

Senate File 2336

S-5227

1 Amend the House amendment, S-5221, to Senate File
2 2336, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 1, through page 63,
5 line 30, and inserting:

6 <Amend Senate File 2336, as amended, passed, and
7 reprinted by the Senate, as follows:

8 _____. By striking everything after the enacting
9 clause and inserting:

10 <DIVISION I

11 DEPARTMENT ON AGING

12 Section 1. 2011 Iowa Acts, chapter 129, section
13 113, is amended to read as follows:

14 SEC. 113. DEPARTMENT ON AGING. There is
15 appropriated from the general fund of the state to
16 the department on aging for the fiscal year beginning
17 July 1, 2012, and ending June 30, 2013, the following
18 amount, or so much thereof as is necessary, to be used
19 for the purposes designated:

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

32	\$	5,151,288
33		10,402,577
34	FTEs	35.00 36.00

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

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

48 3. Of the funds appropriated in this section,
49 ~~\$89,973~~ \$179,946 shall be transferred to the department
50 of economic development for the Iowa commission on

1 volunteer services to be used for the retired and
2 senior volunteer program.

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

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

13 (2) Prohibiting prepayment for goods or services
14 not received or performed prior to the end of the
15 fiscal period designated for use of the funds.

16 (3) Prohibiting the prepayment for goods or
17 services not defined specifically by good or service,
18 time period, or recipient.

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

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

31 5. Of the funds appropriated in this section,
32 \$100,000 shall be used to provide an additional local
33 long-term care resident's advocate to administer the
34 certified volunteer long-term care resident's advocate
35 program pursuant to section 231.45 as enacted in this
36 2012 Act. It is the intent of the general assembly
37 that the number of local long-term care resident's
38 advocates as provided in section 231.42 be increased
39 each year until 15 local long-term care resident's
40 advocates are available in the state.

41 DIVISION II

42 DEPARTMENT OF PUBLIC HEALTH

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

45 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
46 appropriated from the general fund of the state to
47 the department of public health for the fiscal year
48 beginning July 1, 2012, and ending June 30, 2013, the
49 following amounts, or so much thereof as is necessary,
50 to be used for the purposes designated:

1 1. ADDICTIVE DISORDERS

2 For reducing the prevalence of use of tobacco,
3 alcohol, and other drugs, and treating individuals
4 affected by addictive behaviors, including gambling,
5 and for not more than the following full-time
6 equivalent positions:

7	.....	\$	11,751,595
8			<u>25,653,190</u>
9	.....	FTEs	<u>13.00</u>

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

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

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

41 b. Of the funds appropriated in this subsection,
42 ~~\$10,124,680~~ \$20,249,360 shall be used for problem
43 gambling and substance abuse prevention, treatment,
44 and recovery services, including a 24-hour helpline,
45 public information resources, professional training,
46 and program evaluation.

47 (1) Of the funds allocated in this paragraph "b",
48 ~~\$8,566,254~~ \$17,132,508 shall be used for substance
49 abuse prevention and treatment.

50 (a) Of the funds allocated in this subparagraph

1 (1), ~~\$449,650~~ \$899,300 shall be used for the public
2 purpose of a grant program to provide substance abuse
3 prevention programming for children.

4 (i) Of the funds allocated in this subparagraph
5 division (a), ~~\$213,769~~ \$427,539 shall be used for grant
6 funding for organizations that provide programming for
7 children by utilizing mentors. Programs approved for
8 such grants shall be certified or will be certified
9 within six months of receiving the grant award by the
10 Iowa commission on volunteer services as utilizing
11 the standards for effective practice for mentoring
12 programs.

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

20 (iii) The department of public health shall utilize
21 a request for proposals process to implement the grant
22 program.

23 (iv) All grant recipients shall participate in a
24 program evaluation as a requirement for receiving grant
25 funds.

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

30 (b) Of the funds allocated in this subparagraph
31 (1), ~~\$136,531~~ \$273,062 shall be used for culturally
32 competent substance abuse treatment pilot projects.

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

41 (ii) The pilot project requirements shall provide
42 for documentation or other means to ensure access
43 to the cultural competence approach used by a pilot
44 project so that such approach can be replicated and
45 improved upon in successor programs.

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

49 (a) Of the funds allocated in this subparagraph
50 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem

1 gambling prevention and treatment.

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

6 (c) Of the funds allocated in this subparagraph
7 (2), up to ~~\$50,000~~ \$100,000 may be used for the
8 licensing of problem gambling treatment programs.

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

14 c. Notwithstanding any provision of law to the
15 contrary, to standardize the availability, delivery,
16 cost of delivery, and accountability of problem
17 gambling and substance abuse treatment services
18 statewide, the department shall continue implementation
19 of a process to create a system for delivery of
20 treatment services in accordance with the requirements
21 specified in 2008 Iowa Acts, chapter 1187, section
22 3, subsection 4. To ensure the system provides a
23 continuum of treatment services that best meets the
24 needs of Iowans, the problem gambling and substance
25 abuse treatment services in any area may be provided
26 either by a single agency or by separate agencies
27 submitting a joint proposal.

28 (1) The system for delivery of substance abuse
29 and problem gambling treatment shall include problem
30 gambling prevention.

31 (2) The system for delivery of substance abuse and
32 problem gambling treatment shall include substance
33 abuse prevention by July 1, 2014.

34 (3) Of the funds allocated in paragraph "b",
35 the department may use up to ~~\$50,000~~ \$100,000 for
36 administrative costs to continue developing and
37 implementing the process in accordance with this
38 paragraph "c".

39 d. The requirement of section 123.53, subsection
40 5, is met by the appropriations and allocations made
41 in this Act for purposes of substance abuse treatment
42 and addictive disorders for the fiscal year beginning
43 July 1, 2012.

44 e. The department of public health shall work
45 with all other departments that fund substance
46 abuse prevention and treatment services and all
47 such departments shall, to the extent necessary,
48 collectively meet the state maintenance of effort
49 requirements for expenditures for substance abuse
50 services as required under the federal substance abuse

1 prevention and treatment block grant.

2 f. The department shall amend or otherwise
3 revise departmental policies and contract provisions
4 in order to eliminate free t-shirt distribution,
5 banner production, and other unnecessary promotional
6 expenditures.

7 2. HEALTHY CHILDREN AND FAMILIES

8 For promoting the optimum health status for
9 children, adolescents from birth through 21 years of
10 age, and families, and for not more than the following
11 full-time equivalent positions:

12	\$	<u>1,297,135</u>
13		<u>2,694,270</u>
14	FTEs	10.00

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

23 0b. (1) In order to implement the legislative
24 intent stated in sections 135.106 and 256I.9, that
25 priority for home visitation program funding be given
26 to programs using evidence-based or promising models
27 for home visitation, it is the intent of the general
28 assembly to phase-in the funding priority as follows:

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

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

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

38 (d) By July 1, 2016, 90 percent of state
39 funds expended for home visiting programs are for
40 evidence-based or promising program models. The
41 remaining 10 percent of funds may be used for
42 innovative program models that do not yet meet the
43 definition of evidence-based or promising programs.

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

46 (a) "Evidence-based program" means a program that
47 is based on scientific evidence demonstrating that
48 the program model is effective. An evidence-based
49 program shall be reviewed onsite and compared to
50 program model standards by the model developer or the

1 developer's designee at least every five years to
2 ensure that the program continues to maintain fidelity
3 with the program model. The program model shall have
4 had demonstrated significant and sustained positive
5 outcomes in an evaluation utilizing a well-designed and
6 rigorous randomized controlled research design or a
7 quasi-experimental research design, and the evaluation
8 results shall have been published in a peer-reviewed
9 journal.

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

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

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

29 (ii) The program is grounded in relevant
30 empirically-based knowledge.

31 (iii) The program is linked to program-determined
32 outcomes.

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

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

1 organization administering the program.

2 (3) (a) The data reporting requirements applicable
3 to the HOPES-HFI program services shall include the
4 requirements adopted by the early childhood Iowa state
5 board pursuant to section 256I.4 for the family support
6 programs targeted to families expecting a child or
7 with newborn and infant children through age five and
8 funded through the state board. The department of
9 public health may specify additional data reporting
10 requirements for the HOPES-HFI program services.
11 The HOPES-HFI program services shall be required to
12 participate in a state administered internet-based
13 data collection system by July 1, 2013. The annual
14 reporting concerning the HOPES-HFI program services
15 shall include program outcomes beginning with the 2015
16 report.

17 (b) The data on families served that is collected
18 by the HOPES-HFI program shall include but is not
19 limited to basic demographic information, services
20 received, funding utilized, and program outcomes for
21 the children and families served.

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

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

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

41 b. Of the funds appropriated in this subsection,
42 ~~\$164,942~~ \$329,885 shall be used to continue to address
43 the healthy mental development of children from birth
44 through five years of age through local evidence-based
45 strategies that engage both the public and private
46 sectors in promoting healthy development, prevention,
47 and treatment for children. The department shall work
48 with the department of human services, Iowa Medicaid
49 enterprise, to develop a plan to secure matching
50 medical assistance program funding to provide services

1 under this paragraph, which may include a per member
2 per month payment to reimburse the care coordination
3 and community outreach services component that links
4 young children and their families with identified
5 service needs.

6 c. Of the funds appropriated in this subsection,
7 ~~\$15,798~~ \$31,597 shall be distributed to a statewide
8 dental carrier to provide funds to continue the donated
9 dental services program patterned after the projects
10 developed by the lifeline network to provide dental
11 services to indigent elderly and disabled individuals.

12 d. Of the funds appropriated in this subsection,
13 ~~\$56,338~~ \$112,677 shall be used for childhood obesity
14 prevention.

15 e. Of the funds appropriated in this subsection,
16 ~~\$81,880~~ \$163,760 shall be used to provide audiological
17 services and hearing aids for children. The department
18 may enter into a contract to administer this paragraph.

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

28 3. CHRONIC CONDITIONS

29 For serving individuals identified as having chronic
30 conditions or special health care needs, and for not
31 more than the following full-time equivalent positions:

32	\$	<u>1,680,828</u>
33		<u>3,919,028</u>
34	FTEs	<u>4.00</u>
35		<u>5.00</u>

36 a. Of the funds appropriated in this subsection,
37 ~~\$80,291~~ \$160,582 shall be used for grants to individual
38 patients who have phenylketonuria (PKU) to assist with
39 the costs of necessary special foods.

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

48 c. Of the funds appropriated in this subsection,
49 ~~\$249,437~~ \$550,000 shall be used as additional funding
50 to leverage federal funding through the federal Ryan

1 White Care Act, Tit. II, AIDS drug assistance program
2 supplemental drug treatment grants.

3 d. Of the funds appropriated in this subsection,
4 ~~\$15,627~~ \$50,000 shall be used for the public purpose of
5 providing a grant to an existing national-affiliated
6 organization to provide education, client-centered
7 programs, and client and family support for people
8 living with epilepsy and their families.

9 e. Of the funds appropriated in this subsection,
10 ~~\$394,151~~ \$788,303 shall be used for child health
11 specialty clinics.

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

20 translational melanoma research, and clinical trials.

21 g. Of the funds appropriated in this subsection,
22 ~~\$63,225~~ \$126,450 shall be used for cervical and colon
23 cancer screening.

24 h. Of the funds appropriated in this subsection,
25 ~~\$264,417~~ \$528,834 shall be used for the center for
26 congenital and inherited disorders. A portion of
27 the funds allocated in this lettered paragraph may
28 be used for one full-time equivalent position for
29 administration of the center.

30 i. Of the funds appropriated in this subsection,
31 ~~\$64,968~~ \$129,937 shall be used for the prescription
32 drug donation repository program created in chapter
33 135M.

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

43 \$ 500,000

44 The department shall distribute the amount
45 appropriated in this lettered paragraph to providers
46 on behalf of eligible persons within the target
47 population.

48 4. COMMUNITY CAPACITY

49 For strengthening the health care delivery system at
50 the local level, and for not more than the following

1 full-time equivalent positions:
 2 \$ 2,117,583
 3 5,485,547
 4 FTEs 14.00

5 a. Of the funds appropriated in this subsection,
 6 ~~\$50,000~~ \$100,000 is allocated for a child vision
 7 screening program implemented through the university of
 8 Iowa hospitals and clinics in collaboration with early
 9 childhood Iowa areas.

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

21 c. Of the funds appropriated in this subsection,
 22 ~~\$585,745~~ \$1,171,491 shall be used for essential public
 23 health services that promote healthy aging throughout
 24 the lifespan, contracted through a formula for local
 25 boards of health, to enhance health promotion and
 26 disease prevention services.

27 d. Of the funds appropriated in this section,
 28 ~~\$60,908~~ \$121,817 shall be deposited in the governmental
 29 public health system fund created in section 135A.8 to
 30 be used for the purposes of the fund.

31 e. Of the funds appropriated in this subsection,
 32 ~~\$72,271~~ \$144,542 shall be used for the mental health
 33 professional shortage area program implemented pursuant
 34 to section 135.80.

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

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

1 (1) For distribution to the Iowa primary care
2 association for statewide coordination of the Iowa
3 collaborative safety net provider network:
4 \$ 66,290
5 150,000

6 (1A) For distribution to the Iowa primary care
7 association to be used for the following women's health
8 initiatives:
9 (a) To establish a grant program for training
10 sexual assault response team (SART) members, including
11 representatives of law enforcement, victim advocates,
12 prosecutors, and certified medical personnel:
13 \$ 50,000

14 (b) To promote access to primary and preventive
15 health care and for provision of assistance to patients
16 in determining an appropriate medical home:
17 \$ 75,000

18 (1B) For distribution to federally qualified
19 health centers for necessary infrastructure, statewide
20 coordination, provider recruitment, service delivery,
21 and provision of assistance to patients in determining
22 an appropriate medical home:
23 \$ 125,000

24 (2) For distribution to the local boards of health
25 that provide direct services for pilot programs in
26 three counties to assist patients in determining an
27 appropriate medical home:
28 \$ 38,804
29 77,609

30 (3) For distribution to maternal and child health
31 centers for pilot programs in three counties to assist
32 patients in determining an appropriate medical home:
33 \$ 38,804
34 100,000

35 (4) For distribution to free clinics for necessary
36 infrastructure, statewide coordination, provider
37 recruitment, service delivery, and provision of
38 assistance to patients in determining an appropriate
39 medical home:
40 \$ 62,025
41 424,050

42 (5) For distribution to rural health clinics for
43 necessary infrastructure, statewide coordination,
44 provider recruitment, service delivery, and provision
45 of assistance to patients in determining an appropriate
46 medical home:
47 \$ 55,215
48 150,000

49 (6) For continuation of the safety net provider
50 patient access to specialty health care initiative as

1 described in 2007 Iowa Acts, chapter 218, section 109:
2 \$ 130,000
3 400,000

4 (7) For continuation of the pharmaceutical
5 infrastructure for safety net providers as described in
6 2007 Iowa Acts, chapter 218, section 108:
7 \$ 135,000
8 435,000

9 The Iowa collaborative safety net provider network
10 may continue to distribute funds allocated pursuant to
11 this lettered paragraph through existing contracts or
12 renewal of existing contracts.

13 ~~h. (1) Of the funds appropriated in this~~
14 ~~subsection, \$74,500 shall be used for continued~~
15 ~~implementation of the recommendations of the direct~~
16 ~~care worker task force established pursuant to 2005~~
17 ~~Iowa Acts, chapter 88, based upon the report submitted~~
18 ~~to the governor and the general assembly in December~~
19 ~~2006. The department may use a portion of the funds~~
20 ~~allocated in this lettered paragraph for an additional~~
21 ~~position to assist in the continued implementation.~~

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

32 (2) Of the funds appropriated in this subsection,
33 ~~\$29,000~~ \$58,000 shall be used to provide scholarships
34 or other forms of subsidization for direct care
35 worker educational conferences, training, or outreach
36 activities.

37 j. Of the funds appropriated in this subsection,
38 the department may use up to ~~\$29,259~~ \$58,518 for up to
39 one full-time equivalent position to administer the
40 volunteer health care provider program pursuant to
41 section 135.24.

42 k. Of the funds appropriated in this subsection,
43 ~~\$25,000~~ \$50,000 shall be used for a matching dental
44 education loan repayment program to be allocated to a
45 dental nonprofit health service corporation to develop
46 the criteria and implement the loan repayment program.

47 l. Of the funds appropriated in this subsection,
48 \$250,000 shall be used as state matching funds for
49 the primary care provider recruitment and retention
50 endeavor established pursuant to section 135.107.

