

Senate Amendment to
House File 766

H-1322

1 Amend House File 766, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <DIVISION I

6 DEPARTMENT ON AGING — FY 2019-2020

7 Section 1. DEPARTMENT ON AGING. There is appropriated from
8 the general fund of the state to the department on aging for
9 the fiscal year beginning July 1, 2019, and ending June 30,
10 2020, the following amount, or so much thereof as is necessary,
11 to be used for the purposes designated:

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

23	\$ 11,191,441
24	FTEs 27.00

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

34 2. Of the funds appropriated in this section, \$279,000 is
35 transferred to the economic development authority for the Iowa

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

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

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

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

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

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

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

27 4. Of the funds appropriated in this section, at least
28 \$600,000 shall be used to fund home and community-based
29 services through the area agencies on aging that enable older
30 individuals to avoid more costly utilization of residential or
31 institutional services and remain in their own homes.

32 5. Of the funds appropriated in this section, \$812,000 shall
33 be used for the purposes of [chapter 231E](#) and to administer
34 the prevention of elder abuse, neglect, and exploitation
35 program pursuant to [section 231.56A](#), in accordance with the

1 requirements of the federal Older Americans Act of 1965, 42
2 U.S.C. §3001 et seq., as amended.

3 6. Of the funds appropriated in this section, \$1,000,000
4 shall be used to fund continuation of the aging and disability
5 resource center lifelong links to provide individuals and
6 caregivers with information and services to plan for and
7 maintain independence.

8 7. Of the funds appropriated in this section, \$250,000
9 shall be used by the department on aging, in collaboration with
10 the department of human services and affected stakeholders, to
11 expand the pilot initiative to provide long-term care options
12 counseling utilizing support planning protocols, to assist
13 non-Medicaid eligible consumers who indicate a preference
14 to return to the community and are deemed appropriate for
15 discharge, to return to their community following a nursing
16 facility stay. The department on aging shall submit a report
17 regarding the outcomes of the pilot initiative to the governor
18 and the general assembly by December 15, 2019.

19 DIVISION II

20 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2019-2020

21 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
22 appropriated from the general fund of the state to the office
23 of long-term care ombudsman for the fiscal year beginning July
24 1, 2019, and ending June 30, 2020, the following amount, or
25 so much thereof as is necessary, to be used for the purposes
26 designated:

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

30 \$ 1,149,821
31 FTEs 16.00

32 DIVISION III

33 DEPARTMENT OF PUBLIC HEALTH — FY 2019-2020

34 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
35 from the general fund of the state to the department of public

1 health for the fiscal year beginning July 1, 2019, and ending
2 June 30, 2020, the following amounts, or so much thereof as is
3 necessary, to be used for the purposes designated:

4 1. ADDICTIVE DISORDERS

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

9	\$ 25,110,000	
10	FTEs	12.00

11 a. (1) Of the funds appropriated in this subsection,
12 \$4,021,000 shall be used for the tobacco use prevention
13 and control initiative, including efforts at the state and
14 local levels, as provided in [chapter 142A](#). The commission
15 on tobacco use prevention and control established pursuant
16 to [section 142A.3](#) shall advise the director of public health
17 in prioritizing funding needs and the allocation of moneys
18 appropriated for the programs and initiatives. Activities
19 of the programs and initiatives shall be in alignment with
20 the United States centers for disease control and prevention
21 best practices for comprehensive tobacco control programs that
22 include the goals of preventing youth initiation of tobacco
23 usage, reducing exposure to secondhand smoke, and promotion
24 of tobacco cessation. To maximize resources, the department
25 shall determine if third-party sources are available to
26 instead provide nicotine replacement products to an applicant
27 prior to provision of such products to an applicant under
28 the initiative. The department shall track and report to
29 the individuals specified in this Act, any reduction in
30 the provision of nicotine replacement products realized by
31 the initiative through implementation of the prerequisite
32 screening.

33 (2) (a) The department shall collaborate with the
34 alcoholic beverages division of the department of commerce for
35 enforcement of tobacco laws, regulations, and ordinances and to

1 engage in tobacco control activities approved by the division
2 of tobacco use prevention and control of the department of
3 public health as specified in the memorandum of understanding
4 entered into between the divisions.

5 (b) For the fiscal year beginning July 1, 2019, and ending
6 June 30, 2020, the terms of the memorandum of understanding,
7 entered into between the division of tobacco use prevention
8 and control of the department of public health and the
9 alcoholic beverages division of the department of commerce,
10 governing compliance checks conducted to ensure licensed retail
11 tobacco outlet conformity with tobacco laws, regulations, and
12 ordinances relating to persons under 18 years of age, shall
13 continue to restrict the number of such checks to one check per
14 retail outlet, and one additional check for any retail outlet
15 found to be in violation during the first check.

16 b. (1) Of the funds appropriated in this subsection,
17 \$21,089,000 shall be used for problem gambling and
18 substance-related disorder prevention, treatment, and recovery
19 services, including a 24-hour helpline, public information
20 resources, professional training, youth prevention, and program
21 evaluation.

22 (2) Of the amount allocated under this paragraph, \$306,000
23 shall be utilized by the department of public health, in
24 collaboration with the department of human services, to support
25 establishment and maintenance of a single statewide 24-hour
26 crisis hotline for the Iowa children's behavioral health system
27 that incorporates warmline services which may be provided
28 through expansion of existing capabilities maintained by the
29 department of public health as required pursuant to 2018 Iowa
30 Acts, chapter 1056, section 16.

31 c. The requirement of [section 123.17, subsection 5](#), is met
32 by the appropriations and allocations made in this division of
33 this Act for purposes of substance-related disorder treatment
34 and addictive disorders for the fiscal year beginning July 1,
35 2019.

1 2. HEALTHY CHILDREN AND FAMILIES

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

6 \$ 5,817,057
7 FTEs 14.00

8 a. Of the funds appropriated in this subsection, not more
9 than \$734,000 shall be used for the healthy opportunities for
10 parents to experience success (HOPES)-healthy families Iowa
11 (HFI) program established pursuant to section 135.106. The
12 funding shall be distributed to renew the grants that were
13 provided to the grantees that operated the program during the
14 fiscal year ending June 30, 2018. However, the department
15 shall issue a request for proposals and distribute grants to
16 the grantees selected to operate the program no later than
17 January 1, 2020. The department shall not retain any portion
18 of the allocation under this paragraph for administrative
19 costs.

20 b. In order to implement the legislative intent stated
21 in sections 135.106 and 256I.9, priority for home visitation
22 program funding shall be given to programs using evidence-based
23 or promising models for home visitation.

24 c. Of the funds appropriated in this subsection, \$3,075,000
25 shall be used for continuation of the department's initiative
26 to provide for adequate developmental surveillance and
27 screening during a child's first five years. The funds shall
28 be used first to fully fund the current sites to ensure that
29 the sites are fully operational, with the remaining funds
30 to be used for expansion to additional sites. The full
31 implementation and expansion shall include enhancing the scope
32 of the initiative through collaboration with the child health
33 specialty clinics to promote healthy child development through
34 early identification and response to both biomedical and social
35 determinants of healthy development; by monitoring child

1 health metrics to inform practice, document long-term health
2 impacts and savings, and provide for continuous improvement
3 through training, education, and evaluation; and by providing
4 for practitioner consultation particularly for children with
5 behavioral conditions and needs. The department of public
6 health shall also collaborate with the Iowa Medicaid enterprise
7 and the child health specialty clinics to integrate the
8 activities of the first five initiative into the establishment
9 of patient-centered medical homes, community utilities,
10 accountable care organizations, and other integrated care
11 models developed to improve health quality and population
12 health while reducing health care costs. To the maximum extent
13 possible, funding allocated in this paragraph shall be utilized
14 as matching funds for medical assistance program reimbursement.

15 d. Of the funds appropriated in this subsection, \$64,000
16 shall be distributed to a statewide dental carrier to provide
17 funds to continue the donated dental services program patterned
18 after the projects developed by the lifeline network to provide
19 dental services to indigent individuals who are elderly or with
20 disabilities.

21 e. Of the funds appropriated in this subsection, \$156,000
22 shall be used to provide audiological services and hearing aids
23 for children.

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

32 g. Of the funds appropriated in this subsection, \$50,000
33 shall be used to address youth suicide prevention.

34 h. Of the funds appropriated in this subsection, \$40,000
35 shall be used to support the Iowa effort to address the survey

1 of children who experience adverse childhood experiences known
2 as ACEs.

3 i. Of the funds appropriated in this subsection, up to
4 \$494,000 shall be used for childhood obesity prevention.

5 3. CHRONIC CONDITIONS

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

9	\$	4,223,519
10	FTEs	9.00

11 a. Of the funds appropriated in this subsection, \$153,000
12 shall be used for grants to individual patients who have an
13 inherited metabolic disorder to assist with the costs of
14 medically necessary foods and formula.

15 b. Of the funds appropriated in this subsection, \$1,055,000
16 shall be used for the brain injury services program pursuant
17 to section 135.22B, including \$861,000 for contracting with an
18 existing nationally affiliated and statewide organization whose
19 purpose is to educate, serve, and support Iowans with brain
20 injury and their families, for resource facilitator services
21 in accordance with section 135.22B, subsection 9, and for
22 contracting to enhance brain injury training and recruitment
23 of service providers on a statewide basis. Of the amount
24 allocated in this paragraph, \$95,000 shall be used to fund
25 one full-time equivalent position to serve as the state brain
26 injury services program manager.

27 c. Of the funds appropriated in this subsection, \$144,000
28 shall be used for the public purpose of continuing to contract
29 with an existing nationally affiliated organization to provide
30 education, client-centered programs, and client and family
31 support for people living with epilepsy and their families.
32 The amount allocated in this paragraph in excess of \$50,000
33 shall be matched dollar-for-dollar by the organization
34 specified. Funds allocated under this paragraph shall be
35 distributed in their entirety for the purpose specified on July

1 1, 2019.

2 d. Of the funds appropriated in this subsection, \$809,000
3 shall be used for child health specialty clinics.

4 e. Of the funds appropriated in this subsection, \$384,000
5 shall be used by the regional autism assistance program
6 established pursuant to [section 256.35](#), and administered by
7 the child health specialty clinic located at the university of
8 Iowa hospitals and clinics. The funds shall be used to enhance
9 interagency collaboration and coordination of educational,
10 medical, and other human services for persons with autism,
11 their families, and providers of services, including delivering
12 regionalized services of care coordination, family navigation,
13 and integration of services through the statewide system of
14 regional child health specialty clinics and fulfilling other
15 requirements as specified in [chapter 225D](#). The university of
16 Iowa shall not receive funds allocated under this paragraph for
17 indirect costs associated with the regional autism assistance
18 program.

19 f. Of the funds appropriated in this subsection, \$577,000
20 shall be used for the comprehensive cancer control program to
21 reduce the burden of cancer in Iowa through prevention, early
22 detection, effective treatment, and ensuring quality of life.
23 Of the funds allocated in this paragraph "f", \$150,000 shall
24 be used to support a melanoma research symposium, a melanoma
25 biorepository and registry, basic and translational melanoma
26 research, and clinical trials.

27 g. Of the funds appropriated in this subsection, \$97,000
28 shall be used for cervical and colon cancer screening, and
29 \$177,000 shall be used to enhance the capacity of the cervical
30 cancer screening program to include provision of recommended
31 prevention and early detection measures to a broader range of
32 low-income women.

33 h. Of the funds appropriated in this subsection, \$506,000
34 shall be used for the center for congenital and inherited
35 disorders.

1 4. COMMUNITY CAPACITY

2 For strengthening the health care delivery system at the
3 local level, and for not more than the following full-time
4 equivalent positions:

5 \$ 5,594,677
6 FTEs 13.00

7 a. Of the funds appropriated in this subsection, \$95,000
8 is allocated for continuation of the child vision screening
9 program implemented through the university of Iowa hospitals
10 and clinics in collaboration with early childhood Iowa areas.
11 The program shall submit a report to the department regarding
12 the use of funds allocated under this paragraph "a". The
13 report shall include the objectives and results for the
14 program year including the target population and how the funds
15 allocated assisted the program in meeting the objectives; the
16 number, age, and location within the state of individuals
17 served; the type of services provided to the individuals
18 served; the distribution of funds based on service provided;
19 and the continuing needs of the program.

20 b. Of the funds appropriated in this subsection,
21 \$48,000 shall be used for a grant to a statewide association
22 of psychologists, that is affiliated with the American
23 psychological association, to be used for continuation of a
24 program to rotate intern psychologists in placements in urban
25 and rural mental health professional shortage areas. For the
26 purposes of this paragraph "b", "mental health professional
27 shortage area" means a geographic area in this state that has
28 been designated by the United States department of health and
29 human services, health resources and services administration,
30 bureau of health professionals, as having a shortage of mental
31 health professionals.

32 c. Of the funds appropriated in this subsection, the
33 following amounts are allocated to be used as follows
34 to support the goals of increased access, health system
35 integration, and engagement:

1 (1) Not less than \$600,000 is allocated to the Iowa
2 prescription drug corporation for continuation of the
3 pharmaceutical infrastructure for safety net providers as
4 described in 2007 Iowa Acts, chapter 218, section 108, and for
5 the prescription drug donation repository program created in
6 chapter 135M. Funds allocated under this subparagraph shall
7 be distributed in their entirety for the purpose specified on
8 July 1, 2019.

9 (2) Not less than \$334,000 is allocated to free clinics and
10 free clinics of Iowa for necessary infrastructure, statewide
11 coordination, provider recruitment, service delivery, and
12 provision of assistance to patients in securing a medical home
13 inclusive of oral health care. Funds allocated under this
14 subparagraph shall be distributed in their entirety for the
15 purpose specified on July 1, 2019.

16 (3) Not less than \$25,000 is allocated to the Iowa
17 association of rural health clinics for necessary
18 infrastructure and service delivery transformation. Funds
19 allocated under this subparagraph shall be distributed in their
20 entirety for the purpose specified on July 1, 2019.

21 (4) Not less than \$225,000 is allocated to the Polk county
22 medical society for continuation of the safety net provider
23 patient access to specialty health care initiative as described
24 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
25 under this subparagraph shall be distributed in their entirety
26 for the purpose specified on July 1, 2019.

27 d. Of the funds appropriated in this subsection, \$191,000
28 is allocated for the purposes of health care and public health
29 workforce initiatives.

30 e. Of the funds appropriated in this subsection, \$96,000
31 shall be used for a matching dental education loan repayment
32 program to be allocated to a dental nonprofit health service
33 corporation to continue to develop the criteria and implement
34 the loan repayment program.

35 f. Of the funds appropriated in this subsection, \$100,000

1 shall be used for the purposes of the Iowa donor registry as
2 specified in [section 142C.18](#).

3 g. Of the funds appropriated in this subsection, \$96,000
4 shall be used for continuation of a grant to a nationally
5 affiliated volunteer eye organization that has an established
6 program for children and adults and that is solely dedicated to
7 preserving sight and preventing blindness through education,
8 nationally certified vision screening and training, and
9 community and patient service programs. The contractor shall
10 submit a report to the individuals identified in this Act for
11 submission of reports regarding the use of funds allocated
12 under this paragraph "g". The report shall include the
13 objectives and results for the program year including the
14 target population and how the funds allocated assisted the
15 program in meeting the objectives; the number, age, grade level
16 if appropriate, and location within the state of individuals
17 served; the type of services provided to the individuals
18 served; the distribution of funds based on services provided;
19 and the continuing needs of the program.

20 h. Of the funds appropriated in this subsection, \$2,000,000
21 shall be deposited in the medical residency training account
22 created in section 135.175, subsection 5, paragraph "a", and
23 is appropriated from the account to the department of public
24 health to be used for the purposes of the medical residency
25 training state matching grants program as specified in section
26 135.176.

27 i. Of the funds appropriated in this subsection, \$250,000
28 shall be used for the public purpose of providing funding to
29 Des Moines university to continue a provider education project
30 to provide primary care physicians with the training and skills
31 necessary to recognize the signs of mental illness in patients.

32 j. Of the funds appropriated in this subsection, \$400,000
33 shall be used for rural psychiatric residencies to support the
34 annual creation and training of four psychiatric residents who
35 will provide mental health services in underserved areas of the

1 state.

2 k. Of the funds appropriated in this subsection, \$150,000
3 shall be used for psychiatric training to increase access to
4 mental health care services by expanding the mental health
5 workforce via training of additional physician assistants and
6 nurse practitioners.

7 5. ESSENTIAL PUBLIC HEALTH SERVICES

8 To provide public health services that reduce risks and
9 invest in promoting and protecting good health over the
10 course of a lifetime with a priority given to older Iowans and
11 vulnerable populations:

12 \$ 7,662,464

13 6. INFECTIOUS DISEASES

14 For reducing the incidence and prevalence of communicable
15 diseases, and for not more than the following full-time
16 equivalent positions:

17 \$ 1,796,426

18 FTEs 4.00

19 7. PUBLIC PROTECTION

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

23 \$ 4,093,383

24 FTEs 142.00

25 a. Of the funds appropriated in this subsection, not more
26 than \$304,000 shall be credited to the emergency medical
27 services fund created in [section 135.25](#). Moneys in the
28 emergency medical services fund are appropriated to the
29 department to be used for the purposes of the fund.

30 b. Of the funds appropriated in this subsection, up
31 to \$243,000 shall be used for sexual violence prevention
32 programming through a statewide organization representing
33 programs serving victims of sexual violence through the
34 department's sexual violence prevention program, and for
35 continuation of a training program for sexual assault

1 response team (SART) members, including representatives of
2 law enforcement, victim advocates, prosecutors, and certified
3 medical personnel. However, the department shall issue
4 a request for proposals and execute a contract with the
5 contractor selected to provide the programming and training
6 as specified in this paragraph no later than January 1, 2020.
7 The amount allocated in this paragraph "b" shall not be used
8 to supplant funding administered for other sexual violence
9 prevention or victims assistance programs. The department
10 shall not retain any portion of the allocation under this
11 paragraph for administrative costs.

12 c. Of the funds appropriated in this subsection, up to
13 \$500,000 shall be used for the state poison control center.
14 Pursuant to the directive under 2014 Iowa Acts, chapter
15 1140, section 102, the federal matching funds available to
16 the state poison control center from the department of human
17 services under the federal Children's Health Insurance Program
18 Reauthorization Act allotment shall be subject to the federal
19 administrative cap rule of 10 percent applicable to funding
20 provided under Tit. XXI of the federal Social Security Act and
21 included within the department's calculations of the cap.

22 d. Of the funds appropriated in this subsection, up to
23 \$504,000 shall be used for childhood lead poisoning provisions.

24 8. RESOURCE MANAGEMENT

25 For establishing and sustaining the overall ability of the
26 department to deliver services to the public, and for not more
27 than the following full-time equivalent positions:

28	\$	971,215
29	FTEs	4.00

30 9. MISCELLANEOUS PROVISIONS

31 a. The university of Iowa hospitals and clinics under
32 the control of the state board of regents shall not receive
33 indirect costs from the funds appropriated in this section.
34 The university of Iowa hospitals and clinics billings to the
35 department shall be on at least a quarterly basis.

1 b. The department of public health shall collaborate
2 with applicable stakeholders to review the allocations,
3 grants, and other distributions of funds appropriated under
4 this division of this Act and shall submit a report to the
5 individuals identified in this Act for submission of reports by
6 December 15, 2019, regarding a proposal for the distribution
7 of funds that more clearly reflects the department's stated
8 priorities and goals, provides increased flexibility in the
9 distribution of funds to meet these priorities and goals, and
10 ensures stakeholder accountability and a discernable return on
11 investment.

12 Sec. 4. CONTRACTED SERVICES — PROHIBITED USE OF GENERAL
13 FUND MONEYS FOR LOBBYING.

14 1. The department shall submit a report to the individuals
15 identified in this Act for submission of reports by January 1,
16 2020, regarding the outcomes of any program or activity for
17 which funding is appropriated or allocated from the general
18 fund of the state to the department under this division of
19 this Act, and for which a request for proposals process is
20 specifically required.

