child care programs:  
39 ..... \$ 7,969,021

40 (3) For mental health and disability services  
41 redesign technical assistance services:  
42 ..... \$ 500,000

43 (4) For the field operations integrity claims unit:  
44 ..... \$ 961,100

45 (5) For medical assistance program reimbursement  
46 and associated costs:  
47 ..... \$ 4,950,428

48 (6) For lodging expenses associated with patient  
49 care provided at the university of Iowa hospital and  
50 clinics under chapter 249J:

1 ..... \$ 200,000

2 The department of human services shall establish the  
3 maximum number of overnight stays and the maximum rate  
4 reimbursed for overnight lodging, which may be based on  
5 the state employee rate established by the department  
6 of administrative services. The funds allocated under  
7 this subparagraph shall not be used as nonfederal share  
8 matching funds.

9 (7) For ambulance services associated with patient  
10 care provided under chapter 249J:

11 ..... \$ 200,000

12 The department of human services shall establish  
13 requirements for use of funds in this subparagraph for  
14 ambulance services when no other third-party payment is  
15 available. The funds allocated in this subparagraph  
16 shall not be used as nonfederal share matching funds.

17 (8) For the public purpose of distribution to  
18 a statewide nonprofit organization consisting of  
19 low-income housing and homelessness service providers,  
20 advocates, local governments, lending institutions,  
21 and low-income and homeless individuals to be used to  
22 empower low-income individuals and to increase their  
23 access to affordable housing:

24 ..... \$ 100,000

25 b. Notwithstanding section 8.39, and to the  
26 extent that funds appropriated in this subsection are  
27 unexpended or unobligated for the purposes specified  
28 in paragraph "a", subparagraphs (1) and (2), for the  
29 fiscal year beginning July 1, 2012, the department of  
30 human services may transfer funds within or between any  
31 of the appropriations made in this subsection for the  
32 following purposes:

- 33 (1) For adoption subsidy payments and services.
- 34 (2) For child care assistance.

35 2. Moneys received from the federal government  
36 through the child enrollment contingency fund  
37 established pursuant to section 103 of the federal  
38 Children's Health Insurance Program Reauthorization  
39 Act of 2009, Pub. L. No. 111-3, are appropriated to  
40 the department of human services for the fiscal year  
41 beginning July 1, 2012, and ending June 30, 2013, to be  
42 used for audit settlements:

43 ..... \$ 2,405,936

44 Notwithstanding section 8.33, moneys appropriated in  
45 this subsection that remain unencumbered or unobligated  
46 at the close of the fiscal year shall not revert to any  
47 other fund but shall remain available for expenditure  
48 for the purposes designated until the close of the  
49 succeeding fiscal year.

50 Sec. 52. EFFECTIVE DATE PROVISIONS. The section of

1 this division of this Act appropriating moneys received  
2 through the federal Child Enrollment Contingency Fund  
3 for the fiscal year beginning July 1, 2011, and ending  
4 June 30, 2012, being deemed of immediate importance,  
5 take effect upon enactment.

6 Sec. 53. RETROACTIVE APPLICABILITY. The section of  
7 this division of this Act appropriating moneys received  
8 through the federal Child Enrollment Contingency Fund  
9 for the fiscal year beginning July 1, 2011, and ending  
10 June 30, 2012, applies retroactively to July 1, 2011.

11 DIVISION VII

12 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL  
13 ASSISTANCE PROGRAM ADDITIONAL FUNDING

14 Sec. 54. RISK POOL APPROPRIATION FOR MEDICAL  
15 ASSISTANCE PROGRAM. All moneys remaining in the risk  
16 pool of the property tax relief fund on June 30,  
17 2012, following the distributions made pursuant to  
18 2012 Iowa Acts, Senate File 2071, are appropriated to  
19 the department of human services for the fiscal year  
20 beginning July 1, 2012, and ending June 30, 2013, to be  
21 used for the purpose designated:

22 To be credited to the appropriation made for the  
23 medical assistance program in 2011 Iowa Acts, chapter  
24 129, section 122.

25 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES  
26 REDESIGN. There is appropriated from the general fund  
27 of the state to the department of human services for  
28 the fiscal year beginning July 1, 2012, and ending June  
29 30, 2013, the following amount, or so much thereof as  
30 is necessary, to be used for the purposes designated:

31 For the medical assistance program appropriation  
32 for the fiscal year for the expense of replacing  
33 the enhanced match rate provided through the federal  
34 American Recovery and Reinvestment Act of 2009 and  
35 for the reduction in the federal medical assistance  
36 percentage associated with the mental health and  
37 disabilities services for which the match has been paid  
38 by counties:

39 ..... \$ 24,893,762

40 DIVISION VIII

41 PRIOR APPROPRIATIONS AND RELATED CHANGES  
42 INJURED VETERANS GRANT PROGRAM

43 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69,  
44 unnumbered paragraph 1, as amended by 2009 Iowa Acts,  
45 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,  
46 section 56, and 2011 Iowa Acts, chapter 129, section  
47 53, is amended to read as follows:

48 Notwithstanding section 8.33, moneys appropriated in  
49 this subsection that remain unencumbered or unobligated  
50 at the close of the fiscal year shall not revert but

1 shall remain available for expenditure for the purposes  
2 designated until the close of the fiscal year beginning  
3 July 1, ~~2011~~ 2012.

4 CHILD WELFARE DECATEGORIZATION

5 FY 2009-2010 NONREVERSION

6 Sec. 57. 2009 Iowa Acts, chapter 182, section 14,  
7 subsection 5, unnumbered paragraph 2, as enacted by  
8 2011 Iowa Acts, chapter 129, section 55, is amended to  
9 read as follows:

10 Notwithstanding section 232.188, subsection 5,  
11 moneys from the allocations made in this subsection or  
12 made from any other source for the decategorization of  
13 child welfare and juvenile justice funding initiative  
14 under section 232.188 for the fiscal year beginning  
15 July 1, 2009, that are designated as carryover funding  
16 that remain unencumbered or unobligated at the close  
17 of the fiscal year beginning July 1, 2010, shall not  
18 revert but shall be transferred ~~to~~ in equal amounts to  
19 the community housing and services for persons with  
20 disabilities revolving loan program fund created in  
21 section 16.185, as enacted by this division of this  
22 2011 Act and to the supportive and residential services  
23 for individuals who meet the psychiatric medical  
24 institution for children level of care competitive  
25 grant program fund created in section 16.185A, as  
26 enacted by this 2012 Act.