1 Notwithstanding any provision to the contrary
2 including whether a community is located in a federally
3 designated health professional shortage area, the funds
4 shall be used for loans to medical students who upon
5 receiving a permanent license in this state will engage
6 in the full-time practice of medicine and surgery or
7 osteopathic medicine and surgery specializing in family
8 medicine, pediatrics, psychiatry, internal medicine,
9 or general surgery in a city within the state with a
10 population of less than 26,000 that is located more
11 than 20 miles from a city with a population of 50,000
12 or more. The department may adopt rules pursuant to
13 chapter 17A to implement this paragraph "1".

14 m. Of the funds appropriated in this subsection,
15 \$100,000 shall be used for the purposes of the Iowa
16 donor registry as specified in section 142C.18.

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

25 5. HEALTHY AGING

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

30 \$ 3,648,571
31 7,297,142

32 a. Of the funds appropriated in this subsection,
33 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
34 health nursing services.

35 b. Of the funds appropriated in this subsection,
36 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
37 services.

38 6. ENVIRONMENTAL HAZARDS

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

42 \$ 406,888
43 813,777
44 FTEs 4.00

45 Of the funds appropriated in this subsection,
46 ~~\$272,188~~ \$544,377 shall be used for childhood lead
47 poisoning provisions.

48 7. INFECTIOUS DISEASES

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

1 following full-time equivalent positions:
 2 \$ 672,923
 3 2,395,847
 4 FTEs 4.00

5 b. For the human papillomavirus vaccination public
 6 awareness program in accordance with section 135.11,
 7 subsection 31, as enacted by this Act:
 8 \$ 50,000

9 The department of public health may seek private
 10 sector moneys for the purpose of supporting the public
 11 awareness program.

12 c. For provision of vaccinations for human
 13 papillomavirus to persons age 19 through 26 with
 14 incomes below 300 percent of the federal poverty level,
 15 as defined by the most recently revised poverty income
 16 guidelines issued by the United States department of
 17 health and human services, who are not covered by a
 18 third-party payer health policy or contract that pays
 19 for such vaccinations:
 20 \$ 1,000,000

21 The department shall distribute the amount
 22 appropriated in this lettered paragraph to providers
 23 on behalf of eligible persons within the target
 24 population.

25 8. PUBLIC PROTECTION

26 For protecting the health and safety of the
 27 public through establishing standards and enforcing
 28 regulations, and for not more than the following
 29 full-time equivalent positions:

30 \$ 1,388,116
 31 3,216,567
 32 FTEs 125.00

33 a. Of the funds appropriated in this subsection,
 34 not more than ~~\$235,845~~ \$471,690 shall be credited to
 35 the emergency medical services fund created in section
 36 135.25. Moneys in the emergency medical services fund
 37 are appropriated to the department to be used for the
 38 purposes of the fund.

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

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

1 d. Of the funds appropriated in this subsection,
 2 \$337,440 shall be used for the purposes of the board
 3 of direct care professionals as established pursuant
 4 to the division of this 2012 Act enacting new Code
 5 chapter 152F. The direct care worker advisory council
 6 established pursuant to 2008 Iowa Acts, chapter 1188,
 7 section 69, may continue to provide expertise and
 8 leadership relating to the recommendations in the
 9 advisory council's final report submitted to the
 10 governor and the general assembly in March 2012.

11 9. RESOURCE MANAGEMENT

12 For establishing and sustaining the overall
 13 ability of the department to deliver services to the
 14 public, and for not more than the following full-time
 15 equivalent positions:

16	\$	409,777
17		819,554
18	FTEs	7.00

19 The university of Iowa hospitals and clinics under
 20 the control of the state board of regents shall not
 21 receive indirect costs from the funds appropriated in
 22 this section. The university of Iowa hospitals and
 23 clinics billings to the department shall be on at least
 24 a quarterly basis.

25 DIVISION III

26 DEPARTMENT OF VETERANS AFFAIRS

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

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

35 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

36 For salaries, support, maintenance, and
 37 miscellaneous purposes, including the war orphans
 38 educational assistance fund created in section
 39 35.8, and for not more than the following full-time
 40 equivalent positions:

41	\$	499,416
42		1,010,832
43	FTEs	16.34

44 2. IOWA VETERANS HOME

45 For salaries, support, maintenance, and
 46 miscellaneous purposes:

47	\$	4,476,075
48		8,952,151

49 a. The Iowa veterans home billings involving the
 50 department of human services shall be submitted to the

1 department on at least a monthly basis.

2 b. If there is a change in the employer of
3 employees providing services at the Iowa veterans home
4 under a collective bargaining agreement, such employees
5 and the agreement shall be continued by the successor
6 employer as though there had not been a change in
7 employer.

8 c. Within available resources and in conformance
9 with associated state and federal program eligibility
10 requirements, the Iowa veterans home may implement
11 measures to provide financial assistance to or
12 on behalf of veterans or their spouses who are
13 participating in the community reentry program.

14 d. The Iowa veterans home expenditure report
15 shall be submitted monthly to the legislative services
16 agency.

17 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF
18 DECEASED VETERANS

19 For provision of educational assistance pursuant to
20 section 35.9:

21 \$ 6,208
22 12,416

23 4. HOME OWNERSHIP ASSISTANCE PROGRAM

24 For transfer to the Iowa finance authority for the
25 continuation of the home ownership assistance program
26 for persons who are or were eligible members of the
27 armed forces of the United States, pursuant to section
28 16.54:

29 \$ 1,600,000

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

32 SEC. 116. LIMITATION OF COUNTY

33 COMMISSION OF VETERANS AFFAIRS FUND STANDING

34 APPROPRIATIONS. Notwithstanding the standing
35 appropriation in the following designated section for
36 the fiscal year beginning July 1, 2012, and ending June
37 30, 2013, the amounts appropriated from the general
38 fund of the state pursuant to that section for the
39 following designated purposes shall not exceed the
40 following amount:

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

43 \$ 495,000
44 990,000

45 DIVISION IV

46 DEPARTMENT OF HUMAN SERVICES

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

49 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
50 BLOCK GRANT. There is appropriated from the fund

1 created in section 8.41 to the department of human
 2 services for the fiscal year beginning July 1, 2012,
 3 and ending June 30, 2013, from moneys received under
 4 the federal temporary assistance for needy families
 5 (TANF) block grant pursuant to the federal Personal
 6 Responsibility and Work Opportunity Reconciliation
 7 Act of 1996, Pub. L. No. 104-193, and successor
 8 legislation, and from moneys received under the
 9 emergency contingency fund for temporary assistance
 10 for needy families state program established pursuant
 11 to the federal American Recovery and Reinvestment
 12 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
 13 legislation, the following amounts, or so much
 14 thereof as is necessary, to be used for the purposes
 15 designated:

16 1. To be credited to the family investment program
 17 account and used for assistance under the family
 18 investment program under chapter 239B:
 19 \$ ~~10,750,369~~
 20 19,790,365

21 2. To be credited to the family investment program
 22 account and used for the job opportunities and
 23 basic skills (JOBS) program and implementing family
 24 investment agreements in accordance with chapter 239B:
 25 \$ ~~6,205,764~~
 26 12,411,528

27 3. To be used for the family development and
 28 self-sufficiency grant program in accordance with
 29 section 216A.107:
 30 \$ ~~1,449,490~~
 31 2,898,980

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

40 4. For field operations:
 41 \$ ~~15,648,116~~
 42 31,296,232

43 5. For general administration:
 44 \$ ~~1,872,000~~
 45 3,744,000

46 6. For state child care assistance:
 47 \$ ~~8,191,343~~
 48 16,382,687

49 The funds appropriated in this subsection shall
 50 be transferred to the child care and development

1 block grant appropriation made pursuant to 2011 Iowa
 2 Acts, chapter 126, section 32, by the Eighty-fourth
 3 General Assembly, 2012 Session, for the federal fiscal
 4 year beginning October 1, 2012, and ending September
 5 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall
 6 be used for provision of educational opportunities
 7 to registered child care home providers in order to
 8 improve services and programs offered by this category
 9 of providers and to increase the number of providers.
 10 The department may contract with institutions of higher
 11 education or child care resource and referral centers
 12 to provide the educational opportunities. Allowable
 13 administrative costs under the contracts shall not
 14 exceed 5 percent. The application for a grant shall
 15 not exceed two pages in length.

16 7. For distribution to counties for state case
 17 services for persons with mental health and illness,
 18 an intellectual disability, or a developmental
 19 disabilities community services disability in
 20 accordance with section 331.440:
 21 \$ 2,447,026
 22 4,894,052
 23 8. For child and family services:
 24 \$ 16,042,215
 25 32,084,430
 26 9. For child abuse prevention grants:
 27 \$ 62,500
 28 125,000
 29 10. For pregnancy prevention grants on the
 30 condition that family planning services are funded:
 31 \$ 965,033
 32 1,930,067

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

48 11. For technology needs and other resources
 49 necessary to meet federal welfare reform reporting,
 50 tracking, and case management requirements:

1 \$ 518,593
2 1,037,186

3 12. To be credited to the state child care
4 assistance appropriation made in this section to be
5 used for funding of community-based early childhood
6 programs targeted to children from birth through five
7 years of age developed by early childhood Iowa areas as
8 provided in section 256I.11:

9 \$ 3,175,000
10 6,350,000

11 The department shall transfer TANF block grant
12 funding appropriated and allocated in this subsection
13 to the child care and development block grant
14 appropriation in accordance with federal law as
15 necessary to comply with the provisions of this
16 subsection.

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

42 b. The department shall, on a quarterly basis,
43 advise the legislative services agency and department
44 of management of the amount of funds appropriated in
45 this subsection that was expended in the prior quarter.

46 14. Of the amounts appropriated in this section,
47 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning
48 July 1, 2012, shall be transferred to the appropriation
49 of the federal social services block grant made for
50 that fiscal year.

1 15. For continuation of the program allowing the
2 department to maintain categorical eligibility for the
3 food assistance program as required under the section
4 of this division relating to the family investment
5 account:

6 \$ 73,036
7 25,000

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

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

18 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

19 1. Moneys credited to the family investment program
20 (FIP) account for the fiscal year beginning July
21 1, 2012, and ending June 30, 2013, shall be used to
22 provide assistance in accordance with chapter 239B.

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

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

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

39 a. To be retained by the department of human
40 services to be used for coordinating with the
41 department of human rights to more effectively serve
42 participants in the FIP program and other shared
43 clients and to meet federal reporting requirements
44 under the federal temporary assistance for needy
45 families block grant:

46 \$ 10,000
47 20,000

48 b. To the department of human rights for staffing,
49 administration, and implementation of the family
50 development and self-sufficiency grant program in

1 accordance with section 216A.107:
2 \$ ~~2,671,417~~
3 5,942,834

4 (1) Of the funds allocated for the family
5 development and self-sufficiency grant program in this
6 lettered paragraph, not more than 5 percent of the
7 funds shall be used for the administration of the grant
8 program.

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

12 c. For the diversion subaccount of the FIP account:
13 \$ ~~849,200~~
14 1,698,400

15 A portion of the moneys allocated for the subaccount
16 may be used for field operations salaries, data
17 management system development, and implementation
18 costs and support deemed necessary by the director of
19 human services in order to administer the FIP diversion
20 program.

21 d. For the food stamp employment and training
22 program:
23 \$ ~~33,294~~
24 66,588

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

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

47 e. For the JOBS program:
48 \$ ~~10,117,952~~
49 20,235,905

50 5. Of the child support collections assigned under

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

20 6. The department may adopt emergency rules for
21 the family investment, JOBS, food stamp, and medical
22 assistance programs if necessary to comply with federal
23 requirements.

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

26 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL
27 FUND. 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 To be credited to the family investment program
33 (FIP) account and used for family investment program
34 assistance under chapter 239B:
35 \$ ~~25,085,513~~
36 50,742,028

37 1. Of the funds appropriated in this section,
38 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
39 program.

40 2. Of the funds appropriated in this section,
41 ~~\$1,231,927~~ \$3,063,854 is allocated for the family
42 development and self-sufficiency grant program.

43 3. Notwithstanding section 8.39, for the fiscal
44 year beginning July 1, 2012, if necessary to meet
45 federal maintenance of effort requirements or to
46 transfer federal temporary assistance for needy
47 families block grant funding to be used for purposes
48 of the federal social services block grant or to meet
49 cash flow needs resulting from delays in receiving
50 federal funding or to implement, in accordance with

1 this division of this Act, activities currently funded
2 with juvenile court services, county, or community
3 moneys and state moneys used in combination with such
4 moneys, the department of human services may transfer
5 funds within or between any of the appropriations made
6 in this division of this Act and appropriations in law
7 for the federal social services block grant to the
8 department for the following purposes, provided that
9 the combined amount of state and federal temporary
10 assistance for needy families block grant funding for
11 each appropriation remains the same before and after
12 the transfer:

- 13 a. For the family investment program.
- 14 b. For child care assistance.
- 15 c. For child and family services.
- 16 d. For field operations.
- 17 e. For general administration.
- 18 f. ~~MH/MR/DD/BI community services (local purchase)-~~
19 For distribution to counties for state case services
20 for persons with mental illness, an intellectual
21 disability, or a developmental disability in accordance
22 with section 331.440.

23 This subsection shall not be construed to prohibit
24 the use of existing state transfer authority for other
25 purposes. The department shall report any transfers
26 made pursuant to this subsection to the legislative
27 services agency.

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

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

44 \$ 500,000

45 In purchasing food under this subsection, a
46 preference shall be given to the purchase of food
47 produced, processed, or packaged within this state
48 whenever reasonably practicable.

49 5. The department may transfer funds appropriated
50 in this section to the appropriations made in this

1 division of this Act for general administration and
2 field operations as necessary to administer this
3 section and the overall family investment program.

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

6 SEC. 120. CHILD SUPPORT RECOVERY. There is
7 appropriated from the general fund of the state to
8 the department of human services for the fiscal year
9 beginning July 1, 2012, and ending June 30, 2013, the
10 following amount, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 For child support recovery, including salaries,
13 support, maintenance, and miscellaneous purposes, and
14 for not more than the following full-time equivalent
15 positions:

16	\$	6,559,627
17		13,377,993
18	FTEs	475.00

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

29 2. Federal access and visitation grant moneys shall
30 be issued directly to private not-for-profit agencies
31 that provide services designed to increase compliance
32 with the child access provisions of court orders,
33 including but not limited to neutral visitation sites
34 and mediation services.

35 3. The appropriation made to the department for
36 child support recovery may be used throughout the
37 fiscal year in the manner necessary for purposes of
38 cash flow management, and for cash flow management
39 purposes the department may temporarily draw more
40 than the amount appropriated, provided the amount
41 appropriated is not exceeded at the close of the fiscal
42 year.

43 4. With the exception of the funding amount
44 specified, the requirements established under 2001
45 Iowa Acts, chapter 191, section 3, subsection 5,
46 paragraph "c", subparagraph (3), shall be applicable
47 to parental obligation pilot projects for the fiscal
48 year beginning July 1, 2012, and ending June 30,
49 2013. Notwithstanding 441 IAC 100.8, providing for
50 termination of rules relating to the pilot projects,

1 the rules shall remain in effect until June 30, 2013.

2 MEDICAL ASSISTANCE PROGRAM

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

5 For medical assistance program reimbursement and
6 associated costs as specifically provided in the
7 reimbursement methodologies in effect on June 30,
8 2012, except as otherwise expressly authorized by
9 law, and consistent with options under federal law and
10 regulations:

11 \$914,993,421
12 845,601,256

13 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
14 subsection 1, unnumbered paragraph 1, is amended to
15 read as follows:

16 Iowans support reducing the number of abortions
17 performed in our state. Funds appropriated in this
18 section shall not be used for abortions. For the
19 purposes of this section, "abortion" does not include
20 any of the following:

21 a. The treatment of a woman for a physical
22 disorder, physical injury, or physical illness,
23 including a life-endangering physical condition caused
24 by or arising from the pregnancy itself, that would,
25 as certified by a physician, place the woman in danger
26 of death.

27 b. The treatment of a woman for a spontaneous
28 abortion, commonly known as a miscarriage, when not all
29 of the products of conception are expelled.

