

House File 649

S-3333

1 Amend the amendment, S-3293, to House File 649,  
2 as amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, line 26, by striking <2,549,270> and  
5 inserting <2,594,270>  
6 2. Page 1, line 38, by striking <3,369,156> and  
7 inserting <3,399,156>  
8 3. Page 1, after line 44 by inserting:  
9 <\_\_\_. Page 7, line 32, by striking <468,874> and  
10 inserting <498,874>>  
11 4. Page 2, line 8, by striking <4,813,872> and  
12 inserting <4,826,699>  
13 5. Page 2, after line 8 by inserting:  
14 <\_\_\_. Page 9, line 32, after <designated> by  
15 inserting <. The following amounts allocated under  
16 this lettered paragraph shall be distributed to  
17 the specified provider and shall not be reduced for  
18 administrative or other costs prior to distribution>>  
19 6. Page 3, line 15, by striking <45,173> and  
20 inserting <58,000>  
21 7. Page 3, by striking lines 34 and 35 and  
22 inserting <through a grant to an organization that has  
23 an existing program for children and adults and that  
24 is solely dedicated to preserving sight and preventing  
25 blindness>  
26 8. Page 3, line 39, by striking <departments> and  
27 inserting <grantee organization>  
28 9. Page 3, by striking lines 45 through 48 and  
29 inserting <the conclusion of the pilot program,  
30 the grantee organization shall report findings and  
31 recommendations for statewide implementation of the  
32 vision screening program to the department of public  
33 health.>  
34 10. Page 3, before line 49 by inserting:  
35 <\_\_\_. The department of public health in  
36 collaboration with other appropriate state agencies  
37 shall review state regulatory oversight provisions  
38 relating to outpatient surgical facilities including  
39 ambulatory surgical centers, hospice programs, assisted  
40 living programs, and home health agencies, and shall  
41 submit recommendations to the persons designated in  
42 this Act for submission of reports by December 15,  
43 2011, to improve quality of care for consumers and to  
44 increase regulatory compliance by such entities.>  
45 11. Page 4, after line 11 by inserting:  
46 <\_\_\_. Page 16, by striking lines 15 through 24 and  
47 inserting:  
48 <Pregnancy prevention grants shall be awarded  
49 to programs in existence on or before July 1, 2011,  
50 if the programs are comprehensive in scope and have

1 demonstrated positive outcomes. Grants shall be  
2 awarded to pregnancy prevention programs which are  
3 developed after July 1, 2011, if the programs are  
4 comprehensive in scope and are based on existing models  
5 that have demonstrated positive outcomes. Grants  
6 shall comply with the requirements provided in 1997  
7 Iowa Acts, chapter 208, section 14, subsections 1 and  
8 2, including the requirement that grant programs must  
9 emphasize sexual abstinence. Priority in the awarding  
10 of grants shall be given to programs that serve areas  
11 of the state which demonstrate the highest percentage  
12 of unplanned pregnancies of females of childbearing age  
13 within the geographic area to be served by the grant.>>

14 12. Page 8, line 44, by striking <83,420,163> and  
15 inserting <83,377,336>

16 13. Page 9, line 1, by striking <300,000> and  
17 inserting <257,173>

18 14. Page 9, by striking lines 6 through 9 and  
19 inserting:

20 <\_\_\_. Page 41, line 8, by striking <department of  
21 human services> and inserting <criminal and juvenile  
22 justice planning advisory council established in  
23 section 216A.132>>

24 15. Page 10, by striking lines 16 through 31 and  
25 inserting:

26 <(2) For the nonstate-owned psychiatric medical  
27 institutions for children, reimbursement rates shall  
28 remain at the rates in effect on June 30, 2011. The  
29 department, in consultation with representatives of the  
30 nonstate-owned psychiatric medical institutions for  
31 children, shall develop a reimbursement methodology to  
32 include all ancillary medical services costs and any  
33 other changes required for federal compliance, to be  
34 implemented on July 1, 2012. To the extent possible,  
35 the reimbursement methodology shall be in a manner so  
36 as to be budget neutral to the institutions and cost  
37 effective for the state.>

38 16. Page 10, before line 32 by inserting:

39 <\_\_\_. Page 56, after line 10 by inserting:

40 <Sec. \_\_\_. CIVIL MONETARY PENALTIES — DIRECT CARE  
41 WORKER INITIATIVES PROPOSAL. The department of human  
42 services shall develop a proposal, in collaboration  
43 with the department of public health, requesting  
44 federal approval for the use of a portion of the  
45 funds received by the department of human services as  
46 civil monetary penalties from nursing facilities to  
47 support direct care worker initiatives that enhance the  
48 quality of care in nursing facilities. The proposal  
49 shall request use of the funds for direct care worker  
50 initiatives based on recommendations of the direct care

1 worker task force established pursuant to 2005 Iowa  
2 Acts, chapter 88, as included in the report submitted  
3 to the governor and the general assembly in December  
4 2006. Upon completion of the proposal, the department  
5 of human services shall submit the proposal to the  
6 centers for Medicare and Medicaid services of the  
7 United States department of health and human services  
8 for approval. The department of human services shall  
9 notify the persons designated in this division of this  
10 Act for submission of reports upon receipt of approval  
11 of the proposal.>>

12 17. Page 12, by striking lines 19 through 37.