21 2. The department shall incorporate into the general
22 conditions applicable to all award documents involving funding
23 appropriated or allocated from the general fund of the state to
24 the department under this division of this Act, a prohibition
25 against the use of such funding for the compensation of a
26 lobbyist. For the purposes of this section, "lobbyist" means
27 the same as defined in section 68B.2; however, "lobbyist"
28 does not include a person employed by a state agency of the
29 executive branch of state government who represents the agency
30 relative to the passage, defeat, approval, or modification of
31 legislation that is being considered by the general assembly.

32 DIVISION IV

33 DEPARTMENT OF VETERANS AFFAIRS — FY 2019-2020

34 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
35 appropriated from the general fund of the state to the

1 department of veterans affairs for the fiscal year beginning
2 July 1, 2019, and ending June 30, 2020, the following amounts,
3 or so much thereof as is necessary, to be used for the purposes
4 designated:

5 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

9	\$	1,225,500
10	FTEs	15.00

11 2. IOWA VETERANS HOME

12 For salaries, support, maintenance, and miscellaneous
13 purposes:

14	\$	7,162,976
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15 a. The Iowa veterans home billings involving the department
16 of human services shall be submitted to the department on at
17 least a monthly basis.

18 b. Within available resources and in conformance with
19 associated state and federal program eligibility requirements,
20 the Iowa veterans home may implement measures to provide
21 financial assistance to or on behalf of veterans or their
22 spouses who are participating in the community reentry program.

23 c. The Iowa veterans home expenditure report shall be
24 submitted monthly to the legislative services agency.

25 d. The Iowa veterans home shall continue to include in the
26 annual discharge report applicant information to provide for
27 the collection of demographic information including but not
28 limited to the number of individuals applying for admission and
29 admitted or denied admittance and the basis for the admission
30 or denial; the age, gender, and race of such individuals;
31 and the level of care for which such individuals applied for
32 admission including residential or nursing level of care.

33 3. HOME OWNERSHIP ASSISTANCE PROGRAM

34 For transfer to the Iowa finance authority for the
35 continuation of the home ownership assistance program for

1 persons who are or were eligible members of the armed forces of
2 the United States, pursuant to [section 16.54](#):

3 \$ 2,000,000

4 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
5 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
6 appropriation in [section 35A.16](#) for the fiscal year beginning
7 July 1, 2019, and ending June 30, 2020, the amount appropriated
8 from the general fund of the state pursuant to that section
9 for the following designated purposes shall not exceed the
10 following amount:

11 For the county commissions of veteran affairs fund under
12 section 35A.16:

13 \$ 990,000

14 DIVISION V

15 DEPARTMENT OF HUMAN SERVICES — FY 2019-2020

16 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
17 GRANT. There is appropriated from the fund created in section
18 8.41 to the department of human services for the fiscal year
19 beginning July 1, 2019, and ending June 30, 2020, from moneys
20 received under the federal temporary assistance for needy
21 families (TANF) block grant pursuant to the federal Personal
22 Responsibility and Work Opportunity Reconciliation Act of 1996,
23 Pub. L. No. 104-193, and successor legislation, the following
24 amounts, or so much thereof as is necessary, to be used for the
25 purposes designated:

26 1. To be credited to the family investment program account
27 and used for assistance under the family investment program
28 under [chapter 239B](#):

29 \$ 4,524,006

30 2. To be credited to the family investment program account
31 and used for the job opportunities and basic skills (JOBS)
32 program and implementing family investment agreements in
33 accordance with [chapter 239B](#):

34 \$ 5,412,060

35 3. To be used for the family development and

1 self-sufficiency grant program in accordance with section
2 216A.107:
3 \$ 2,898,980

4 Notwithstanding section 8.33, moneys appropriated in this
5 subsection that remain unencumbered or unobligated at the close
6 of the fiscal year shall not revert but shall remain available
7 for expenditure for the purposes designated until the close of
8 the succeeding fiscal year. However, unless such moneys are
9 encumbered or obligated on or before September 30, 2020, the
10 moneys shall revert.

11 4. For field operations:
12 \$ 31,296,232

13 5. For general administration:
14 \$ 3,744,000

15 6. For state child care assistance:
16 \$ 47,166,826

17 a. Of the funds appropriated in this subsection,
18 \$26,205,412 is transferred to the child care and development
19 block grant appropriation made by the Eighty-eighth General
20 Assembly, 2019 session, for the federal fiscal year beginning
21 October 1, 2019, and ending September 30, 2020. Of this
22 amount, \$200,000 shall be used for provision of educational
23 opportunities to registered child care home providers in order
24 to improve services and programs offered by this category
25 of providers and to increase the number of providers. The
26 department may contract with institutions of higher education
27 or child care resource and referral centers to provide
28 the educational opportunities. Allowable administrative
29 costs under the contracts shall not exceed 5 percent. The
30 application for a grant shall not exceed two pages in length.

31 b. Any funds appropriated in this subsection remaining
32 unallocated shall be used for state child care assistance
33 payments for families who are employed including but not
34 limited to individuals enrolled in the family investment
35 program.

1 7. For child and family services:
2 \$ 32,380,654

3 8. For child abuse prevention grants:
4 \$ 125,000

5 9. For pregnancy prevention grants on the condition that
6 family planning services are funded:
7 \$ 1,913,203

8 Pregnancy prevention grants shall be awarded to programs
9 in existence on or before July 1, 2019, if the programs have
10 demonstrated positive outcomes. Grants shall be awarded to
11 pregnancy prevention programs which are developed after July
12 1, 2019, if the programs are based on existing models that
13 have demonstrated positive outcomes. Grants shall comply with
14 the requirements provided in 1997 Iowa Acts, chapter 208,
15 section 14, subsections 1 and 2, including the requirement that
16 grant programs must emphasize sexual abstinence. Priority in
17 the awarding of grants shall be given to programs that serve
18 areas of the state which demonstrate the highest percentage of
19 unplanned pregnancies of females of childbearing age within the
20 geographic area to be served by the grant.

21 10. For technology needs and other resources necessary
22 to meet federal welfare reform reporting, tracking, and case
23 management requirements:
24 \$ 1,037,186

25 11. a. Notwithstanding any provision to the contrary,
26 including but not limited to requirements in [section 8.41](#) or
27 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the
28 receipt and appropriation of federal block grants, federal
29 funds from the temporary assistance for needy families block
30 grant received by the state and not otherwise appropriated
31 in this section and remaining available for the fiscal year
32 beginning July 1, 2019, are appropriated to the department of
33 human services to the extent as may be necessary to be used in
34 the following priority order: the family investment program,
35 for state child care assistance program payments for families

1 who are employed, and for the family investment program share
2 of system costs for eligibility determination and related
3 functions. The federal funds appropriated in this paragraph
4 "a" shall be expended only after all other funds appropriated
5 in subsection 1 for assistance under the family investment
6 program, in subsection 6 for state child care assistance, or
7 in subsection 10 for technology costs related to the family
8 investment program, as applicable, have been expended. For
9 the purposes of this subsection, the funds appropriated in
10 subsection 6, paragraph "a", for transfer to the child care
11 and development block grant appropriation are considered fully
12 expended when the full amount has been transferred.

13 b. The department shall, on a quarterly basis, advise the
14 legislative services agency and department of management of
15 the amount of funds appropriated in this subsection that was
16 expended in the prior quarter.

17 12. Of the amounts appropriated in this section,
18 \$12,962,008 for the fiscal year beginning July 1, 2019, is
19 transferred to the appropriation of the federal social services
20 block grant made to the department of human services for that
21 fiscal year.

22 13. For continuation of the program providing categorical
23 eligibility for the food assistance program as specified
24 for the program in the section of this division of this Act
25 relating to the family investment program account:

26 \$ 14,236

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

35 15. With the exception of moneys allocated under this

1 section for the family development and self-sufficiency grant
2 program, to the extent moneys allocated in this section are
3 deemed by the department not to be necessary to support the
4 purposes for which they are allocated, such moneys may be
5 used in the same fiscal year for any other purpose for which
6 funds are allocated in this section or in section 8 of this
7 division for the family investment program account. If there
8 are conflicting needs, priority shall first be given to the
9 family investment program account as specified under subsection
10 1 of this section and used for the purposes of assistance under
11 the family investment program in accordance with [chapter 239B](#),
12 followed by state child care assistance program payments for
13 families who are employed, followed by other priorities as
14 specified by the department.

15 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

16 1. Moneys credited to the family investment program (FIP)
17 account for the fiscal year beginning July 1, 2019, and
18 ending June 30, 2020, shall be used to provide assistance in
19 accordance with [chapter 239B](#).

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

23 3. The department may transfer funds allocated in
24 subsection 4, excluding the allocation under subsection 4,
25 paragraph "b", to the appropriations made in this division of
26 this Act for the same fiscal year for general administration
27 and field operations for resources necessary to implement
28 and operate the services referred to in this section and
29 those funded in the appropriations made in section 7 for the
30 temporary assistance for needy families block grant and in
31 section 9 for the family investment program from the general
32 fund of the state in this division of this Act for the same
33 fiscal year.

34 4. Moneys appropriated in this division of this Act and
35 credited to the FIP account for the fiscal year beginning July

1 1, 2019, and ending June 30, 2020, are allocated as follows:

2 a. To be retained by the department of human services to
3 be used for coordinating with the department of human rights
4 to more effectively serve participants in FIP and other shared
5 clients and to meet federal reporting requirements under the
6 federal temporary assistance for needy families block grant:

7 \$ 20,000

8 b. To the department of human rights for staffing,
9 administration, and implementation of the family development
10 and self-sufficiency grant program in accordance with section
11 216A.107:

12 \$ 6,192,834

13 (1) Of the funds allocated for the family development
14 and self-sufficiency grant program in this paragraph "b",
15 not more than 5 percent of the funds shall be used for the
16 administration of the grant program.

17 (2) The department of human rights may continue to implement
18 the family development and self-sufficiency grant program
19 statewide during fiscal year 2019-2020.

20 (3) The department of human rights may engage in activities
21 to strengthen and improve family outcomes measures and
22 data collection systems under the family development and
23 self-sufficiency grant program.

24 c. For the diversion subaccount of the FIP account:

25 \$ 815,000

26 A portion of the moneys allocated for the diversion
27 subaccount may be used for field operations, salaries, data
28 management system development, and implementation costs and
29 support deemed necessary by the director of human services
30 in order to administer the FIP diversion program. To the
31 extent moneys allocated in this paragraph "c" are deemed by the
32 department not to be necessary to support diversion activities,
33 such moneys may be used for other efforts intended to increase
34 engagement by family investment program participants in work,
35 education, or training activities, or for the purposes of

1 assistance under the family investment program in accordance
2 with [chapter 239B](#).

3 d. For the food assistance employment and training program:
4 \$ 66,588

5 (1) The department shall apply the federal supplemental
6 nutrition assistance program (SNAP) employment and training
7 state plan in order to maximize to the fullest extent permitted
8 by federal law the use of the 50 percent federal reimbursement
9 provisions for the claiming of allowable federal reimbursement
10 funds from the United States department of agriculture
11 pursuant to the federal SNAP employment and training program
12 for providing education, employment, and training services
13 for eligible food assistance program participants, including
14 but not limited to related dependent care and transportation
15 expenses.

16 (2) The department shall continue the categorical federal
17 food assistance program eligibility at 160 percent of the
18 federal poverty level and continue to eliminate the asset test
19 from eligibility requirements, consistent with federal food
20 assistance program requirements. The department shall include
21 as many food assistance households as is allowed by federal
22 law. The eligibility provisions shall conform to all federal
23 requirements including requirements addressing individuals who
24 are incarcerated or otherwise ineligible.

25 e. For the JOBS program:
26 \$ 12,018,258

27 5. Of the child support collections assigned under FIP,
28 an amount equal to the federal share of support collections
29 shall be credited to the child support recovery appropriation
30 made in this division of this Act. Of the remainder of the
31 assigned child support collections received by the child
32 support recovery unit, a portion shall be credited to the FIP
33 account, a portion may be used to increase recoveries, and a
34 portion may be used to sustain cash flow in the child support
35 payments account. If as a consequence of the appropriations

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

9 6. The department may adopt emergency rules for the family
10 investment, JOBS, food assistance, and medical assistance
11 programs if necessary to comply with federal requirements.

12 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
13 is appropriated from the general fund of the state to the
14 department of human services for the fiscal year beginning July
15 1, 2019, and ending June 30, 2020, the following amount, or
16 so much thereof as is necessary, to be used for the purpose
17 designated:

18 To be credited to the family investment program (FIP)
19 account and used for family investment program assistance under
20 chapter 239B:

21 \$ 40,365,037

22 1. Of the funds appropriated in this section, \$6,606,198 is
23 allocated for the JOBS program.

24 2. Of the funds appropriated in this section, \$3,313,854 is
25 allocated for the family development and self-sufficiency grant
26 program.

27 3. a. Notwithstanding [section 8.39](#), for the fiscal
28 year beginning July 1, 2019, if necessary to meet federal
29 maintenance of effort requirements or to transfer federal
30 temporary assistance for needy families block grant funding
31 to be used for purposes of the federal social services block
32 grant or to meet cash flow needs resulting from delays in
33 receiving federal funding or to implement, in accordance with
34 this division of this Act, activities currently funded with
35 juvenile court services, county, or community moneys and state

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

- 11 (1) For the family investment program.
- 12 (2) For state child care assistance.
- 13 (3) For child and family services.
- 14 (4) For field operations.
- 15 (5) For general administration.

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

20 4. Of the funds appropriated in this section, \$195,000 shall
21 be used for continuation of a grant to an Iowa-based nonprofit
22 organization with a history of providing tax preparation
23 assistance to low-income Iowans in order to expand the usage
24 of the earned income tax credit. The purpose of the grant is
25 to supply this assistance to underserved areas of the state.
26 However, the department shall issue a request for proposals and
27 execute a contract with the contractor selected to administer
28 the program no later than January 1, 2020. The department
29 shall not retain any portion of the allocation under this
30 subsection for administrative costs.

31 5. Of the funds appropriated in this section, \$70,000 shall
32 be used for the continuation of the parenting program, as
33 specified in 441 IAC ch. 100, relating to parental obligations,
34 in which the child support recovery unit participates, to
35 support the efforts of a nonprofit organization committed

1 to strengthening the community through youth development,
2 healthy living, and social responsibility headquartered in
3 a county with a population over 350,000 according to the
4 latest certified federal census. The funds allocated in this
5 subsection shall be used by the recipient organization to
6 develop a larger community effort, through public and private
7 partnerships, to support a broad-based multi-county parenthood
8 initiative that promotes payment of child support obligations,
9 improved family relationships, and full-time employment.

10 6. The department may transfer funds appropriated in this
11 section, excluding the allocation in subsection 2 for the
12 family development and self-sufficiency grant program, to the
13 appropriations made in this division of this Act for general
14 administration and field operations as necessary to administer
15 this section, section 7 for the temporary assistance for needy
16 families block grant, and section 8 for the family investment
17 program account.

18 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2019, and ending
21 June 30, 2020, the following amount, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 For child support recovery, including salaries, support,
24 maintenance, and miscellaneous purposes, and for not more than
25 the following full-time equivalent positions:

26	\$ 14,749,368
27	FTEs 459.00

28 1. The department shall expend up to \$24,000, including
29 federal financial participation, for the fiscal year beginning
30 July 1, 2019, for a child support public awareness campaign.
31 The department and the office of the attorney general shall
32 cooperate in continuation of the campaign. The public
33 awareness campaign shall emphasize, through a variety of
34 media activities, the importance of maximum involvement of
35 both parents in the lives of their children as well as the

1 importance of payment of child support obligations.

2 2. Federal access and visitation grant moneys shall be
3 issued directly to private not-for-profit agencies that provide
4 services designed to increase compliance with the child access
5 provisions of court orders, including but not limited to
6 neutral visitation sites and mediation services.

7 3. The appropriation made to the department for child
8 support recovery may be used throughout the fiscal year in the
9 manner necessary for purposes of cash flow management, and for
10 cash flow management purposes the department may temporarily
11 draw more than the amount appropriated, provided the amount
12 appropriated is not exceeded at the close of the fiscal year.

13 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
14 FY 2019-2020. Any funds remaining in the health care trust
15 fund created in [section 453A.35A](#) for the fiscal year beginning
16 July 1, 2019, and ending June 30, 2020, are appropriated to
17 the department of human services to supplement the medical
18 assistance program appropriations made in this division of this
19 Act, for medical assistance reimbursement and associated costs,
20 including program administration and costs associated with
21 program implementation.

22 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
23 2019-2020. Any funds remaining in the Medicaid fraud fund
24 created in [section 249A.50](#) for the fiscal year beginning
25 July 1, 2019, and ending June 30, 2020, are appropriated to
26 the department of human services to supplement the medical
27 assistance appropriations made in this division of this Act,
28 for medical assistance reimbursement and associated costs,
29 including program administration and costs associated with
30 program implementation.

31 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the
32 general fund of the state to the department of human services
33 for the fiscal year beginning July 1, 2019, and ending June 30,
34 2020, the following amount, or so much thereof as is necessary,
35 to be used for the purpose designated:

1 For medical assistance program reimbursement and associated
2 costs as specifically provided in the reimbursement
3 methodologies in effect on June 30, 2019, except as otherwise
4 expressly authorized by law, consistent with options under
5 federal law and regulations, and contingent upon receipt of
6 approval from the office of the governor of reimbursement for
7 each abortion performed under the program:

8 \$ 1,427,379,707

9 1. Iowans support reducing the number of abortions
10 performed in our state. Funds appropriated under this section
11 shall not be used for abortions, unless otherwise authorized
12 under this section.

13 2. The provisions of this section relating to abortions
14 shall also apply to the Iowa health and wellness plan created
15 pursuant to [chapter 249N](#).

16 3. The department shall utilize not more than \$60,000 of
17 the funds appropriated in this section to continue the AIDS/HIV
18 health insurance premium payment program as established in 1992
19 Iowa Acts, Second Extraordinary Session, chapter 1001, section
20 409, subsection 6. Of the funds allocated in this subsection,
21 not more than \$5,000 may be expended for administrative
22 purposes.

23 4. Of the funds appropriated in this Act to the department
24 of public health for addictive disorders, \$950,000 for
25 the fiscal year beginning July 1, 2019, is transferred
26 to the department of human services for an integrated
27 substance-related disorder managed care system. The
28 departments of human services and public health shall
29 work together to maintain the level of mental health and
30 substance-related disorder treatment services provided by the
31 managed care contractors. Each department shall take the steps
32 necessary to continue the federal waivers as necessary to
33 maintain the level of services.

34 5. a. The department shall aggressively pursue options for
35 providing medical assistance or other assistance to individuals

1 with special needs who become ineligible to continue receiving
2 services under the early and periodic screening, diagnostic,
3 and treatment program under the medical assistance program
4 due to becoming 21 years of age who have been approved for
5 additional assistance through the department's exception to
6 policy provisions, but who have health care needs in excess
7 of the funding available through the exception to policy
8 provisions.

9 b. Of the funds appropriated in this section, \$100,000
10 shall be used for participation in one or more pilot projects
11 operated by a private provider to allow the individual or
12 individuals to receive service in the community in accordance
13 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
14 (1999), for the purpose of providing medical assistance or
15 other assistance to individuals with special needs who become
16 ineligible to continue receiving services under the early and
17 periodic screening, diagnostic, and treatment program under
18 the medical assistance program due to becoming 21 years of
19 age who have been approved for additional assistance through
20 the department's exception to policy provisions, but who have
21 health care needs in excess of the funding available through
22 the exception to the policy provisions.

23 6. Of the funds appropriated in this section, up to
24 \$3,050,082 may be transferred to the field operations or
25 general administration appropriations in this division of this
26 Act for operational costs associated with Part D of the federal
27 Medicare Prescription Drug Improvement and Modernization Act
28 of 2003, Pub. L. No. 108-173.