30 1A. For an abortion covered under the program,
31 except in the case of a medical emergency, as defined
32 in section 135L.1, for any woman, the physician shall
33 certify both of the following:

34 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

35 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
36 subsection 11, paragraph a, unnumbered paragraph 1, is
37 amended to read as follows:

38 Of the funds appropriated in this section,
39 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
40 match for a disproportionate share hospital payment
41 of \$19,133,430 to hospitals that meet both of the
42 conditions specified in subparagraphs (1) and (2).
43 In addition, the hospitals that meet the conditions
44 specified shall either certify public expenditures
45 or transfer to the medical assistance program an
46 amount equal to provide the nonfederal share for a
47 disproportionate share hospital payment of \$7,500,000.
48 The hospitals that meet the conditions specified
49 shall receive and retain 100 percent of the total
50 disproportionate share hospital payment of \$26,633,430.

1 MEDICAL ASSISTANCE — IOWACARE TRANSFER

2 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
3 subsection 13, is amended to read as follows:

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

7 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

8 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
9 subsection 20, paragraphs a and d, are amended to read
10 as follows:

11 a. The department may continue to implement cost
12 containment strategies recommended by the governor, ~~and~~
13 for the fiscal year beginning July 1, 2011, and shall
14 implement new strategies for the fiscal year beginning
15 July 1, 2012, as specified in this division of this
16 2012 Act. The department may adopt emergency rules for
17 such implementation.

18 d. If the savings to the medical assistance program
19 for the fiscal year beginning July 1, 2012, exceed
20 the cost, the department may transfer any savings
21 generated for the fiscal year due to medical assistance
22 program cost containment efforts initiated pursuant
23 to 2010 Iowa Acts, chapter 1031, Executive Order No.
24 20, issued December 16, 2009, or cost containment
25 strategies initiated pursuant to this subsection, to
26 the appropriation made in this division of this Act
27 for medical contracts or general administration to
28 defray the increased contract costs associated with
29 implementing such efforts.

30 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
31 is amended by adding the following new subsections:

32 NEW SUBSECTION. 23. The department shall implement
33 a hospital inpatient reimbursement policy to provide
34 for the combining of an original claim for an inpatient
35 stay with a claim for a subsequent inpatient stay when
36 the patient is admitted within seven days of discharge
37 from the original hospital stay for the same condition.

38 NEW SUBSECTION. 24. The department shall
39 transition payment for and administration of services
40 provided by psychiatric medical institutions for
41 children to the Iowa plan.

42 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH
43 DISABILITIES

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

46 NEW SUBSECTION. 25. The department of human
47 services shall adopt rules for the Medicaid for
48 employed people with disabilities program to provide
49 that until such time as the department adopts
50 rules, annually, to implement the most recently

1 revised poverty guidelines published by the United
2 States department of health and human services, the
3 calculation of gross income eligibility and premium
4 amounts shall not include any increase in unearned
5 income attributable to a social security cost-of-living
6 adjustment for an individual or member of the
7 individual's family whose unearned income is included
8 in such calculation.

9 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

10 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,
11 is amended by adding the following new subsection:

12 NEW SUBSECTION. 27. The funds received through
13 participation in the medical assistance state balancing
14 incentive payments program created pursuant to section
15 10202 of the federal Patient Protection and Affordable
16 Care Act of 2010, Pub. L. No. 111-148 (2010), as
17 amended by the federal Health Care and Education
18 Reconciliation Act of 2010, Pub. L. No. 111-152,
19 shall be used by the department of human services to
20 comply with the requirements of the program including
21 developing a no wrong door single entry point system;
22 providing a conflict-free case management system;
23 providing core standardized assessment instruments;
24 complying with data collection requirements relating to
25 services, quality, and outcomes; meeting the applicable
26 target spending percentage required under the program
27 to rebalance long-term care spending under the medical
28 assistance program between home and community-based
29 services and institution-based services; and for new or
30 expanded medical assistance program non-institutionally
31 based long-term care services and supports.

32 Sec. 17. 2011 Iowa Acts, chapter 129, section 123,
33 is amended to read as follows:

34 SEC. 123. MEDICAL CONTRACTS. There is appropriated
35 from the general fund of the state to the department of
36 human services for the fiscal year beginning July 1,
37 2012, and ending June 30, 2013, the following amount,
38 or so much thereof as is necessary, to be used for the
39 purpose designated:

40 For medical contracts:

41 \$ ~~5,453,728~~
42 8,460,680

43 1. The department of inspections and appeals
44 shall provide all state matching funds for survey and
45 certification activities performed by the department
46 of inspections and appeals. The department of human
47 services is solely responsible for distributing the
48 federal matching funds for such activities.

49 2. Of the funds appropriated in this section,
50 ~~\$25,000~~ \$50,000 shall be used for continuation of home

1 and community-based services waiver quality assurance
2 programs, including the review and streamlining of
3 processes and policies related to oversight and quality
4 management to meet state and federal requirements.

5 3. Of the amount appropriated in this section, up
6 to \$200,000 may be transferred to the appropriation for
7 general administration in this division of this Act to
8 be used for additional full-time equivalent positions
9 in the development of key health initiatives such as
10 cost containment, development and oversight of managed
11 care programs, and development of health strategies
12 targeted toward improved quality and reduced costs in
13 the Medicaid program.

14 Sec. 18. 2011 Iowa Acts, chapter 129, section 124,
15 is amended to read as follows:

16 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

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

22 For the state supplementary assistance program:
23 \$ 8,425,373
24 15,450,747

25 2. The department shall increase the personal needs
26 allowance for residents of residential care facilities
27 by the same percentage and at the same time as federal
28 supplemental security income and federal social
29 security benefits are increased due to a recognized
30 increase in the cost of living. The department may
31 adopt emergency rules to implement this subsection.

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

1 Sec. 19. 2011 Iowa Acts, chapter 129, section 125,
2 is amended to read as follows:

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

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

9 For maintenance of the healthy and well kids in Iowa
10 (hawk-i) program pursuant to chapter 514I, including
11 supplemental dental services, for receipt of federal
12 financial participation under Tit. XXI of the federal
13 Social Security Act, which creates the children's
14 health insurance program:

15 \$ ~~16,403,051~~
16 40,400,160

17 2. Of the funds appropriated in this section,
18 ~~\$64,475~~ \$141,450 is allocated for continuation of the
19 contract for outreach with the department of public
20 health.

21 Sec. 20. 2011 Iowa Acts, chapter 129, section 126,
22 is amended to read as follows:

23 SEC. 126. CHILD CARE ASSISTANCE. There is
24 appropriated from the general fund of the state to
25 the department of human services for the fiscal year
26 beginning July 1, 2012, and ending June 30, 2013, the
27 following amount, or so much thereof as is necessary,
28 to be used for the purpose designated:

29 For child care programs:
30 \$ ~~26,618,831~~
31 61,087,940

32 1. Of the funds appropriated in this section,
33 ~~\$25,948,041~~ \$59,718,513 shall be used for state child
34 care assistance in accordance with section 237A.13.

35 2. Nothing in this section shall be construed or
36 is intended as or shall imply a grant of entitlement
37 for services to persons who are eligible for assistance
38 due to an income level consistent with the waiting
39 list requirements of section 237A.13. Any state
40 obligation to provide services pursuant to this section
41 is limited to the extent of the funds appropriated in
42 this section.

43 3. Of the funds appropriated in this section,
44 ~~\$216,226~~ \$432,453 is allocated for the statewide
45 program for child care resource and referral services
46 under section 237A.26. A list of the registered and
47 licensed child care facilities operating in the area
48 served by a child care resource and referral service
49 shall be made available to the families receiving state
50 child care assistance in that area.

1 4. Of the funds appropriated in this section,
2 ~~\$468,487~~ \$936,974 is allocated for child care quality
3 improvement initiatives including but not limited to
4 the voluntary quality rating system in accordance with
5 section 237A.30.

6 5. The department may use any of the funds
7 appropriated in this section as a match to obtain
8 federal funds for use in expanding child care
9 assistance and related programs. For the purpose of
10 expenditures of state and federal child care funding,
11 funds shall be considered obligated at the time
12 expenditures are projected or are allocated to the
13 department's service areas. Projections shall be based
14 on current and projected caseload growth, current and
15 projected provider rates, staffing requirements for
16 eligibility determination and management of program
17 requirements including data systems management,
18 staffing requirements for administration of the
19 program, contractual and grant obligations and any
20 transfers to other state agencies, and obligations for
21 decategorization or innovation projects.

22 6. A portion of the state match for the federal
23 child care and development block grant shall be
24 provided as necessary to meet federal matching
25 funds requirements through the state general fund
26 appropriation made for child development grants and
27 other programs for at-risk children in section 279.51.

28 7. If a uniform reduction ordered by the governor
29 under section 8.31 or other operation of law,
30 transfer, or federal funding reduction reduces the
31 appropriation made in this section for the fiscal year,
32 the percentage reduction in the amount paid out to or
33 on behalf of the families participating in the state
34 child care assistance program shall be equal to or
35 less than the percentage reduction made for any other
36 purpose payable from the appropriation made in this
37 section and the federal funding relating to it. The
38 percentage reduction to the other allocations made in
39 this section shall be the same as the uniform reduction
40 ordered by the governor or the percentage change of the
41 federal funding reduction, as applicable. If there is
42 an unanticipated increase in federal funding provided
43 for state child care assistance, the entire amount
44 of the increase shall be used for state child care
45 assistance payments. If the appropriations made for
46 purposes of the state child care assistance program for
47 the fiscal year are determined to be insufficient, it
48 is the intent of the general assembly to appropriate
49 sufficient funding for the fiscal year in order to
50 avoid establishment of waiting list requirements.

1 8. Notwithstanding section 8.33, moneys
2 ~~appropriated in this section or advanced for purposes~~
3 ~~of the programs developed by early childhood Iowa~~
4 ~~areas, advanced for purposes of wraparound child care,~~
5 ~~or received from the federal appropriations made for~~
6 ~~the purposes of this section that remain unencumbered~~
7 ~~or unobligated at the close of the fiscal year shall~~
8 ~~not revert to any fund but shall remain available for~~
9 ~~expenditure for the purposes designated until the close~~
10 ~~of the succeeding fiscal year.~~

11 Sec. 21. 2011 Iowa Acts, chapter 129, section 127,
12 is amended to read as follows:

13 SEC. 127. JUVENILE INSTITUTIONS. There is
14 appropriated from the general fund of the state to
15 the department of human services for the fiscal year
16 beginning July 1, 2012, and ending June 30, 2013, the
17 following amounts, or so much thereof as is necessary,
18 to be used for the purposes designated:

19 1. For operation of the Iowa juvenile home at
20 Toledo and for salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:

23 \$ 4,129,125
24 8,328,264
25 FTEs 114.00

26 2. For operation of the state training school at
27 Eldora and for salaries, support, maintenance, and
28 miscellaneous purposes, and for not more than the
29 following full-time equivalent positions:

30 \$ 5,319,338
31 10,740,988
32 FTEs 164.30

33 Of the funds appropriated in this subsection,
34 ~~\$45,575~~ \$91,150 shall be used for distribution
35 to licensed classroom teachers at this and other
36 institutions under the control of the department of
37 human services based upon the average student yearly
38 enrollment at each institution as determined by the
39 department.

40 3. A portion of the moneys appropriated in this
41 section shall be used by the state training school and
42 by the Iowa juvenile home for grants for adolescent
43 pregnancy prevention activities at the institutions in
44 the fiscal year beginning July 1, 2012.

45 Sec. 22. 2011 Iowa Acts, chapter 129, section 128,
46 is amended to read as follows:

47 SEC. 128. CHILD AND FAMILY SERVICES.

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

1 2013, the following amount, or so much thereof as is
2 necessary, to be used for the purpose designated:

3 For child and family services:

4 \$ ~~41,415,081~~
5 83,669,130

6 2. In order to address a reduction of \$5,200,000
7 from the amount allocated under the appropriation made
8 for the purposes of this section in prior years for
9 purposes of juvenile delinquent graduated sanction
10 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
11 federal temporary assistance for needy families block
12 grant funding appropriated in this division of this Act
13 for child and family services shall be made available
14 for purposes of juvenile delinquent graduated sanction
15 services.

16 3. The department may transfer funds appropriated
17 in this section as necessary to pay the nonfederal
18 costs of services reimbursed under the medical
19 assistance program, state child care assistance
20 program, or the family investment program which are
21 provided to children who would otherwise receive
22 services paid under the appropriation in this section.
23 The department may transfer funds appropriated in this
24 section to the appropriations made in this division
25 of this Act for general administration and for field
26 operations for resources necessary to implement and
27 operate the services funded in this section. The
28 department may transfer funds appropriated in this
29 section to the appropriation made in this division of
30 this Act for adoption subsidy to support the adjustment
31 in reimbursement rates for specified child welfare
32 providers as provided in this 2012 Act.

33 4. a. Of the funds appropriated in this section,
34 up to ~~\$15,084,564~~ \$31,438,622 is allocated as the
35 statewide expenditure target under section 232.143
36 for group foster care maintenance and services. If
37 the department projects that such expenditures for
38 the fiscal year will be less than the target amount
39 allocated in this lettered paragraph, the department
40 may reallocate the excess to provide additional
41 funding for shelter care or the child welfare emergency
42 services addressed with the allocation for shelter
43 care.

44 b. If at any time after September 30, 2012,
45 annualization of a service area's current expenditures
46 indicates a service area is at risk of exceeding its
47 group foster care expenditure target under section
48 232.143 by more than 5 percent, the department and
49 juvenile court services shall examine all group
50 foster care placements in that service area in order

1 to identify those which might be appropriate for
2 termination. In addition, any aftercare services
3 believed to be needed for the children whose
4 placements may be terminated shall be identified. The
5 department and juvenile court services shall initiate
6 action to set dispositional review hearings for the
7 placements identified. In such a dispositional review
8 hearing, the juvenile court shall determine whether
9 needed aftercare services are available and whether
10 termination of the placement is in the best interest of
11 the child and the community.

12 5. In accordance with the provisions of section
13 232.188, the department shall continue the child
14 welfare and juvenile justice funding initiative during
15 fiscal year 2012-2013. Of the funds appropriated
16 in this section, ~~\$858,876~~ \$1,717,753 is allocated
17 specifically for expenditure for fiscal year 2012-2013
18 through the decategorization service funding pools
19 and governance boards established pursuant to section
20 232.188.

21 6. A portion of the funds appropriated in this
22 section may be used for emergency family assistance
23 to provide other resources required for a family
24 participating in a family preservation or reunification
25 project or successor project to stay together or to be
26 reunified.

27 7. Notwithstanding section 234.35 or any other
28 provision of law to the contrary, state funding for
29 shelter care and the child welfare emergency services
30 contracting implemented to provide for or prevent the
31 need for shelter care shall be limited to ~~\$3,585,058~~
32 \$7,385,639. The department may continue or execute
33 contracts that result from the department's request for
34 proposal, bid number ACF5-11-114, to provide the range
35 of child welfare emergency services described in the
36 request for proposals, and any subsequent amendments to
37 the request for proposals.

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

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

4 10. a. Of the funds appropriated in this section,
5 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the
6 payment of the expenses of court-ordered services
7 provided to juveniles who are under the supervision of
8 juvenile court services, which expenses are a charge
9 upon the state pursuant to section 232.141, subsection
10 4. Of the amount allocated in this lettered paragraph,
11 up to ~~\$778,143~~ \$1,556,287 shall be made available
12 to provide school-based supervision of children
13 adjudicated under chapter 232, of which not more than
14 ~~\$7,500~~ \$15,000 may be used for the purpose of training.
15 A portion of the cost of each school-based liaison
16 officer shall be paid by the school district or other
17 funding source as approved by the chief juvenile court
18 officer.

19 b. Of the funds appropriated in this section, up to
20 ~~\$374,492~~ \$748,985 is allocated for the payment of the
21 expenses of court-ordered services provided to children
22 who are under the supervision of the department,
23 which expenses are a charge upon the state pursuant to
24 section 232.141, subsection 4.

25 c. Notwithstanding section 232.141 or any other
26 provision of law to the contrary, the amounts allocated
27 in this subsection shall be distributed to the
28 judicial districts as determined by the state court
29 administrator and to the department's service areas as
30 determined by the administrator of the department's
31 division of child and family services. The state court
32 administrator and the division administrator shall make
33 the determination of the distribution amounts on or
34 before June 15, 2012.

35 d. Notwithstanding chapter 232 or any other
36 provision of law to the contrary, a district or
37 juvenile court shall not order any service which is
38 a charge upon the state pursuant to section 232.141
39 if there are insufficient court-ordered services
40 funds available in the district court or departmental
41 service area distribution amounts to pay for the
42 service. The chief juvenile court officer and the
43 departmental service area manager shall encourage use
44 of the funds allocated in this subsection such that
45 there are sufficient funds to pay for all court-related
46 services during the entire year. The chief juvenile
47 court officers and departmental service area managers
48 shall attempt to anticipate potential surpluses and
49 shortfalls in the distribution amounts and shall
50 cooperatively request the state court administrator

1 or division administrator to transfer funds between
2 the judicial districts' or departmental service areas'
3 distribution amounts as prudent.