13 18. By striking page 12, line 50, through page 13,  
14 line 2, and inserting <and current medical assistance  
15 program providers that are not expansion population  
16 network providers pursuant to section 249J.7, for  
17 services covered by the full benefit>

18 19. Page 13, line 7, by striking <section 249J.6>  
19 and inserting <sections 249J.6 and 249J.7>

20 20. Page 13, by striking lines 34 through 39 and  
21 inserting <for reimbursement under this subsection.>

22 21. Page 14, by striking lines 25 through 28 and  
23 inserting <provider.>

24 22. Page 15, by striking lines 29 through 46.

25 23. Page 19, after line 49 by inserting:

26 <\_\_\_. Page 82, after line 31 by inserting:

27 <Sec. \_\_\_. Section 225B.8, Code 2011, is amended to  
28 read as follows:

29 **225B.8 Repeal.**

30 This chapter is repealed July 1, ~~2011~~ 2016.>>

31 24. Page 21, after line 14 by inserting:

32 <\_\_\_. Page 83, after line 9 by inserting:

33 <Sec. \_\_\_. **NEW SECTION. 261.113 Licensed social  
34 worker loan repayment program.**

35 1. A licensed social worker loan repayment program  
36 is established, to be administered by the college  
37 student aid commission for the purpose of increasing  
38 the number of social workers serving in critical human  
39 service areas. For purposes of this section, "*critical*  
40 *human service area*" includes but is not limited to an  
41 area of the state with a shortage of social workers  
42 providing health, mental health, substance abuse,  
43 aging, HIV/AIDS, victim, or child welfare services, or  
44 communities with multilingual needs. These areas shall  
45 be designated by the college student aid commission,  
46 in consultation with a committee comprised of one  
47 representative each from the commission, the department  
48 of public health, and the department of human services.

49 2. The contract for the loan repayment shall  
50 stipulate the time period the licensed social worker

1 shall practice in a critical human service area.  
2 In addition, the contract shall stipulate that the  
3 licensed social worker repay any funds paid on the  
4 person's loan by the commission if the person fails  
5 to practice in a critical human service area for the  
6 required period of time.

7 Sec. \_\_\_\_ . NEW SECTION. 261.114 Licensed social  
8 worker loan repayment revolving fund.

9 1. A licensed social worker loan repayment  
10 revolving fund is created in the state treasury as a  
11 separate fund under the control of the commission.  
12 The commission shall deposit payments made by program  
13 participants under section 261.113, subsection 2,  
14 moneys appropriated for purposes of the licensed social  
15 worker loan repayment program, and any other available  
16 funds into the loan repayment revolving fund. Moneys  
17 in the fund shall be used for purposes of the licensed  
18 social worker loan repayment program. Notwithstanding  
19 section 8.33, moneys deposited in the fund shall  
20 not revert to any fund of the state at the end of  
21 any fiscal year but shall remain in the fund and be  
22 continuously available for the program.

23 2. Notwithstanding section 12C.7, subsection 2,  
24 interest or earnings on moneys deposited in the fund  
25 shall be credited to the fund.

26 3. a. The annual amount of loan repayment is six  
27 thousand five hundred dollars for individuals who  
28 have provided full-time social work services in a  
29 critical human service area in the year prior to such  
30 application, provided that no recipient shall receive  
31 loan repayment that exceeds the total remaining balance  
32 of the student loan debt and that no recipient shall  
33 receive cumulative awards in excess of twenty-five  
34 thousand dollars.

35 b. Awards shall be within the amounts appropriated  
36 for such purpose and based on availability of funds.

37 4. Loan repayment awards shall be made annually to  
38 applicants in the following order of priority:

39 a. First priority is given to applicants who have  
40 received payment of an award pursuant to this section  
41 in a prior year and who have provided social work  
42 services in a critical human service area in the year  
43 prior to such application.

44 b. Second priority is given to applicants who have  
45 not received payment of an award pursuant to this  
46 section in a prior year and who have provided social  
47 work services in a critical human service area in the  
48 year prior to such application.