27 IOWA VETERANS HOME

28 Sec. 58. 2011 Iowa Acts, chapter 129, section 3,  
29 subsection 2, is amended by adding the following new  
30 paragraph:

31 NEW PARAGRAPH. d. The funds appropriated in this  
32 subsection to the Iowa veterans home that remain  
33 available for expenditure for the succeeding fiscal  
34 year pursuant to section 35D.18, subsection 5, shall  
35 be distributed to be used in the succeeding fiscal  
36 year in accordance with this lettered paragraph. The  
37 first \$500,000 shall remain available to be used for  
38 the purposes of the Iowa veterans home. Any remaining  
39 balance shall be credited to the appropriation in this  
40 Act for the fiscal year beginning July 1, 2012, for  
41 medical assistance.

42 FAMILY INVESTMENT PROGRAM — GENERAL FUND

43 Sec. 59. 2011 Iowa Acts, chapter 129, section 7, is  
44 amended by adding the following new subsection:

45 NEW SUBSECTION. 5. Notwithstanding section  
46 8.33, moneys appropriated in this section that remain  
47 unencumbered or unobligated at the close of the fiscal  
48 year shall not revert but shall remain available for  
49 expenditure for the purposes designated until the close  
50 of the succeeding fiscal year.



1 MEDICAL ASSISTANCE

2 Sec. 60. 2011 Iowa Acts, chapter 129, section 10,  
3 subsection 20, paragraph d, is amended to read as  
4 follows:

5 d. If the savings to the medical assistance  
6 program exceed the cost, the department may transfer  
7 any savings generated for the fiscal year due to  
8 medical assistance program cost containment efforts  
9 initiated pursuant to 2010 Iowa Acts, chapter 1031,  
10 Executive Order No. 20, issued December 16, 2009, or  
11 cost containment strategies initiated pursuant to this  
12 subsection, to the ~~appropriation~~ appropriations made  
13 in this division of this Act for medical contracts or  
14 general administration to defray the increased contract  
15 costs associated with implementing such efforts.

16 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL  
17 ASSISTANCE

18 Sec. 61. 2011 Iowa Acts, chapter 129, section 10,  
19 is amended by adding the following new subsection:  
20 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa  
21 Acts, chapter 182, section 9, subsection 16, paragraph  
22 "b", as amended by 2010 Iowa Acts, chapter 1192,  
23 section 63, as amended by 2011 Iowa Acts, chapter  
24 129, section 54, funds in the account that remain  
25 unencumbered or unobligated at the end of the fiscal  
26 year beginning July 1, 2011, are appropriated to the  
27 department of human services to be used for the medical  
28 assistance program for the succeeding fiscal year.

29 STATE SUPPLEMENTARY ASSISTANCE

30 Sec. 62. 2011 Iowa Acts, chapter 129, section 11,  
31 is amended by adding the following new subsection:  
32 NEW SUBSECTION. 4. Notwithstanding section  
33 8.33, moneys appropriated in this section that remain  
34 unencumbered or unobligated at the close of the fiscal  
35 year shall not revert but shall remain available for  
36 expenditure for the purposes designated until the close  
37 of the succeeding fiscal year.

38 FIELD OPERATIONS

39 Sec. 63. 2011 Iowa Acts, chapter 129, section  
40 25, is amended by adding the following new unnumbered  
41 paragraph:

42 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
43 8.33, moneys appropriated in this section that remain  
44 unencumbered or unobligated at the close of the fiscal  
45 year shall not revert but shall remain available for  
46 expenditure for the purposes designated until the close  
47 of the succeeding fiscal year.

48 GENERAL ADMINISTRATION

49 Sec. 64. 2011 Iowa Acts, chapter 129, section 26,  
50 is amended by adding the following new subsection:

1 NEW SUBSECTION. 6. Notwithstanding section  
2 8.33, moneys appropriated in this section that remain  
3 unencumbered or unobligated at the close of the fiscal  
4 year shall not revert but shall remain available for  
5 expenditure for the purposes designated until the close  
6 of the succeeding fiscal year.

7 IOWACARE DISTRIBUTIONS

8 Sec. 65. 2011 Iowa Acts, chapter 129, section  
9 35, subsection 4, paragraph a, is amended to read as  
10 follows:

11 a. 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 plus a monthly disproportionate share hospital payment.  
16 Any amount appropriated in this subsection in excess  
17 of ~~\$60,000,000~~ \$56,500,000 shall be distributed  
18 only if the sum of the expansion population claims  
19 adjudicated and paid by the Iowa Medicaid enterprise  
20 plus the estimated disproportionate share hospital  
21 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount  
22 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall  
23 not adjust the original monthly payment amount but  
24 shall be distributed monthly based on actual claims  
25 adjudicated and paid by the Iowa Medicaid enterprise  
26 plus the estimated disproportionate share hospital  
27 amount. Any amount appropriated in this subsection in  
28 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated  
29 only if federal funds are available to match the  
30 amount allocated. Pursuant to paragraph "b", of the  
31 amount appropriated in this subsection, not more than  
32 \$4,000,000 shall be distributed for prescription drugs  
33 and podiatry services.

34 Sec. 66. 2011 Iowa Acts, chapter 129, section 35,  
35 subsection 4, paragraph d, subparagraph (2), is amended  
36 to read as follows:

37 (2) Notwithstanding the amount collected and  
38 distributed for deposit in the IowaCare account  
39 pursuant to section 249J.24, subsection 4, paragraph  
40 "a", subparagraph (2), the first \$19,000,000 in  
41 collections pursuant to section 347.7 between January  
42 1, 2012, and June 30, 2012, shall be distributed to  
43 the treasurer of state for deposit in the IowaCare  
44 account and collections during this time period in  
45 excess of \$19,000,000 shall be distributed to the acute  
46 care teaching hospital identified in this subsection.  
47 ~~Of the collections in excess of the \$19,000,000~~  
48 ~~received by the acute care teaching hospital under this~~  
49 ~~subparagraph (2), \$2,000,000 shall be distributed by~~  
50 ~~the acute care teaching hospital to the treasurer of~~

1 ~~state for deposit in the IowaCare account in the month~~  
2 ~~of July 2012, following the January 1 through June 30,~~  
3 ~~2012, period.~~

4 Sec. 67. IMMEDIATE EFFECTIVE DATE. This division  
5 of this Act, being deemed of immediate importance,  
6 takes effect upon enactment.