4 e. Notwithstanding any provision of law to the
5 contrary, a district or juvenile court shall not order
6 a county to pay for any service provided to a juvenile
7 pursuant to an order entered under chapter 232 which
8 is a charge upon the state under section 232.141,
9 subsection 4.

10 f. Of the funds allocated in this subsection, not
11 more than ~~\$41,500~~ \$83,000 may be used by the judicial
12 branch for administration of the requirements under
13 this subsection.

14 g. Of the funds allocated in this subsection,
15 ~~\$8,500~~ \$17,000 shall be used by the department of human
16 services to support the interstate commission for
17 juveniles in accordance with the interstate compact for
18 juveniles as provided in section 232.173.

19 11. Of the funds appropriated in this section,
20 ~~\$2,961,301~~ \$6,222,602 is allocated for juvenile
21 delinquent graduated sanctions services. Any state
22 funds saved as a result of efforts by juvenile court
23 services to earn federal Tit. IV-E match for juvenile
24 court services administration may be used for the
25 juvenile delinquent graduated sanctions services.

26 12. Of the funds appropriated in this section,
27 ~~\$494,142~~ \$2,238,285 shall be transferred to the
28 department of public health to be used for the child
29 protection center grant program in accordance with
30 section 135.118. Of the amount allocated in this
31 subsection, \$250,000 shall be used for a center for the
32 Black Hawk county area.

33 13. If the department receives federal approval
34 to implement a waiver under Tit. IV-E of the federal
35 Social Security Act to enable providers to serve
36 children who remain in the children's families and
37 communities, for purposes of eligibility under the
38 medical assistance program, children who participate in
39 the waiver shall be considered to be placed in foster
40 care.

41 14. Of the funds appropriated in this section,
42 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
43 for adult living program pursuant to section 234.46.

44 15. Of the funds appropriated in this section,
45 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
46 courts. The amount allocated in this subsection shall
47 be distributed as follows:

48 To the judicial branch for salaries to assist with
49 the operation of juvenile drug court programs operated
50 in the following jurisdictions:

1	a. Marshall county:		
2	.....	\$	<u>31,354</u>
3			<u>62,708</u>
4	b. Woodbury county:		
5	.....	\$	<u>62,841</u>
6			<u>125,682</u>
7	c. Polk county:		
8	.....	\$	<u>97,946</u>
9			<u>195,892</u>
10	d. The third judicial district:		
11	.....	\$	<u>33,967</u>
12			<u>67,934</u>
13	e. The eighth judicial district:		
14	.....	\$	<u>33,967</u>
15			<u>67,934</u>

16 16. Of the funds appropriated in this section,
17 ~~\$113,668~~ \$227,337 shall be used for the public purpose
18 of ~~providing~~ continuing a grant to a nonprofit human
19 services organization providing services to individuals
20 and families in multiple locations in southwest
21 Iowa and Nebraska for support of a project providing
22 immediate, sensitive support and forensic interviews,
23 medical exams, needs assessments, and referrals for
24 victims of child abuse and their nonoffending family
25 members.

26 17. Of the funds appropriated in this section,
27 ~~\$62,795~~ \$200,590 is allocated for the elevate foster
28 care youth council approach of providing a support
29 network to children placed in foster care.

30 18. Of the funds appropriated in this section,
31 ~~\$101,000~~ \$202,000 is allocated for use pursuant to
32 section 235A.1 for continuation of the initiative to
33 address child sexual abuse implemented pursuant to 2007
34 Iowa Acts, chapter 218, section 18, subsection 21.

35 19. Of the funds appropriated in this section,
36 ~~\$315,120~~ \$630,240 is allocated for the community
37 partnership for child protection sites.

38 20. Of the funds appropriated in this section,
39 ~~\$185,625~~ \$371,250 is allocated for the department's
40 minority youth and family projects under the redesign
41 of the child welfare system.

42 21. Of the funds appropriated in this section,
43 ~~\$600,247~~ \$1,436,595 is allocated for funding of the
44 state match for community circle of care collaboration
45 for children and youth in northeast Iowa, formerly
46 referred to as the federal substance abuse and mental
47 health services administration (SAMHSA) system of care
48 grant.

49 22. Of the funds appropriated in this section, at
50 least ~~\$73,579~~ \$147,158 shall be used for the child

1 welfare training academy.

2 23. Of the funds appropriated in this section,
3 ~~\$12,500~~ \$25,000 shall be used for the public purpose
4 of continuation of a grant to a child welfare services
5 provider headquartered in a county with a population
6 between 205,000 and 215,000 in the latest certified
7 federal census that provides multiple services
8 including but not limited to a psychiatric medical
9 institution for children, shelter, residential
10 treatment, after school programs, school-based
11 programming, and an Asperger's syndrome program, to
12 be used for support services for children with autism
13 spectrum disorder and their families.

14 23A. Of the funds appropriated in this section,
15 \$25,000 shall be used for the public purpose of
16 providing a grant to a hospital-based provider
17 headquartered in a county with a population between
18 90,000 and 95,000 in the latest certified federal
19 census that provides multiple services including but
20 not limited to diagnostic, therapeutic, and behavioral
21 services to individuals with autism spectrum disorder
22 across the lifespan. The grant recipient shall utilize
23 the funds to implement a pilot project to determine the
24 necessary support services for children with autism
25 spectrum disorder and their families to be included in
26 the children's disabilities services system. The grant
27 recipient shall submit findings and recommendations
28 based upon the results of the pilot project to the
29 individuals specified in this division of this Act for
30 submission of reports by December 31, 2012.

31 24. Of the funds appropriated in this section
32 ~~\$125,000~~ \$327,947 shall be used for continuation of the
33 central Iowa system of care program grant through June
34 30, 2013.

35 25. Of the funds appropriated in this section,
36 ~~\$80,000~~ \$160,000 shall be used for the public
37 purpose of the continuation of a system of care
38 grant implemented in Cerro Gordo and Linn counties in
39 accordance with this Act in FY 2011-2012.

40 Sec. 23. 2011 Iowa Acts, chapter 129, section 129,
41 is amended to read as follows:

42 SEC. 129. ADOPTION SUBSIDY.

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

48 For adoption subsidy payments and services:
49 \$ ~~16,633,295~~
50 33,238,897

1 2. The department may transfer funds appropriated
2 in this section to the appropriation made in this
3 division of this Act for general administration
4 for costs paid from the appropriation relating to
5 adoption subsidy. The department may transfer funds
6 appropriated in this section to the appropriation
7 made in this division of this Act for child and family
8 services to support the adjustment in reimbursement
9 rates for specified child welfare providers as provided
10 in this 2012 Act.

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

24 Sec. 24. 2011 Iowa Acts, chapter 129, section 131,
25 is amended to read as follows:

26 SEC. 131. FAMILY SUPPORT SUBSIDY 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 the family support subsidy program subject
33 to the enrollment restrictions in section 225C.37,
34 subsection 3:

35 \$ 583,999
36 1,096,784

37 2. The department shall use at least ~~\$192,750~~
38 \$385,500 of the moneys appropriated in this section
39 for the family support center component of the
40 comprehensive family support program under section
41 225C.47. Not more than ~~\$12,500~~ \$25,000 of the
42 amount allocated in this subsection shall be used for
43 administrative costs.

44 3. If at any time during the fiscal year, the
45 amount of funding available for the family support
46 subsidy program is reduced from the amount initially
47 used to establish the figure for the number of family
48 members for whom a subsidy is to be provided at any one
49 time during the fiscal year, notwithstanding section
50 225C.38, subsection 2, the department shall revise the

1 figure as necessary to conform to the amount of funding
2 available.

3 Sec. 25. 2011 Iowa Acts, chapter 129, section 132,
4 is amended to read as follows:

5 SEC. 132. CONNER DECREE. There is appropriated
6 from the general fund of the state to the department of
7 human services for the fiscal year beginning July 1,
8 2012, and ending June 30, 2013, the following amount,
9 or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For building community capacity through the
12 coordination and provision of training opportunities
13 in accordance with the consent decree of Conner v.
14 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

15 \$ 16,811
16 33,622

17 Sec. 26. 2011 Iowa Acts, chapter 129, section 133,
18 is amended to read as follows:

19 SEC. 133. MENTAL HEALTH INSTITUTES. There is
20 appropriated from the general fund of the state to
21 the department of human services for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the
23 following amounts, or so much thereof as is necessary,
24 to be used for the purposes designated:

25 1. For the state mental health institute at
26 Cherokee for salaries, support, maintenance, and
27 miscellaneous purposes, and for not more than the
28 following full-time equivalent positions:

29 \$ 2,938,654
30 5,641,037
31 FTEs 168.50

32 2. For the state mental health institute at
33 Clarinda for salaries, support, maintenance, and
34 miscellaneous purposes, and for not more than the
35 following full-time equivalent positions:

36 \$ 3,205,867
37 6,463,337
38 FTEs 86.10

39 3. For the state mental health institute at
40 Independence for salaries, support, maintenance, and
41 miscellaneous purposes, and for not more than the
42 following full-time equivalent positions:

43 \$ 5,137,842
44 9,804,212
45 FTEs 233.00

46 4. For the state mental health institute at Mount
47 Pleasant for salaries, support, maintenance, and
48 miscellaneous purposes, and for not more than the
49 following full-time equivalent positions:

50 \$ 472,161

1
2 FTEs 944,323
3

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

6 SEC. 134. STATE RESOURCE CENTERS.

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

12 a. For the state resource center at Glenwood for
13 salaries, support, maintenance, and miscellaneous
14 purposes:
15 \$ 9,253,900
16 19,092,576

17 b. For the state resource center at Woodward for
18 salaries, support, maintenance, and miscellaneous
19 purposes:
20 \$ 6,392,829
21 13,176,093

22 2. The department may continue to bill for state
23 resource center services utilizing a scope of services
24 approach used for private providers of ICFMR services,
25 in a manner which does not shift costs between the
26 medical assistance program, counties, or other sources
27 of funding for the state resource centers.

28 3. The state resource centers may expand the
29 time-limited assessment and respite services during the
30 fiscal year.

31 4. If the department's administration and the
32 department of management concur with a finding by a
33 state resource center's superintendent that projected
34 revenues can reasonably be expected to pay the salary
35 and support costs for a new employee position, or
36 that such costs for adding a particular number of new
37 positions for the fiscal year would be less than the
38 overtime costs if new positions would not be added, the
39 superintendent may add the new position or positions.
40 If the vacant positions available to a resource center
41 do not include the position classification desired to
42 be filled, the state resource center's superintendent
43 may reclassify any vacant position as necessary to
44 fill the desired position. The superintendents of the
45 state resource centers may, by mutual agreement, pool
46 vacant positions and position classifications during
47 the course of the fiscal year in order to assist one
48 another in filling necessary positions.

49 5. If existing capacity limitations are reached
50 in operating units, a waiting list is in effect
for a service or a special need for which a payment

1 source or other funding is available for the service
2 or to address the special need, and facilities for
3 the service or to address the special need can be
4 provided within the available payment source or other
5 funding, the superintendent of a state resource center
6 may authorize opening not more than two units or
7 other facilities and begin implementing the service
8 or addressing the special need during fiscal year
9 2012-2013.

10 Sec. 28. 2011 Iowa Acts, chapter 129, section 135,
11 is amended to read as follows:

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

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

18 For distribution to counties for state case services
19 for persons with mental illness, mental retardation,
20 and developmental disabilities in accordance with
21 section 331.440:

22 \$ ~~6,084,741~~
23 12,169,482

24 2. For the fiscal year beginning July 1, 2012, and
25 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
26 for state case services from the amounts appropriated
27 from the fund created in section 8.41 to the department
28 of human services from the funds received from the
29 federal government under 42 U.S.C. ch. 6A, subch. XVII,
30 relating to the community mental health center block
31 grant, for the federal fiscal years beginning October
32 1, 2010, and ending September 30, 2011, beginning
33 October 1, 2011, and ending September 30, 2012, and
34 beginning October 1, 2012, and ending September 30,
35 2013. The allocation made in this subsection shall be
36 made prior to any other distribution allocation of the
37 appropriated federal funds.

38 3. Notwithstanding section 8.33, moneys
39 appropriated in this section that remain unencumbered
40 or unobligated at the close of the fiscal year shall
41 not revert but shall remain available for expenditure
42 for the purposes designated until the close of the
43 succeeding fiscal year.

44 Sec. 29. 2011 Iowa Acts, chapter 129, section 137,
45 is amended to read as follows:

46 SEC. 137. SEXUALLY VIOLENT PREDATORS.

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

1 necessary, to be used for the purpose designated:
 2 For costs associated with the commitment and
 3 treatment of sexually violent predators in the unit
 4 located at the state mental health institute at
 5 Cherokee, including costs of legal services and
 6 other associated costs, including salaries, support,
 7 maintenance, and miscellaneous purposes, and for not
 8 more than the following full-time equivalent positions:
 9 \$ 3,775,363
 10 9,113,668
 11 FTEs 89.50
 12 115.50

13 2. Unless specifically prohibited by law, if the
 14 amount charged provides for recoupment of at least
 15 the entire amount of direct and indirect costs, the
 16 department of human services may contract with other
 17 states to provide care and treatment of persons placed
 18 by the other states at the unit for sexually violent
 19 predators at Cherokee. The moneys received under such
 20 a contract shall be considered to be repayment receipts
 21 and used for the purposes of the appropriation made in
 22 this section.

23 Sec. 30. 2011 Iowa Acts, chapter 129, section 138,
 24 is amended to read as follows:
 25 SEC. 138. FIELD OPERATIONS. There is appropriated
 26 from the general fund of the state to the department of
 27 human services for the fiscal year beginning July 1,
 28 2012, and ending June 30, 2013, the following amount,
 29 or so much thereof as is necessary, to be used for the
 30 purposes designated:

31 For field operations, including salaries, support,
 32 maintenance, and miscellaneous purposes, and for not
 33 more than the following full-time equivalent positions:
 34 \$ 27,394,960
 35 61,915,440
 36 FTEs 1,781.00

37 Priority in filling full-time equivalent positions
 38 shall be given to those positions related to child
 39 protection services and eligibility determination for
 40 low-income families.

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

47 Sec. 31. 2011 Iowa Acts, chapter 129, section 139,
 48 is amended to read as follows:

49 SEC. 139. GENERAL ADMINISTRATION. There is
 50 appropriated from the general fund of the state to

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

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

9 \$ ~~7,298,372~~
10 15,841,874
11 FTEs ~~285.00~~ 295.00

12 1. Of the funds appropriated in this section,
13 ~~\$19,271~~ \$38,543 allocated for the prevention of
14 disabilities policy council established in section
15 225B.3.

16 2. The department shall report at least monthly
17 to the legislative services agency concerning the
18 department's operational and program expenditures.

19 3. Of the funds appropriated in this section,
20 ~~\$66,150~~ \$132,300 shall be used to continue the contract
21 for the provision of a program to provide technical
22 assistance, support, and consultation to providers of
23 habilitation services and home and community-based
24 services waiver services for adults with disabilities
25 under the medical assistance program.

26 4. Of the funds appropriated in this section,
27 ~~\$88,200~~ \$500,000 shall be used to continue the contract
28 to expand the provision of nationally accredited and
29 recognized internet-based training to include mental
30 health and disability services providers.

31 5. Of the funds appropriated in this section,
32 ~~\$250,000~~ \$500,000 shall be used for continuation of
33 child protection system improvements addressed in 2011
34 Iowa Acts, House File 562, as enacted chapter 28.

35 6. Notwithstanding section 8.33, moneys
36 appropriated in this section that remain unencumbered
37 or unobligated at the close of the fiscal year shall
38 not revert but shall remain available for expenditure
39 for the purposes designated until the close of the
40 succeeding fiscal year.