49 c. Third priority is given to applicants who  
50 are economically disadvantaged, as defined by the

1 commission.

2 5. The commission shall adopt rules pursuant to  
3 chapter 17A to administer this section.>>

4 25. Page 21, after line 15 by inserting:

5 < \_\_\_\_. Page 83, after line 21 by inserting:

6 <DIVISION  
7 MEDICAID PRESCRIPTION DRUGS

8 Sec. \_\_\_\_\_. Section 249A.20A, subsection 4, Code  
9 2011, is amended to read as follows:

10 4. With the exception of drugs prescribed for the  
11 treatment of human immunodeficiency virus or acquired  
12 immune deficiency syndrome, transplantation, or cancer  
13 and drugs prescribed for mental illness with the  
14 exception of drugs and drug compounds that do not  
15 have a significant variation in a therapeutic profile  
16 or side effect profile within a therapeutic class,  
17 prescribing and dispensing of prescription drugs not  
18 included on the preferred drug list shall be subject to  
19 prior authorization.

20 Sec. \_\_\_\_\_. 2010 Iowa Acts, chapter 1031, section  
21 348, is amended to read as follows:

22 SEC. 348. MEDICAID NONPREFERRED DRUG LIST  
23 PRESCRIBING.

24 ~~1.~~ The department shall adopt rules pursuant  
25 to chapter 17A to restrict physicians and other  
26 prescribers to prescribing not more than a 72-hour  
27 or three-day supply of a prescription drug not  
28 included on the medical assistance preferred drug list  
29 while seeking approval to continue prescribing the  
30 medication.

31 ~~2.~~ ~~Notwithstanding subsection 1, the department~~  
32 ~~shall adopt rules pursuant to chapter 17A to restrict a~~  
33 ~~physician or other prescriber prescribing a chemically~~  
34 ~~unique mental health prescription drug to prescribing~~  
35 ~~not more than a seven-day supply of the prescription~~  
36 ~~drug while requesting approval to continue to prescribe~~  
37 ~~the medication. The rules shall provide that if~~  
38 ~~an approval or disapproval is not received by the~~  
39 ~~physician or other prescriber within 48 hours of the~~  
40 ~~request, the request is deemed approved.~~

41 Sec. \_\_\_\_\_. REPEAL. 2010 Iowa Acts, chapter 1031,  
42 section 349, is repealed.

43 Sec. \_\_\_\_\_. RESCINDING AND ADOPTION OF RULES. The  
44 department of human services shall rescind the rules  
45 adopted pursuant to 2010 Iowa Acts, chapter 1031,  
46 section 347, chapter 1031, section 348, subsection  
47 2, and chapter 1031, section 349, and shall instead  
48 adopt emergency rules under section 17A.4, subsection  
49 3, and section 17A.5, subsection 2, paragraph "b",  
50 to implement section 249A.20A, as amended in this

1 division of this Act, and the rules shall be effective  
2 immediately upon filing and retroactively applicable to  
3 January 1, 2011, unless a later date is specified in  
4 the rules. Any rules adopted in accordance with this  
5 section shall also be published as a notice of intended  
6 action as provided in section 17A.4.

7 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
8 APPLICABILITY. This division of this Act, being deemed  
9 of immediate importance, takes effect upon enactment  
10 and applies retroactively to January 1, 2011.>>

11 26. By striking page 22, line 45, through page 24,  
12 line 36.

13 27. Page 28, line 36, after <by> by inserting <or  
14 on behalf of>

15 28. By striking page 51, line 24, through page 52,  
16 line 6, and inserting:

17 <Sec. \_\_\_\_ . INITIAL APPOINTMENTS — BOARD.

18 1. The initial appointments of board member  
19 positions described in section 135D.4, as enacted by  
20 this division of this Act, shall have staggered terms  
21 as follows:

22 a. The board members designated by the Iowa  
23 collaborative safety net provider network and the Iowa  
24 medical society, shall have initial terms of two years,  
25 after which the members shall serve four-year terms.

26 b. The board members designated by the two largest  
27 health care systems in the state, the university of  
28 Iowa hospitals and clinics, and the Iowa hospital  
29 association, shall have initial terms of four years,  
30 after which the members shall serve four-year terms.

31 c. The board members designated by the federation  
32 of Iowa insurers shall serve initial terms of six  
33 years, after which the members shall serve four-year  
34 terms.

35 2. With the exception of board members who are  
36 representatives of state agencies and not subject  
37 to term limits as provided in section 135D.4, board  
38 members appointed under this section may serve an  
39 additional four-year term, with the exception of those  
40 board members initially serving a two-year term, who  
41 may serve two consecutive four-year terms following the  
42 initial two-year term.>

43 29. By renumbering as necessary.

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JACK HATCH