7 Sec. 68. RETROACTIVE APPLICABILITY. The  
8 following sections of this division of this Act apply  
9 retroactively to July 1, 2011:

10 1. The section relating to the transfer of funds  
11 from costs savings under the medical assistance program  
12 to appropriations for medical contracts or general  
13 administration for the fiscal year beginning July 1,  
14 2011, and ending June 30, 2012.

15 2. The section relating to the nonreversion of  
16 decategorization of child welfare and juvenile justice  
17 funds.

18 3. The section relating to the distribution of  
19 IowaCare program funds.

20 DIVISION IX  
21 MISCELLANEOUS

22 Sec. 69. NEW SECTION. **8A.441 Medication therapy**  
23 **management.**

24 1. As used in this section, unless the context  
25 otherwise requires:

26 a. "*Eligible employee*" means an employee of the  
27 state, with the exception of an employee of the state  
28 board of regents or institutions under the state board  
29 of regents, for whom group health plans are established  
30 pursuant to chapter 509A providing for third-party  
31 payment or prepayment for health or medical expenses.

32 b. "*Medication therapy management*" means a  
33 systematic process performed by a licensed pharmacist,  
34 designed to improve quality outcomes for patients  
35 and lower health care costs, including emergency  
36 room, hospital, provider, and other costs, by  
37 optimizing appropriate medication use linked directly  
38 to achievement of the clinical goals of therapy.  
39 Medication therapy management shall include all of the  
40 following services:

41 (1) A medication therapy review and in-person  
42 consultation relating to all medications, vitamins, and  
43 herbal supplements currently being taken by an eligible  
44 individual.

45 (2) A medication action plan, subject to the  
46 limitations specified in this section, communicated  
47 to the individual and the individual's primary care  
48 physician or other appropriate prescriber to address  
49 issues including appropriateness, effectiveness,  
50 safety, drug interactions, and adherence. The

1 medication action plan may include drug therapy  
2 recommendations to prescribers that are needed to meet  
3 clinical goals and achieve optimal patient outcomes.

4 (3) Documentation and follow-up to ensure  
5 consistent levels of pharmacy services and positive  
6 outcomes.

7 2. a. The department shall utilize a request for  
8 proposals process and shall enter into a contract for  
9 the provision of medication therapy management services  
10 for eligible employees who meet any of the following  
11 criteria:

12 (1) An individual who takes four or more  
13 prescription drugs to treat or prevent two or more  
14 chronic medical conditions.

15 (2) An individual with a prescription drug therapy  
16 problem who is identified by the prescribing physician  
17 or other appropriate prescriber, and referred to a  
18 pharmacist for medication therapy management services.

19 (3) An individual who meets other criteria  
20 established by the third-party payment provider  
21 contract, policy, or plan.

22 b. The contract shall require the entity to provide  
23 annual reports to the general assembly detailing  
24 the costs, savings, estimated cost avoidance and  
25 return on investment, and improved patient outcomes  
26 related to the medication therapy management services  
27 provided. The entity shall guarantee demonstrated  
28 annual savings for overall health care costs, including  
29 emergency room, hospital, provider, and other costs,  
30 with savings including associated cost avoidance, at  
31 least equal to the program's costs with any shortfall  
32 amount refunded to the state. The contract shall  
33 include terms, conditions, and applicable measurement  
34 standards associated with the demonstration of savings.  
35 The department shall verify the demonstrated savings  
36 reported by the entity were achieved in accordance with  
37 the agreed upon measurement standards. The entity  
38 shall be prohibited from using the entity's employees  
39 to provide the medication therapy management services  
40 and shall instead be required to contract with licensed  
41 pharmacies, pharmacists, or physicians.

42 c. The department may establish an advisory  
43 committee comprised of an equal number of physicians  
44 and pharmacists to provide advice and oversight in  
45 evaluating the results of the program. The department  
46 shall appoint the members of the advisory committee  
47 based upon designees of the Iowa pharmacy association,  
48 the Iowa medical society, and the Iowa osteopathic  
49 medical association.

50 d. The fees for pharmacist-delivered medication

1 therapy management services shall be separate from  
2 the reimbursement for prescription drug product or  
3 dispensing services; shall be determined by each  
4 third-party payment provider contract, policy, or plan;  
5 and must be reasonable based on the resources and time  
6 required to provide the service.

7 e. A fee shall be established for physician  
8 reimbursement for services delivered for medication  
9 therapy management as determined by each third-party  
10 payment provider contract, policy, or plan, and must be  
11 reasonable based on the resources and time required to  
12 provide the service.

13 f. If any part of the medication therapy management  
14 plan developed by a pharmacist incorporates services  
15 which are outside the pharmacist's independent scope  
16 of practice including the initiation of therapy,  
17 modification of dosages, therapeutic interchange, or  
18 changes in drug therapy, the express authorization  
19 of the individual's physician or other appropriate  
20 prescriber is required.

21 Sec. 70. NEW SECTION. 16.185A Supportive and  
22 residential services for individuals who meet the  
23 psychiatric medical institution for children level of  
24 care — competitive grant program fund.

25 1. A supportive and residential services  
26 competitive grant program fund is created within the  
27 authority to further the availability of supportive  
28 and residential services for individuals who meet the  
29 psychiatric medical institution for children level of  
30 care under the medical assistance program. The moneys  
31 in the fund are appropriated to the authority to be  
32 used for the development and operation of a competitive  
33 grant program to provide financing to construct  
34 supportive housing or develop the infrastructure in  
35 which to provide supportive services, including through  
36 new construction, acquisition and rehabilitation of  
37 existing housing or infrastructure, or conversion or  
38 adaptive reuse.

39 2. Moneys transferred by the authority for  
40 deposit in the competitive grant program fund, moneys  
41 appropriated to the competitive grant program,  
42 and any other moneys available to and obtained  
43 or accepted by the authority for placement in the  
44 fund shall be credited to the fund. Additionally,  
45 payment of interest, recaptures of awards, and other  
46 repayments to the fund shall be credited to the fund.  
47 Notwithstanding section 12C.7, subsection 2, interest  
48 or earnings on moneys in the fund shall be credited  
49 to the fund. Notwithstanding section 8.33, moneys  
50 credited to the fund from any other fund that remain

1 unencumbered or unobligated at the close of the fiscal  
2 year shall not revert to the other fund.

3 3. The authority shall allocate moneys in the  
4 fund to the extent available for the development of  
5 supportive housing or the infrastructure in which to  
6 provide supportive services for individuals who meet  
7 the psychiatric medical institution for children level  
8 of care under the medical assistance program. Moneys  
9 allocated to such projects shall be in the form of  
10 competitive grants. An application submitted shall  
11 contain a commitment of at least a dollar-for-dollar  
12 match of the grant assistance.