41 Sec. 32. 2011 Iowa Acts, chapter 129, section 140,
42 is amended to read as follows:

43 SEC. 140. VOLUNTEERS. There is appropriated from
44 the general fund of the state to the department of
45 human services for the fiscal year beginning July 1,
46 2012, and ending June 30, 2013, the following amount,
47 or so much thereof as is necessary, to be used for the
48 purpose designated:

49 For development and coordination of volunteer
50 services:

1 \$ 42,330
2 84,660

3 PROVIDER REIMBURSEMENT — NURSING FACILITIES

4 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
5 subsection 1, paragraph a, subparagraph (1), is amended
6 to read as follows:

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

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

13 NEW SUBPARAGRAPH. (1A) For the fiscal year
14 beginning July 1, 2012, and ending June 30, 2013,
15 and within the total state funding amount identified
16 in subparagraph (1), the department shall distribute
17 not more than \$2,500,000 in reimbursement to nursing
18 facilities by adjusting the statewide median of the
19 direct care component of nursing facility costs based
20 upon the most recent cost report submitted by the
21 nursing facility for the period ending on or before
22 December 31, 2011, and inflating these costs forward to
23 July 1, 2012, by using the midpoint of each cost report
24 and applying the skilled nursing facility market basket
25 index. The department shall adjust the reimbursement
26 calculated under this subparagraph as necessary to
27 maintain expenditures of the nursing facility budget
28 within the state funding amount specified in this
29 subparagraph and within the total state funding amount
30 identified in subparagraph (1) for the fiscal year.

31 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH
32 AGENCIES, HCBS WAIVER

33 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
34 subsection 1, paragraphs b, f, i, and q, are amended
35 to read as follows:

36 b. (1) For the fiscal year beginning July 1, 2012,
37 the department shall reimburse pharmacy dispensing
38 fees using a ~~single rate of range between~~ \$4.34 per
39 prescription or the pharmacy's usual and customary fee,
40 whichever is lower, and \$11.10 per prescription. The
41 actual dispensing fee set within the range shall be
42 determined by a cost of dispensing survey performed
43 by the department and required to be completed by all
44 medical assistance program participating pharmacies.
45 ~~However, the department shall adjust the dispensing fee~~
46 ~~specified in this paragraph to distribute an additional~~
47 ~~\$2,981,980 in reimbursements for pharmacy dispensing~~
48 ~~fees under this paragraph for the fiscal year.~~

49 (2) The department shall implement an average
50 acquisition cost reimbursement methodology for all

1 drugs covered under the medical assistance program.
2 The methodology shall utilize a survey of pharmacy
3 invoices from a rotation of pharmacies in determining
4 the average acquisition cost component of pharmacy
5 reimbursement. Pharmacies and providers that are
6 enrolled in the medical assistance program shall make
7 available drug acquisition cost invoice information,
8 product availability information if known, and other
9 information deemed necessary by the department to
10 assist the department in monitoring and revising the
11 reimbursement rates and for efficient operation of
12 the pharmacy benefit. The department shall provide a
13 process for pharmacies to address average acquisition
14 cost prices that are not reflective of the actual cost
15 of a drug.

16 (a) A pharmacy or provider shall produce and submit
17 the requested information in the manner and format
18 requested by the department or its designee at no cost
19 to the department or its designee.

20 (b) A pharmacy or provider shall submit information
21 to the department or its designee within the time
22 frame indicated following receipt of a request for
23 information unless the department or its designee
24 grants an extension upon written request of the
25 pharmacy or provider.

26 f. For the fiscal year beginning July 1, 2012,
27 reimbursement rates for home health agencies shall
28 remain at be increased by 2 percent over the rates in
29 effect on June 30, 2012, not to exceed a home health
30 agency's actual allowable cost.

31 i. (1) For the fiscal year beginning July 1,
32 2012, state-owned psychiatric medical institutions
33 for children shall receive cost-based reimbursement
34 for 100 percent of the actual and allowable costs for
35 the provision of services to recipients of medical
36 assistance.

37 (2) For the nonstate-owned psychiatric medical
38 institutions for children, reimbursement rates shall be
39 based on the reimbursement methodology developed by the
40 department as required for federal compliance.

41 (3) As a condition of participation in the medical
42 assistance program, enrolled providers shall accept the
43 medical assistance reimbursement rate for any covered
44 goods or services provided to recipients of medical
45 assistance who are children under the custody of a
46 psychiatric medical institution for children.

47 q. For the fiscal year beginning July 1, 2012, the
48 department shall adjust the rates in effect on June 30,
49 2012, reimbursement rates for providers of home and
50 community-based services waiver services to distribute

1 ~~an additional \$1,500,000 in reimbursements to such~~
2 ~~providers for the fiscal year shall be increased by 2~~
3 ~~percent over the rates in effect on June 30, 2012.~~

4 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE
5 PROVIDERS

6 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
7 is amended by adding the following new subsection:

8 NEW SUBSECTION. 6A. For the fiscal year beginning
9 July 1, 2012, the department shall adjust the
10 foster family basic daily maintenance rate, the
11 maximum adoption subsidy rates for children, the
12 family-centered service providers rate, the family
13 foster care service providers rate, the group foster
14 care service providers rate, and the resource family
15 recruitment and retention contractor rate, as such
16 rates are identified in this section and were in effect
17 on June 30, 2012, in order to distribute an additional
18 \$3,070,512 in state reimbursements equitably to such
19 providers for the fiscal year.

20 PROVIDER REIMBURSEMENT — CHILD CARE

21 Sec. 37. 2011 Iowa Acts, chapter 129, section 141,
22 subsection 10, is amended to read as follows:

23 10. For the fiscal year beginning July 1, 2012,
24 for child care providers reimbursed under the state
25 child care assistance program, the department shall
26 set provider reimbursement rates based on the rate
27 reimbursement survey completed in December 2004.
28 Effective July 1, 2012, the child care provider
29 reimbursement rates shall ~~remain at~~ be increased by 4
30 percent over the rates in effect on June 30, 2012. The
31 department shall set rates in a manner so as to provide
32 incentives for a nonregistered provider to become
33 registered by applying the increase only to registered
34 and licensed providers.

35 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER
36 SERVICE PROVIDERS

37 Sec. 38. 2011 Iowa Acts, chapter 129, section 141,
38 is amended by adding the following new subsection:

39 NEW SUBSECTION. 10A. The department shall review
40 reimbursement of home health agency and home and
41 community-based services waiver services providers
42 and shall submit a recommendation for a rebasing
43 methodology applicable to such providers for the fiscal
44 year beginning July 1, 2013, and thereafter, to the
45 individuals identified in this division of this Act for
46 receipt of reports.

47 ELDERLY WAIVER

48 Sec. 39. 2011 Iowa Acts, chapter 129, section 141,
49 is amended by adding the following new subsection:

50 NEW SUBSECTION. 10B. The department shall

1 increase the monthly reimbursement cap for the medical
2 assistance home and community-based services waiver for
3 the elderly to \$1,400 per month.

4 DIVISION V

5 HEALTH CARE ACCOUNTS AND FUNDS

6 PHARMACEUTICAL SETTLEMENT ACCOUNT

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

9 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
10 is appropriated from the pharmaceutical settlement
11 account created in section 249A.33 to the department of
12 human services for the fiscal year beginning July 1,
13 2012, and ending June 30, 2013, the following amount,
14 or so much thereof as is necessary, to be used for the
15 purpose designated:

16 Notwithstanding any provision of law to the
17 contrary, to supplement the appropriations made in this
18 Act for medical contracts under the medical assistance
19 program for the fiscal year beginning July 1, 2012, and
20 ending June 30, 2013:

21 \$ 2,716,807

22 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA

23 HOSPITALS AND CLINICS

24 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
25 subsection 1, paragraph a, subparagraph (1), is amended
26 to read as follows:

27 (1) Funds appropriated in this subsection shall
28 not be used for abortions shall be used in a manner
29 consistent with options under federal Medicaid law
30 and regulation. For the purposes of this subsection,
31 "abortion" does not include any of the following:

32 (a) The treatment of a woman for a physical
33 disorder, physical injury, or physical illness,
34 including a life-endangering physical condition caused
35 by or arising from the pregnancy itself, that would,
36 as certified by a physician, place the woman in danger
37 of death.

38 (b) The treatment of a woman for a spontaneous
39 abortion, commonly known as a miscarriage, when not all
40 of the products of conception are expelled.

41 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
42 subsection 2, unnumbered paragraph 2, is amended to
43 read as follows:

44 For salaries, support, maintenance, equipment, and
45 miscellaneous purposes, for the provision of medical
46 and surgical treatment of indigent patients, for
47 provision of services to members of the expansion
48 population pursuant to chapter 249J, and for medical
49 education:

50 \$ 44,226,279

45,654,133

IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING HOSPITAL

Sec. 43. 2011 Iowa Acts, chapter 129, section 146, subsection 4, unnumbered paragraph 2, is amended to read as follows:

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

..... \$ 65,000,000
70,000,000

IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL ALLOCATIONS

Sec. 44. 2011 Iowa Acts, chapter 129, section 146, subsection 4, paragraphs a and b, are amended to read as follows:

a. Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise plus a monthly disproportionate share hospital payment. Any amount appropriated in this subsection in excess of \$60,000,000 \$65,000,000 shall be distributed only if the sum of the expansion population claims adjudicated and paid by the Iowa Medicaid enterprise plus the estimated disproportionate share hospital payments exceeds \$60,000,000 \$65,000,000. The amount paid in excess of \$60,000,000 \$65,000,000 shall not adjust the original monthly payment amount but shall be distributed monthly based on actual claims adjudicated and paid by the Iowa Medicaid enterprise plus the estimated disproportionate share hospital amount. Any amount appropriated in this subsection in excess of \$60,000,000 \$65,000,000 shall be allocated only if federal funds are available to match the amount allocated. Pursuant to paragraph "b", of the amount appropriated in this subsection, not more than \$4,000,000 shall be distributed for prescription drugs, and podiatry services, and optometric services.

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

IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

1 Sec. 45. 2011 Iowa Acts, chapter 129, section 146,
2 subsection 5, unnumbered paragraph 2, is amended to
3 read as follows:

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

8 \$ 3,472,176
9 4,986,366

10 ACCOUNT FOR HEALTH CARE TRANSFORMATION

11 Sec. 46. 2011 Iowa Acts, chapter 129, section 148,
12 is amended to read as follows:

13 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR
14 HEALTH CARE TRANSFORMATION — DEPARTMENT OF HUMAN
15 SERVICES. Notwithstanding any provision to the
16 contrary, there is appropriated from the account for
17 health care transformation created in section 249J.23
18 to the department of human services for the fiscal year
19 beginning July 1, 2012, and ending June 30, 2013, the
20 following amounts, or so much thereof as is necessary,
21 to be used for the purposes designated:

22 1. For the provision of an IowaCare nurse helpline
23 for the expansion population as provided in section
24 249J.6:

25 \$ 50,000
26 100,000

27 2. For other health promotion partnership
28 activities pursuant to section 249J.14:

29 \$ 300,000
30 600,000

31 3. For the costs related to audits, performance
32 evaluations, and studies required pursuant to chapter
33 249J:

34 \$ 62,500
35 125,000

36 4. For administrative costs associated with chapter
37 249J:

38 \$ 566,206
39 1,132,412

40 5. For planning and development, in cooperation
41 with the department of public health, of a phased-in
42 program to provide a dental home for children in
43 accordance with section 249J.14:

44 \$ 500,000
45 1,000,000

46 6. For continuation of the establishment of the
47 tuition assistance for individuals serving individuals
48 with disabilities pilot program, as enacted in 2008
49 Iowa Acts, chapter 1187, section 130:

50 \$ 25,000

1 50,000

2 7. For medical contracts:

3 \$ ~~1,000,000~~

4 2,400,000

5 8. For payment to the publicly owned acute care

6 teaching hospital located in a county with a population

7 of over 350,000 that is a participating provider

8 pursuant to chapter 249J:

9 \$ ~~145,000~~

10 540,000

11 Disbursements under this subsection shall be made

12 monthly. The hospital shall submit a report following

13 the close of the fiscal year regarding use of the

14 funds appropriated in this subsection to the persons

15 specified in this Act to receive reports.

16 9. For transfer to the department of public health

17 to be used for the costs of medical home system

18 advisory council established pursuant to section

19 135.159:

20 \$ ~~116,679~~

21 233,357

22 10. For continued implementation of a uniform cost

23 report:

24 \$ ~~75,000~~

25 150,000

26 11. For continued implementation of an electronic

27 medical records system:

28 \$ ~~50,000~~

29 100,000

30 Notwithstanding section 8.33, funds allocated in

31 this subsection that remain unencumbered or unobligated

32 at the close of the fiscal year shall not revert but

33 shall remain available in succeeding fiscal years to be

34 used for the purposes designated.

35 12. For transfer to the department of public health

36 to support the department's activities relating to

37 health and long-term care access as specified pursuant

38 to chapter 135, division XXIV:

39 \$ ~~67,107~~

40 134,214

41 13. For continuation of an accountable care

42 organization pilot project:

43 \$ ~~50,000~~

44 100,000

45 14. For the continued development of a provider

46 payment system plan to provide recommendations to

47 reform the health care provider payment system as an

48 effective way to promote coordination of care, lower

49 costs, and improve quality:

50 \$ 100,000

1 15. For transfer to the department of public health
2 to be used as state matching funds for the health
3 information technology ~~system~~ network developed by the
4 department of public health:

5 \$ ~~181,993~~
6 363,987

7 16. To supplement the appropriation for medical
8 assistance:

9 \$ ~~1,956,245~~ 4,106,245

10 Notwithstanding section 8.39, subsection 1, without
11 the prior written consent and approval of the governor
12 and the director of the department of management, the
13 director of human services may transfer funds among
14 the appropriations made in this section as necessary
15 to carry out the purposes of the account for health
16 care transformation. The department shall report
17 any transfers made pursuant to this section to the
18 legislative services agency.

19 MEDICAID FRAUD FUND

20 Sec. 47. 2011 Iowa Acts, chapter 129, section 150,
21 is amended to read as follows:

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

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

33 \$ ~~2,000,000~~

34 QUALITY ASSURANCE TRUST FUND

35 Sec. 48. 2011 Iowa Acts, chapter 129, section 151,
36 is amended to read as follows:

37 SEC. 151. QUALITY ASSURANCE TRUST FUND —
38 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
39 any provision to the contrary and subject to the
40 availability of funds, there is appropriated from the
41 quality assurance trust fund created in section 249L.4
42 to the department of human services for the fiscal year
43 beginning July 1, 2012, and ending June 30, 2013, the
44 following amounts, or so much thereof as is necessary
45 for the purposes designated:

46 To supplement the appropriation made in this Act
47 from the general fund of the state to the department of
48 human services for medical assistance:

49 \$ ~~29,000,000~~
50 26,500,000

1 HOSPITAL HEALTH CARE ACCESS TRUST FUND
2 Sec. 49. 2011 Iowa Acts, chapter 129, section 152,
3 is amended to read as follows:

4 SEC. 152. HOSPITAL HEALTH CARE ACCESS 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
8 the hospital health care access trust fund created in
9 section 249M.4 to the department of human services for
10 the fiscal year beginning July 1, 2012, and ending June
11 30, 2013, the following amounts, or so much thereof as
12 is necessary, for the purposes designated:

13 1. 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 \$ ~~39,223,800~~
17 33,898,400

18 2. For deposit in the nonparticipating provider
19 reimbursement fund created in section 249J.24A to be
20 used for the purposes of the fund:

21 \$ ~~776,200~~
22 801,600

23 MISCELLANEOUS PROVISIONS

24 Sec. 50. REPEAL. 2011 Iowa Acts, chapter 129,
25 section 149, is repealed.

26 DIVISION VI

27 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
28 CONTINGENCY FUND

29 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —
30 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
31 OF FUNDS — FY 2011-2012.

32 1. Moneys received from the federal government
33 through the child enrollment contingency fund
34 established pursuant to section 103 of the federal
35 Children's Health Insurance Program Reauthorization
36 Act of 2009, Pub. L. No. 111-3, are appropriated to
37 the department of human services for the fiscal year
38 beginning July 1, 2011, and ending June 30, 2012, to be
39 used in addition to any other amounts appropriated for
40 the same purposes for the fiscal year as follows:

41 a. For adoption subsidy payments and services:
42 \$ 2,177,355

43 b. For child care programs:
44 \$ 1,212,432

45 c. For transfer to the department of public health
46 to be used for tobacco use prevention, cessation, and
47 treatment through support of Quitline Iowa:
48 \$ 350,000

49 2. Notwithstanding section 8.39, and to the extent
50 that funds appropriated in this section are unexpended

1 or unobligated for the purposes specified in subsection
2 1, the department of human services may transfer funds
3 within or between any of the appropriations made in
4 this section for the following purposes:

- 5 a. For adoption subsidy payments and services.
- 6 b. For child care assistance.

7 Sec. 52. CHILDREN'S HEALTH INSURANCE PROGRAM —
8 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
9 OF FUNDS — FY 2012-2013.

