

House Amendment to  
Senate File 482

S-3245

1 Amend Senate File 482, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 6, after line 3 by inserting:

4 <DIVISION

5 SIBLING VISITATION

6 Sec. \_\_\_\_\_. SUBSIDIZED GUARDIANSHIP PROGRAM —  
7 SIBLING VISITATION. The department of human services  
8 shall adapt the provisions of section 232.108 for  
9 application to the subsidized guardianship program in  
10 order to facilitate frequent visitation or ongoing  
11 interaction between children participating in the  
12 subsidized guardianship program for application to the  
13 subsidized guardianship program and the siblings of  
14 those children. However, the visitation or ongoing  
15 interaction shall not be facilitated if the department  
16 determines the visitation or ongoing interaction  
17 would be detrimental to the child's well-being or is  
18 suspended or terminated by the court.

19 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
20 of this Act, being deemed of immediate importance,  
21 takes effect upon enactment.>

22 2. Page 6, after line 3 by inserting:

23 <DIVISION

24 REPRESENTATION BY COUNTY ATTORNEY IN JUVENILE  
25 PROCEEDINGS

26 Sec. \_\_\_\_\_. LEGAL REPRESENTATION OF THE DEPARTMENT  
27 OF HUMAN SERVICES — STUDY. The department of human  
28 services shall consult with representatives of county  
29 attorneys, the office of the attorney general, and  
30 other stakeholders in performing a review of the role  
31 of the county attorney in representing the department  
32 of human services in juvenile proceedings under chapter  
33 232. The review shall include the issues addressed  
34 in House File 608, introduced by the committee on  
35 judiciary of the house of representatives during  
36 the 2011 Session, and other issues identified by  
37 stakeholders. The department shall report the results  
38 of the review along with findings and recommendations  
39 to the chairpersons and ranking members of the  
40 joint appropriations subcommittee on health and  
41 human services and of the committees on judiciary  
42 of the senate and house of representatives, and the  
43 legislative services agency on or before December 15,  
44 2011.>

45 3. Page 6, after line 3 by inserting:

46 <DIVISION

47 INMATES OF PUBLIC INSTITUTIONS — MEDICAID ELIGIBILITY

48 Sec. \_\_\_\_\_. NEW SECTION. 249A.38 Inmates of public  
49 institutions — suspension or termination of medical  
50 assistance.

1 1. The following conditions shall apply to an  
2 individual who is an inmate of a public institution as  
3 defined in 42 C.F.R. § 435.1010, who is enrolled in the  
4 medical assistance program at the time of commitment to  
5 the public institution, and who is eligible for medical  
6 assistance by reason of disability or being sixty-five  
7 years of age or older:

8 a. The department shall suspend the individual's  
9 eligibility for up to the initial twelve months of  
10 the period of commitment. The department shall delay  
11 the suspension of eligibility for a period of up to  
12 the first thirty days of commitment if such delay is  
13 approved by the centers for Medicare and Medicaid  
14 services of the United States department of health  
15 and human services. If such delay is not approved,  
16 the department shall suspend eligibility during the  
17 entirety of the initial twelve months of the period  
18 of commitment. Claims submitted on behalf of the  
19 individual under the medical assistance program for  
20 covered services provided during the delay period shall  
21 only be reimbursed if federal financial participation  
22 is applicable to such claims.

23 b. The department shall terminate an individual's  
24 eligibility following a twelve-month period of  
25 suspension of the individual's eligibility under  
26 paragraph "a".

27 2. a. A public institution shall provide the  
28 department and the social security administration with  
29 a monthly report of the individuals who are committed  
30 to the public institution and of the individuals who  
31 are discharged from the public institution.

32 b. The department shall provide a public  
33 institution with the forms necessary to be used  
34 by the individual in expediting restoration of the  
35 individual's medical assistance benefits upon discharge  
36 from the public institution.

37 3. This section applies to individuals as specified  
38 in subsection 1 on or after January 1, 2012.

39 4. The department may adopt rules pursuant to  
40 chapter 17A to implement this section.

41 Sec. \_\_\_\_ . IMPLEMENTATION. The department of human  
42 services shall do all of the following:

43 1. Request any waiver or approval necessary from  
44 the centers for Medicare and Medicaid services of the  
45 United States department of health and human services  
46 to provide for the delay in suspension of eligibility  
47 as provided in this Act beginning January 1, 2012. The  
48 department shall implement the delay period to the  
49 maximum extent of the federal approval.

50 2. Develop a process for suspension of medical

1 assistance eligibility for individuals as specified in  
2 this Act beginning January 1, 2012.

3 3. Incorporate provisions for suspension and  
4 termination of medical assistance eligibility for  
5 inmates of public institutions within any future  
6 redesign of the medical assistance program eligibility  
7 information management system.

8 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
9 of this Act, being deemed of immediate importance,  
10 takes effect upon enactment.>

11 4. Title page, line 2, after <families> by  
12 inserting <and including effective date provisions>

13 5. By renumbering as necessary.