29 7. Of the funds appropriated in this section, up to \$442,100
30 may be transferred to the appropriation in this division
31 of this Act for medical contracts to be used for clinical
32 assessment services and prior authorization of services.

33 8. A portion of the funds appropriated in this section
34 may be transferred to the appropriations in this division of
35 this Act for general administration, medical contracts, the

1 children's health insurance program, or field operations to be
2 used for the state match cost to comply with the payment error
3 rate measurement (PERM) program for both the medical assistance
4 and children's health insurance programs as developed by the
5 centers for Medicare and Medicaid services of the United States
6 department of health and human services to comply with the
7 federal Improper Payments Information Act of 2002, Pub. L.
8 No. 107-300, and to support other reviews and quality control
9 activities to improve the integrity of these programs.

10 9. The department shall continue to implement the
11 recommendations of the assuring better child health and
12 development initiative II (ABCDII) clinical panel to the
13 Iowa early and periodic screening, diagnostic, and treatment
14 services healthy mental development collaborative board
15 regarding changes to billing procedures, codes, and eligible
16 service providers.

17 10. Of the funds appropriated in this section, a sufficient
18 amount is allocated to supplement the incomes of residents of
19 nursing facilities, intermediate care facilities for persons
20 with mental illness, and intermediate care facilities for
21 persons with an intellectual disability, with incomes of less
22 than \$50 in the amount necessary for the residents to receive a
23 personal needs allowance of \$50 per month pursuant to section
24 249A.30A.

25 11. a. Hospitals that meet the conditions specified
26 in subparagraphs (1) and (2) shall either certify public
27 expenditures or transfer to the medical assistance program
28 an amount equal to provide the nonfederal share for a
29 disproportionate share hospital payment in an amount up to the
30 hospital-specific limit as approved in the Medicaid state plan.
31 The hospitals that meet the conditions specified shall receive
32 and retain 100 percent of the total disproportionate share
33 hospital payment in an amount up to the hospital-specific limit
34 as approved in the Medicaid state plan.

35 (1) The hospital qualifies for disproportionate share and

1 graduate medical education payments.

2 (2) The hospital is an Iowa state-owned hospital with more
3 than 500 beds and eight or more distinct residency specialty
4 or subspecialty programs recognized by the American college of
5 graduate medical education.

6 b. Distribution of the disproportionate share payments
7 shall be made on a monthly basis. The total amount of
8 disproportionate share payments including graduate medical
9 education, enhanced disproportionate share, and Iowa
10 state-owned teaching hospital payments shall not exceed the
11 amount of the state's allotment under Pub. L. No. 102-234.
12 In addition, the total amount of all disproportionate
13 share payments shall not exceed the hospital-specific
14 disproportionate share limits under Pub. L. No. 103-66.

15 12. One hundred percent of the nonfederal share of payments
16 to area education agencies that are medical assistance
17 providers for medical assistance-covered services provided to
18 medical assistance-covered children, shall be made from the
19 appropriation made in this section.

20 13. A portion of the funds appropriated in this section
21 may be transferred to the appropriation in this division of
22 this Act for medical contracts to be used for administrative
23 activities associated with the money follows the person
24 demonstration project.

25 14. Of the funds appropriated in this section, \$349,011
26 shall be used for the administration of the health insurance
27 premium payment program, including salaries, support,
28 maintenance, and miscellaneous purposes.

29 15. a. The department may increase the amounts allocated
30 for salaries, support, maintenance, and miscellaneous purposes
31 associated with the medical assistance program, as necessary,
32 to sustain cost management efforts. The department shall
33 report any such increase to the legislative services agency and
34 the department of management.

35 b. If the savings to the medical assistance program from

1 ongoing cost management efforts exceed the associated cost
2 for the fiscal year beginning July 1, 2019, the department
3 may transfer any savings generated for the fiscal year due
4 to medical assistance program cost management efforts to the
5 appropriation made in this division of this Act for medical
6 contracts or general administration to defray the costs
7 associated with implementing the efforts.

8 16. For the fiscal year beginning July 1, 2019, and ending
9 June 30, 2020, the replacement generation tax revenues required
10 to be deposited in the property tax relief fund pursuant to
11 section 437A.8, subsection 4, paragraph "d", and section
12 437A.15, subsection 3, paragraph "f", shall instead be credited
13 to and supplement the appropriation made in this section and
14 used for the allocations made in this section.

15 17. a. Of the funds appropriated in this section, up
16 to \$50,000 may be transferred by the department to the
17 appropriation made in this division of this Act to the
18 department for the same fiscal year for general administration
19 to be used for associated administrative expenses and for not
20 more than one full-time equivalent position, in addition to
21 those authorized for the same fiscal year, to be assigned to
22 implementing the children's mental health home project.

23 b. Of the funds appropriated in this section, up to \$400,000
24 may be transferred by the department to the appropriation made
25 to the department in this division of this Act for the same
26 fiscal year for Medicaid program-related general administration
27 planning and implementation activities. The funds may be used
28 for contracts or for personnel in addition to the amounts
29 appropriated for and the positions authorized for general
30 administration for the fiscal year.

31 c. Of the funds appropriated in this section, up to
32 \$3,000,000 may be transferred by the department to the
33 appropriations made in this division of this Act for the same
34 fiscal year for general administration or medical contracts
35 to be used to support the development and implementation of

1 standardized assessment tools for persons with mental illness,
2 an intellectual disability, a developmental disability, or a
3 brain injury.

4 18. Of the funds appropriated in this section, \$150,000
5 shall be used for lodging expenses associated with care
6 provided at the university of Iowa hospitals and clinics for
7 patients with cancer whose travel distance is 30 miles or more
8 and whose income is at or below 200 percent of the federal
9 poverty level as defined by the most recently revised poverty
10 income guidelines published by the United States department of
11 health and human services. The department of human services
12 shall establish the maximum number of overnight stays and the
13 maximum rate reimbursed for overnight lodging, which may be
14 based on the state employee rate established by the department
15 of administrative services. The funds allocated in this
16 subsection shall not be used as nonfederal share matching
17 funds.

18 19. Of the funds appropriated in this section, up to
19 \$3,383,880 shall be used for administration of the state family
20 planning services program pursuant to section 217.41B, and
21 of this amount, the department may use up to \$200,000 for
22 administrative expenses.

23 20. Of the funds appropriated in this section, \$1,545,530
24 shall be used and may be transferred to other appropriations
25 in this division of this Act as necessary to administer the
26 provisions in the division of this Act relating to Medicaid
27 program administration.

28 21. The department shall continue to implement and
29 administer the provisions of 2018 Iowa Acts, chapter 1056.
30 Of the funds appropriated in this section, up to \$39,069 may
31 be transferred to the department of inspections and appeals
32 for inspection costs related to such implementation and
33 administration.

34 22. Of the funds appropriated in this section, up to
35 \$1,200,000 shall be used to implement reductions in the waiting

1 list for the children's mental health home and community-based
2 services waiver.

3 23. Of the funds appropriated in this section, \$1,500,000
4 shall be used to provide reimbursement to critical access
5 hospitals for inpatient and outpatient services based on
6 a critical access hospital adjustment factor methodology
7 developed by the department as provided in this division of
8 this Act.

9 24. The department of human services shall utilize
10 \$1,000,000 of the funds appropriated under this section to
11 increase the current supported community living provider
12 daily rates for all tiers under the tiered rate reimbursement
13 methodology effective with dates of service beginning July
14 1, 2019. The funding amount shall be divided equally among
15 all tiers and applied within each tier in accordance with the
16 recommendations of the actuary. However, no resulting rates
17 shall be lower than the rates in effect on June 30, 2019.

18 Sec. 14. MEDICAL CONTRACTS. There is appropriated from the
19 general fund of the state to the department of human services
20 for the fiscal year beginning July 1, 2019, and ending June 30,
21 2020, the following amount, or so much thereof as is necessary,
22 to be used for the purpose designated:

23 For medical contracts:

24 \$ 17,992,530

25 1. The department of inspections and appeals shall
26 provide all state matching funds for survey and certification
27 activities performed by the department of inspections
28 and appeals. The department of human services is solely
29 responsible for distributing the federal matching funds for
30 such activities.

31 2. Of the funds appropriated in this section, \$50,000 shall
32 be used for continuation of home and community-based services
33 waiver quality assurance programs, including the review and
34 streamlining of processes and policies related to oversight and
35 quality management to meet state and federal requirements.

1 3. Of the amount appropriated in this section, up to
2 \$200,000 may be transferred to the appropriation for general
3 administration in this division of this Act to be used for
4 additional full-time equivalent positions in the development
5 of key health initiatives such as development and oversight
6 of managed care programs and development of health strategies
7 targeted toward improved quality and reduced costs in the
8 Medicaid program.

9 4. Of the funds appropriated in this section, \$1,000,000
10 shall be used for planning and development, in cooperation with
11 the department of public health, of a phased-in program to
12 provide a dental home for children.

13 5. a. Of the funds appropriated in this section, \$573,000
14 shall be credited to the autism support program fund created
15 in [section 225D.2](#) to be used for the autism support program
16 created in [chapter 225D](#), with the exception of the following
17 amount of this allocation which shall be used as follows:

18 b. Of the funds allocated in this subsection, \$25,000 shall
19 be used for the public purpose of continuation of a grant to a
20 nonprofit provider of child welfare services that has been in
21 existence for more than 115 years, is located in a county with
22 a population between 200,000 and 220,000 according to the most
23 recent federal decennial census, is licensed as a psychiatric
24 medical institution for children, and provides school-based
25 programming, to be used for support services for children with
26 autism spectrum disorder and their families.

27 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

28 1. There is appropriated from the general fund of the
29 state to the department of human services for the fiscal year
30 beginning July 1, 2019, and ending June 30, 2020, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purpose designated:

33 For the state supplementary assistance program:

34 \$ 7,812,909

35 2. The department shall increase the personal needs

1 allowance for residents of residential care facilities by the
2 same percentage and at the same time as federal supplemental
3 security income and federal social security benefits are
4 increased due to a recognized increase in the cost of living.
5 The department may adopt emergency rules to implement this
6 subsection.

7 3. If during the fiscal year beginning July 1, 2019,
8 the department projects that state supplementary assistance
9 expenditures for a calendar year will not meet the federal
10 pass-through requirement specified in Tit. XVI of the federal
11 Social Security Act, section 1618, as codified in 42 U.S.C.
12 §1382g, the department may take actions including but not
13 limited to increasing the personal needs allowance for
14 residential care facility residents and making programmatic
15 adjustments or upward adjustments of the residential care
16 facility or in-home health-related care reimbursement rates
17 prescribed in this division of this Act to ensure that federal
18 requirements are met. In addition, the department may make
19 other programmatic and rate adjustments necessary to remain
20 within the amount appropriated in this section while ensuring
21 compliance with federal requirements. The department may adopt
22 emergency rules to implement the provisions of this subsection.

23 4. Notwithstanding [section 8.33](#), moneys appropriated in
24 this section that remain unencumbered or unobligated at the
25 close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated until the
27 close of the succeeding fiscal year.

28 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

29 1. There is appropriated from the general fund of the
30 state to the department of human services for the fiscal year
31 beginning July 1, 2019, and ending June 30, 2020, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For maintenance of the healthy and well kids in Iowa (hawk-i)
35 program pursuant to [chapter 514I](#), including supplemental dental

1 services, for receipt of federal financial participation under
2 Tit. XXI of the federal Social Security Act, which creates the
3 children's health insurance program:

4 \$ 19,361,112

5 2. Of the funds appropriated in this section, \$79,486 is
6 allocated for continuation of the contract for outreach with
7 the department of public health.

8 3. A portion of the funds appropriated in this section may
9 be transferred to the appropriations made in this division of
10 this Act for field operations or medical contracts to be used
11 for the integration of hawk-i program eligibility, payment, and
12 administrative functions under the purview of the department
13 of human services, including for the Medicaid management
14 information system upgrade.

15 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
16 from the general fund of the state to the department of human
17 services for the fiscal year beginning July 1, 2019, and ending
18 June 30, 2020, the following amount, or so much thereof as is
19 necessary, to be used for the purpose designated:

20 For child care programs:

21 \$ 40,816,931

22 1. Of the funds appropriated in this section, \$34,966,931
23 shall be used for state child care assistance in accordance
24 with [section 237A.13](#).

25 2. Nothing in this section shall be construed or is
26 intended as or shall imply a grant of entitlement for services
27 to persons who are eligible for assistance due to an income
28 level consistent with the waiting list requirements of section
29 237A.13. Any state obligation to provide services pursuant to
30 this section is limited to the extent of the funds appropriated
31 in this section.

32 3. A list of the registered and licensed child care
33 facilities operating in the area served by a child care
34 resource and referral service shall be made available to the
35 families receiving state child care assistance in that area.

1 4. Of the funds appropriated in this section, \$5,850,000
2 shall be credited to the early childhood programs grants
3 account in the early childhood Iowa fund created in section
4 256I.11. The moneys shall be distributed for funding of
5 community-based early childhood programs targeted to children
6 from birth through five years of age developed by early
7 childhood Iowa areas in accordance with approved community
8 plans as provided in [section 256I.8](#).

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

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

28 7. If a uniform reduction ordered by the governor under
29 section 8.31 or other operation of law, transfer, or federal
30 funding reduction reduces the appropriation made in this
31 section for the fiscal year, the percentage reduction in the
32 amount paid out to or on behalf of the families participating
33 in the state child care assistance program shall be equal to or
34 less than the percentage reduction made for any other purpose
35 payable from the appropriation made in this section and the

1 federal funding relating to it. The percentage reduction to
2 the other allocations made in this section shall be the same as
3 the uniform reduction ordered by the governor or the percentage
4 change of the federal funding reduction, as applicable. If
5 there is an unanticipated increase in federal funding provided
6 for state child care services, the entire amount of the
7 increase, except as necessary to meet federal requirements
8 including quality set asides, shall be used for state child
9 care assistance payments. If the appropriations made for
10 purposes of the state child care assistance program for the
11 fiscal year are determined to be insufficient, it is the intent
12 of the general assembly to appropriate sufficient funding for
13 the fiscal year in order to avoid establishment of waiting list
14 requirements.

15 8. Notwithstanding [section 8.33](#), moneys advanced for
16 purposes of the programs developed by early childhood Iowa
17 areas, advanced for purposes of wraparound child care, or
18 received from the federal appropriations made for the purposes
19 of this section that remain unencumbered or unobligated at the
20 close of the fiscal year shall not revert to any fund but shall
21 remain available for expenditure for the purposes designated
22 until the close of the succeeding fiscal year.

23 Sec. 18. JUVENILE INSTITUTION. There is appropriated
24 from the general fund of the state to the department of human
25 services for the fiscal year beginning July 1, 2019, and ending
26 June 30, 2020, the following amounts, or so much thereof as is
27 necessary, to be used for the purposes designated:

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

32 \$ 13,920,757
33 FTEs 207.00

34 b. Of the funds appropriated in this subsection, \$91,000
35 shall be used for distribution to licensed classroom teachers

1 at this and other institutions under the control of the
2 department of human services based upon the average student
3 yearly enrollment at each institution as determined by the
4 department.

5 c. The additional full-time equivalent positions authorized
6 in paragraph "a" shall include 1.00 youth services technician,
7 1.00 clinical supervisor, and 1.00 registered nurse, or
8 comparable additional, full-time equivalent positions.

9 2. A portion of the moneys appropriated in this section
10 shall be used by the state training school at Eldora for
11 grants for adolescent pregnancy prevention activities at the
12 institution in the fiscal year beginning July 1, 2019.

13 3. Of the funds appropriated in this subsection, \$212,000
14 shall be used by the state training school at Eldora for a
15 substance use disorder treatment program at the institution for
16 the fiscal year beginning July 1, 2019.

17 4. Notwithstanding [section 8.33](#), moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 Sec. 19. CHILD AND FAMILY SERVICES.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2019, and ending June 30, 2020, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purpose designated:

28 For child and family services:

29 \$ 89,071,761

30 2. The department may transfer funds appropriated in this
31 section as necessary to pay the nonfederal costs of services
32 reimbursed under the medical assistance program, state child
33 care assistance program, or the family investment program which
34 are provided to children who would otherwise receive services
35 paid under the appropriation in this section. The department

1 may transfer funds appropriated in this section to the
2 appropriations made in this division of this Act for general
3 administration and for field operations for resources necessary
4 to implement and operate the services funded in this section.

5 3. a. Of the funds appropriated in this section, up to
6 \$34,536,000 is allocated as the statewide expenditure target
7 under [section 232.143](#) for group foster care maintenance and
8 services. If the department projects that such expenditures
9 for the fiscal year will be less than the target amount
10 allocated in this paragraph "a", the department may reallocate
11 the excess to provide additional funding for family foster
12 care, independent living, family safety, risk and permanency
13 services, shelter care, or the child welfare emergency services
14 addressed with the allocation for shelter care.

15 b. If at any time after September 30, 2019, annualization
16 of a service area's current expenditures indicates a service
17 area is at risk of exceeding its group foster care expenditure
18 target under [section 232.143](#) by more than 5 percent, the
19 department and juvenile court services shall examine all
20 group foster care placements in that service area in order to
21 identify those which might be appropriate for termination.
22 In addition, any aftercare services believed to be needed
23 for the children whose placements may be terminated shall be
24 identified. The department and juvenile court services shall
25 initiate action to set dispositional review hearings for the
26 placements identified. In such a dispositional review hearing,
27 the juvenile court shall determine whether needed aftercare
28 services are available and whether termination of the placement
29 is in the best interest of the child and the community.

30 4. In accordance with the provisions of [section 232.188](#),
31 the department shall continue the child welfare and juvenile
32 justice funding initiative during fiscal year 2019-2020. Of
33 the funds appropriated in this section, \$1,717,000 is allocated
34 specifically for expenditure for fiscal year 2019-2020 through
35 the decategorization services funding pools and governance

1 boards established pursuant to [section 232.188](#).

2 5. A portion of the funds appropriated in this section
3 may be used for emergency family assistance to provide other
4 resources required for a family participating in a family
5 preservation or reunification project or successor project to
6 stay together or to be reunified.

7 6. Of the funds appropriated in this section, a sufficient
8 amount is allocated for shelter care and the child welfare
9 emergency services contracting implemented to provide for or
10 prevent the need for shelter care.

11 7. Federal funds received by the state during the fiscal
12 year beginning July 1, 2019, as the result of the expenditure
13 of state funds appropriated during a previous state fiscal
14 year for a service or activity funded under this section are
15 appropriated to the department to be used as additional funding
16 for services and purposes provided for under this section.
17 Notwithstanding [section 8.33](#), moneys received in accordance
18 with this subsection that remain unencumbered or unobligated at
19 the close of the fiscal year shall not revert to any fund but
20 shall remain available for the purposes designated until the
21 close of the succeeding fiscal year.

22 8. a. Of the funds appropriated in this section, up to
23 \$3,290,000 is allocated for the payment of the expenses of
24 court-ordered services provided to juveniles who are under the
25 supervision of juvenile court services, which expenses are a
26 charge upon the state pursuant to [section 232.141](#), subsection
27 4. Of the amount allocated in this paragraph "a", up to
28 \$1,556,000 shall be made available to provide school-based
29 supervision of children adjudicated under [chapter 232](#), of which
30 not more than \$15,000 may be used for the purpose of training.
31 A portion of the cost of each school-based liaison officer
32 shall be paid by the school district or other funding source as
33 approved by the chief juvenile court officer.

34 b. Of the funds appropriated in this section, up to \$748,000
35 is allocated for the payment of the expenses of court-ordered

1 services provided to children who are under the supervision
2 of the department, which expenses are a charge upon the state
3 pursuant to [section 232.141, subsection 4](#).

4 c. Notwithstanding [section 232.141](#) or any other provision
5 of law to the contrary, the amounts allocated in this
6 subsection shall be distributed to the judicial districts
7 as determined by the state court administrator and to the
8 department's service areas as determined by the administrator
9 of the department of human services' division of child and
10 family services. The state court administrator and the
11 division administrator shall make the determination of the
12 distribution amounts on or before June 15, 2019.