10 1. a. Moneys received from the federal government
11 through the child enrollment contingency fund
12 established pursuant to section 103 of the federal
13 Children's Health Insurance Program Reauthorization
14 Act of 2009, Pub. L. No. 111-3, are appropriated to
15 the department of human services for the fiscal year
16 beginning July 1, 2012, and ending June 30, 2013, to be
17 used in addition to any other amounts appropriated for
18 the same purposes for the fiscal year as follows:

- 19 (1) For adoption subsidy payments and services:
20 \$ 5,290,441
- 21 (2) For child care programs:
22 \$ 7,969,021
- 23 (3) For mental health and disability services
24 redesign technical assistance services:
25 \$ 500,000
- 26 (4) For the field operations integrity claims unit:
27 \$ 961,100
- 28 (5) For medical assistance program reimbursement
29 and associated costs:
30 \$ 4,950,428
- 31 (6) For lodging expenses associated with patient
32 care provided at the university of Iowa hospital and
33 clinics under chapter 249J:
34 \$ 200,000

35 The department of human services shall establish the
36 maximum number of overnight stays and the maximum rate
37 reimbursed for overnight lodging, which may be based on
38 the state employee rate established by the department
39 of administrative services. The funds allocated under
40 this subparagraph shall not be used as nonfederal share
41 matching funds.

- 42 (7) For ambulance services associated with patient
43 care provided under chapter 249J:
44 \$ 200,000

45 The department of human services shall establish
46 requirements for use of funds in this subparagraph for
47 ambulance services when no other third-party payment is
48 available. The funds allocated in this subparagraph
49 shall not be used as nonfederal share matching funds.

- 50 (8) For the public purpose of distribution to

1 a statewide nonprofit organization consisting of
2 low-income housing and homelessness service providers,
3 advocates, local governments, lending institutions,
4 and low-income and homeless individuals to be used to
5 empower low-income individuals and to increase their
6 access to affordable housing:
7 \$ 100,000

8 b. Notwithstanding section 8.39, and to the
9 extent that funds appropriated in this subsection are
10 unexpended or unobligated for the purposes specified
11 in paragraph "a", subparagraphs (1) and (2), for the
12 fiscal year beginning July 1, 2012, the department of
13 human services may transfer funds within or between any
14 of the appropriations made in this subsection for the
15 following purposes:

- 16 (1) For adoption subsidy payments and services.
 - 17 (2) For child care assistance.
- 18 2. Moneys received from the federal government
19 through the child enrollment contingency fund
20 established pursuant to section 103 of the federal
21 Children's Health Insurance Program Reauthorization
22 Act of 2009, Pub. L. No. 111-3, are appropriated to
23 the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, to be
25 used for audit settlements:
26 \$ 2,405,936

27 Notwithstanding section 8.33, moneys appropriated in
28 this subsection that remain unencumbered or unobligated
29 at the close of the fiscal year shall not revert to any
30 other fund but shall remain available for expenditure
31 for the purposes designated until the close of the
32 succeeding fiscal year.

33 Sec. 53. EFFECTIVE DATE PROVISIONS. The section of
34 this division of this Act appropriating moneys received
35 through the federal Child Enrollment Contingency Fund
36 for the fiscal year beginning July 1, 2011, and ending
37 June 30, 2012, being deemed of immediate importance,
38 take effect upon enactment.

39 Sec. 54. RETROACTIVE APPLICABILITY. The section of
40 this division of this Act appropriating moneys received
41 through the federal Child Enrollment Contingency Fund
42 for the fiscal year beginning July 1, 2011, and ending
43 June 30, 2012, applies retroactively to July 1, 2011.

44 DIVISION VII

45 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
46 ASSISTANCE PROGRAM ADDITIONAL FUNDING

47 Sec. 55. RISK POOL APPROPRIATION FOR MEDICAL
48 ASSISTANCE PROGRAM. All moneys remaining in the risk
49 pool of the property tax relief fund on June 30,
50 2012, following the distributions made pursuant to

1 2012 Iowa Acts, Senate File 2071, are appropriated to
2 the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, to be
4 used for the purpose designated:

5 To be credited to the appropriation made for the
6 medical assistance program in 2011 Iowa Acts, chapter
7 129, section 122.

8 Sec. 56. MENTAL HEALTH AND DISABILITY SERVICES

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

14 For the medical assistance program appropriation
15 for the fiscal year for the expense of replacing
16 the enhanced match rate provided through the federal
17 American Recovery and Reinvestment Act of 2009 and
18 for the reduction in the federal medical assistance
19 percentage associated with the mental health and
20 disabilities services for which the match has been paid
21 by counties:

22 \$ 24,893,762

23 DIVISION VIII

24 PRIOR APPROPRIATIONS AND RELATED CHANGES

25 INJURED VETERANS GRANT PROGRAM

26 Sec. 57. 2008 Iowa Acts, chapter 1187, section 69,
27 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
28 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
29 section 56, and 2011 Iowa Acts, chapter 129, section
30 53, is amended to read as follows:

31 Notwithstanding section 8.33, moneys appropriated in
32 this subsection that remain unencumbered or unobligated
33 at the close of the fiscal year shall not revert but
34 shall remain available for expenditure for the purposes
35 designated until the close of the fiscal year beginning
36 July 1, ~~2011~~ 2012.

37 CHILD WELFARE DECATEGORIZATION

38 FY 2009-2010 NONREVERSION

39 Sec. 58. 2009 Iowa Acts, chapter 182, section 14,
40 subsection 5, unnumbered paragraph 2, as enacted by
41 2011 Iowa Acts, chapter 129, section 55, is amended to
42 read as follows:

43 Notwithstanding section 232.188, subsection 5,
44 moneys from the allocations made in this subsection or
45 made from any other source for the decategorization of
46 child welfare and juvenile justice funding initiative
47 under section 232.188 for the fiscal year beginning
48 July 1, 2009, that are designated as carryover funding
49 that remain unencumbered or unobligated at the close
50 of the fiscal year beginning July 1, 2010, shall not

1 revert but shall be transferred to in equal amounts to
2 the community housing and services for persons with
3 disabilities revolving loan program fund created in
4 section 16.185, as enacted by this division of this
5 2011 Act and to the supportive and residential services
6 for individuals who meet the psychiatric medical
7 institution for children level of care competitive
8 grant program fund created in section 16.185A, as
9 enacted by this 2012 Act.

10 IOWA VETERANS HOME

11 Sec. 59. 2011 Iowa Acts, chapter 129, section 3,
12 subsection 2, is amended by adding the following new
13 paragraph:

14 NEW PARAGRAPH. d. The funds appropriated in this
15 subsection to the Iowa veterans home that remain
16 available for expenditure for the succeeding fiscal
17 year pursuant to section 35D.18, subsection 5, shall
18 be distributed to be used in the succeeding fiscal
19 year in accordance with this lettered paragraph. The
20 first \$500,000 shall remain available to be used for
21 the purposes of the Iowa veterans home. Any remaining
22 balance shall be credited to the appropriation in this
23 Act for the fiscal year beginning July 1, 2012, for
24 medical assistance.

25 FAMILY INVESTMENT PROGRAM — GENERAL FUND

26 Sec. 60. 2011 Iowa Acts, chapter 129, section 7, is
27 amended by adding the following new subsection:

28 NEW SUBSECTION. 5. Notwithstanding section
29 8.33, moneys appropriated in this section that remain
30 unencumbered or unobligated at the close of the fiscal
31 year shall not revert but shall remain available for
32 expenditure for the purposes designated until the close
33 of the succeeding fiscal year.

34 MEDICAL ASSISTANCE

35 Sec. 61. 2011 Iowa Acts, chapter 129, section 10,
36 subsection 20, paragraph d, is amended to read as
37 follows:

38 d. If the savings to the medical assistance
39 program exceed the cost, the department may transfer
40 any savings generated for the fiscal year due to
41 medical assistance program cost containment efforts
42 initiated pursuant to 2010 Iowa Acts, chapter 1031,
43 Executive Order No. 20, issued December 16, 2009, or
44 cost containment strategies initiated pursuant to this
45 subsection, to the ~~appropriation~~ appropriations made
46 in this division of this Act for medical contracts or
47 general administration to defray the increased contract
48 costs associated with implementing such efforts.

49 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL
50 ASSISTANCE

1 Sec. 62. 2011 Iowa Acts, chapter 129, section 10,
2 is amended by adding the following new subsection:
3 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
4 Acts, chapter 182, section 9, subsection 16, paragraph
5 "b", as amended by 2010 Iowa Acts, chapter 1192,
6 section 63, as amended by 2011 Iowa Acts, chapter
7 129, section 54, funds in the account that remain
8 unencumbered or unobligated at the end of the fiscal
9 year beginning July 1, 2011, are appropriated to the
10 department of human services to be used for the medical
11 assistance program for the succeeding fiscal year.

12 STATE SUPPLEMENTARY ASSISTANCE

13 Sec. 63. 2011 Iowa Acts, chapter 129, section 11,
14 is amended by adding the following new subsection:
15 NEW SUBSECTION. 4. Notwithstanding section
16 8.33, moneys appropriated in this section that remain
17 unencumbered or unobligated at the close of the fiscal
18 year shall not revert but shall remain available for
19 expenditure for the purposes designated until the close
20 of the succeeding fiscal year.

21 FIELD OPERATIONS

22 Sec. 64. 2011 Iowa Acts, chapter 129, section
23 25, is amended by adding the following new unnumbered
24 paragraph:

25 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
26 8.33, moneys appropriated in this section that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert but shall remain available for
29 expenditure for the purposes designated until the close
30 of the succeeding fiscal year.

31 GENERAL ADMINISTRATION

32 Sec. 65. 2011 Iowa Acts, chapter 129, section 26,
33 is amended by adding the following new subsection:
34 NEW SUBSECTION. 6. Notwithstanding section
35 8.33, moneys appropriated in this section that remain
36 unencumbered or unobligated at the close of the fiscal
37 year shall not revert but shall remain available for
38 expenditure for the purposes designated until the close
39 of the succeeding fiscal year.

40 IOWACARE DISTRIBUTIONS

41 Sec. 66. 2011 Iowa Acts, chapter 129, section
42 35, subsection 4, paragraph a, is amended to read as
43 follows:

44 a. Notwithstanding any provision of law to the
45 contrary, the amount appropriated in this subsection
46 shall be distributed based on claims submitted,
47 adjudicated, and paid by the Iowa Medicaid enterprise
48 plus a monthly disproportionate share hospital payment.
49 Any amount appropriated in this subsection in excess
50 of ~~\$60,000,000~~ \$56,500,000 shall be distributed

1 only if the sum of the expansion population claims
2 adjudicated and paid by the Iowa Medicaid enterprise
3 plus the estimated disproportionate share hospital
4 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount
5 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall
6 not adjust the original monthly payment amount but
7 shall be distributed monthly based on actual claims
8 adjudicated and paid by the Iowa Medicaid enterprise
9 plus the estimated disproportionate share hospital
10 amount. Any amount appropriated in this subsection in
11 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated
12 only if federal funds are available to match the
13 amount allocated. Pursuant to paragraph "b", of the
14 amount appropriated in this subsection, not more than
15 \$4,000,000 shall be distributed for prescription drugs
16 and podiatry services.

17 Sec. 67. 2011 Iowa Acts, chapter 129, section 35,
18 subsection 4, paragraph d, subparagraph (2), is amended
19 to read as follows:

20 (2) Notwithstanding the amount collected and
21 distributed for deposit in the IowaCare account
22 pursuant to section 249J.24, subsection 4, paragraph
23 "a", subparagraph (2), the first \$19,000,000 in
24 collections pursuant to section 347.7 between January
25 1, 2012, and June 30, 2012, shall be distributed to
26 the treasurer of state for deposit in the IowaCare
27 account and collections during this time period in
28 excess of \$19,000,000 shall be distributed to the acute
29 care teaching hospital identified in this subsection.
30 ~~Of the collections in excess of the \$19,000,000~~
31 ~~received by the acute care teaching hospital under this~~
32 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
33 ~~the acute care teaching hospital to the treasurer of~~
34 ~~state for deposit in the IowaCare account in the month~~
35 ~~of July 2012, following the January 1 through June 30,~~
36 ~~2012, period.~~

37 Sec. 68. IMMEDIATE EFFECTIVE DATE. This division
38 of this Act, being deemed of immediate importance,
39 takes effect upon enactment.

40 Sec. 69. RETROACTIVE APPLICABILITY. The
41 following sections of this division of this Act apply
42 retroactively to July 1, 2011:

43 1. The section relating to the transfer of funds
44 from costs savings under the medical assistance program
45 to appropriations for medical contracts or general
46 administration for the fiscal year beginning July 1,
47 2011, and ending June 30, 2012.

48 2. The section relating to the nonreversion of
49 decategorization of child welfare and juvenile justice
50 funds.

1 3. The section relating to the distribution of
2 IowaCare program funds.

3 DIVISION IX
4 MISCELLANEOUS

5 Sec. 70. NEW SECTION. 8A.441 Medication therapy
6 management.

7 1. As used in this section, unless the context
8 otherwise requires:

9 a. "Eligible employee" means an employee of the
10 state, with the exception of an employee of the state
11 board of regents or institutions under the state board
12 of regents, for whom group health plans are established
13 pursuant to chapter 509A providing for third-party
14 payment or prepayment for health or medical expenses.

15 b. "Medication therapy management" means a
16 systematic process performed by a licensed pharmacist,
17 designed to improve quality outcomes for patients
18 and lower health care costs, including emergency
19 room, hospital, provider, and other costs, by
20 optimizing appropriate medication use linked directly
21 to achievement of the clinical goals of therapy.
22 Medication therapy management shall include all of the
23 following services:

24 (1) A medication therapy review and in-person
25 consultation relating to all medications, vitamins, and
26 herbal supplements currently being taken by an eligible
27 individual.

28 (2) A medication action plan, subject to the
29 limitations specified in this section, communicated
30 to the individual and the individual's primary care
31 physician or other appropriate prescriber to address
32 issues including appropriateness, effectiveness,
33 safety, drug interactions, and adherence. The
34 medication action plan may include drug therapy
35 recommendations to prescribers that are needed to meet
36 clinical goals and achieve optimal patient outcomes.

37 (3) Documentation and follow-up to ensure
38 consistent levels of pharmacy services and positive
39 outcomes.

40 2. a. The department shall utilize a request for
41 proposals process and shall enter into a contract for
42 the provision of medication therapy management services
43 for eligible employees who meet any of the following
44 criteria:

45 (1) An individual who takes four or more
46 prescription drugs to treat or prevent two or more
47 chronic medical conditions.

48 (2) An individual with a prescription drug therapy
49 problem who is identified by the prescribing physician
50 or other appropriate prescriber, and referred to a

1 pharmacist for medication therapy management services.

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

5 b. The contract shall require the entity to provide
6 annual reports to the general assembly detailing
7 the costs, savings, estimated cost avoidance and
8 return on investment, and improved patient outcomes
9 related to the medication therapy management services
10 provided. The entity shall guarantee demonstrated
11 annual savings for overall health care costs, including
12 emergency room, hospital, provider, and other costs,
13 with savings including associated cost avoidance, at
14 least equal to the program's costs with any shortfall
15 amount refunded to the state. The contract shall
16 include terms, conditions, and applicable measurement
17 standards associated with the demonstration of savings.
18 The department shall verify the demonstrated savings
19 reported by the entity were achieved in accordance with
20 the agreed upon measurement standards. The entity
21 shall be prohibited from using the entity's employees
22 to provide the medication therapy management services
23 and shall instead be required to contract with licensed
24 pharmacies, pharmacists, or physicians.

25 c. The department may establish an advisory
26 committee comprised of an equal number of physicians
27 and pharmacists to provide advice and oversight in
28 evaluating the results of the program. The department
29 shall appoint the members of the advisory committee
30 based upon designees of the Iowa pharmacy association,
31 the Iowa medical society, and the Iowa osteopathic
32 medical association.

33 d. The fees for pharmacist-delivered medication
34 therapy management services shall be separate from
35 the reimbursement for prescription drug product or
36 dispensing services; shall be determined by each
37 third-party payment provider contract, policy, or plan;
38 and must be reasonable based on the resources and time
39 required to provide the service.

40 e. A fee shall be established for physician
41 reimbursement for services delivered for medication
42 therapy management as determined by each third-party
43 payment provider contract, policy, or plan, and must be
44 reasonable based on the resources and time required to
45 provide the service.