13 4. a. A project shall demonstrate written approval  
14 of the project by the department of human services to  
15 the authority prior to application for funding under  
16 this section.

17 b. In order to be approved by the department of  
18 human services for application for funding under this  
19 section, a project shall include all of the following  
20 components:

21 (1) Provision of services to individuals who meet  
22 the psychiatric medical institution for children level  
23 of care under the medical assistance program.

24 (2) Policies and procedures that prohibit discharge  
25 of the individual from the services provided by the  
26 project provider unless an alternative placement that  
27 is acceptable to the client or the client's guardian is  
28 identified.

29 5. Housing provided through a project under this  
30 section is exempt from the requirements of chapter  
31 1350.

32 6. The authority, in collaboration with the  
33 department of human services, shall adopt rules  
34 pursuant to chapter 17A to administer this section.

35 Sec. 71. Section 97B.39, Code 2011, is amended to  
36 read as follows:

37 **97B.39 Rights not transferable or subject to legal  
38 process — exceptions.**

39 The right of any person to any future payment under  
40 this chapter is not transferable or assignable, at  
41 law or in equity, and the moneys paid or payable or  
42 rights existing under this chapter are not subject to  
43 execution, levy, attachment, garnishment, or other  
44 legal process, or to the operation of any bankruptcy  
45 or insolvency law except for the purposes of enforcing  
46 child, spousal, or medical support obligations or  
47 marital property orders, or for recovery of medical  
48 assistance payments pursuant to section 249A.5.

49 For the purposes of enforcing child, spousal, or  
50 medical support obligations, the garnishment or

1 attachment of or the execution against compensation  
2 due a person under this chapter shall not exceed  
3 the amount specified in 15 U.S.C. § 1673(b). The  
4 system shall comply with the provisions of a marital  
5 property order requiring the selection of a particular  
6 benefit option, designated beneficiary, or contingent  
7 annuitant if the selection is otherwise authorized  
8 by this chapter and the member has not received  
9 payment of the member's first retirement allowance.  
10 However, a marital property order shall not require  
11 the payment of benefits to an alternative payee prior  
12 to the member's retirement, prior to the date the  
13 member elects to receive a lump sum distribution of  
14 accumulated contributions pursuant to section 97B.53,  
15 or in an amount that exceeds the benefits the member  
16 would otherwise be eligible to receive pursuant to this  
17 chapter.

18 Sec. 72. Section 135.11, Code Supplement 2011, is  
19 amended by adding the following new subsection:

20 NEW SUBSECTION. 31. Administer a public awareness  
21 program for human papillomavirus infection vaccination  
22 by identifying medically accurate materials that  
23 contain information regarding the risks associated with  
24 the various forms of the infection in causing cervical  
25 cancer, and any other diseases for which the department  
26 may recommend immunization or immunization information,  
27 and the availability, effectiveness, and potential  
28 risks of those vaccines. The department shall make  
29 the identified materials available on the department's  
30 internet site, provide education and training to  
31 health professionals and the general public regarding  
32 the vaccines, and notify each school district in the  
33 state of the availability of the information. For the  
34 purposes of this subsection, "*human papillomavirus*"  
35 means the group of viruses identified by the centers  
36 for disease control and prevention of the United States  
37 department of health and human services.

38 Sec. 73. Section 135H.10, subsection 3, Code 2011,  
39 is amended by striking the subsection.

40 Sec. 74. Section 144D.4, as enacted by 2012 Iowa  
41 Acts, House File 2165, section 5, is amended by adding  
42 the following new subsection:

43 NEW SUBSECTION. 10. A POST form executed between  
44 July 1, 2008, and June 30, 2012, as part of the patient  
45 autonomy in health care decisions pilot project created  
46 pursuant to 2008 Iowa Acts, chapter 1188, section 36,  
47 as amended by 2010 Iowa Acts, chapter 1192, section 58,  
48 shall remain effective until revoked or until a new  
49 POST form is executed pursuant to this chapter.

50 Sec. 75. Section 225B.8, Code Supplement 2011, is

1 amended to read as follows:

2 **225B.8 Repeal.**

3 This chapter is repealed July 1, ~~2012~~ 2017.

4 Sec. 76. NEW SECTION. 231.45 Certified volunteer  
5 long-term care resident's advocate program.

6 1. The department shall establish a certified  
7 volunteer long-term care resident's advocate program in  
8 accordance with the federal Act to provide assistance  
9 to the state and local long-term care resident's  
10 advocates.

11 2. The department shall develop and implement a  
12 certification process for volunteer long-term care  
13 resident's advocates including but not limited to  
14 an application process, provision for background  
15 checks, classroom or on-site training, orientation, and  
16 continuing education.

17 3. The provisions of section 231.42 relating to  
18 local long-term care resident's advocates shall apply  
19 to certified volunteer long-term care resident's  
20 advocates.

21 4. The department shall adopt rules pursuant to  
22 chapter 17A to administer this section.

23 Sec. 77. Section 237.3, Code 2011, is amended by  
24 adding the following new subsection:

25 NEW SUBSECTION. 11. The department shall adopt  
26 rules to administer a certified foster care respite  
27 provider program to provide respite in a licensed  
28 foster home. The certified respite provider program  
29 shall provide care, supervision, or guidance of a  
30 foster child when the child is placed with a licensed  
31 foster home. The certified foster care respite  
32 provider shall be responsible to have liability  
33 insurance to provide for any loss or damage arising out  
34 of occurrences during the provision of certified foster  
35 care respite provider care.

36 Sec. 78. Section 237.13, subsection 4, Code 2011,  
37 is amended by adding the following new paragraph:

38 NEW PARAGRAPH. h. Any loss or damage arising out  
39 of occurrences during the provision of certified foster  
40 care respite provider care pursuant to section 237.3,  
41 subsection 11.

42 Sec. 79. NEW SECTION. 239B.2C Absence from home  
43 — incarceration.

44 An individual family member who is absent from the  
45 home for more than three months because the individual  
46 is incarcerated in jail or a correctional facility  
47 shall not be included in the family unit for purposes  
48 of assistance.