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

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

34 f. Of the funds allocated in this subsection, not more than
35 \$83,000 may be used by the judicial branch for administration

1 of the requirements under this subsection.

2 g. Of the funds allocated in this subsection, \$17,000
3 shall be used by the department of human services to support
4 the interstate commission for juveniles in accordance with
5 the interstate compact for juveniles as provided in section
6 232.173.

7 9. Of the funds appropriated in this section, \$12,253,000 is
8 allocated for juvenile delinquent graduated sanctions services.
9 Any state funds saved as a result of efforts by juvenile court
10 services to earn a federal Tit. IV-E match for juvenile court
11 services administration may be used for the juvenile delinquent
12 graduated sanctions services.

13 10. Of the funds appropriated in this section, \$1,658,000 is
14 transferred to the department of public health to be used for
15 the child protection center grant program for child protection
16 centers located in Iowa in accordance with [section 135.118](#).
17 The grant amounts under the program shall be equalized so that
18 each center receives a uniform base amount of \$245,000, and so
19 that the remaining funds are awarded through a funding formula
20 based upon the volume of children served. To increase access
21 to child protection center services for children in rural
22 areas, the funding formula for the awarding of the remaining
23 funds shall provide for the awarding of an enhanced amount to
24 eligible grantees to develop and maintain satellite centers in
25 underserved regions of the state.

26 11. Of the funds appropriated in this section, \$4,025,000 is
27 allocated for the preparation for adult living program pursuant
28 to [section 234.46](#).

29 12. Of the funds appropriated in this section, \$227,000
30 shall be used for the public purpose of continuing a grant to a
31 nonprofit human services organization, providing services to
32 individuals and families in multiple locations in southwest
33 Iowa and Nebraska for support of a project providing immediate,
34 sensitive support and forensic interviews, medical exams, needs
35 assessments, and referrals for victims of child abuse and their

1 nonoffending family members.

2 13. Of the funds appropriated in this section, \$300,000
3 is allocated for the foster care youth council approach of
4 providing a support network to children placed in foster care.

5 14. Of the funds appropriated in this section, \$202,000 is
6 allocated for use pursuant to [section 235A.1](#) for continuation
7 of the initiative to address child sexual abuse implemented
8 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
9 21.

10 15. Of the funds appropriated in this section, \$630,000 is
11 allocated for the community partnership for child protection
12 sites.

13 16. Of the funds appropriated in this section, \$371,000
14 is allocated for the department's minority youth and family
15 projects under the redesign of the child welfare system.

16 17. Of the funds appropriated in this section, \$851,000
17 is allocated for funding of the community circle of care
18 collaboration for children and youth in northeast Iowa.

19 18. Of the funds appropriated in this section, at least
20 \$147,000 shall be used for the continuation of the child
21 welfare provider training academy, a collaboration between the
22 coalition for family and children's services in Iowa and the
23 department.

24 19. Of the funds appropriated in this section, \$211,000
25 shall be used for continuation of the central Iowa system of
26 care program grant through June 30, 2020.

27 20. Of the funds appropriated in this section, \$235,000
28 shall be used for the public purpose of the continuation
29 and expansion of a system of care program grant implemented
30 in Cerro Gordo and Linn counties to utilize a comprehensive
31 and long-term approach for helping children and families by
32 addressing the key areas in a child's life of childhood basic
33 needs, education and work, family, and community.

34 21. Of the funds appropriated in this section, at least
35 \$25,000 shall be used to continue and to expand the foster

1 care respite pilot program in which postsecondary students in
2 social work and other human services-related programs receive
3 experience by assisting family foster care providers with
4 respite and other support.

5 22. Of the funds appropriated in this section, \$110,000
6 shall be used for the public purpose of funding community-based
7 services and other supports with a system of care approach
8 for children with a serious emotional disturbance and their
9 families through a nonprofit provider of child welfare services
10 that has been in existence for more than 115 years, is located
11 in a county with a population of more than 200,000 but less
12 than 220,000 according to the latest certified federal census,
13 is licensed as a psychiatric medical institution for children,
14 and was a system of care grantee prior to July 1, 2019.

15 23. If a separate funding source is identified that reduces
16 the need for state funds within an allocation under this
17 section, the allocated state funds may be redistributed to
18 other allocations under this section for the same fiscal year.

19 Sec. 20. ADOPTION SUBSIDY.

20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2019, and ending June 30, 2020, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purpose designated:

25 a. For adoption subsidy payments and services:
26 \$ 40,596,007

27 b. (1) The funds appropriated in this section shall be used
28 as authorized or allowed by federal law or regulation for any
29 of the following purposes:

- 30 (a) For adoption subsidy payments and related costs.
- 31 (b) For post-adoption services and for other purposes under
32 Tit. IV-B or Tit. IV-E of the federal Social Security Act.

33 (2) The department of human services may transfer funds
34 appropriated in this subsection to the appropriation for
35 child and family services in this Act for the purposes of

1 post-adoption services as specified in this paragraph "b".

2 c. Notwithstanding [section 8.33](#), moneys corresponding to
3 the state savings resulting from implementation of the federal
4 Fostering Connections to Success and Increasing Adoptions Act
5 of 2008, Pub. L. No. 110-351, and successor legislation, as
6 determined in accordance with 42 U.S.C. §673(a)(8), that remain
7 unencumbered or unobligated at the close of the fiscal year,
8 shall not revert to any fund but shall remain available for the
9 purposes designated in this subsection until expended. The
10 amount of such savings and any corresponding funds remaining
11 at the close of the fiscal year shall be determined separately
12 and any changes in either amount between fiscal years shall not
13 result in an unfunded need.

14 2. The department may transfer funds appropriated in
15 this section to the appropriation made in this division of
16 this Act for general administration for costs paid from the
17 appropriation relating to adoption subsidy.

18 3. Federal funds received by the state during the
19 fiscal year beginning July 1, 2019, as the result of the
20 expenditure of state funds during a previous state fiscal
21 year for a service or activity funded under this section are
22 appropriated to the department to be used as additional funding
23 for the services and activities funded under this section.
24 Notwithstanding [section 8.33](#), moneys received in accordance
25 with this subsection that remain unencumbered or unobligated
26 at the close of the fiscal year shall not revert to any fund
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
30 in the juvenile detention home fund created in [section 232.142](#)
31 during the fiscal year beginning July 1, 2019, and ending June
32 30, 2020, are appropriated to the department of human services
33 for the fiscal year beginning July 1, 2019, and ending June 30,
34 2020, for distribution of an amount equal to a percentage of
35 the costs of the establishment, improvement, operation, and

1 maintenance of county or multicounty juvenile detention homes
2 in the fiscal year beginning July 1, 2018. Moneys appropriated
3 for distribution in accordance with this section shall be
4 allocated among eligible detention homes, prorated on the basis
5 of an eligible detention home's proportion of the costs of all
6 eligible detention homes in the fiscal year beginning July
7 1, 2018. The percentage figure shall be determined by the
8 department based on the amount available for distribution for
9 the fund. Notwithstanding [section 232.142, subsection 3](#), the
10 financial aid payable by the state under that provision for the
11 fiscal year beginning July 1, 2019, shall be limited to the
12 amount appropriated for the purposes of this section.

13 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

14 1. There is appropriated from the general fund of the
15 state to the department of human services for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purpose designated:

19 For the family support subsidy program subject to the
20 enrollment restrictions in [section 225C.37, subsection 3](#):

21 \$ 949,282

22 2. At least \$819,275 of the moneys appropriated in this
23 section is transferred to the department of public health for
24 the family support center component of the comprehensive family
25 support program under [chapter 225C](#), subchapter V.

26 3. If at any time during the fiscal year, the amount of
27 funding available for the family support subsidy program
28 is reduced from the amount initially used to establish the
29 figure for the number of family members for whom a subsidy
30 is to be provided at any one time during the fiscal year,
31 notwithstanding [section 225C.38, subsection 2](#), the department
32 shall revise the figure as necessary to conform to the amount
33 of funding available.

34 Sec. 23. CONNER DECREE. There is appropriated from the
35 general fund of the state to the department of human services

1 for the fiscal year beginning July 1, 2019, and ending June 30,
2 2020, the following amount, or so much thereof as is necessary,
3 to be used for the purpose designated:

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

8 \$ 33,632

9 Sec. 24. MENTAL HEALTH INSTITUTES.

10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2019, and ending June 30, 2020, the following
13 amounts, or so much thereof as is necessary, to be used for the
14 purposes designated:

15 a. (1) For operation of the state mental health institute
16 at Cherokee as required by chapters 218 and 226 for salaries,
17 support, maintenance, and miscellaneous purposes, and for not
18 more than the following full-time equivalent positions:

19 \$ 14,216,149

20 FTEs 169.00

21 (2) The additional full-time equivalent positions
22 authorized in this paragraph "a" shall include 3.50 security
23 staff and 3.00 support staff, or comparable additional,
24 full-time equivalent positions.

25 b. (1) For operation of the state mental health institute
26 at Independence as required by chapters 218 and 226 for
27 salaries, support, maintenance, and miscellaneous purposes, and
28 for not more than the following full-time equivalent positions:

29 \$ 19,165,110

30 FTEs 208.00

31 (2) The additional full-time equivalent positions
32 authorized in this paragraph "b" shall include 3.50 security
33 staff, or comparable additional, full-time equivalent
34 positions.

35 2. Notwithstanding sections 218.78 and 249A.11, any revenue

1 received from the state mental health institute at Cherokee or
2 the state mental health institute at Independence pursuant to
3 42 C.F.R §438.6(e) may be retained and expended by the mental
4 health institute.

5 3. Notwithstanding any provision of law to the contrary,
6 a Medicaid member residing at the state mental health
7 institute at Cherokee or the state mental health institute
8 at Independence shall retain Medicaid eligibility during
9 the period of the Medicaid member's stay for which federal
10 financial participation is available.

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

16 Sec. 25. STATE RESOURCE CENTERS.

17 1. There is appropriated from the general fund of the
18 state to the department of human services for the fiscal year
19 beginning July 1, 2019, and ending June 30, 2020, the following
20 amounts, or so much thereof as is necessary, to be used for the
21 purposes designated:

22 a. For the state resource center at Glenwood for salaries,
23 support, maintenance, and miscellaneous purposes:
24 \$ 16,048,348

25 b. For the state resource center at Woodward for salaries,
26 support, maintenance, and miscellaneous purposes:
27 \$ 10,872,356

28 2. The department may continue to bill for state resource
29 center services utilizing a scope of services approach used for
30 private providers of intermediate care facilities for persons
31 with an intellectual disability services, in a manner which
32 does not shift costs between the medical assistance program,
33 counties, or other sources of funding for the state resource
34 centers.

35 3. The state resource centers may expand the time-limited

1 assessment and respite services during the fiscal year.

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

18 5. If existing capacity limitations are reached in
19 operating units, a waiting list is in effect for a service or
20 a special need for which a payment source or other funding
21 is available for the service or to address the special need,
22 and facilities for the service or to address the special need
23 can be provided within the available payment source or other
24 funding, the superintendent of a state resource center may
25 authorize opening not more than two units or other facilities
26 and begin implementing the service or addressing the special
27 need during fiscal year 2019-2020.

28 6. Notwithstanding [section 8.33](#), and notwithstanding
29 the amount limitation specified in [section 222.92](#), moneys
30 appropriated in this section that remain unencumbered or
31 unobligated at the close of the fiscal year shall not revert
32 but shall remain available for expenditure for the purposes
33 designated until the close of the succeeding fiscal year.

34 Sec. 26. SEXUALLY VIOLENT PREDATORS.

35 1. a. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For costs associated with the commitment and treatment of
6 sexually violent predators in the unit located at the state
7 mental health institute at Cherokee, including costs of legal
8 services and other associated costs, including salaries,
9 support, maintenance, and miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11 \$ 12,053,093
12 FTEs 139.00

13 b. The additional full-time equivalent positions authorized
14 in paragraph "a" shall include 7.00 clinical and support staff,
15 or comparable additional, full-time equivalent positions.

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

25 3. Notwithstanding [section 8.33](#), moneys appropriated in
26 this section that remain unencumbered or unobligated at the
27 close of the fiscal year shall not revert but shall remain
28 available for expenditure for the purposes designated until the
29 close of the succeeding fiscal year.

30 Sec. 27. FIELD OPERATIONS.

31 1. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 2019, and ending June 30, 2020, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purposes designated:

1 For field operations, including salaries, support,
2 maintenance, and miscellaneous purposes, and for not more than
3 the following full-time equivalent positions:

4 \$ 55,396,906
5 FTEs 1,539.00

6 2. The additional full-time equivalent positions authorized
7 in subsection 1 shall include 29.00 full-time equivalent staff
8 positions to relieve caseloads and 6.00 full-time equivalent
9 positions related to the eligibility integrated application
10 solution (ELIAS) system.

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

14 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
15 from the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2019, and ending
17 June 30, 2020, the following amount, or so much thereof as is
18 necessary, to be used for the purpose designated:

19 For general administration, including salaries, support,
20 maintenance, and miscellaneous purposes, and for not more than
21 the following full-time equivalent positions:

22 \$ 13,833,040
23 FTEs 294.00

24 1. The department shall report at least monthly to the
25 legislative services agency concerning the department's
26 operational and program expenditures.

27 2. Of the funds appropriated in this section, \$150,000 shall
28 be used to continue the contract for the provision of a program
29 to provide technical assistance, support, and consultation to
30 providers of habilitation services and home and community-based
31 services waiver services for adults with disabilities under the
32 medical assistance program.

33 3. Of the funds appropriated in this section, \$50,000
34 is transferred to the Iowa finance authority to be used
35 for administrative support of the council on homelessness

1 established in [section 16.2D](#) and for the council to fulfill its
2 duties in addressing and reducing homelessness in the state.

3 4. Of the funds appropriated in this section, \$200,000 shall
4 be transferred to and deposited in the administrative fund of
5 the Iowa ABLE savings plan trust created in [section 12I.4](#), to
6 be used for implementation and administration activities of the
7 Iowa ABLE savings plan trust.

8 5. Of the funds appropriated in this section, \$200,000 is
9 transferred to the economic development authority for the Iowa
10 commission on volunteer services to continue to be used for
11 RefugeeRISE AmeriCorps program established under [section 15H.8](#)
12 for member recruitment and training to improve the economic
13 well-being and health of economically disadvantaged refugees in
14 local communities across Iowa. Funds transferred may be used
15 to supplement federal funds under federal regulations.

16 6. Of the funds appropriated in this section, up to \$300,000
17 shall be used as follows:

18 a. To fund not more than one full-time equivalent position
19 to address the department's responsibility to support the work
20 of the children's system state board and implementation of the
21 services required pursuant to 2018 Iowa Acts, chapter 1056,
22 section 13.

23 b. To support the cost of establishing and implementing new
24 or additional services required pursuant to 2018 Iowa Acts,
25 chapter 1056, and any legislation enacted by the 2019 general
26 assembly establishing a children's behavioral health system.

27 c. Of the amount allocated, \$32,000 shall be transferred
28 to the department of public health to support the costs of
29 establishing and implementing new or additional services
30 required pursuant to 2018 Iowa Acts, chapter 1056, and any
31 legislation enacted by the 2019 general assembly establishing a
32 children's behavioral health system.

33 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
34 from the general fund of the state to the department of human
35 services for the fiscal year beginning July 1, 2019, and ending

1 June 30, 2020, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, and miscellaneous
4 purposes at facilities under the purview of the department of
5 human services:

6 \$ 2,879,274

7 Sec. 30. VOLUNTEERS. There is appropriated from the general
8 fund of the state to the department of human services for the
9 fiscal year beginning July 1, 2019, and ending June 30, 2020,
10 the following amount, or so much thereof as is necessary, to be
11 used for the purpose designated:

12 For development and coordination of volunteer services:

13 \$ 84,686

14 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
15 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
16 DEPARTMENT OF HUMAN SERVICES.

17 1. a. (1) (a) For the fiscal year beginning July 1,
18 2019, the department shall rebase case-mix nursing facility
19 rates effective July 1, 2019, to the extent possible within the
20 state funding, including the \$23,401,942, appropriated for this
21 purpose.

22 (b) For the fiscal year beginning July 1, 2019, non-case-mix
23 and special population nursing facilities shall be reimbursed
24 in accordance with the methodology in effect on June 30 of the
25 prior fiscal year.

26 (c) For managed care claims, the department of human
27 services shall adjust the payment rate floor for nursing
28 facilities, annually, to maintain a rate floor that is no
29 lower than the Medicaid fee-for-service case-mix adjusted
30 rate calculated in accordance with subparagraph division
31 (a) and 441 IAC 81.6. The department shall then calculate
32 adjusted reimbursement rates, including but not limited to
33 add-on-payments, annually, and shall notify Medicaid managed
34 care organizations of the adjusted reimbursement rates within
35 30 days of determining the adjusted reimbursement rates. Any

1 adjustment of reimbursement rates under this subparagraph
2 division shall be budget neutral to the state budget.

3 (d) For the fiscal year beginning July 1, 2019, Medicaid
4 managed care long-term services and supports capitation
5 rates shall be adjusted to reflect the rebasing pursuant to
6 subparagraph division (a) for the patient populations residing
7 in Medicaid-certified nursing facilities.

8 (2) Medicaid managed care organizations shall adjust
9 facility-specific rates based upon payment rate listings issued
10 by the department. The rate adjustments shall be applied
11 prospectively from the effective date of the rate letter issued
12 by the department.

13 b. (1) For the fiscal year beginning July 1, 2019,
14 the department shall establish the pharmacy dispensing fee
15 reimbursement at \$10.07 per prescription, until a cost of
16 dispensing survey is completed. The actual dispensing fee
17 shall be determined by a cost of dispensing survey performed
18 by the department and required to be completed by all medical
19 assistance program participating pharmacies every two years,
20 adjusted as necessary to maintain expenditures within the
21 amount appropriated to the department for this purpose for the
22 fiscal year.

23 (2) The department shall utilize an average acquisition
24 cost reimbursement methodology for all drugs covered under the
25 medical assistance program in accordance with 2012 Iowa Acts,
26 chapter 1133, section 33.

27 c. (1) For the fiscal year beginning July 1, 2019,
28 reimbursement rates for outpatient hospital services shall
29 remain at the rates in effect on June 30, 2019, subject to
30 Medicaid program upper payment limit rules, and adjusted
31 as necessary to maintain expenditures within the amount
32 appropriated to the department for this purpose for the fiscal
33 year.

34 (2) For the fiscal year beginning July 1, 2019,
35 reimbursement rates for inpatient hospital services shall

1 remain at the rates in effect on June 30, 2019, subject to
2 Medicaid program upper payment limit rules, and adjusted
3 as necessary to maintain expenditures within the amount
4 appropriated to the department for this purpose for the fiscal
5 year.

6 (3) For the fiscal year beginning July 1, 2019, under
7 both fee-for-service and managed care administration of the
8 Medicaid program, critical access hospitals shall be reimbursed
9 for inpatient and outpatient services based on a critical
10 access hospital adjustment factor methodology developed by
11 the department. The adjustment factor methodology shall
12 be hospital-specific, shall be based on the most recent
13 and complete cost reporting period, and shall be applied
14 prospectively within the funds appropriated for such purpose
15 for the fiscal year. Implementation of the critical access
16 hospital adjustment factor methodology shall be contingent
17 on the department's receipt of approval from the centers for
18 Medicare and Medicaid services of the United States department
19 of health and human services.

20 (4) For the fiscal year beginning July 1, 2019, the graduate
21 medical education and disproportionate share hospital fund
22 shall remain at the amount in effect on June 30, 2019, except
23 that the portion of the fund attributable to graduate medical
24 education shall be reduced in an amount that reflects the
25 elimination of graduate medical education payments made to
26 out-of-state hospitals.