46 f. If any part of the medication therapy management
47 plan developed by a pharmacist incorporates services
48 which are outside the pharmacist's independent scope
49 of practice including the initiation of therapy,
50 modification of dosages, therapeutic interchange, or

1 changes in drug therapy, the express authorization
2 of the individual's physician or other appropriate
3 prescriber is required.

4 Sec. 71. NEW SECTION. 16.185A Supportive and
5 residential services for individuals who meet the
6 psychiatric medical institution for children level of
7 care — competitive grant program fund.

8 1. A supportive and residential services
9 competitive grant program fund is created within the
10 authority to further the availability of supportive
11 and residential services for individuals who meet the
12 psychiatric medical institution for children level of
13 care under the medical assistance program. The moneys
14 in the fund are appropriated to the authority to be
15 used for the development and operation of a competitive
16 grant program to provide financing to construct
17 supportive housing or develop the infrastructure in
18 which to provide supportive services, including through
19 new construction, acquisition and rehabilitation of
20 existing housing or infrastructure, or conversion or
21 adaptive reuse.

22 2. Moneys transferred by the authority for
23 deposit in the competitive grant program fund, moneys
24 appropriated to the competitive grant program,
25 and any other moneys available to and obtained
26 or accepted by the authority for placement in the
27 fund shall be credited to the fund. Additionally,
28 payment of interest, recaptures of awards, and other
29 repayments to the fund shall be credited to the fund.
30 Notwithstanding section 12C.7, subsection 2, interest
31 or earnings on moneys in the fund shall be credited
32 to the fund. Notwithstanding section 8.33, moneys
33 credited to the fund from any other fund that remain
34 unencumbered or unobligated at the close of the fiscal
35 year shall not revert to the other fund.

36 3. The authority shall allocate moneys in the
37 fund to the extent available for the development of
38 supportive housing or the infrastructure in which to
39 provide supportive services for individuals who meet
40 the psychiatric medical institution for children level
41 of care under the medical assistance program. Moneys
42 allocated to such projects shall be in the form of
43 competitive grants. An application submitted shall
44 contain a commitment of at least a dollar-for-dollar
45 match of the grant assistance.

46 4. a. A project shall demonstrate written approval
47 of the project by the department of human services to
48 the authority prior to application for funding under
49 this section.

50 b. In order to be approved by the department of

1 human services for application for funding under this
2 section, a project shall include all of the following
3 components:

4 (1) Provision of services to individuals who meet
5 the psychiatric medical institution for children level
6 of care under the medical assistance program.

7 (2) Policies and procedures that prohibit discharge
8 of the individual from the services provided by the
9 project provider unless an alternative placement that
10 is acceptable to the client or the client's guardian is
11 identified.

12 5. Housing provided through a project under this
13 section is exempt from the requirements of chapter
14 1350.

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

18 Sec. 72. Section 97B.39, Code 2011, is amended to
19 read as follows:

20 **97B.39 Rights not transferable or subject to legal
21 process — exceptions.**

22 The right of any person to any future payment under
23 this chapter is not transferable or assignable, at
24 law or in equity, and the moneys paid or payable or
25 rights existing under this chapter are not subject to
26 execution, levy, attachment, garnishment, or other
27 legal process, or to the operation of any bankruptcy
28 or insolvency law except for the purposes of enforcing
29 child, spousal, or medical support obligations or
30 marital property orders, or for recovery of medical
31 assistance payments pursuant to section 249A.5.

32 For the purposes of enforcing child, spousal, or
33 medical support obligations, the garnishment or
34 attachment of or the execution against compensation
35 due a person under this chapter shall not exceed
36 the amount specified in 15 U.S.C. § 1673(b). The
37 system shall comply with the provisions of a marital
38 property order requiring the selection of a particular
39 benefit option, designated beneficiary, or contingent
40 annuitant if the selection is otherwise authorized
41 by this chapter and the member has not received
42 payment of the member's first retirement allowance.
43 However, a marital property order shall not require
44 the payment of benefits to an alternative payee prior
45 to the member's retirement, prior to the date the
46 member elects to receive a lump sum distribution of
47 accumulated contributions pursuant to section 97B.53,
48 or in an amount that exceeds the benefits the member
49 would otherwise be eligible to receive pursuant to this
50 chapter.

1 Sec. 73. Section 135.11, Code Supplement 2011, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 31. Administer a public awareness
4 program for human papillomavirus infection vaccination
5 by identifying medically accurate materials that
6 contain information regarding the risks associated with
7 the various forms of the infection in causing cervical
8 cancer, and any other diseases for which the department
9 may recommend immunization or immunization information,
10 and the availability, effectiveness, and potential
11 risks of those vaccines. The department shall make
12 the identified materials available on the department's
13 internet site, provide education and training to
14 health professionals and the general public regarding
15 the vaccines, and notify each school district in the
16 state of the availability of the information. For the
17 purposes of this subsection, "*human papillomavirus*"
18 means the group of viruses identified by the centers
19 for disease control and prevention of the United States
20 department of health and human services.

21 Sec. 74. Section 135H.10, subsection 3, Code 2011,
22 is amended by striking the subsection.

23 Sec. 75. Section 144D.4, as enacted by 2012 Iowa
24 Acts, House File 2165, section 5, is amended by adding
25 the following new subsection:

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

33 Sec. 76. Section 225B.8, Code Supplement 2011, is
34 amended to read as follows:

35 **225B.8 Repeal.**

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

37 Sec. 77. NEW SECTION. **231.45 Certified volunteer**
38 **long-term care resident's advocate program.**

39 1. The department shall establish a certified
40 volunteer long-term care resident's advocate program in
41 accordance with the federal Act to provide assistance
42 to the state and local long-term care resident's
43 advocates.

44 2. The department shall develop and implement a
45 certification process for volunteer long-term care
46 resident's advocates including but not limited to
47 an application process, provision for background
48 checks, classroom or on-site training, orientation, and
49 continuing education.

50 3. The provisions of section 231.42 relating to

1 local long-term care resident's advocates shall apply
2 to certified volunteer long-term care resident's
3 advocates.

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

6 Sec. 78. Section 237.3, Code 2011, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 11. The department shall adopt
9 rules to administer a certified foster care respite
10 provider program to provide respite in a licensed
11 foster home. The certified respite provider program
12 shall provide care, supervision, or guidance of a
13 foster child when the child is placed with a licensed
14 foster home. The certified foster care respite
15 provider shall be responsible to have liability
16 insurance to provide for any loss or damage arising out
17 of occurrences during the provision of certified foster
18 care respite provider care.

19 Sec. 79. Section 237.13, subsection 4, Code 2011,
20 is amended by adding the following new paragraph:

21 NEW PARAGRAPH. h. Any loss or damage arising out
22 of occurrences during the provision of certified foster
23 care respite provider care pursuant to section 237.3,
24 subsection 11.

25 Sec. 80. NEW SECTION. **239B.2C Absence from home**
26 **— incarceration.**

27 An individual family member who is absent from the
28 home for more than three months because the individual
29 is incarcerated in jail or a correctional facility
30 shall not be included in the family unit for purposes
31 of assistance.

32 Sec. 81. NEW SECTION. **249A.17 Reimbursement for**
33 **providers of outpatient clinical services for children.**

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

40 2. In order to be eligible for reimbursement under
41 this section, a provider shall be an accredited,
42 nonprofit agency that meets all of the following
43 criteria:

44 a. Provides clinical outpatient services to
45 children of whom at least sixty percent are recipients
46 of medical assistance.

47 b. Provides at least three children's mental health
48 services including inpatient services, outpatient
49 services, psychiatric and psychological services, and
50 behavioral health intervention services.

1 c. Directly employs a psychiatrist, psychologist,
2 and licensed therapist.

3 Sec. 82. Section 453A.35, Code Supplement 2011, is
4 amended to read as follows:

5 **453A.35 Tax and fees paid to general fund —**
6 **~~standing appropriation to health care trust fund.~~**

7 1. ~~a. With the exception of revenues credited to~~
8 ~~the health care trust fund pursuant to paragraph "b",~~
9 The proceeds derived from the sale of stamps and
10 the payment of taxes, fees, and penalties provided for
11 under this chapter, and the permit fees received from
12 all permits issued by the department, shall be credited
13 to the general fund of the state.

14 ~~b. Of the revenues generated from the tax on~~
15 ~~cigarettes pursuant to section 453A.6, subsection 1,~~
16 ~~and from the tax on tobacco products as specified in~~
17 ~~section 453A.43, subsections 1, 2, 3, and 4, the first~~
18 ~~one hundred six million sixteen thousand four hundred~~
19 ~~dollars shall be credited to the health care trust fund~~
20 ~~created in section 453A.35A.~~

21 2. All permit fees provided for in this chapter and
22 collected by cities in the issuance of permits granted
23 by the cities shall be paid to the treasurer of the
24 city where the permit is effective, or to another city
25 officer as designated by the council, and credited to
26 the general fund of the city. Permit fees so collected
27 by counties shall be paid to the county treasurer.

28 Sec. 83. Section 453A.35A, subsection 1, Code
29 Supplement 2011, is amended to read as follows:

30 1. A health care trust fund is created in the
31 office of the treasurer of state. The fund consists
32 of the revenues ~~generated from the tax on cigarettes~~
33 ~~pursuant to section 453A.6, subsection 1, and from~~
34 ~~the tax on tobacco products as specified in section~~
35 ~~453A.43, subsections 1, 2, 3, and 4, that are credited~~
36 ~~to the health care trust fund, annually, pursuant to~~
37 ~~section 453A.35 derived from the sale of stamps and~~
38 the payment of taxes, fees, and penalties provided
39 for under this chapter, and the permit fees received
40 from all permits issued by the department. Moneys
41 in the fund shall be separate from the general fund
42 of the state and shall not be considered part of the
43 general fund of the state. However, the fund shall
44 be considered a special account for the purposes
45 of section 8.53 relating to generally accepted
46 accounting principles. Moneys in the fund shall be
47 used only as specified in this section and shall be
48 appropriated only for the uses specified. Moneys in
49 the fund are not subject to section 8.33 and shall
50 not be transferred, used, obligated, appropriated,

1 or otherwise encumbered, except as provided in this
2 section. Notwithstanding section 12C.7, subsection 2,
3 interest or earnings on moneys deposited in the fund
4 shall be credited to the fund.

5 Sec. 84. COST-BASED REIMBURSEMENT — PROVIDERS OF
6 CHILDREN'S OUTPATIENT CLINICAL SERVICES.

7 1. The department of human services shall seek
8 federal approval to amend the medical assistance
9 program state plan and shall amend the contract
10 with the department's managed care contractor for
11 behavioral health services under the medical assistance
12 program to provide medical assistance reimbursement to
13 providers that meet the criteria specified in section
14 249A.17, as enacted in this division of this Act, at
15 100 percent of the reasonable costs for recipients of
16 medical assistance for outpatient clinical services for
17 children.

18 2. Implementation of section 249A.17, as enacted
19 in this division of this Act, is contingent upon
20 receipt of federal approval and limited to the funding
21 made available through amending the contract with the
22 managed care contractor.

23 3. The department shall adopt rules pursuant to
24 chapter 17A to provide reimbursement for outpatient
25 clinical services for children as described in this
26 section. The rules shall provide that reimbursement
27 shall initially be paid on an interim basis and
28 subsequently adjusted retroactively based on submission
29 of financial and statistical reports as required by the
30 department.

31 Sec. 85. EFFECTIVE UPON ENACTMENT. The section
32 of this division of this Act enacting section 8A.441,
33 being deemed of immediate importance, takes effect upon
34 enactment.

35 DIVISION X

36 DIRECT CARE PROFESSIONALS

37 Sec. 86. NEW SECTION. 152F.1 **Definitions.**

38 As used in this chapter, unless the context
39 otherwise requires:

40 1. "*Board*" means the board of direct care
41 professionals created under chapter 147.

42 2. "*Community living professional*" means a direct
43 care associate who has completed advanced training and
44 is certified to provide home and community living,
45 instrumental activities of daily living, and personal
46 support services.

47 3. "*Direct care associate*" means an individual who
48 has completed core training and is certified to provide
49 direct care services in the state.

50 4. "*Direct care instructor*" means an individual

1 approved by the board to provide direct care
2 instruction to direct care professionals.

3 5. "*Direct care professional*" means an individual
4 who provides direct care services for compensation
5 and is a direct care associate, a community living
6 professional, a health support professional, or a
7 personal support professional.

8 6. "*Direct care services*" means the services
9 provided to individuals who are ill or individuals
10 with disabilities as specified in the individual's
11 service plan or in documented goals, including but
12 not limited to home and community living services,
13 instrumental activities of daily living services,
14 personal activities of daily living services, personal
15 support services, and health monitoring and maintenance
16 services.

17 7. "*Direct care trainer*" means a direct care
18 instructor who is approved by the board to train
19 instructors.

20 8. "*Health monitoring and maintenance services*"
21 means medically-oriented services that assist an
22 individual in maintaining the individual's health
23 including measuring intake and output; providing
24 catheter and ostomy care; collecting specimens;
25 checking vital signs, including temperature, pulse,
26 respiration, and blood pressure; measuring height and
27 weight; performing range of motion exercises; providing
28 assistance with urinary care; and application of
29 thrombo embolic deterrent hose or hot and cold packs.

30 9. "*Health support professional*" means a direct
31 care associate who has completed advanced training
32 and is certified to provide personal activities of
33 daily living and health monitoring and maintenance
34 services or a direct care associate who has met the
35 federal nurse aide requirements pursuant to 42 C.F.R. §
36 483.152.

37 10. "*Home and community living services*" means
38 services to enhance or maintain independence of
39 individuals including such activities as helping
40 individuals develop and meet personal goals, providing
41 direct physical and emotional support and assistance
42 for persons with disabilities, utilizing crisis
43 intervention and positive behavior supports, and using
44 and following individual support plans.

45 11. "*Instrumental activities of daily living*
46 *services*" means services provided to assist individuals
47 with daily living tasks to allow them to function
48 independently in a home or community setting, including
49 but not limited to assistance with managing money,
50 transportation, light housekeeping, and shopping and

1 cooking.

2 12. *"Personal activities of daily living services"*
3 means services to assist individuals in meeting basic
4 needs, including but not limited to bathing, back rubs,
5 and skin care; grooming activities; assistance with
6 dressing and undressing; assistance with eating and
7 feeding; assistance with toileting; and assistance with
8 mobility, including transfers, walking, and turning in
9 bed.

10 13. *"Personal support professional"* means a direct
11 care associate who has completed advanced training and
12 is certified to provide instrumental activities of
13 daily living, personal activities of daily living, and
14 personal support services.

15 14. *"Personal support services"* means support
16 services provided to an individual as the individual
17 performs personal activities of daily living including
18 but not limited to coaching and prompting, and teaching
19 skills and behaviors.

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

22 16. *"Specialty endorsement"* means an advanced level
23 of certification based on requirements developed by
24 experts in a particular discipline or professional area
25 and approved by the board.

26 Sec. 87. NEW SECTION. 152F.2 Certification
27 required — exceptions — use of title.

28 1. Unless otherwise exempt under section 152F.4,
29 beginning January 1, 2014, an individual shall not
30 provide direct care services in this state without
31 being certified as a direct care associate.

32 2. An individual who is not certified pursuant to
33 this chapter shall not use words or titles which imply
34 or represent that the individual is certified as a
35 direct care professional under this chapter.

36 3. A direct care associate shall not act as
37 or represent that the individual is a direct care
38 professional with advanced training certification
39 or a specialty endorsement, unless the direct care
40 associate is first certified at the appropriate level
41 of certification under this chapter.

42 4. Notwithstanding any provision to the contrary,
43 an individual who completes advanced training or
44 meets the requirements for a specialty endorsement
45 is not required to be certified at that level if
46 the individual does not act as or represent that the
47 individual is certified at that level. Section 147.83
48 does not apply to a direct care associate who is not
49 certified as a direct care professional with advanced
50 training certification or a specialty endorsement if

1 the direct care associate does not act as or represent
2 that the individual is certified at that level.

3 **Sec. 88. NEW SECTION. 152F.3 Requirements to**
4 **obtain certification — renewal — continuing education**
5 **— reciprocity.**

6 1. An applicant for certification as a direct care
7 associate shall present evidence satisfactory to the
8 board that the applicant meets all of the following
9 requirements:

10 a. The applicant has successfully completed the
11 required education for the certification from a
12 board-approved direct care instructor or direct care
13 trainer.

14 b. The applicant has paid all fees required by the
15 board.

16 c. The applicant certifies that the applicant will
17 conduct all professional activities in accordance with
18 standards for professional conduct established by the
19 board.