49 Sec. 80. NEW SECTION. 249A.17 Reimbursement for  
50 providers of outpatient clinical services for children.



1 1. Providers that meet the criteria specified in  
2 subsection 2, shall receive cost-based reimbursement  
3 for one hundred percent of the reasonable costs, as  
4 determined by Medicare reimbursement principles, for  
5 provision of outpatient clinical services for children  
6 who are recipients of medical assistance.

7 2. In order to be eligible for reimbursement under  
8 this section, a provider shall be an accredited,  
9 nonprofit agency that meets all of the following  
10 criteria:

11 a. Provides clinical outpatient services to  
12 children of whom at least sixty percent are recipients  
13 of medical assistance.

14 b. Provides at least three children's mental health  
15 services including inpatient services, outpatient  
16 services, psychiatric and psychological services, and  
17 behavioral health intervention services.

18 c. Directly employs a psychiatrist, psychologist,  
19 and licensed therapist.

20 Sec. 81. Section 453A.35, Code Supplement 2011, is  
21 amended to read as follows:

22 ~~453A.35 Tax and fees paid to general fund —~~  
23 ~~standing appropriation to health care trust fund.~~

24 1. ~~a. With the exception of revenues credited to~~  
25 ~~the health care trust fund pursuant to paragraph "b",~~  
26 ~~the~~ The proceeds derived from the sale of stamps and  
27 the payment of taxes, fees, and penalties provided for  
28 under this chapter, and the permit fees received from  
29 all permits issued by the department, shall be credited  
30 to the ~~general fund of the state.~~

31 ~~b. Of the revenues generated from the tax on~~  
32 ~~cigarettes pursuant to section 453A.6, subsection 1,~~  
33 ~~and from the tax on tobacco products as specified in~~  
34 ~~section 453A.43, subsections 1, 2, 3, and 4, the first~~  
35 ~~one hundred six million sixteen thousand four hundred~~  
36 ~~dollars shall be credited to the health care trust fund~~  
37 ~~created in section 453A.35A.~~

38 2. All permit fees provided for in this chapter and  
39 collected by cities in the issuance of permits granted  
40 by the cities shall be paid to the treasurer of the  
41 city where the permit is effective, or to another city  
42 officer as designated by the council, and credited to  
43 the general fund of the city. Permit fees so collected  
44 by counties shall be paid to the county treasurer.

45 Sec. 82. Section 453A.35A, subsection 1, Code  
46 Supplement 2011, is amended to read as follows:

47 1. A health care trust fund is created in the  
48 office of the treasurer of state. The fund consists  
49 of the revenues ~~generated from the tax on cigarettes~~  
50 ~~pursuant to section 453A.6, subsection 1, and from~~

1 ~~the tax on tobacco products as specified in section~~  
2 ~~453A.43, subsections 1, 2, 3, and 4, that are credited~~  
3 ~~to the health care trust fund, annually, pursuant to~~  
4 ~~section 453A.35 derived from the sale of stamps and~~  
5 ~~the payment of taxes, fees, and penalties provided~~  
6 ~~for under this chapter, and the permit fees received~~  
7 ~~from all permits issued by the department. Moneys~~  
8 ~~in the fund shall be separate from the general fund~~  
9 ~~of the state and shall not be considered part of the~~  
10 ~~general fund of the state. However, the fund shall~~  
11 ~~be considered a special account for the purposes~~  
12 ~~of section 8.53 relating to generally accepted~~  
13 ~~accounting principles. Moneys in the fund shall be~~  
14 ~~used only as specified in this section and shall be~~  
15 ~~appropriated only for the uses specified. Moneys in~~  
16 ~~the fund are not subject to section 8.33 and shall~~  
17 ~~not be transferred, used, obligated, appropriated,~~  
18 ~~or otherwise encumbered, except as provided in this~~  
19 ~~section. Notwithstanding section 12C.7, subsection 2,~~  
20 ~~interest or earnings on moneys deposited in the fund~~  
21 ~~shall be credited to the fund.~~

22 Sec. 83. COST-BASED REIMBURSEMENT — PROVIDERS OF  
23 CHILDREN'S OUTPATIENT CLINICAL SERVICES.

24 1. The department of human services shall seek  
25 federal approval to amend the medical assistance  
26 program state plan and shall amend the contract  
27 with the department's managed care contractor for  
28 behavioral health services under the medical assistance  
29 program to provide medical assistance reimbursement to  
30 providers that meet the criteria specified in section  
31 249A.17, as enacted in this division of this Act, at  
32 100 percent of the reasonable costs for recipients of  
33 medical assistance for outpatient clinical services for  
34 children.

35 2. Implementation of section 249A.17, as enacted  
36 in this division of this Act, is contingent upon  
37 receipt of federal approval and limited to the funding  
38 made available through amending the contract with the  
39 managed care contractor.

40 3. The department shall adopt rules pursuant to  
41 chapter 17A to provide reimbursement for outpatient  
42 clinical services for children as described in this  
43 section. The rules shall provide that reimbursement  
44 shall initially be paid on an interim basis and  
45 subsequently adjusted retroactively based on submission  
46 of financial and statistical reports as required by the  
47 department.

48 Sec. 84. EFFECTIVE UPON ENACTMENT. The section  
49 of this division of this Act enacting section 8A.441,  
50 being deemed of immediate importance, takes effect upon

1 enactment.

2 DIVISION X

3 DIRECT CARE PROFESSIONALS

4 Sec. 85. NEW SECTION. 152F.1 Definitions.

5 As used in this chapter, unless the context  
6 otherwise requires:

7 1. "Board" means the board of direct care  
8 professionals created under chapter 147.

9 2. "Community living professional" means a direct  
10 care associate who has completed advanced training and  
11 is certified to provide home and community living,  
12 instrumental activities of daily living, and personal  
13 support services.

14 3. "Direct care associate" means an individual who  
15 has completed core training and is certified to provide  
16 direct care services in the state.

17 4. "Direct care instructor" means an individual  
18 approved by the board to provide direct care  
19 instruction to direct care professionals.

20 5. "Direct care professional" means an individual  
21 who provides direct care services for compensation  
22 and is a direct care associate, a community living  
23 professional, a health support professional, or a  
24 personal support professional.

25 6. "Direct care services" means the services  
26 provided to individuals who are ill or individuals  
27 with disabilities as specified in the individual's  
28 service plan or in documented goals, including but  
29 not limited to home and community living services,  
30 instrumental activities of daily living services,  
31 personal activities of daily living services, personal  
32 support services, and health monitoring and maintenance  
33 services.

34 7. "Direct care trainer" means a direct care  
35 instructor who is approved by the board to train  
36 instructors.