27 (5) In order to ensure the efficient use of limited state
28 funds in procuring health care services for low-income Iowans,
29 funds appropriated in this Act for hospital services shall
30 not be used for activities which would be excluded from a
31 determination of reasonable costs under the federal Medicare
32 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

33 d. For the fiscal year beginning July 1, 2019, reimbursement
34 rates for hospices and acute psychiatric hospitals shall be
35 increased in accordance with increases under the federal

1 Medicare program or as supported by their Medicare audited
2 costs.

3 e. For the fiscal year beginning July 1, 2019, independent
4 laboratories and rehabilitation agencies shall be reimbursed
5 using the same methodology in effect on June 30, 2019.

6 f. (1) For the fiscal year beginning July 1, 2019,
7 reimbursement rates for home health agencies shall continue to
8 be based on the Medicare low utilization payment adjustment
9 (LUPA) methodology with state geographic wage adjustments.
10 The department shall continue to update the rates every two
11 years to reflect the most recent Medicare LUPA rates to the
12 extent possible within the state funding appropriated for this
13 purpose.

14 (2) For the fiscal year beginning July 1, 2019, rates for
15 private duty nursing and personal care services under the early
16 and periodic screening, diagnostic, and treatment program
17 benefit shall be calculated based on the methodology in effect
18 on June 30, 2019.

19 g. For the fiscal year beginning July 1, 2019, federally
20 qualified health centers and rural health clinics shall receive
21 cost-based reimbursement for 100 percent of the reasonable
22 costs for the provision of services to recipients of medical
23 assistance.

24 h. For the fiscal year beginning July 1, 2019, the
25 reimbursement rates for dental services shall remain at the
26 rates in effect on June 30, 2019.

27 i. (1) For the fiscal year beginning July 1, 2019,
28 reimbursement rates for non-state-owned psychiatric medical
29 institutions for children shall be based on the reimbursement
30 methodology in effect on June 30, 2019.

31 (2) As a condition of participation in the medical
32 assistance program, enrolled providers shall accept the medical
33 assistance reimbursement rate for any covered goods or services
34 provided to recipients of medical assistance who are children
35 under the custody of a psychiatric medical institution for

1 children.

2 j. For the fiscal year beginning July 1, 2019, unless
3 otherwise specified in this Act, all noninstitutional medical
4 assistance provider reimbursement rates shall remain at the
5 rates in effect on June 30, 2019, except for area education
6 agencies, local education agencies, infant and toddler
7 services providers, home and community-based services providers
8 including consumer-directed attendant care providers under a
9 section 1915(c) or 1915(i) waiver, targeted case management
10 providers, and those providers whose rates are required to be
11 determined pursuant to [section 249A.20](#), or to meet federal
12 mental health parity requirements.

13 k. Notwithstanding any provision to the contrary, for the
14 fiscal year beginning July 1, 2019, the reimbursement rate for
15 anesthesiologists shall remain at the rates in effect on June
16 30, 2019, and updated on January 1, 2020, to align with the
17 most current Iowa Medicare anesthesia rate.

18 l. Notwithstanding [section 249A.20](#), for the fiscal year
19 beginning July 1, 2019, the average reimbursement rate for
20 health care providers eligible for use of the federal Medicare
21 resource-based relative value scale reimbursement methodology
22 under [section 249A.20](#) shall remain at the rate in effect on
23 June 30, 2019; however, this rate shall not exceed the maximum
24 level authorized by the federal government.

25 m. For the fiscal year beginning July 1, 2019, the
26 reimbursement rate for residential care facilities shall not
27 be less than the minimum payment level as established by the
28 federal government to meet the federally mandated maintenance
29 of effort requirement. The flat reimbursement rate for
30 facilities electing not to file annual cost reports shall not
31 be less than the minimum payment level as established by the
32 federal government to meet the federally mandated maintenance
33 of effort requirement.

34 n. For the fiscal year beginning July 1, 2019, the
35 reimbursement rates for inpatient mental health services

1 provided at hospitals shall remain at the rates in effect on
2 June 30, 2019, subject to Medicaid program upper payment limit
3 rules; and psychiatrists shall be reimbursed at the medical
4 assistance program fee-for-service rate in effect on June 30,
5 2019.

6 o. For the fiscal year beginning July 1, 2019, community
7 mental health centers may choose to be reimbursed for the
8 services provided to recipients of medical assistance through
9 either of the following options:

10 (1) For 100 percent of the reasonable costs of the services.

11 (2) In accordance with the alternative reimbursement rate
12 methodology approved by the department of human services in
13 effect on June 30, 2019.

14 p. For the fiscal year beginning July 1, 2019, the
15 reimbursement rate for providers of family planning services
16 that are eligible to receive a 90 percent federal match shall
17 remain at the rates in effect on June 30, 2019.

18 q. Unless otherwise subject to a tiered rate methodology,
19 for the fiscal year beginning July 1, 2019, the upper
20 limits and reimbursement rates for providers of home and
21 community-based services waiver services shall be reimbursed
22 using the reimbursement methodology in effect on June 30, 2019.

23 r. For the fiscal year beginning July 1, 2019, the
24 reimbursement rates for emergency medical service providers
25 shall remain at the rates in effect on June 30, 2019, or as
26 approved by the centers for Medicare and Medicaid services of
27 the United States department of health and human services.

28 s. For the fiscal year beginning July 1, 2019, reimbursement
29 rates for substance-related disorder treatment programs
30 licensed under [section 125.13](#) shall remain at the rates in
31 effect on June 30, 2019.

32 t. For the fiscal year beginning July 1, 2019, assertive
33 community treatment per diem rates shall be adjusted to reflect
34 an actual average per diem cost within the additional \$211,332
35 appropriated for this purpose.

1 2. For the fiscal year beginning July 1, 2019, the
2 reimbursement rate for providers reimbursed under the
3 in-home-related care program shall not be less than the minimum
4 payment level as established by the federal government to meet
5 the federally mandated maintenance of effort requirement.

6 3. Unless otherwise directed in this section, when the
7 department's reimbursement methodology for any provider
8 reimbursed in accordance with this section includes an
9 inflation factor, this factor shall not exceed the amount
10 by which the consumer price index for all urban consumers
11 increased during the calendar year ending December 31, 2002.

12 4. Notwithstanding [section 234.38](#), for the fiscal
13 year beginning July 1, 2019, the foster family basic daily
14 maintenance rate and the maximum adoption subsidy rate for
15 children ages 0 through 5 years shall be \$16.78, the rate for
16 children ages 6 through 11 years shall be \$17.45, the rate for
17 children ages 12 through 15 years shall be \$19.10, and the
18 rate for children and young adults ages 16 and older shall
19 be \$19.35. For youth ages 18 to 21 who have exited foster
20 care, the preparation for adult living program maintenance rate
21 shall be \$602.70 per month. The maximum payment for adoption
22 subsidy nonrecurring expenses shall be limited to \$500 and the
23 disallowance of additional amounts for court costs and other
24 related legal expenses implemented pursuant to 2010 Iowa Acts,
25 chapter 1031, section 408, shall be continued.

26 5. For the fiscal year beginning July 1, 2019, the maximum
27 reimbursement rates for social services providers under
28 contract shall remain at the rates in effect on June 30, 2019,
29 or the provider's actual and allowable cost plus inflation for
30 each service, whichever is less. However, if a new service
31 or service provider is added after June 30, 2019, the initial
32 reimbursement rate for the service or provider shall be based
33 upon a weighted average of provider rates for similar services.

34 6. a. For the fiscal year beginning July 1, 2019, the
35 reimbursement rates for resource family recruitment and

1 retention contractors shall be established by contract.

2 b. For the fiscal year beginning July 1, 2019, the
3 reimbursement rates for supervised apartment living foster care
4 providers shall be established by contract.

5 7. For the fiscal year beginning July 1, 2019, the
6 reimbursement rate for group foster care providers shall be the
7 combined service and maintenance reimbursement rate established
8 by contract.

9 8. The group foster care reimbursement rates paid for
10 placement of children out of state shall be calculated
11 according to the same rate-setting principles as those used for
12 in-state providers, unless the director of human services or
13 the director's designee determines that appropriate care cannot
14 be provided within the state. The payment of the daily rate
15 shall be based on the number of days in the calendar month in
16 which service is provided.

17 9. a. For the fiscal year beginning July 1, 2019, the
18 reimbursement rate paid for shelter care and the child welfare
19 emergency services implemented to provide or prevent the need
20 for shelter care shall be established by contract.

21 b. For the fiscal year beginning July 1, 2019, the combined
22 service and maintenance components of the reimbursement rate
23 paid for shelter care services shall be based on the financial
24 and statistical report submitted to the department. The
25 maximum reimbursement rate shall be \$101.83 per day. The
26 department shall reimburse a shelter care provider at the
27 provider's actual and allowable unit cost, plus inflation, not
28 to exceed the maximum reimbursement rate.

29 c. Notwithstanding [section 232.141, subsection 8](#), for the
30 fiscal year beginning July 1, 2019, the amount of the statewide
31 average of the actual and allowable rates for reimbursement of
32 juvenile shelter care homes that is utilized for the limitation
33 on recovery of unpaid costs shall remain at the amount in
34 effect for this purpose in the fiscal year beginning July 1,
35 2018.

1 10. For the fiscal year beginning July 1, 2019, the
2 department shall calculate reimbursement rates for intermediate
3 care facilities for persons with an intellectual disability
4 at the 80th percentile. Beginning July 1, 2019, the rate
5 calculation methodology shall utilize the consumer price index
6 inflation factor applicable to the fiscal year beginning July
7 1, 2019.

8 11. Effective July 1, 2019, the child care provider
9 reimbursement rates shall remain at the rates in effect on June
10 30, 2019. The department shall set rates in a manner so as
11 to provide incentives for a nonregistered provider to become
12 registered by applying any increase only to registered and
13 licensed providers.

14 12. The department may adopt emergency rules to implement
15 this section.

16 Sec. 32. CONTRACTED SERVICES — PROHIBITED USE OF STATE
17 FUNDING FOR LOBBYING.

18 1. The department shall submit a report to the individuals
19 identified in this Act for submission of reports by December
20 15, 2019, regarding the outcomes of any program or activity for
21 which funding is appropriated or allocated from the general
22 fund of the state to the department under this division of this
23 Act, and for which a request for proposals process is required.

24 2. The department shall incorporate into the general
25 conditions applicable to all award documents involving funding
26 appropriated or allocated from the general fund of the state to
27 the department under this division of this Act, a prohibition
28 against the use of such funding for the compensation of a
29 lobbyist. For the purposes of this section, "lobbyist" means
30 the same as defined in section 68B.2; however, "lobbyist"
31 does not include a person employed by a state agency of the
32 executive branch of state government who represents the agency
33 relative to the passage, defeat, approval, or modification of
34 legislation that is being considered by the general assembly.

35 Sec. 33. EMERGENCY RULES.

1 1. If specifically authorized by a provision of this
2 division of this Act, the department of human services or
3 the mental health and disability services commission may
4 adopt administrative rules under section 17A.4, subsection
5 3, and [section 17A.5, subsection 2](#), paragraph "b", to
6 implement the provisions of this division of this Act and
7 the rules shall become effective immediately upon filing or
8 on a later effective date specified in the rules, unless the
9 effective date of the rules is delayed or the applicability
10 of the rules is suspended by the administrative rules review
11 committee. Any rules adopted in accordance with this section
12 shall not take effect before the rules are reviewed by the
13 administrative rules review committee. The delay authority
14 provided to the administrative rules review committee under
15 section 17A.4, subsection 7, and [section 17A.8, subsection 9](#),
16 shall be applicable to a delay imposed under this section,
17 notwithstanding a provision in those sections making them
18 inapplicable to [section 17A.5, subsection 2](#), paragraph "b".
19 Any rules adopted in accordance with the provisions of this
20 section shall also be published as a notice of intended action
21 as provided in [section 17A.4](#).

22 2. If during a fiscal year, the department of human
23 services is adopting rules in accordance with this section
24 or as otherwise directed or authorized by state law, and the
25 rules will result in an expenditure increase beyond the amount
26 anticipated in the budget process or if the expenditure was
27 not addressed in the budget process for the fiscal year, the
28 department shall notify the persons designated by this division
29 of this Act for submission of reports, the chairpersons and
30 ranking members of the committees on appropriations, and
31 the department of management concerning the rules and the
32 expenditure increase. The notification shall be provided at
33 least 30 calendar days prior to the date notice of the rules
34 is submitted to the administrative rules coordinator and the
35 administrative code editor.

1 249L.4 to the department of human services for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amounts, or so much thereof as is necessary, for the purposes
4 designated:

5 To supplement the appropriation made in this Act from the
6 general fund of the state to the department of human services
7 for medical assistance for the same fiscal year:
8 \$ 58,570,397

9 Sec. 38. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
10 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
11 the contrary and subject to the availability of funds, there is
12 appropriated from the hospital health care access trust fund
13 created in [section 249M.4](#) to the department of human services
14 for the fiscal year beginning July 1, 2019, and ending June
15 30, 2020, the following amounts, or so much thereof as is
16 necessary, for the purposes designated:

17 To supplement the appropriation made in this Act from the
18 general fund of the state to the department of human services
19 for medical assistance for the same fiscal year:
20 \$ 33,920,554

21 Sec. 39. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
22 FOR FY 2019-2020. Notwithstanding [section 8.33](#), if moneys
23 appropriated for purposes of the medical assistance program for
24 the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, from the general fund of the state, the quality assurance
26 trust fund and the hospital health care access trust fund, are
27 in excess of actual expenditures for the medical assistance
28 program and remain unencumbered or unobligated at the close
29 of the fiscal year, the excess moneys shall not revert but
30 shall remain available for expenditure for the purposes of the
31 medical assistance program until the close of the succeeding
32 fiscal year.

33 DIVISION VII
34 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE
35 SERVICES AND FUNDING WORK GROUP

1 Sec. 40. GRADUATED SANCTION, COURT-ORDERED, AND GROUP
2 FOSTER CARE SERVICES AND FUNDING WORK GROUP.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Court-ordered services" means the defined or specific
6 care and treatment that is ordered by the court for an eligible
7 child and for which no other payment source is available to
8 cover the cost.

9 b. "Department" means the department of human services.

10 c. "Eligible child" means a child who has been adjudicated
11 delinquent, is at risk, or has been certified by the chief
12 juvenile court officer as eligible for court-ordered services.

13 d. "Graduated sanction services" includes community-based
14 interventions, school-based supervision, and supportive
15 enhancements provided in community-based settings to an
16 eligible child who is adjudicated delinquent or who is at risk
17 of adjudication.

18 2. The division of criminal and juvenile justice planning
19 of the department of human rights shall convene and provide
20 administrative support to a work group to review and develop
21 a plan to transfer the administration of graduated sanctions
22 and court-ordered services and funding and the oversight of
23 group foster care placements for eligible children from the
24 department to the office of the state court administrator.
25 The plan shall ensure that the office of the state court
26 administrator has the capacity, resources, and expertise to
27 manage the funding and services effectively.

28 3. a. In addition to a representative of the division of
29 criminal and juvenile justice planning of the department of
30 human rights, the membership of the work group shall include
31 but is not limited to representatives of all of the following:

32 (1) The judicial branch, including the state court
33 administrator or the state court administrator's designee,
34 a juvenile court judge, at least one chief juvenile court
35 officer, and a representative with fiscal and contract

1 experience.

2 (2) The department of human services, including
3 representatives with experience managing graduated sanctions
4 funding and group foster care placements.

5 (3) The department of justice.

6 (4) The juvenile justice advisory committee.

7 (5) Member and nonmember agencies of the coalition for
8 family and children's services in Iowa.

9 (6) Providers of community-based services for eligible
10 children.

11 (7) Providers of group foster care.

12 (8) Attorneys who represent children in juvenile justice
13 proceedings.

14 (9) County attorneys.

15 (10) Federal Title IV-E funding and services subject matter
16 experts.

17 (11) Individuals who formerly received services as eligible
18 children or their parents.

19 b. In addition, the work group membership shall include
20 four members of the general assembly. The legislative members
21 shall serve as ex officio, nonvoting members of the work group,
22 with one member to be appointed by each of the following: the
23 majority leader of the senate, the minority leader of the
24 senate, the speaker of the house of representatives, and the
25 minority leader of the house of representatives.

26 c. In addition to the members specified, the division
27 of criminal and juvenile justice planning may include other
28 stakeholders with interest or expertise on the work group.

29 d. Any expenses incurred by a member of the work group
30 shall be the responsibility of the individual member or the
31 respective entity represented by the member.

32 4. The work group shall do all of the following:

33 a. Develop an action plan to transfer the administration
34 of juvenile court graduated sanction services, court-ordered
35 services, and associated funding from the department to the

1 office of the state court administrator or other appropriate
2 state entity.

3 b. Develop an action plan to transfer the oversight of
4 group foster care services for eligible children from the
5 department to the office of the state court administrator or
6 other appropriate state entity with the necessary expertise to
7 provide such services.

8 c. Develop an action plan to transfer administration of the
9 juvenile detention home fund created in section 232.142 from
10 the department to the office of the state court administrator
11 or other appropriate state entity.

12 d. Evaluate current resources to determine the most
13 efficient means of suitably equipping the office of the state
14 court administrator or other appropriate state entity with
15 the policies and legal authority; staffing; contracting,
16 procurement, data, and quality assurance capabilities;
17 and other resources necessary to manage such funds and
18 associated services effectively. The evaluation shall
19 require collaboration with the department to manage transition
20 activities.

21 e. Recommend statutory and administrative policies and
22 court rules to promote collaborative case planning and quality
23 assurance between the department and juvenile court services
24 for youth who may be involved in both the child welfare and
25 juvenile justice systems or who may utilize the same providers
26 or services.

27 f. Determine the impact and role of the federal Family
28 First Prevention Services Act relative to the various funding
29 streams and services under the purview of the work group, and
30 recommend statutory and administrative policies and rules to
31 coordinate the duties of the work group with implementation and
32 administration of the federal Act.

33 g. Determine the role of the decategorization of child
34 welfare and juvenile justice funding initiative pursuant
35 to section 232.188 relative to the other funding streams

1 and services under the purview of the work group, and make
2 recommendations regarding the future of the initiative
3 including the potential transfer of administration of the
4 initiative from the department to the office of the state court
5 administrator or other appropriate state entity.

6 h. Consult with other state juvenile court systems and
7 subject matter experts to review administration of similar
8 programs, to glean information on lessons learned and best
9 practices, and to determine the types of community and
10 residential services that have demonstrated effectiveness for
11 eligible children.

12 5. The division of criminal and juvenile justice planning
13 of the department of human rights shall submit a report of the
14 findings and recommendations of the work group, including a
15 plan to implement the recommendations by July 1, 2021, to the
16 governor and the general assembly by December 15, 2019.

17 DIVISION VIII

18 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

19 Sec. 41. REVIEW TO PROVIDE ENHANCED DELIVERY OF SERVICES
20 FOR CO-OCCURRING CONDITIONS. The director of the department
21 of public health and the director of the department of human
22 services shall develop recommendations for the enhanced
23 delivery of co-occurring conditions services. The directors
24 shall examine the current service delivery system to identify
25 opportunities for reducing the administrative burden on the
26 departments and providers, evaluate the use of an integrated
27 helpline and website and improvements in data collection
28 and sharing of outcomes, and create a structure for ongoing
29 collaboration. The directors shall submit a report including
30 findings, a five-year plan to address co-occurring conditions
31 across provider types and payors, and other recommendations to
32 the governor and general assembly by December 15, 2019.

33 DIVISION IX

34 MEDICAID MANAGED CARE CONTRACTS

35 Sec. 42. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION

1 TO GENERAL ASSEMBLY. The department of human services shall
2 notify the chairpersons and ranking members of the joint
3 appropriations subcommittee on health and human services, the
4 legislative services agency, and the legislative caucus staffs
5 as follows:

6 1. Within thirty days of the execution of a Medicaid managed
7 care contract or amendment to a Medicaid managed care contract.

