

Senate File 452

S-3234

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 61, after line 22 by inserting:

5 <DIVISION
6 PUBLIC ASSISTANCE — SUBSTANCE ABUSE SCREENING
7 Sec. ____ . NEW SECTION. 217.14 Public assistance
8 programs — substance abuse screening.

9 1. For the purposes of this section, unless the
10 context otherwise requires:

11 a. "Department" means the department of human
12 services.

13 b. "Public assistance program" means the food
14 assistance program or other food programs under chapter
15 234, the family investment program under chapter 239B,
16 or the medical assistance program under chapter 249A.

17 c. "Substance abuse screening program" or "screening
18 program" means the substance abuse screening program
19 administered pursuant to this section.

20 2. As a condition of eligibility for an adult
21 applicant or adult participant to receive public
22 assistance program benefits, the applicant or
23 participant shall, if not otherwise prohibited by state
24 or federal law, agree to participate in the substance
25 abuse screening program.

26 3. The department shall design and implement a
27 substance abuse screening program for adult applicants
28 for and adult participants in public assistance
29 programs. To the extent authorized under applicable
30 federal requirements, the program shall include but is
31 not limited to all of the following elements:

32 a. Periodic screening of the applicant's or
33 participant's blood or urine for the presence of a
34 controlled substance.

35 b. A blood or urine screening is performed prior to
36 the applicant's initial receipt of public assistance.

37 c. A subsequent blood or urine screening of a
38 participant is performed at least annually with random
39 assignment of a month in which the participant is
40 required to submit to the screening upon receipt of
41 notice from the department.

42 d. The results of the blood or urine screening
43 shall not be admissible in any criminal proceeding
44 without the consent of the person subject to the
45 screening.

46 e. Provision for the cost of the blood or urine
47 screening to be deducted from the public assistance
48 program benefits payable to the applicant or
49 participant.

50 f. Other design, operation, and standards

1 provisions adopted in rule to ensure the program is
2 implemented in a fair and economical manner.
3 4. An adult applicant or adult participant shall be
4 ineligible for public assistance program benefits if
5 any of the following is applicable:
6 a. The applicant or participant does not
7 participate in the substance abuse screening program.
8 b. The applicant or participant tests positive in a
9 substance abuse test administered under the screening
10 program for the presence of either of the following:
11 (1) A substance listed in schedule I under section
12 124.204.
13 (2) A substance listed in schedule II, III, or
14 IV under chapter 124 that was not prescribed for the
15 applicant or participant.
16 c. The applicant or participant tests positive in a
17 substance abuse test administered under the screening
18 program and tests positive in or fails to take a
19 confirmatory test administered within two weeks of the
20 initial test.
21 5. An applicant or recipient ineligible for public
22 assistance benefits under subsection 4 may reapply for
23 the benefits upon successful completion of a substance
24 abuse treatment program approved by the department.>
25 2. By renumbering as necessary.

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