37 8. "Health monitoring and maintenance services"  
38 means medically-oriented services that assist an  
39 individual in maintaining the individual's health  
40 including measuring intake and output; providing  
41 catheter and ostomy care; collecting specimens;  
42 checking vital signs, including temperature, pulse,  
43 respiration, and blood pressure; measuring height and  
44 weight; performing range of motion exercises; providing  
45 assistance with urinary care; and application of  
46 thrombo embolic deterrent hose or hot and cold packs.

47 9. "Health support professional" means a direct  
48 care associate who has completed advanced training  
49 and is certified to provide personal activities of  
50 daily living and health monitoring and maintenance

1 services or a direct care associate who has met the  
2 federal nurse aide requirements pursuant to 42 C.F.R. §  
3 483.152.

4 10. "*Home and community living services*" means  
5 services to enhance or maintain independence of  
6 individuals including such activities as helping  
7 individuals develop and meet personal goals, providing  
8 direct physical and emotional support and assistance  
9 for persons with disabilities, utilizing crisis  
10 intervention and positive behavior supports, and using  
11 and following individual support plans.

12 11. "*Instrumental activities of daily living*  
13 *services*" means services provided to assist individuals  
14 with daily living tasks to allow them to function  
15 independently in a home or community setting, including  
16 but not limited to assistance with managing money,  
17 transportation, light housekeeping, and shopping and  
18 cooking.

19 12. "*Personal activities of daily living services*"  
20 means services to assist individuals in meeting basic  
21 needs, including but not limited to bathing, back rubs,  
22 and skin care; grooming activities; assistance with  
23 dressing and undressing; assistance with eating and  
24 feeding; assistance with toileting; and assistance with  
25 mobility, including transfers, walking, and turning in  
26 bed.

27 13. "*Personal support professional*" means a direct  
28 care associate who has completed advanced training and  
29 is certified to provide instrumental activities of  
30 daily living, personal activities of daily living, and  
31 personal support services.

32 14. "*Personal support services*" means support  
33 services provided to an individual as the individual  
34 performs personal activities of daily living including  
35 but not limited to coaching and prompting, and teaching  
36 skills and behaviors.

37 15. "*Service plan*" means a written,  
38 consumer-centered, outcome-based plan of services.

39 16. "*Specialty endorsement*" means an advanced level  
40 of certification based on requirements developed by  
41 experts in a particular discipline or professional area  
42 and approved by the board.

43 Sec. 86. NEW SECTION. 152F.2 Certification  
44 required — exceptions — use of title.

45 1. Unless otherwise exempt under section 152F.4,  
46 beginning January 1, 2014, an individual shall not  
47 provide direct care services in this state without  
48 being certified as a direct care associate.

49 2. An individual who is not certified pursuant to  
50 this chapter shall not use words or titles which imply

1 or represent that the individual is certified as a  
2 direct care professional under this chapter.

3 3. A direct care associate shall not act as  
4 or represent that the individual is a direct care  
5 professional with advanced training certification  
6 or a specialty endorsement, unless the direct care  
7 associate is first certified at the appropriate level  
8 of certification under this chapter.

9 4. Notwithstanding any provision to the contrary,  
10 an individual who completes advanced training or  
11 meets the requirements for a specialty endorsement  
12 is not required to be certified at that level if  
13 the individual does not act as or represent that the  
14 individual is certified at that level. Section 147.83  
15 does not apply to a direct care associate who is not  
16 certified as a direct care professional with advanced  
17 training certification or a specialty endorsement if  
18 the direct care associate does not act as or represent  
19 that the individual is certified at that level.

20 **Sec. 87. NEW SECTION. 152F.3 Requirements to**  
21 **obtain certification — renewal — continuing education**  
22 **— reciprocity.**

23 1. An applicant for certification as a direct care  
24 associate shall present evidence satisfactory to the  
25 board that the applicant meets all of the following  
26 requirements:

27 a. The applicant has successfully completed the  
28 required education for the certification from a  
29 board-approved direct care instructor or direct care  
30 trainer.

31 b. The applicant has paid all fees required by the  
32 board.

33 c. The applicant certifies that the applicant will  
34 conduct all professional activities in accordance with  
35 standards for professional conduct established by the  
36 board.

37 2. An applicant for certification as a direct care  
38 professional with advanced training or a specialty  
39 endorsement shall present evidence satisfactory to the  
40 board that the applicant meets all of the following  
41 requirements:

42 a. The applicant has successfully completed the  
43 required education for the certification from a  
44 board-approved direct care instructor or direct care  
45 trainer.

46 b. The applicant has paid all fees required by the  
47 board.

48 c. The applicant has passed a state examination  
49 approved by the board.

50 d. The applicant certifies that the applicant will

1 conduct all professional activities in accordance with  
2 standards for professional conduct established by the  
3 board.

4 3. An individual shall renew the individual's  
5 certification biennially. Prior to such renewal, the  
6 individual shall present evidence that the individual  
7 has satisfied continuing education requirements and  
8 shall pay a renewal fee as determined by the board.

9 4. The board shall issue the appropriate  
10 certification to an applicant who demonstrates  
11 experience in direct care services in another state and  
12 meets the requirements established by the board for the  
13 specific certification.

14 **Sec. 88. NEW SECTION. 152F.4 Scope of chapter.**

15 1. The provisions of this chapter do not apply to  
16 any of the following:

17 a. An individual who is providing direct care  
18 services and is governed by a collective bargaining  
19 agreement in place before July 1, 2017, until the  
20 expiration of such agreement.

21 b. An individual providing direct care services to  
22 a family member.

23 c. An individual otherwise licensed who is  
24 operating within the scope of that license and who does  
25 not represent to the public that the individual is a  
26 direct care professional.

27 2. This chapter shall not be interpreted to  
28 preclude an individual who provides direct care  
29 services but is not otherwise required to be certified  
30 under this chapter from being certified under this  
31 chapter on a voluntary basis.

32 **Sec. 89. NEW SECTION. 152F.5 Duties of the board.**

33 The board shall do all of the following:

34 1. Adopt rules consistent with this chapter,  
35 chapter 147, chapter 272, and the recommendations of  
36 the direct care worker advisory council established  
37 pursuant to 2008 Iowa Acts, chapter 1188, section 69,  
38 which are necessary for the performance of its duties.