8 2. Within thirty days of the determination by the
9 department during each measurement year whether to return the
10 incentive payment withhold amount to the Medicaid managed care
11 organization based upon performance and the criteria used in
12 making the determination.

13 DIVISION X

14 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

15 Sec. 43. IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The
16 department on aging and the department of human services shall
17 continue to collaborate to develop a cost allocation plan
18 requesting Medicaid administrative funding to provide for the
19 claiming of federal financial participation for aging and
20 disability resource center activities that are performed to
21 assist with administration of the Medicaid program. By January
22 1, 2021, the department of human services shall submit to
23 the centers for Medicare and Medicaid services of the United
24 States department of health and human services any Medicaid
25 state plan amendment as necessary and shall enter into any
26 interagency agreement with the department on aging to implement
27 this section.

28 DIVISION XI

29 DECATEGORIZATION FY 2017 CARRYOVER FUNDING

30 Sec. 44. DECATEGORIZATION CARRYOVER FUNDING FY 2017 —
31 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
32 subsection 5, paragraph "b", any state-appropriated moneys in
33 the funding pool that remained unencumbered or unobligated
34 at the close of the fiscal year beginning July 1, 2016, and
35 were deemed carryover funding to remain available for the two

1 succeeding fiscal years that still remain unencumbered or
2 unobligated at the close of the fiscal year beginning July 1,
3 2018, shall not revert but shall be transferred to the medical
4 assistance program for the fiscal year beginning July 1, 2019.

5 Sec. 45. EFFECTIVE DATE. This division of this Act, being
6 deemed of immediate importance, takes effect upon enactment.

7 Sec. 46. RETROACTIVE APPLICABILITY. This division of this
8 Act applies retroactively to July 1, 2018.

9 DIVISION XII

10 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

11 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

12 Sec. 47. 2017 Iowa Acts, chapter 174, section 45, as amended
13 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read
14 as follows:

15 SEC. 45. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
16 GRANT. There is appropriated from the fund created in section
17 8.41 to the department of human services for the fiscal year
18 beginning July 1, 2018, and ending June 30, 2019, from moneys
19 received under the federal temporary assistance for needy
20 families (TANF) block grant pursuant to the federal Personal
21 Responsibility and Work Opportunity Reconciliation Act of 1996,
22 Pub. L. No. 104-193, and successor legislation, the following
23 amounts, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 1. To be credited to the family investment program account
26 and used for assistance under the family investment program
27 under [chapter 239B](#):

28 \$ ~~4,539,006~~
29 4,025,108

30 2. To be credited to the family investment program account
31 and used for the job opportunities and basic skills (JOBS)
32 program and implementing family investment agreements in
33 accordance with [chapter 239B](#):

34 \$ ~~5,412,060~~
35 5,192,060

1 payments for families who are employed including but not
2 limited to individuals enrolled in the family investment
3 program.

4 7. For child and family services:
5 \$ 32,380,654

6 8. For child abuse prevention grants:
7 \$ 125,000

8 9. For pregnancy prevention grants on the condition that
9 family planning services are funded:
10 \$ ~~1,913,203~~
11 1,890,203

12 Pregnancy prevention grants shall be awarded to programs
13 in existence on or before July 1, 2018, if the programs have
14 demonstrated positive outcomes. Grants shall be awarded to
15 pregnancy prevention programs which are developed after July
16 1, 2018, if the programs are based on existing models that
17 have demonstrated positive outcomes. Grants shall comply with
18 the requirements provided in 1997 Iowa Acts, chapter 208,
19 section 14, subsections 1 and 2, including the requirement that
20 grant programs must emphasize sexual abstinence. Priority in
21 the awarding of grants shall be given to programs that serve
22 areas of the state which demonstrate the highest percentage of
23 unplanned pregnancies of females of childbearing age within the
24 geographic area to be served by the grant.

25 10. For technology needs and other resources necessary
26 to meet federal welfare reform reporting, tracking, and case
27 management requirements:
28 \$ ~~1,037,186~~
29 862,186

30 11. a. Notwithstanding any provision to the contrary,
31 including but not limited to requirements in [section 8.41](#) or
32 provisions in 2017 or 2018 Iowa Acts regarding the receipt and
33 appropriation of federal block grants, federal funds from the
34 temporary assistance for needy families block grant received by
35 the state and not otherwise appropriated in this section and

1 remaining available for the fiscal year beginning July 1, 2018,
 2 are appropriated to the department of human services to the
 3 extent as may be necessary to be used in the following priority
 4 order: the family investment program, for state child care
 5 assistance program payments for families who are employed, and
 6 for the family investment program share of system costs for
 7 eligibility determination and related functions. The federal
 8 funds appropriated in this paragraph "a" shall be expended
 9 only after all other funds appropriated in subsection 1 for
 10 assistance under the family investment program, in subsection 6
 11 for child care assistance, or in subsection 10 for technology
 12 costs related to the family investment program, as applicable,
 13 have been expended. For the purposes of this subsection, the
 14 funds appropriated in subsection 6, paragraph "a", for transfer
 15 to the child care and development block grant appropriation
 16 are considered fully expended when the full amount has been
 17 transferred.

18 b. The department shall, on a quarterly basis, advise the
 19 legislative services agency and department of management of
 20 the amount of funds appropriated in this subsection that was
 21 expended in the prior quarter.

22 12. Of the amounts appropriated in this section,
 23 \$12,962,008 for the fiscal year beginning July 1, 2018, is
 24 transferred to the appropriation of the federal social services
 25 block grant made to the department of human services for that
 26 fiscal year.

27 13. For continuation of the program providing categorical
 28 eligibility for the food assistance program as specified
 29 for the program in the section of this division of this Act
 30 relating to the family investment program account:

31	\$	14,236
32		<u>13,000</u>

33 14. The department may transfer funds allocated in this
 34 section to the appropriations made in this division of this Act
 35 for the same fiscal year for general administration and field

1 operations for resources necessary to implement and operate the
2 services referred to in this section and those funded in the
3 appropriation made in this division of this Act for the same
4 fiscal year for the family investment program from the general
5 fund of the state.

6 15. With the exception of moneys allocated under this
7 section for the family development and self-sufficiency grant
8 program, to the extent moneys allocated in this section are
9 deemed by the department not to be necessary to support the
10 purposes for which they are allocated, such moneys may be
11 used in the same fiscal year for any other purpose for which
12 funds are allocated in this section or in section 7 of this
13 division for the family investment program account. If there
14 are conflicting needs, priority shall first be given to the
15 family investment program account as specified under subsection
16 1 of this section and used for the purposes of assistance under
17 the family investment program under [chapter 239B](#), followed by
18 state child care assistance program payments for families who
19 are employed, followed by other priorities as specified by the
20 department.

21 FAMILY INVESTMENT PROGRAM ADJUSTMENTS

22 Sec. 48. 2017 Iowa Acts, chapter 174, section 46, subsection
23 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is
24 amended to read as follows:

25 4. Moneys appropriated in this division of this Act and
26 credited to the FIP account for the fiscal year beginning July
27 1, 2018, and ending June 30, 2019, are allocated as follows:

28 a. To be retained by the department of human services to
29 be used for coordinating with the department of human rights
30 to more effectively serve participants in FIP and other shared
31 clients and to meet federal reporting requirements under the
32 federal temporary assistance for needy families block grant:

33 \$ ~~5,000~~
34 20,000

35 b. To the department of human rights for staffing,

1 administration, and implementation of the family development
2 and self-sufficiency grant program in accordance with section
3 216A.107:

4 \$ 6,192,834

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

9 (2) The department of human rights may continue to implement
10 the family development and self-sufficiency grant program
11 statewide during fiscal year 2018-2019.

12 (3) The department of human rights may engage in activities
13 to strengthen and improve family outcomes measures and
14 data collection systems under the family development and
15 self-sufficiency grant program.

16 c. For the diversion subaccount of the FIP account:

17 \$ ~~749,694~~
18 815,000

19 A portion of the moneys allocated for the subaccount may
20 be used for field operations, salaries, data management
21 system development, and implementation costs and support
22 deemed necessary by the director of human services in order to
23 administer the FIP diversion program. To the extent moneys
24 allocated in this paragraph "c" are deemed by the department
25 not to be necessary to support diversion activities, such
26 moneys may be used for other efforts intended to increase
27 engagement by family investment program participants in work,
28 education, or training activities, or for the purposes of
29 assistance under the family investment program in accordance
30 with [chapter 239B](#).

31 d. For the food assistance employment and training program:

32 \$ 66,588

33 (1) The department shall apply the federal supplemental
34 nutrition assistance program (SNAP) employment and training
35 state plan in order to maximize to the fullest extent permitted

1 by federal law the use of the 50 percent federal reimbursement
2 provisions for the claiming of allowable federal reimbursement
3 funds from the United States department of agriculture
4 pursuant to the federal SNAP employment and training program
5 for providing education, employment, and training services
6 for eligible food assistance program participants, including
7 but not limited to related dependent care and transportation
8 expenses.

9 (2) The department shall continue the categorical federal
10 food assistance program eligibility at 160 percent of the
11 federal poverty level and continue to eliminate the asset test
12 from eligibility requirements, consistent with federal food
13 assistance program requirements. The department shall include
14 as many food assistance households as is allowed by federal
15 law. The eligibility provisions shall conform to all federal
16 requirements including requirements addressing individuals who
17 are incarcerated or otherwise ineligible.

18 e. For the JOBS program:

19 \$ ~~12,139,821~~
20 11,919,821

21 MEDICAL ASSISTANCE PROGRAM ADJUSTMENT

22 Sec. 49. 2017 Iowa Acts, chapter 174, section 51, unnumbered
23 paragraph 2, as amended by 2018 Iowa Acts, chapter 1165,
24 section 18, is amended to read as follows:

25 For medical assistance program reimbursement and associated
26 costs as specifically provided in the reimbursement
27 methodologies in effect on June 30, 2018, except as otherwise
28 expressly authorized by law, consistent with options under
29 federal law and regulations, and contingent upon receipt of
30 approval from the office of the governor of reimbursement for
31 each abortion performed under the program:

32 \$ ~~1,337,841,375~~
33 1,488,141,375

34 GROUP FOSTER CARE REALLOCATION

35 Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection

1 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165,
2 section 28, is amended to read as follows:

3 a. Of the funds appropriated in this section, up to
4 \$34,536,648 is allocated as the statewide expenditure target
5 under [section 232.143](#) for group foster care maintenance and
6 services. If the department projects that such expenditures
7 for the fiscal year will be less than the target amount
8 allocated in this paragraph "a", the department may reallocate
9 the excess to provide additional funding for family foster
10 care, independent living, family safety, risk and permanency
11 services, shelter care, or the child welfare emergency services
12 addressed with the allocation for shelter care.

13 SHELTER CARE ALLOCATION

14 Sec. 51. 2017 Iowa Acts, chapter 174, section 57, subsection
15 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
16 amended to read as follows:

17 6. ~~Notwithstanding [section 234.35](#) or any other provision of~~
18 ~~law to the contrary, state funding~~ Of the funds appropriated
19 in this section, a sufficient amount is allocated for shelter
20 care and the child welfare emergency services contracting
21 implemented to provide for or prevent the need for shelter care
22 ~~shall be limited to \$8,096,158.~~

23 OTHER FUNDING FOR CHILD WELFARE SERVICES

24 Sec. 52. 2017 Iowa Acts, chapter 174, section 57, subsection
25 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
26 amended by adding the following new subsection:

27 NEW SUBSECTION. 24. If a separate funding source is
28 identified that reduces the need for state funds within an
29 allocation under this section, the allocated state funds may be
30 redistributed to other allocations under this section for the
31 same fiscal year.

32 Sec. 53. EFFECTIVE DATE. This division of this Act, being
33 deemed of immediate importance, takes effect upon enactment.

34 Sec. 54. RETROACTIVE APPLICABILITY. This division of this
35 Act applies retroactively to July 1, 2018.

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DIVISION XIII

HOSPITAL HEALTH CARE ACCESS ASSESSMENT PROGRAM FUTURE REPEAL

Sec. 55. Section 249M.5, Code 2019, is amended to read as follows:

249M.5 Future repeal.

This chapter is repealed July 1, ~~2019~~ 2021.

Sec. 56. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XIV

MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

Sec. 57. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS. Notwithstanding section 331.432, a county with a population of over 300,000 based on the most recent federal decennial census, may transfer funds from any other fund of the county to the mental health and disability regional services fund for the purposes of providing mental health and disability services for the fiscal year beginning July 1, 2019, and ending June 30, 2020. The county shall submit a report to the governor and the general assembly by September 1, 2020, including the source of any funds transferred, the amount of the funds transferred, and the mental health and disability services provided with the transferred funds.

DIVISION XV

OPERATION OF BOARD OF MEDICINE, BOARD OF NURSING, BOARD OF PHARMACY, AND THE DENTAL BOARD

Sec. 58. Section 135.11A, subsection 1, Code 2019, is amended to read as follows:

1. There shall be a professional licensure division within the department of public health. Each board under [chapter 147](#) or under the administrative authority of the department, except the board of nursing, board of medicine, dental board, and board of pharmacy, shall receive administrative and clerical support from the division and may not employ its own support staff for administrative and clerical duties. The executive director of the board of nursing, board of medicine, dental

1 board, and board of pharmacy shall be appointed pursuant to
2 section 135.11B.

3 Sec. 59. NEW SECTION. 135.11B **Appointment of certain**
4 **executive directors.**

5 1. The director shall appoint and supervise a full-time
6 executive director for each of the following boards:

7 *a.* The board of medicine.

8 *b.* The board of nursing.

9 *c.* The dental board.

10 *d.* The board of pharmacy.

11 2. Each board listed in subsection 1 shall advise the
12 director in evaluating potential candidates for the position of
13 executive director, consult with the director in the hiring of
14 the executive director, and review and advise the director on
15 the performance of the executive director in the discharge of
16 the executive director's duties.

17 3. Each board listed in subsection 1 shall retain sole
18 discretion and authority to execute the core functions of the
19 board including but not limited to policymaking, advocating
20 for and against legislation, rulemaking, licensing, licensee
21 investigations, licensee disciplinary proceedings, and
22 oversight of professional health programs. The director's
23 supervision of the executive director shall not interfere with
24 the board's discretion and authority in executing the core
25 functions of the board.

26 Sec. 60. Section 147.80, subsection 3, Code 2019, is amended
27 to read as follows:

28 3. The board of medicine, the board of pharmacy, the
29 dental board, and the board of nursing shall retain individual
30 executive officers pursuant to section 135.11B, but shall
31 make every effort to share administrative, clerical, and
32 investigative staff to the greatest extent possible.

33 Sec. 61. Section 152.2, Code 2019, is amended to read as
34 follows:

35 **152.2 Executive director.**

1 The board shall ~~appoint~~ retain a full-time executive
2 director, who shall be appointed pursuant to section 135B.11.
3 The executive director shall be a registered nurse ~~and shall~~
4 ~~not be a member of the board.~~ The governor, with the approval
5 of the executive council pursuant to section 8A.413, subsection
6 3, under the pay plan for exempt positions in the executive
7 branch of government, shall set the salary of the executive
8 director.

9 Sec. 62. Section 153.33, subsection 2, Code 2019, is amended
10 to read as follows:

11 2. All employees needed to administer this chapter except
12 the executive director shall be appointed pursuant to the merit
13 system. The executive director shall ~~serve at the pleasure of~~
14 ~~the board~~ be appointed pursuant to section 135.11B and shall
15 be exempt from the merit system provisions of chapter 8A,
16 subchapter IV.

17 DIVISION XVI

18 MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —
19 CENTRAL PORTAL

20 Sec. 63. MEDICAID — MEDICAL PRIOR AUTHORIZATION UNIFORM
21 PROCESS. The department of human services shall adopt rules
22 pursuant to chapter 17A by October 1, 2019, to require that
23 both managed care and fee-for-service payment and delivery
24 systems utilize a uniform process, including but not limited to
25 uniform forms, information requirements, and time frames, to
26 request medical prior authorization under the Medicaid program.
27 The rules shall require the managed care organizations,
28 by contract, to implement the uniform process by a date as
29 determined by the department.

30 Sec. 64. MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL
31 PORTAL — REVIEW. The department shall review the costs
32 associated with expanding the medical assistance management
33 information system to integrate a single, statewide system to
34 serve as a central portal for submission of all medical prior
35 authorization requests for the Medicaid program. The portal

1 shall not be designed to make or review final determinations
2 of managed care organization medical prior authorization
3 requests, but shall only serve as a conduit to deliver medical
4 prior authorization requests to the appropriate managed care
5 organization. The results of the study shall be submitted to
6 the governor and the general assembly no later than March 31,
7 2020.

8 Sec. 65. EFFECTIVE DATE. This division of this Act, being
9 deemed of immediate importance, takes effect upon enactment.

10

DIVISION XVII

11 HEALTH AND HUMAN SERVICES EXECUTIVE BRANCH ENTITIES — REFORM

12

IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK

13 Sec. 66. Section 135.24, subsection 7, paragraph e, Code
14 2019, is amended to read as follows:

15 e. *“Specialty health care provider office”* means the
16 private office or clinic of an individual specialty health
17 care provider or group of specialty health care providers as
18 ~~referred by the Iowa collaborative safety net provider network~~
19 ~~established in [section 135.153](#)~~, but does not include a field
20 dental clinic, a free clinic, or a hospital.

21 Sec. 67. Section 135.159, subsection 1, paragraph h, Code
22 2019, is amended by striking the paragraph.

23 Sec. 68. REPEAL. Section 135.153, Code 2019, is repealed.

24

HOSPITAL HEALTH CARE ACCESS TRUST FUND BOARD

25 Sec. 69. Section 249M.4, Code 2019, is amended to read as
26 follows:

27 **249M.4 Hospital health care access trust fund — board.**

28 1. A hospital health care access trust fund is created
29 in the state treasury under the authority of the department.
30 Moneys received through the collection of the hospital health
31 care access assessment imposed under [this chapter](#) and any
32 other moneys specified for deposit in the trust fund shall be
33 deposited in the trust fund.

34 2. Moneys in the trust fund shall be used, subject to
35 their appropriation by the general assembly, by the department

1 and human services, whichever is later, the department shall
2 increase the diagnostic related groups and ambulatory patient
3 classifications base rates to provide payments to participating
4 hospitals at the Medicare upper payment limit for the fiscal
5 year beginning July 1, 2010, calculated as of July 31, 2010.
6 Each participating hospital shall receive the same percentage
7 increase, but the percentage may differ depending on whether
8 the basis for the base rate increase is the diagnostic related
9 groups or ambulatory patient classifications.

10 *b.* The percentage increase shall be calculated by dividing
11 the amount calculated under subparagraph (1) by the amount
12 calculated under subparagraph (2) as follows:

13 (1) The amount under the Medicare upper payment limit for
14 the fiscal year beginning July 1, 2010, for participating
15 hospitals.

16 (2) The projected expenditures for participating hospitals
17 for the fiscal year beginning July 1, 2010, as determined by
18 the fiscal management division of the department, plus the
19 amount calculated under subparagraph (1).

20 6. For the fiscal year beginning July 1, 2011, and for
21 each fiscal year beginning July 1, thereafter, the payments to
22 participating hospitals shall continue to be calculated based
23 on the upper payment limit as calculated for the fiscal year
24 beginning July 1, 2010.

25 7. Reimbursement of participating hospitals shall
26 incorporate the rebasing process for inpatient and outpatient
27 services for state fiscal year 2012. However, the total amount
28 of increased funding available for reimbursement attributable
29 to rebasing shall not exceed four million five hundred thousand
30 dollars for state fiscal year 2012 and six million dollars for
31 state fiscal year 2013.

32 8. Any payments to participating hospitals under this
33 section shall result in budget neutrality to the general fund
34 of the state.