20 2. An applicant for certification as a direct care
21 professional with advanced training or a specialty
22 endorsement shall present evidence satisfactory to the
23 board that the applicant meets all of the following
24 requirements:

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

29 b. The applicant has paid all fees required by the
30 board.

31 c. The applicant has passed a state examination
32 approved by the board.

33 d. 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 3. An individual shall renew the individual's
38 certification biennially. Prior to such renewal, the
39 individual shall present evidence that the individual
40 has satisfied continuing education requirements and
41 shall pay a renewal fee as determined by the board.

42 4. The board shall issue the appropriate
43 certification to an applicant who demonstrates
44 experience in direct care services in another state and
45 meets the requirements established by the board for the
46 specific certification.

47 **Sec. 89. NEW SECTION. 152F.4 Scope of chapter.**

48 1. The provisions of this chapter do not apply to
49 any of the following:

50 a. An individual who is providing direct care

1 services and is governed by a collective bargaining
2 agreement in place before July 1, 2017, until the
3 expiration of such agreement.

4 *b.* An individual providing direct care services to
5 a family member.

6 *c.* An individual otherwise licensed who is
7 operating within the scope of that license and who does
8 not represent to the public that the individual is a
9 direct care professional.

10 2. This chapter shall not be interpreted to
11 preclude an individual who provides direct care
12 services but is not otherwise required to be certified
13 under this chapter from being certified under this
14 chapter on a voluntary basis.

15 Sec. 90. NEW SECTION. 152F.5 Duties of the board.

16 The board shall do all of the following:

17 1. Adopt rules consistent with this chapter,
18 chapter 147, chapter 272, and the recommendations of
19 the direct care worker advisory council established
20 pursuant to 2008 Iowa Acts, chapter 1188, section 69,
21 which are necessary for the performance of its duties.

22 2. Adopt rules to provide a transition process
23 that allows individuals providing direct care services
24 on or before January 1, 2014, who are subject to
25 the certification requirements of this chapter,
26 to continue providing direct care services while
27 completing certification under this chapter. The rules
28 shall provide that certification requirements for an
29 individual subject to the transition process are based
30 on consideration of previous training, employment
31 history, and experience. An individual subject to the
32 transition process shall complete the requirements for
33 direct care associate certification within a time frame
34 determined by rule of the board.

35 3. Establish curriculum requirements for health
36 support professionals. The curriculum requirements
37 established shall not exceed the curriculum
38 requirements specified for nurse aides pursuant to
39 42 C.F.R. § 483.152, without prior approval of sixty
40 percent of the members of the board and prior approval
41 of the department of inspections and appeals.

42 4. Require an individual to undergo criminal
43 history and child and dependent adult abuse record
44 checks prior to certification, and establish record
45 checks requirements applicable to direct care
46 professionals consistent with section 135C.33.

47 5. Establish dependent adult abuse reporting and
48 training requirements consistent with chapters 235B and
49 235E, as applicable.

50 6. Establish standards and guidelines for

1 certification reciprocity.

2 7. Establish standards and guidelines for direct
3 care professionals, including minimum curriculum
4 requirements.

5 8. Prepare and conduct, or prescribe, an
6 examination for applicants for certification.

7 9. Establish standards and guidelines for direct
8 care instructors and direct care trainers, including
9 minimum curriculum requirements and continuing
10 education requirements. Training and continuing
11 education guidelines shall provide diverse options for
12 completion of the training and continuing education,
13 as appropriate, including but not limited to online,
14 employer-based, or educational institution-based
15 opportunities.

16 10. Define educational activities which fulfill
17 continuing education requirements for renewal of
18 certification.

19 11. Establish guidelines for inactive certification
20 status and inactive certification reentry.

21 12. Establish a grace period during which a newly
22 employed individual may provide direct care services
23 before being required to complete the appropriate level
24 of certification under this chapter.

25 **Sec. 91. NEW SECTION. 152F.6 Certification**
26 **suspension and revocation.**

27 A certification issued by the board under this
28 chapter may be suspended or revoked, or renewal of
29 certification may be denied by the board, for violation
30 of any provision of this chapter, section 147.55 or
31 272C.10, or rules adopted by the board.

32 **Sec. 92.** Section 10A.402, subsection 1, Code 2011,
33 is amended to read as follows:

34 1. Investigations relative to the practice of
35 regulated professions and occupations, except those
36 within the jurisdiction of the board of medicine, the
37 board of pharmacy, the dental board, ~~and~~ the board of
38 nursing, and the board of direct care professionals.

39 **Sec. 93.** Section 135.11A, Code 2011, is amended to
40 read as follows:

41 **135.11A Professional licensure division — other**
42 **licensing boards — expenses — fees.**

43 1. There shall be a professional licensure
44 division within the department of public health. Each
45 board under chapter 147 or under the administrative
46 authority of the department, except the board of
47 nursing, board of medicine, dental board, ~~and~~ board of
48 pharmacy, and board of direct care professionals shall
49 receive administrative and clerical support from the
50 division and may not employ its own support staff for

1 administrative and clerical duties.

2 2. The professional licensure division and the
3 licensing boards may expend funds in addition to
4 amounts budgeted, if those additional expenditures are
5 directly the result of actual examination and exceed
6 funds budgeted for examinations. Before the division
7 or a licensing board expends or encumbers an amount
8 in excess of the funds budgeted for examinations, the
9 director of the department of management shall approve
10 the expenditure or encumbrance. Before approval is
11 given, the department of management shall determine
12 that the examination expenses exceed the funds budgeted
13 by the general assembly to the division or board
14 and the division or board does not have other funds
15 from which examination expenses can be paid. Upon
16 approval of the department of management, the division
17 or licensing board may expend and encumber funds for
18 excess examination expenses. The amounts necessary to
19 fund the excess examination expenses shall be collected
20 as fees from additional examination applicants and
21 shall be treated as repayment receipts as defined in
22 section 8.2.

23 Sec. 94. Section 135.31, Code 2011, is amended to
24 read as follows:

25 **135.31 Location of boards — rulemaking.**

26 The offices for the board of medicine, the board
27 of pharmacy, the board of nursing, ~~and~~ the dental
28 board, and the board of direct care professionals shall
29 be located within the department of public health.
30 The individual boards shall have policymaking and
31 rulemaking authority.

32 Sec. 95. Section 147.1, subsections 3 and 6, Code
33 2011, are amended to read as follows:

34 3. "*Licensed*" or "*certified*", when applied
35 to a physician and surgeon, podiatric physician,
36 osteopathic physician and surgeon, physician assistant,
37 psychologist, chiropractor, nurse, dentist, dental
38 hygienist, dental assistant, optometrist, speech
39 pathologist, audiologist, pharmacist, physical
40 therapist, physical therapist assistant, occupational
41 therapist, occupational therapy assistant, respiratory
42 care practitioner, practitioner of cosmetology arts and
43 sciences, practitioner of barbering, funeral director,
44 dietitian, marital and family therapist, mental health
45 counselor, social worker, massage therapist, athletic
46 trainer, acupuncturist, nursing home administrator,
47 hearing aid dispenser, ~~or~~ sign language interpreter or
48 transliterator, or direct care professional means a
49 person licensed under this subtitle.

50 6. "*Profession*" means medicine and surgery,

1 podiatry, osteopathic medicine and surgery, practice
2 as a physician assistant, psychology, chiropractic,
3 nursing, dentistry, dental hygiene, dental assisting,
4 optometry, speech pathology, audiology, pharmacy,
5 physical therapy, physical therapist assisting,
6 occupational therapy, occupational therapy assisting,
7 respiratory care, cosmetology arts and sciences,
8 barbering, mortuary science, marital and family
9 therapy, mental health counseling, social work,
10 dietetics, massage therapy, athletic training,
11 acupuncture, nursing home administration, hearing
12 aid dispensing, ~~or~~ sign language interpreting
13 or transliterating, or practice as a direct care
14 professional.

15 Sec. 96. Section 147.2, subsection 1, Code 2011, is
16 amended to read as follows:

17 1. A person shall not engage in the practice of
18 medicine and surgery, podiatry, osteopathic medicine
19 and surgery, psychology, chiropractic, physical
20 therapy, physical therapist assisting, nursing,
21 dentistry, dental hygiene, dental assisting, optometry,
22 speech pathology, audiology, occupational therapy,
23 occupational therapy assisting, respiratory care,
24 pharmacy, cosmetology arts and sciences, barbering,
25 social work, dietetics, marital and family therapy or
26 mental health counseling, massage therapy, mortuary
27 science, athletic training, acupuncture, nursing
28 home administration, hearing aid dispensing, or sign
29 language interpreting or transliterating, or shall not
30 practice as a physician assistant or as a direct care
31 professional, unless the person has obtained a license
32 for that purpose from the board for the profession.

33 Sec. 97. Section 147.13, Code 2011, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 24. For direct care professionals,
36 the board of direct care professionals.

37 Sec. 98. Section 147.14, subsection 1, Code 2011,
38 is amended by adding the following new paragraph:

39 NEW PARAGRAPH. x. For the board of direct care
40 professionals, a total of eleven members, six of whom
41 are direct care professionals who represent diverse
42 settings and populations served, two members of the
43 public, one registered nurse who serves as a direct
44 care instructor, one human services professional who
45 serves as a direct care instructor, and one licensed
46 nursing home administrator.

47 Sec. 99. Section 147.74, Code 2011, is amended by
48 adding the following new subsection:

49 NEW SUBSECTION. 24. A direct care professional
50 certified under chapter 152F and this chapter may use

1 the following:

2 a. A direct care professional certified as a
3 direct care associate may use the title "direct care
4 associate" or the letters "D.C.A." after the person's
5 name.

6 b. A direct care professional certified as a
7 community living professional may use the title
8 "community living professional" or the letters "C.L.P."
9 after the person's name.

10 c. A direct care professional certified as a
11 personal support professional may use the title
12 "personal support professional" or the letters "P.S.P."
13 after the person's name.

14 d. A direct care professional certified as a
15 health support professional may use the title "health
16 support professional" or the letters "H.S.P." after the
17 person's name.

18 e. A direct care professional certified with a
19 specialty endorsement may use the title or letters
20 determined by the specialty endorsement entity and
21 approved by the board of direct care professionals.

22 f. A direct care professional who complies with
23 federal nurse aide requirements pursuant to 42 C.F.R. §
24 483.152 may use the title "certified nursing assistant"
25 or the letters "C.N.A." after the person's name.

26 Sec. 100. Section 147.80, subsection 3, Code 2011,
27 is amended to read as follows:

28 3. The board of medicine, the board of pharmacy,
29 the dental board, ~~and~~ the board of nursing, and
30 the board of direct care professionals shall retain
31 individual executive officers, but shall make
32 every effort to share administrative, clerical, and
33 investigative staff to the greatest extent possible.

34 Sec. 101. Section 147.88, Code 2011, is amended to
35 read as follows:

36 **147.88 Inspections and investigations.**

37 The department of inspections and appeals may
38 perform inspections and investigations as required by
39 this subtitle, except inspections and investigations
40 for the board of medicine, board of pharmacy, board of
41 nursing, ~~and~~ the dental board, and the board of direct
42 care professionals. The department of inspections
43 and appeals shall employ personnel related to the
44 inspection and investigative functions.

45 Sec. 102. Section 272C.1, subsection 6, Code 2011,
46 is amended by adding the following new paragraph:

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

49 Sec. 103. TRANSITION PROVISIONS.

50 1. An individual providing direct care services

1 on or before January 1, 2014, who is subject to the
2 certification requirements of this division of this
3 Act, may continue providing direct care services
4 while completing certification as required under
5 this division of this Act. The board of direct
6 care professionals shall adopt rules to provide that
7 certification requirements for an individual subject to
8 the transition process are based on consideration of
9 previous training, employment history, and experience,
10 and require such individuals to complete the
11 requirements for direct care associate certification
12 within the time frame determined by rule of the board.

13 2. An individual who is registered on or before
14 January 1, 2014, on the Iowa direct care worker
15 registry established by the department of inspections
16 and appeals, is deemed to meet the certification
17 requirements for a health support professional under
18 this division of this Act.

19 3. Notwithstanding sections 147.14 and 147.16,
20 for the initial board of direct care professionals,
21 the governor may appoint, subject to confirmation by
22 the senate, in lieu of the six members required to be
23 direct care professionals and the two members required
24 to be direct care instructors, members with experience
25 and expertise that is substantially equivalent to
26 the professional requirements for a direct care
27 professional or direct care instructor, as applicable.

28 Sec. 104. IMPLEMENTATION. The provisions of this
29 division of this Act shall be implemented as follows:

30 1. The sections of this division of this Act
31 relating to the board of direct care professionals
32 including sections 152F.1 and 152F.5, as enacted in
33 this division of this Act; sections 10A.402, 135.11A,
34 135.31, 147.13, 147.14, 147.80, 147.88, and 272C.1, as
35 amended in this division of this Act, and as specified
36 in the transition provisions; and the section of this
37 division of this Act providing transition provisions
38 relating to the board shall be implemented so that a
39 board of direct care professionals is appointed no
40 later than December 15, 2012.

41 2. The sections of this division of this Act
42 relating to requirements for certification of direct
43 care professionals including sections 152F.2, 152F.3,
44 152F.4, and 152F.6, as enacted in this division of this
45 Act; and sections 147.1, 147.2, and 147.74, as amended
46 in this division of this Act, shall be implemented so
47 that the requirements are applicable beginning no later
48 than January 1, 2014.

49 Sec. 105. FUNDING PROVISIONS.

50 1. The department of public health shall limit the

1 indirect service charge for the board of direct care
2 professionals to not more than fifteen percent.

3 2. It is the intent of the general assembly
4 that the board of direct care professionals be
5 self-sustaining by January 1, 2017.

6 Sec. 106. EFFECTIVE UPON ENACTMENT. This division
7 of this Act, being deemed of immediate importance,
8 takes effect upon enactment.

9 DIVISION XI

10 DISTRIBUTION OF FAMILY PLANNING FUNDS

11 Sec. 107. DISTRIBUTION OF FAMILY PLANNING FUNDS.

12 1. As used in this section, unless the context
13 otherwise requires:

14 a. "Department" means department as defined in
15 section 7E.4.

16 b. "Federally qualified health center" means a
17 health care provider that is eligible for federal
18 funding under 42 U.S.C. § 1396d(1)(2)(B).

19 2. Notwithstanding any other law to the contrary,
20 any expenditure, award, or other distribution of state
21 or federal family planning funds shall be made to
22 eligible applicants in the following order of priority:

23 a. Public entities that provide family planning
24 services including state, county, or local community
25 health clinics and federally qualified health centers.

26 b. Nonpublic entities that, in addition to family
27 planning services, provide required primary health
28 services as described in 42 U.S.C. § 254b(b)(1)(A).

29 c. Nonpublic entities that provide family planning
30 services but do not provide required primary health
31 services as described in 42 U.S.C. § 254b(b)(1)(A).

32 3. A department shall ensure distribution of
33 federal family planning funds in a manner that does not
34 severely limit or eliminate access to family planning
35 services in any region of the state.

36 4. A department shall not distribute state or
37 federal family planning funds under this section to
38 any entity that performs abortions or that maintains
39 or operates a facility where abortions are performed.
40 For the purposes of this section, "abortion" does not
41 include any of the following:

42 a. The treatment of a woman for a physical
43 disorder, physical injury, or physical illness,
44 including a life-endangering physical condition caused
45 by or arising from the pregnancy itself, that would,
46 as certified by a physician, place the woman in danger
47 of death.

48 b. The treatment of a woman for a spontaneous
49 abortion, commonly known as a miscarriage, when not all
50 of the products of conception are expelled.

1 5. State or federal family planning funds
2 distributed in accordance with this section shall not
3 be used for direct or indirect costs, including but not
4 limited to administrative costs or expenses, overhead,
5 employee salaries, rent, and telephone and other
6 utilities, related to providing abortions as specified
7 in subsection 4.

8 6. Any department that distributes state or federal
9 family planning funds shall submit a report to the
10 governor and the general assembly, annually by December
11 31, listing any entities receiving family planning
12 funds as described in subsection 2, paragraph "c", and
13 the amount and type of funds received by such entities
14 during the preceding calendar year. The report shall
15 provide a detailed explanation of how the department
16 determined that distribution of family planning funds
17 to such an entity, instead of to an entity described
18 in subsection 2 paragraph "a" or "b", was necessary to
19 prevent severe limitation or elimination of access to
20 family planning services in the region of the state in
21 which the entity is located.>

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