39 2. Adopt rules to provide a transition process  
40 that allows individuals providing direct care services  
41 on or before January 1, 2014, who are subject to  
42 the certification requirements of this chapter,  
43 to continue providing direct care services while  
44 completing certification under this chapter. The rules  
45 shall provide that certification requirements for an  
46 individual subject to the transition process are based  
47 on consideration of previous training, employment  
48 history, and experience. An individual subject to the  
49 transition process shall complete the requirements for  
50 direct care associate certification within a time frame

1 determined by rule of the board.  
2 3. Establish curriculum requirements for health  
3 support professionals. The curriculum requirements  
4 established shall not exceed the curriculum  
5 requirements specified for nurse aides pursuant to  
6 42 C.F.R. § 483.152, without prior approval of sixty  
7 percent of the members of the board and prior approval  
8 of the department of inspections and appeals.  
9 4. Require an individual to undergo criminal  
10 history and child and dependent adult abuse record  
11 checks prior to certification, and establish record  
12 checks requirements applicable to direct care  
13 professionals consistent with section 135C.33.  
14 5. Establish dependent adult abuse reporting and  
15 training requirements consistent with chapters 235B and  
16 235E, as applicable.  
17 6. Establish standards and guidelines for  
18 certification reciprocity.  
19 7. Establish standards and guidelines for direct  
20 care professionals, including minimum curriculum  
21 requirements.  
22 8. Prepare and conduct, or prescribe, an  
23 examination for applicants for certification.  
24 9. Establish standards and guidelines for direct  
25 care instructors and direct care trainers, including  
26 minimum curriculum requirements and continuing  
27 education requirements. Training and continuing  
28 education guidelines shall provide diverse options for  
29 completion of the training and continuing education,  
30 as appropriate, including but not limited to online,  
31 employer-based, or educational institution-based  
32 opportunities.  
33 10. Define educational activities which fulfill  
34 continuing education requirements for renewal of  
35 certification.  
36 11. Establish guidelines for inactive certification  
37 status and inactive certification reentry.  
38 12. Establish a grace period during which a newly  
39 employed individual may provide direct care services  
40 before being required to complete the appropriate level  
41 of certification under this chapter.  
42 **Sec. 90. NEW SECTION. 152F.6 Certification**  
43 **suspension and revocation.**  
44 A certification issued by the board under this  
45 chapter may be suspended or revoked, or renewal of  
46 certification may be denied by the board, for violation  
47 of any provision of this chapter, section 147.55 or  
48 272C.10, or rules adopted by the board.  
49 **Sec. 91. Section 10A.402, subsection 1, Code 2011,**  
50 **is amended to read as follows:**

1 1. Investigations relative to the practice of  
2 regulated professions and occupations, except those  
3 within the jurisdiction of the board of medicine, the  
4 board of pharmacy, the dental board, and the board of  
5 nursing, and the board of direct care professionals.

6 Sec. 92. Section 135.11A, Code 2011, is amended to  
7 read as follows:

8 **135.11A Professional licensure division — other**  
9 **licensing boards — expenses — fees.**

10 1. There shall be a professional licensure  
11 division within the department of public health. Each  
12 board under chapter 147 or under the administrative  
13 authority of the department, except the board of  
14 nursing, board of medicine, dental board, and board of  
15 pharmacy, and board of direct care professionals shall  
16 receive administrative and clerical support from the  
17 division and may not employ its own support staff for  
18 administrative and clerical duties.

19 2. The professional licensure division and the  
20 licensing boards may expend funds in addition to  
21 amounts budgeted, if those additional expenditures are  
22 directly the result of actual examination and exceed  
23 funds budgeted for examinations. Before the division  
24 or a licensing board expends or encumbers an amount  
25 in excess of the funds budgeted for examinations, the  
26 director of the department of management shall approve  
27 the expenditure or encumbrance. Before approval is  
28 given, the department of management shall determine  
29 that the examination expenses exceed the funds budgeted  
30 by the general assembly to the division or board  
31 and the division or board does not have other funds  
32 from which examination expenses can be paid. Upon  
33 approval of the department of management, the division  
34 or licensing board may expend and encumber funds for  
35 excess examination expenses. The amounts necessary to  
36 fund the excess examination expenses shall be collected  
37 as fees from additional examination applicants and  
38 shall be treated as repayment receipts as defined in  
39 section 8.2.

40 Sec. 93. Section 135.31, Code 2011, is amended to  
41 read as follows:

42 **135.31 Location of boards — rulemaking.**

43 The offices for the board of medicine, the board  
44 of pharmacy, the board of nursing, and the dental  
45 board, and the board of direct care professionals shall  
46 be located within the department of public health.  
47 The individual boards shall have policymaking and  
48 rulemaking authority.

49 Sec. 94. Section 147.1, subsections 3 and 6, Code  
50 2011, are amended to read as follows:



1 3. "Licensed" or "certified", when applied  
2 to a physician and surgeon, podiatric physician,  
3 osteopathic physician and surgeon, physician assistant,  
4 psychologist, chiropractor, nurse, dentist, dental  
5 hygienist, dental assistant, optometrist, speech  
6 pathologist, audiologist, pharmacist, physical  
7 therapist, physical therapist assistant, occupational  
8 therapist, occupational therapy assistant, respiratory  
9 care practitioner, practitioner of cosmetology arts and  
10 sciences, practitioner of barbering, funeral director,  
11 dietitian, marital and family therapist, mental health  
12 counselor, social worker, massage therapist, athletic  
13 trainer, acupuncturist, nursing home administrator,  
14 hearing aid dispenser, ~~or~~ sign language interpreter or  
15 transliterator, or direct care professional means a  
16 person licensed under this subtitle.

17 6. "Profession" means medicine and surgery,  
18 podiatry, osteopathic medicine and surgery, practice  
19 as a physician assistant, psychology, chiropractic,  
20 nursing, dentistry, dental hygiene, dental assisting,  
21 optometry, speech pathology, audiology, pharmacy,  
22 physical therapy, physical therapist assisting,  
23 occupational therapy, occupational therapy assisting,  
24 respiratory care, cosmetology arts and sciences,  
25 barbering, mortuary science, marital and family  
26 therapy, mental health counseling, social work,  
27 dietetics, massage therapy, athletic training,  
28 acupuncture, nursing home administration, hearing  
29 aid dispensing, ~~or~~ sign language interpreting  
30 or transliterating, or practice as a direct care  
31 professional.