35 ~~9. *a.* A hospital health care access trust fund board is~~

1 ~~established consisting of the following members:~~

2 ~~(1) The co-chairpersons and the ranking members of the joint~~
3 ~~appropriations subcommittee on health and human services.~~

4 ~~(2) The Iowa medical assistance program director.~~

5 ~~(3) Two hospital executives representing the two largest~~
6 ~~private health care systems in the state.~~

7 ~~(4) The president of the Iowa hospital association.~~

8 ~~(5) A representative of a consumer advocacy group, involved~~
9 ~~in both state and national initiatives, that provides data on~~
10 ~~key indicators of well-being for children and families in order~~
11 ~~to inform policymakers to help children and families succeed.~~

12 ~~b. The board shall do all of the following:~~

13 ~~(1) Provide oversight of the trust fund.~~

14 ~~(2) Make recommendations regarding the hospital health care~~
15 ~~access assessment program, including recommendations regarding~~
16 ~~the assessment calculation, assessment amounts, payments to~~
17 ~~participating hospitals, and use of the moneys in the trust~~
18 ~~fund.~~

19 ~~(3) Submit an annual report to the governor and the general~~
20 ~~assembly regarding the use and expenditure of moneys deposited~~
21 ~~in the trust fund.~~

22 ~~c. The department shall provide administrative assistance~~
23 ~~to the board.~~

24 ~~ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY~~
25 ~~CARE~~

26 ~~Sec. 70. Section 135.107, subsection 5, Code 2019, is~~
27 ~~amended by striking the subsection.~~

28 ~~Sec. 71. Section 262.78, subsection 3, Code 2019, is amended~~
29 ~~to read as follows:~~

30 ~~3. The president of the university of Iowa, in consultation~~
31 ~~with the president of Iowa state university of science and~~
32 ~~technology, shall employ a full-time director of the center.~~
33 ~~The center may employ staff to carry out the center's purpose.~~
34 ~~The director shall coordinate the agricultural health and~~
35 ~~safety programs of the center. The director shall regularly~~

1 meet and consult with the ~~advisory committee to the~~ center for
2 rural health and primary care. The director shall provide
3 the board of regents with relevant information regarding the
4 center.

5 GOVERNMENTAL PUBLIC HEALTH ADVISORY COUNCIL

6 Sec. 72. Section 135A.2, subsection 2, Code 2019, is amended
7 by striking the subsection.

8 Sec. 73. Section 135A.9, subsection 1, Code 2019, is amended
9 by striking the subsection.

10 Sec. 74. REPEAL. Section 135A.4, Code 2019, is repealed.

11 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

12 Sec. 75. REPEAL. Section 135.159, Code 2019, is repealed.

13 COMBINING STATE MEDICAL EXAMINER ADVISORY COUNCIL WITH THE
14 INTERAGENCY COORDINATING COUNCIL

15 Sec. 76. Section 691.6B, Code 2019, is amended to read as
16 follows:

17 **691.6B Interagency coordinating council.**

18 1. An interagency coordinating council is created to advise
19 do all of the following:

20 a. Advise and consult with the state medical examiner on a
21 range of issues affecting the organization and functions of the
22 office of the state medical examiner and the effectiveness of
23 the medical examiner system in the state.

24 b. Advise the state medical examiner concerning the
25 assurance of effective coordination of the functions and
26 operations of the office of the state medical examiner with the
27 needs and interests of the departments of public safety and
28 public health.

29 2. Members of the interagency coordinating council shall
30 include ~~the~~ all of the following:

31 a. The state medical examiner, or when the state medical
32 examiner is not available, the deputy state medical examiner;
33 ~~the.~~

34 b. The commissioner of public safety or the commissioner's
35 designee; ~~the.~~

1 c. The director of public health or the director's designee,
2 and the.

3 d. The governor or the governor's designee.

4 e. Representatives from the office of the attorney
5 general, the Iowa county attorneys association, the Iowa
6 medical society, the Iowa association of pathologists, the
7 Iowa association of county medical examiners, the statewide
8 emergency medical system, and the Iowa funeral directors
9 association.

10 3. The interagency coordinating council shall meet on
11 a regular basis, and shall be organized and function as
12 established by the state medical examiner by rule.

13 Sec. 77. REPEAL. Section 691.6C, Code 2019, is repealed.

14 TRAUMA SYSTEM ADVISORY COUNCIL

15 Sec. 78. Section 147A.24, subsection 2, Code 2019, is
16 amended to read as follows:

17 2. The council shall consist of seven members to be
18 appointed by the director from the recommendations of
19 the organizations in subsection 1 for terms of two years.
20 Vacancies on the council shall be filled for the remainder of
21 the term of the original appointment. Members whose terms
22 expire may be reappointed.

23 Sec. 79. TRANSITION PROVISIONS. Notwithstanding any
24 provision of section 147A.24, subsection 2, to the contrary, a
25 member of the trauma system advisory council on July 1, 2019,
26 shall continue serving until the expiration of that member's
27 term or until a vacancy occurs prior to the expiration of the
28 applicable term, and such vacancy shall only be filled to the
29 extent consistent with and necessary to maintain the total
30 number of members of the council specified in section 147A.24,
31 subsection 2, as amended in this Act.

32 TELECONFERENCE OPTION FOR STATE ENTITIES

33 Sec. 80. NEW SECTION. 135.11B Statutory board, commission,
34 committee, or council of committee — teleconference option.

35 Any statutorily established board, commission, committee, or

1 council established under the purview of the department shall
2 provide for a teleconference option for board, commission,
3 committee, or council members to participate in official
4 meetings.

5 ELIMINATION OF PAYMENT OF EXPENSES FOR PUBLIC MEMBERS OF
6 CERTAIN STATE ENTITIES

7 Sec. 81. Section 105.3, subsection 6, Code 2019, is amended
8 by striking the subsection.

9 Sec. 82. Section 135.43, subsection 2, unnumbered paragraph
10 1, Code 2019, is amended to read as follows:

11 The membership of the review team is subject to the
12 provisions of [sections 69.16](#) and [69.16A](#), relating to political
13 affiliation and gender balance. Review team members who
14 are not designated by another appointing authority shall be
15 appointed by the state medical examiner. Membership terms
16 shall be for three years. A membership vacancy shall be filled
17 in the same manner as the original appointment. The review
18 team shall elect a chairperson and other officers as deemed
19 necessary by the review team. The review team shall meet upon
20 the call of the state medical examiner or as determined by
21 the review team. ~~The members of the team are eligible for~~
22 ~~reimbursement of actual and necessary expenses incurred in the~~
23 ~~performance of their official duties.~~ The review team shall
24 include the following:

25 Sec. 83. Section 135.62, subsection 2, paragraph e, Code
26 2019, is amended by striking the paragraph.

27 Sec. 84. Section 147A.3, Code 2019, is amended to read as
28 follows:

29 **147A.3 Meetings of the council — quorum — expenses.**

30 Membership, terms of office, and quorum, ~~and expenses~~ shall
31 be determined by the director pursuant to [chapter 135](#).

32 Sec. 85. Section 256I.3, subsection 3, Code 2019, is amended
33 by striking the subsection.

34 ELIMINATION OF CHILD WELFARE ADVISORY COMMITTEE, CHILD
35 SUPPORT ADVISORY COMMITTEE, CHILDREN'S MENTAL HEALTH WAIVER

1 IMPLEMENTATION COMMITTEE, AND PROPERTY TAX RELIEF FUND RISK
2 POOL

3 Sec. 86. Section 217.3A, subsection 1, Code 2019, is amended
4 to read as follows:

5 1. *General.* The council on human services shall establish
6 and utilize the advisory ~~committees~~ committee identified in
7 this section and may establish and utilize other advisory
8 committees. The council shall establish appointment
9 provisions, membership terms, operating guidelines, and other
10 operational requirements for committees established pursuant to
11 this section.

12 Sec. 87. Section 217.3A, subsections 3 and 4, Code 2019, are
13 amended by striking the subsections.

14 Sec. 88. Section 426B.5, subsection 1, Code 2019, is amended
15 by striking the subsection.

16 Sec. 89. 2005 Iowa Acts, chapter 117, section 4, subsection
17 3, is amended by striking the subsection.

18 DIVISION XVIII

19 MEDICAL ASSISTANCE ADVISORY COUNCIL

20 Sec. 90. Section 217.3, subsection 4, Code 2019, is amended
21 to read as follows:

22 4. Approve the budget of the department of human services
23 prior to submission to the governor. Prior to approval of the
24 budget, the council shall publicize and hold a public hearing
25 to provide explanations and hear questions, opinions, and
26 suggestions regarding the budget. Invitations to the hearing
27 shall be extended to the governor, the governor-elect, the
28 director of the department of management, and other persons
29 deemed by the council as integral to the budget process. The
30 budget materials submitted to the governor shall include a
31 review of options for revising the medical assistance program
32 made available by federal action or by actions implemented
33 by other states as identified by the department, the medical
34 assistance advisory council ~~and the executive committee of the~~
35 ~~medical assistance advisory council~~ created in [section 249A.4B](#),

1 and by county representatives. The review shall address what
2 potential revisions could be made in this state and how the
3 changes would be beneficial to Iowans.

4 Sec. 91. Section 249A.4B, Code 2019, is amended to read as
5 follows:

6 **249A.4B Medical assistance advisory council.**

7 1. A medical assistance advisory council is created to
8 comply with [42 C.F.R. §431.12](#) based on section 1902(a)(4) of
9 the federal Social Security Act and to advise the director
10 about health and medical care services under the medical
11 assistance program. The council shall meet no more than
12 quarterly. The director of public health and a public member
13 of the council selected by the public members of the council
14 ~~specified in [subsection 2](#), paragraph "b"~~, shall serve as
15 co-chairpersons of the council.

16 2. a. The council shall consist of the following voting
17 members:

18 (1) Five professional or business entity members selected
19 by the entities specified pursuant to subsection 3, paragraph
20 "a".

21 (2) Five public members appointed pursuant to subsection 3,
22 paragraph "b". Of the five public members, at least one member
23 shall be a recipient of medical assistance.

24 b. The council shall include all of the following nonvoting
25 members:

26 (1) The director of public health, or the director's
27 designee.

28 (2) The director of the department on aging, or the
29 director's designee.

30 (3) The long-term care ombudsman, or the long-term care
31 ombudsman's designee.

32 (4) The dean of Des Moines university - osteopathic medical
33 center, or the dean's designee.

34 (5) The dean of the university of Iowa college of medicine,
35 or the dean's designee.

- 1 (14) The Iowa chapter of the national association of social
2 workers.
- 3 (15) The coalition for family and children's services in
4 Iowa.
- 5 (16) The Iowa hospital association.
- 6 (17) The Iowa association of rural health clinics.
- 7 (18) The Iowa primary care association.
- 8 (19) Free clinics of Iowa.
- 9 (20) The opticians' association of Iowa, inc.
- 10 (21) The Iowa association of hearing health professionals.
- 11 (22) The Iowa speech and hearing association.
- 12 (23) The Iowa health care association.
- 13 (24) The Iowa association of area agencies on aging.
- 14 (25) AARP.
- 15 (26) The Iowa caregivers association.
- 16 (27) Leading age Iowa.
- 17 (28) The Iowa association for home care.
- 18 (29) The Iowa council of health care centers.
- 19 (30) The Iowa physician assistant society.
- 20 (31) The Iowa association of nurse practitioners.
- 21 (32) The Iowa nurse practitioner society.
- 22 (33) The Iowa occupational therapy association.
- 23 (34) The ARC of Iowa, formerly known as the association for
24 retarded citizens of Iowa.
- 25 (35) The national alliance on mental illness.
- 26 (36) The Iowa state association of counties.
- 27 (37) The Iowa developmental disabilities council.
- 28 (38) The Iowa chiropractic society.
- 29 (39) The Iowa academy of nutrition and dietetics.
- 30 (40) The Iowa behavioral health association.
- 31 (41) The midwest association for medical equipment services
32 or an affiliated Iowa organization.
- 33 *b.* ~~For~~ The five public members shall be public
34 representatives which may include members of consumer groups,
35 including recipients of medical assistance or their families,

1 consumer organizations, and others, appointed by the governor
2 for staggered terms of two years each, none of whom shall be
3 members of, or practitioners of, or have a pecuniary interest
4 in any of the professional or business entities specifically
5 represented under paragraph "a", ~~and a majority of whom shall be~~
6 ~~current or former recipients of medical assistance or members~~
7 ~~of the families of current or former recipients.~~

8 ~~c. A member of the hawk-i board created in [section 514I.5](#),~~
9 ~~selected by the members of the hawk-i board.~~

10 3. ~~The council shall include all of the following nonvoting~~
11 ~~members:~~

12 ~~a. The director of public health, or the director's~~
13 ~~designee.~~

14 ~~b. The director of the department on aging, or the~~
15 ~~director's designee.~~

16 ~~c. The long-term care ombudsman, or the long-term care~~
17 ~~ombudsman's designee.~~

18 ~~d. The dean of Des Moines university — osteopathic medical~~
19 ~~center, or the dean's designee.~~

20 ~~e. The dean of the university of Iowa college of medicine,~~
21 ~~or the dean's designee.~~

22 ~~f. The following members of the general assembly, each for a~~
23 ~~term of two years as provided in [section 69.16B](#):~~

24 ~~(1) Two members of the house of representatives, one~~
25 ~~appointed by the speaker of the house of representatives~~
26 ~~and one appointed by the minority leader of the house of~~
27 ~~representatives from their respective parties.~~

28 ~~(2) Two members of the senate, one appointed by the~~
29 ~~president of the senate after consultation with the majority~~
30 ~~leader of the senate and one appointed by the minority leader~~
31 ~~of the senate.~~

32 4. ~~a. An executive committee of the council is created and~~
33 ~~shall consist of the following members of the council:~~

34 ~~(1) Five of the professional or business entity members~~
35 ~~designated pursuant to [subsection 2](#), paragraph "a", and~~

1 ~~selected by the members specified under that paragraph, as~~
2 ~~voting members.~~

3 ~~(2) Five of the public members appointed pursuant to~~
4 ~~subsection 2, paragraph "b", and selected by the members~~
5 ~~specified under that paragraph, as voting members. Of the five~~
6 ~~public members, at least one member shall be a recipient of~~
7 ~~medical assistance.~~

8 ~~(3) The director of public health, or the director's~~
9 ~~designee, as a nonvoting member.~~

10 ~~b. The executive committee shall meet on a monthly basis.~~
11 ~~The director of public health and the public member serving as~~
12 ~~co-chairperson of the council shall serve as co-chairpersons of~~
13 ~~the executive committee.~~

14 ~~e. 4. Based upon the deliberations of the council and the~~
15 ~~executive committee, the executive committee council shall make~~
16 ~~recommendations to the director regarding the budget, policy,~~
17 ~~and administration of the medical assistance program.~~

18 5. For each council meeting, other than those held during
19 the time the general assembly is in session, each legislative
20 member of the council shall be reimbursed for actual travel
21 and other necessary expenses and shall receive a per diem as
22 specified in [section 7E.6](#) for each day in attendance, as shall
23 the members of the council ~~or the executive committee~~ who are
24 recipients or the family members of recipients of medical
25 assistance, regardless of whether the general assembly is in
26 session.

27 6. The department shall provide staff support and
28 independent technical assistance to the council ~~and the~~
29 ~~executive committee.~~

30 7. The director shall consider the recommendations offered
31 by the council ~~and the executive committee~~ in the director's
32 preparation of medical assistance budget recommendations to
33 the council on human services pursuant to [section 217.3](#) and in
34 implementation of medical assistance program policies.

35

DIVISION XIX

1 managed care contracts to include all of the following
2 provisions:

3 1. The assessment of liquidated damages for prior
4 authorization and claims payment system issues that were
5 reported by the managed care organization to the department
6 as corrected, but reoccurred within 60 days of the reported
7 correction.

8 2. The assessment of liquidated damages for the failure of
9 a managed care organization to complete provider credentialing
10 or to accurately load provider rosters as required in the
11 contract.

12 DIVISION XXII

13 HEALTH DATA COLLECTION AND USE

14 Sec. 96. Section 135.166, subsection 1, Code 2019, is
15 amended to read as follows:

16 1. *a.* The department of public health shall enter into
17 a memorandum of understanding ~~to utilize the Iowa hospital~~
18 ~~association with the contractor selected through a request for~~
19 proposals process to act as the department's intermediary in
20 collecting, maintaining, and disseminating hospital inpatient,
21 outpatient, and ambulatory data, as initially authorized in
22 1996 Iowa Acts, ch. 1212, §5, subsection 1, paragraph "a",
23 subparagraph (4), and [641 IAC 177.3](#).

24 *b.* The memorandum of understanding shall include but is not
25 limited to provisions that address the duties of the department
26 and the ~~Iowa hospital association~~ contractor regarding the
27 collection, reporting, disclosure, storage, and confidentiality
28 of the data.

29 Sec. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The
30 department of public health shall continue the memorandum of
31 understanding with the entity acting as intermediary on June
32 30, 2019, pursuant to section 135.166, until the contractor
33 selected through a request for proposals process assumes the
34 duties of intermediary on January 1, 2021, as specified under
35 this division of this Act.

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DIVISION XXIII

ELDORA STATE TRAINING SCHOOL

Sec. 98. Section 232.52, subsection 2, paragraph e, unnumbered paragraph 1, Code 2019, is amended to read as follows:

An order transferring the custody of the child, subject to the continuing jurisdiction and custody of the court for the purposes of section 232.54, to the director of the department of human services for purposes of placement in the state training school unless the state training school is unable to accept placement of the child in the state training school, or other facility, provided that the child is at least twelve years of age and the court finds the placement to be in the best interests of the child or necessary for the protection of the public, and that the child has been found to have committed an act which is a forcible felony, as defined in section 702.11, or a felony violation of section 124.401 or chapter 707, or the court finds any three of the following conditions exist:

DIVISION XXIV

DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION

Sec. 99. DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES ACT FUNDS FOR FAMILY PLANNING.

1. The department of public health shall annually apply to the United States department of health and human services for grant funding under Tit. X of the federal Public Health Services Act, 42 U.S.C. §300 et seq. The department shall distribute all grant funding received to applicants in the following order of priority:

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

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

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

4 2. Distribution of funds under this section shall be made in
5 a manner that continues access to family planning services.

6 3. a. (1) Distribution of funds under this section shall
7 not be made to any entity that performs abortions, promotes
8 abortions, maintains or operates a facility where abortions are
9 performed or promoted, contracts or subcontracts with an entity
10 that performs or promotes abortions, becomes or continues to be
11 an affiliate of any entity that performs or promotes abortions,
12 or regularly makes referrals to an entity that provides or
13 promotes abortions or maintains or operates a facility where
14 abortions are performed. However, the prohibition specified
15 in this subparagraph (1) shall not be interpreted to include
16 a nonpublic entity that is a distinct location of a nonprofit
17 health care delivery system, if the distinct location provides
18 family planning services but does not perform abortions
19 or maintain or operate as a facility where abortions are
20 performed.

21 (2) The department of public health shall adopt rules
22 pursuant to chapter 17A to require that as a condition of
23 eligibility as an applicant under this section, each distinct
24 location of a nonprofit health care delivery system shall be
25 assigned a distinct provider identification number and complete
26 an attestation that abortions are not performed at the distinct
27 location.

28 b. For the purposes of this section, "nonprofit health
29 care delivery system" means an Iowa nonprofit corporation
30 that controls, directly or indirectly, a regional health
31 care network consisting of hospital facilities and various
32 ambulatory and clinic locations that provide a range of
33 primary, secondary, and tertiary inpatient, outpatient, and
34 physician services.

35 c. For the purposes of this section, "abortion" does not

1 include any of the following:

2 (1) The treatment of a woman for a physical disorder,
3 physical injury, or physical illness, including a
4 life-endangering physical condition caused by or arising from
5 the pregnancy itself, that would, as certified by a physician,
6 place the woman in danger of death.

7 (2) The treatment of a woman for a spontaneous abortion,
8 commonly known as a miscarriage, when not all of the products
9 of human conception are expelled.