32 Sec. 95. Section 147.2, subsection 1, Code 2011, is  
33 amended to read as follows:

34 1. A person shall not engage in the practice of  
35 medicine and surgery, podiatry, osteopathic medicine  
36 and surgery, psychology, chiropractic, physical  
37 therapy, physical therapist assisting, nursing,  
38 dentistry, dental hygiene, dental assisting, optometry,  
39 speech pathology, audiology, occupational therapy,  
40 occupational therapy assisting, respiratory care,  
41 pharmacy, cosmetology arts and sciences, barbering,  
42 social work, dietetics, marital and family therapy or  
43 mental health counseling, massage therapy, mortuary  
44 science, athletic training, acupuncture, nursing  
45 home administration, hearing aid dispensing, or sign  
46 language interpreting or transliterating, or shall not  
47 practice as a physician assistant or as a direct care  
48 professional, unless the person has obtained a license  
49 for that purpose from the board for the profession.

50 Sec. 96. Section 147.13, Code 2011, is amended by

1 adding the following new subsection:  
2 NEW SUBSECTION. 24. For direct care professionals,  
3 the board of direct care professionals.  
4 Sec. 97. Section 147.14, subsection 1, Code 2011,  
5 is amended by adding the following new paragraph:  
6 NEW PARAGRAPH. x. For the board of direct care  
7 professionals, a total of eleven members, six of whom  
8 are direct care professionals who represent diverse  
9 settings and populations served, two members of the  
10 public, one registered nurse who serves as a direct  
11 care instructor, one human services professional who  
12 serves as a direct care instructor, and one licensed  
13 nursing home administrator.  
14 Sec. 98. Section 147.74, Code 2011, is amended by  
15 adding the following new subsection:  
16 NEW SUBSECTION. 24. A direct care professional  
17 certified under chapter 152F and this chapter may use  
18 the following:  
19 a. A direct care professional certified as a  
20 direct care associate may use the title "direct care  
21 associate" or the letters "D.C.A." after the person's  
22 name.  
23 b. A direct care professional certified as a  
24 community living professional may use the title  
25 "community living professional" or the letters "C.L.P."  
26 after the person's name.  
27 c. A direct care professional certified as a  
28 personal support professional may use the title  
29 "personal support professional" or the letters "P.S.P."  
30 after the person's name.  
31 d. A direct care professional certified as a  
32 health support professional may use the title "health  
33 support professional" or the letters "H.S.P." after the  
34 person's name.  
35 e. A direct care professional certified with a  
36 specialty endorsement may use the title or letters  
37 determined by the specialty endorsement entity and  
38 approved by the board of direct care professionals.  
39 f. A direct care professional who complies with  
40 federal nurse aide requirements pursuant to 42 C.F.R. §  
41 483.152 may use the title "certified nursing assistant"  
42 or the letters "C.N.A." after the person's name.  
43 Sec. 99. Section 147.80, subsection 3, Code 2011,  
44 is amended to read as follows:  
45 3. The board of medicine, the board of pharmacy,  
46 the dental board, ~~and~~ the board of nursing, ~~and~~  
47 the board of direct care professionals shall retain  
48 individual executive officers, but shall make  
49 every effort to share administrative, clerical, and  
50 investigative staff to the greatest extent possible.

1 Sec. 100. Section 147.88, Code 2011, is amended to  
2 read as follows:

3 **147.88 Inspections and investigations.**

4 The department of inspections and appeals may  
5 perform inspections and investigations as required by  
6 this subtitle, except inspections and investigations  
7 for the board of medicine, board of pharmacy, board of  
8 nursing, ~~and the dental board, and the board of direct~~  
9 care professionals. The department of inspections  
10 and appeals shall employ personnel related to the  
11 inspection and investigative functions.

12 Sec. 101. Section 272C.1, subsection 6, Code 2011,  
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. *ag.* The board of direct care  
15 professionals, created pursuant to chapter 147.

16 Sec. 102. TRANSITION PROVISIONS.

17 1. An individual providing direct care services  
18 on or before January 1, 2014, who is subject to the  
19 certification requirements of this division of this  
20 Act, may continue providing direct care services  
21 while completing certification as required under  
22 this division of this Act. The board of direct  
23 care professionals shall adopt rules to provide that  
24 certification requirements for an individual subject to  
25 the transition process are based on consideration of  
26 previous training, employment history, and experience,  
27 and require such individuals to complete the  
28 requirements for direct care associate certification  
29 within the time frame determined by rule of the board.

30 2. An individual who is registered on or before  
31 January 1, 2014, on the Iowa direct care worker  
32 registry established by the department of inspections  
33 and appeals, is deemed to meet the certification  
34 requirements for a health support professional under  
35 this division of this Act.

36 3. Notwithstanding sections 147.14 and 147.16,  
37 for the initial board of direct care professionals,  
38 the governor may appoint, subject to confirmation by  
39 the senate, in lieu of the six members required to be  
40 direct care professionals and the two members required  
41 to be direct care instructors, members with experience  
42 and expertise that is substantially equivalent to  
43 the professional requirements for a direct care  
44 professional or direct care instructor, as applicable.

45 Sec. 103. IMPLEMENTATION. The provisions of this  
46 division of this Act shall be implemented as follows:

47 1. The sections of this division of this Act  
48 relating to the board of direct care professionals  
49 including sections 152F.1 and 152F.5, as enacted in  
50 this division of this Act; sections 10A.402, 135.11A,

1 135.31, 147.13, 147.14, 147.80, 147.88, and 272C.1, as  
2 amended in this division of this Act, and as specified  
3 in the transition provisions; and the section of this  
4 division of this Act providing transition provisions  
5 relating to the board shall be implemented so that a  
6 board of direct care professionals is appointed no  
7 later than December 15, 2012.

8 2. The sections of this division of this Act  
9 relating to requirements for certification of direct  
10 care professionals including sections 152F.2, 152F.3,  
11 152F.4, and 152F.6, as enacted in this division of this  
12 Act; and sections 147.1, 147.2, and 147.74, as amended  
13 in this division of this Act, shall be implemented so  
14 that the requirements are applicable beginning no later  
15 than January 1, 2014.

16 Sec. 104. FUNDING PROVISIONS.

17 1. The department of public health shall limit the  
18 indirect service charge for the board of direct care  
19 professionals to not more than fifteen percent.

20 2. It is the intent of the general assembly  
21 that the board of direct care professionals be  
22 self-sustaining by January 1, 2017.

23 Sec. 105. EFFECTIVE UPON ENACTMENT. This division  
24 of this Act, being deemed of immediate importance,  
25 takes effect upon enactment.>

26 2. Title page, line 2, after <appropriations,> by  
27 inserting <making penalties applicable,>

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HEATON of Henry