10 4. Funds distributed in accordance with this section shall
11 not be used for direct or indirect costs, including but not
12 limited to administrative costs or expenses, overhead, employee
13 salaries, rent, and telephone and other utility costs, related
14 to providing or promoting abortions as specified in this
15 section.

16 5. The department of public health shall submit a report to
17 the governor and the general assembly, annually by January 1,
18 listing any entities that received funds pursuant to subsection
19 1, paragraph "c", and the amount and type of funds received by
20 such entities during the preceding calendar year. The report
21 shall provide a detailed explanation of how the department
22 determined that distribution of funds to such an entity,
23 instead of to an entity described in subsection 1, paragraph
24 "a" or "b", was necessary to prevent severe limitation or
25 elimination of access to family planning services in the region
26 of the state where the entity is located.

27 Sec. 100. ADMINISTRATION OF PERSONAL RESPONSIBILITY
28 EDUCATION PROGRAM AND SEXUAL RISK AVOIDANCE EDUCATION GRANT
29 PROGRAM FUNDS.

30 1. Any contract entered into on or after July 1, 2019, by
31 the department of public health to administer the personal
32 responsibility education program as specified in 42 U.S.C.
33 §713 or to administer the sexual risk avoidance education
34 grant program authorized pursuant to section 510 of Tit.
35 V of the federal Social Security Act, 42 U.S.C. §710, as

1 amended by section 50502 of the federal Bipartisan Budget
2 Act of 2018, Pub. L. No. 115-123, and as further amended by
3 division S, Title VII, section 701 of the federal Consolidated
4 Appropriations Act of 2018, Pub. L. No. 115-141, shall exclude
5 as an eligible applicant, any applicant entity that performs
6 abortions, promotes abortions, maintains or operates a
7 facility where abortions are performed or promoted, contracts
8 or subcontracts with an entity that performs or promotes
9 abortions, becomes or continues to be an affiliate of any
10 entity that performs or promotes abortions, or regularly makes
11 referrals to an entity that provides or promotes abortions or
12 maintains or operates a facility where abortions are performed.
13 However, the prohibition specified in this section shall not be
14 interpreted to include a nonpublic entity that is a distinct
15 location of a nonprofit health care delivery system, if the
16 distinct location provides personal responsibility education
17 program or sexual risk avoidance education grant program
18 services but does not perform abortions or maintain or operate
19 as a facility where abortions are performed.

20 2. The department of public health shall adopt rules
21 pursuant to chapter 17A to require that as a condition of
22 eligibility as an applicant, grantee, grantee contractor,
23 or grantee subcontractor under the personal responsibility
24 education program or sexual risk avoidance education grant
25 program, each distinct location of a nonprofit health care
26 delivery system shall be assigned a distinct identification
27 number and complete an attestation that abortions are not
28 performed at the distinct location.

29 3. For the purposes of this section, "nonprofit health
30 care delivery system" means an Iowa nonprofit corporation
31 that controls, directly or indirectly, a regional health
32 care network consisting of hospital facilities and various
33 ambulatory and clinic locations that provide a range of
34 primary, secondary, and tertiary inpatient, outpatient, and
35 physician services.

1 4. For the purposes of this section, "abortion" does not
2 include any of the following:

3 a. The treatment of a woman for a physical disorder,
4 physical injury, or physical illness, including a
5 life-endangering physical condition caused by or arising from
6 the pregnancy itself, that would, as certified by a physician,
7 place the woman in danger of death.

8 b. The treatment of a woman for a spontaneous abortion,
9 commonly known as a miscarriage, when not all of the products
10 of human conception are expelled.

11 Sec. 101. AWARD OF COMMUNITY ADOLESCENT PREGNANCY
12 PREVENTION AND SERVICES PROGRAM GRANT FUNDS.

13 1. Any contract entered into on or after July 1, 2019,
14 by the department of human services to award a community
15 adolescent pregnancy prevention and services program grant
16 using federal temporary assistance for needy families block
17 grant funds appropriated to the department shall exclude
18 from eligibility any applicant, grantee, grantee contractor,
19 or grantee subcontractor that performs abortions, promotes
20 abortions, maintains or operates a facility where abortions are
21 performed or promoted, contracts or subcontracts with an entity
22 that performs or promotes abortions, becomes or continues to be
23 an affiliate of any entity that performs or promotes abortions,
24 or regularly makes referrals to an entity that provides or
25 promotes abortions or maintains or operates a facility where
26 abortions are performed.

27 2. The eligibility exclusion specified in subsection 1
28 shall not be interpreted to include a nonpublic entity that
29 is a distinct location of a nonprofit health care delivery
30 system, if the distinct location provides community adolescent
31 pregnancy prevention program services but does not perform
32 abortions or maintain or operate as a facility where abortions
33 are performed.

34 3. The department of human services shall adopt rules
35 pursuant to chapter 17A to require that as a condition of

1 eligibility as an applicant, grantee, grantee contractor,
2 or grantee subcontractor under the adolescent pregnancy
3 prevention and services program, each distinct location of
4 a nonprofit health care delivery system shall be assigned a
5 distinct identification number and complete an attestation that
6 abortions are not performed at the distinct location.

7 4. For the purposes of this section, "nonprofit health
8 care delivery system" means an Iowa nonprofit corporation
9 that controls, directly or indirectly, a regional health
10 care network consisting of hospital facilities and various
11 ambulatory and clinic locations that provide a range of
12 primary, secondary, and tertiary inpatient, outpatient, and
13 physician services.

14 5. For the purposes of this section, "abortion" does not
15 include any of the following:

16 a. The treatment of a woman for a physical disorder,
17 physical injury, or physical illness, including a
18 life-endangering physical condition caused by or arising from
19 the pregnancy itself, that would, as certified by a physician,
20 place the woman in danger of death.

21 b. The treatment of a woman for a spontaneous abortion,
22 commonly known as a miscarriage, when not all of the products
23 of human conception are expelled.

24 Sec. 102. SEVERABILITY. If any provision of this division
25 of this Act or the application of this division of this Act to
26 any person or circumstances is held invalid, the invalidity
27 shall not affect other provisions or applications of this
28 division of this Act which can be given effect without the
29 invalid provisions or application and, to this end, the
30 provisions of this division of this Act are severable.

31 Sec. 103. EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 DIVISION XXV
34 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE
35 RATE ADD-ON PROGRAM

1 Sec. 104. Section 249L.2, subsections 7 and 8, Code 2019,
2 are amended to read as follows:

3 7. *“Non-state government-owned nursing facility”* means a
4 nursing facility that is owned or operated by a non-state
5 governmental entity and for which a non-state governmental
6 entity holds the nursing facility’s license and is party to the
7 nursing facility’s Medicaid contract.

8 8. *“Nursing facility”* means a licensed nursing facility as
9 defined in [section 135C.1](#) that is a freestanding facility or
10 a nursing facility operated by a hospital licensed pursuant
11 to [chapter 135B](#), but does not include a distinct-part skilled
12 nursing unit or a swing-bed unit operated by a hospital, or
13 a nursing facility owned by the state or federal government
14 or other governmental unit. *“Nursing facility”* includes a
15 non-state government-owned nursing facility if the nursing
16 facility participates in the non-state government-owned nursing
17 facility ~~upper payment limit alternative payment~~ quality of
18 care rate add-on program.

19 Sec. 105. NON-STATE GOVERNMENT-OWNED NURSING FACILITY
20 QUALITY OF CARE RATE ADD-ON PROGRAM.

21 1. As used in this section, unless the context otherwise
22 requires:

23 a. “Department” means the department of human services.

24 b. “Intergovernmental transfer” means a transfer of
25 state share funds from a non-state governmental entity to the
26 department of human services.

27 c. “Non-state governmental entity” or “NSGE” means a
28 hospital authority, hospital district, health care district,
29 city, or county.

30 d. “Non-state government-owned nursing facility” or “NSGO
31 nursing facility” means a nursing facility that is owned or
32 operated by a non-state governmental entity and for which a
33 non-state governmental entity holds the nursing facility’s
34 license and is party to the nursing facility’s Medicaid
35 contract.

1 e. "Program" means the non-state government-owned nursing
2 facility quality of care rate add-on program described in this
3 section.

4 f. "Quality of care rate add-on calculation period" means
5 the fiscal year for which quality of care rate add-on amounts
6 are calculated based on adjudicated claims for days of service
7 provided.

8 g. "Upper payment limit" means a reasonable estimate of
9 the amount that would be paid for the services furnished by a
10 facility under Medicare payment principles.

11 2. The department of human services shall submit to the
12 centers for Medicare and Medicaid services of the United States
13 department of health and human services (CMS), a Medicaid state
14 plan amendment to allow a qualifying NSGE to receive a quality
15 of care rate add-on in accordance with the upper payment limit
16 requirements pursuant to 42 C.F.R. §447.272 and managed care
17 requirements pursuant to 42 C.F.R. §438.6.

18 3. The Medicaid state plan amendment submitted shall
19 provide for all of the following:

20 a. Purpose. The NSGO nursing facility quality of care rate
21 add-on shall be made to a qualified NSGE to promote, maintain,
22 and improve resident quality of care and health outcomes.

23 b. Non-state government-owned nursing facility
24 qualifications. An NSGO nursing facility shall qualify for
25 participation in the program if all of the following conditions
26 are met:

27 (1) The NSGE for the NSGO nursing facility has executed a
28 participation agreement with the department.

29 (2) The NSGE for the NSGO nursing facility has provided
30 proof that the entity holds the NSGO nursing facility's license
31 and has complete operational responsibility for the NSGO
32 nursing facility.

33 (3) The NSGE for the NSGO nursing facility has filed a
34 certification of eligibility application for the quality of
35 care rate add-on program with the department and has received

1 approval from the department for participation in the program.

2 (4) The NSGO nursing facility is an active participant
3 in established Medicaid managed care value-based purchasing
4 programs and initiatives in the state.

5 (5) The NSGO nursing facility and the NSGE for the
6 NSGO nursing facility are in compliance with care criteria
7 requirements.

8 c. NSGE participation requirements. An NSGE shall qualify
9 for participation in the program if all of the following
10 conditions are met:

11 (1) The NSGE has executed a nursing facility provider
12 contract with an NSGO nursing facility.

13 (2) The NSGE has provided, and identified the source of,
14 state share dollars for the intergovernmental transfer.

15 (3) The NSGE has provided proof of ownership, if applicable,
16 as the licensed operator of the NSGO nursing facility.

17 (4) The NSGE has provided, to the department, an executed
18 management agreement between the NSGE and the NSGO nursing
19 facility manager.

20 d. Care criteria requirements. A participating NSGO
21 nursing facility shall comply with all of the following care
22 criteria quality metrics, shall adhere to all of the following
23 performance measures to improve the quality of care delivered
24 to residents and to improve efficiency and care avoidance costs
25 for the overall Medicaid program, and shall do all of the
26 following:

27 (1) Develop a written action plan that includes
28 satisfaction survey results, an analysis of the satisfaction
29 survey results with identification of areas in need of
30 improvement, and a process for addressing areas in need of
31 improvement.

32 (2) Develop and implement, within six months of
33 commencement of participation in the program, a written plan
34 for the mitigation of unnecessary inpatient admissions within
35 30 days of a nursing facility discharge. The written plan

1 shall include or address all of the following:

2 (a) The inpatient admission management tool which
3 identifies those residents at high risk for the potential
4 return to acute care.

5 (b) The tools to support effective communications.

6 (c) Advance directive planning and implementation.

7 (d) Application of a quality assurance and program
8 integrity methodology to provide a root cause analysis and
9 identify teaching needs.

10 (3) Develop and implement a written plan providing for a
11 proactive pneumonia and influenza vaccination program which
12 shall improve vaccination scores above the national average,
13 as measured using CMS quality metrics. The written plan shall
14 include all of the following:

15 (a) The latest available three-quarter average of both the
16 CMS measure for the percent of long-stay residents assessed and
17 appropriately given the seasonal influenza vaccine and of the
18 CMS measure for the percentage of long-stay residents assessed
19 and appropriately given the pneumococcal vaccine, to establish
20 a baseline.

21 (b) The current measure code score for the CMS measures
22 described in subparagraph division (a).

23 (c) A written plan for an influenza and pneumonia
24 vaccination program to address new admissions and current
25 residents.

26 (4) Elevate healthy aging in the state by implementing
27 a plan that accomplishes at least one of the following
28 strategies:

29 (a) Prevention and reduction of falls.

30 (b) Improved nutrition.

31 (c) Increased physical activity.

32 (d) Reduction in the incidence of depression.

33 (5) Demonstrate improvement above the facility-specific
34 baseline in the CMS five-star quality measures composite
35 scoring. Metrics shall be determined based upon the CMS

1 nursing home compare composite score over the preceding
2 twelve-month period.

3 (a) A participating NSGO nursing facility shall provide the
4 most recent three-quarter average of the CMS quality measure
5 star rating to establish a baseline.

6 (b) A participating NSGO nursing facility shall have a star
7 rating of three or better or must demonstrate improvement over
8 the previous quarter with no two quarters below three stars to
9 participate in the program.

10 (c) A participating NSGO nursing facility with a quality
11 measure star rating of three or better for the most recent
12 quarter or that demonstrates improvement in composite scoring
13 with no two quarters consistently below a three-star rating,
14 shall be deemed to have met the care criteria.

15 e. Quality of care rate add-on.

16 (1) The nursing facility quality of care rate add-on
17 provided to a participating NSGE under the program shall not
18 exceed Medicare payment principles pursuant to 42 C.F.R.
19 §447.272 and shall be calculated pursuant to 42 C.F.R. §438.6.
20 The quality of care rate add-on shall be calculated and paid
21 as follows:

22 (a) The methodology utilized to calculate the upper
23 payment limit shall be based on the data available during the
24 calculation period.

25 (b) The eligible amount used in determining the quality
26 of care rate add-on shall be the difference between the state
27 Medicaid payment and the Medicare upper payment limit as
28 determined, based on compliance with the care criteria metrics,
29 on an annual basis.

30 (c) The difference calculated under subparagraph division
31 (b) shall be divided by total patient days as determined under
32 subparagraph division (b).

33 (d) The quality of care rate add-on shall be paid
34 prospectively.

35 (2) The amount of the quality of care rate add-on shall

1 be associated with improvement in care of Medicaid nursing
2 facility residents in the state as demonstrated through the
3 specified care criteria. A participating NSGE shall receive
4 payment under the program based on earned percentages related
5 to the care criteria. A participating NSGE shall meet or
6 exceed at least two of the five established care criteria
7 metrics to be eligible for the rate add-on payment for each
8 quarter. After at least two of the five metrics have been met,
9 the participating NSGE shall be eligible for seventy percent
10 of the total eligible quality of care rate add-on amount for a
11 participating NSGO nursing facility. The participating NSGE
12 may qualify for the remaining thirty percent of the total
13 eligible quality of care rate add-on amount, by attribution
14 in ten percent increments, for each additional care criterion
15 that is met up to the full one hundred percent of the eligible
16 quality of care rate add-on amount.

17 f. Change of ownership.

18 (1) A participating NSGO nursing facility shall notify
19 the department of any change of ownership that may affect the
20 participating NSGO nursing facility's continued eligibility for
21 the program, within thirty days after such change.

22 (2) If a participating NSGO nursing facility changes
23 ownership on or after the first day of the quality of care
24 rate add-on calculation period, the data used for calculations
25 shall include data from the participating NSGO nursing facility
26 for the entire quality of care rate add-on calculation period
27 relating to payments for days of service provided under the
28 prior owner, prorated to reflect only the number of calendar
29 days during the calculation period that the participating NSGO
30 nursing facility is owned by the new owner.

31 g. Payment to participating NSGO nursing facilities. A
32 participating NSGO nursing facility shall secure allowable
33 intergovernmental transfer funds from a participating NSGE
34 to provide the state share amount. The process for the
35 intergovernmental transfer shall comply with the following:

1 (1) The department, or the department's designee, shall
2 notify the participating NSGE of the state share amount to be
3 transferred in the form of an intergovernmental transfer for
4 purposes of seeking federal financial participation for the
5 rate add-on payment, within twenty-five business days after
6 the end of a quarter. The amount shall reflect the percentage
7 of metrics achieved under the care criteria requirement. The
8 participating NSGE shall have five business days from the
9 date of receipt of the departmental notification to sign the
10 participation agreement and remit payment of the state share
11 amount in the form of an intergovernmental transfer to the
12 department or the department's designee.

13 (2) If the total intergovernmental transfer amount is
14 received by the department or the department's designee within
15 the five business days as specified, the quality of care rate
16 add-on shall be included in the current quarter per diem rate
17 calculation for the participating NSGO nursing facility.

18 h. Penalties and adjustments. Failure by a participating
19 NSGE to remit the full intergovernmental transfer amount or
20 the correct amount as indicated by the department or the
21 department's designee within the following defined time frames
22 indicates the participating NSGE has voluntarily elected to
23 withdraw from program participation for that current quarter
24 and must reapply for participation in the program in any
25 subsequent quarter. All of the following shall apply when
26 determining the application of penalties and adjustments:

27 (1) The total amount of the intergovernmental transfer
28 must be received from the participating NSGE by the department
29 or the department's designee within five business days from
30 receipt by the participating NSGE of notification from the
31 department or the department's designee of the state share
32 amount.

33 (a) Receipt of the total intergovernmental transfer amount
34 by the department or the department's designee within five
35 business days is not subject to penalty.

1 (b) The date of receipt of notification of the state
2 share amount by the participating NSGE from the department or
3 the department's designee is the official reference date in
4 measuring the commencement of the five business days.

5 (2) Any intergovernmental transfer amount received by
6 the department or the department's designee after the fifth
7 business day as specified, but with a date stamp or mailing
8 postal mark indicating a date on or prior to five business
9 days from the date of notification by the department or the
10 department's designee of the state share amount, shall not be
11 subject to penalty.

12 (3) (a) Any intergovernmental transfer amount received by
13 the department or the department's designee after the fifth
14 business day as specified, but with a date stamp or postal mark
15 indicating a date after five business days but not exceeding
16 eight business days from the date of notification by the
17 department or the department's designee of the state share
18 amount, shall be deemed late and the participating NSGE shall
19 receive the quality of care rate add-on, including an assessed
20 penalty of five percent, based on the total intergovernmental
21 transfer payments received during the late period. The five
22 percent penalty shall be applied to the quality of care rate
23 add-on for the quarter in which the intergovernmental transfer
24 amount is late.

25 (b) The department shall notify the participating NSGE of
26 the assessed penalty in writing. If the participating NSGE
27 fails to pay the department or the department's designee the
28 assessed penalty within the time frame noted on the written
29 notice to the participating NSGE, the assessed penalty shall be
30 deducted in accordance with the state Medicaid fee-for-service
31 recoupment process. The penalty shall be paid regardless
32 of any appeal requested by the participating NSGE. If an
33 appeal results in a decision to disallow a portion of or the
34 entire assessed penalty, reimbursement to the participating
35 NSGE shall be made as part of future Medicaid payments to the

1 participating NSGO nursing facility.

2 (4) If a participating NSGO nursing facility fails to
3 achieve, at a minimum, two of the required care criteria
4 metrics for two consecutive quarters, the participating NSGO
5 nursing facility shall be suspended from participation in the
6 program for two subsequent quarters. An NSGO nursing facility
7 that has been suspended for a total of four quarters within a
8 two-year period due to noncompliance with the required care
9 criteria shall be terminated from the program, and shall be
10 required to reapply for approval to participate at a subsequent
11 time. Readmittance into the program is at the sole discretion
12 of the department, taking into consideration input from
13 stakeholders. If the NSGO nursing facility is subsequently
14 readmitted to the program, terms of participation may include a
15 probationary period with defined requirements related to care.

16 4. The quality of care rate add-on shall only be implemented
17 upon receipt by the department of approval of the Medicaid
18 state plan amendment by CMS, and if such approval is received,
19 the rate add-on is applicable no earlier than the first day
20 of the calendar quarter following the date of receipt of such
21 approval.

22 Sec. 106. REPEAL. 2016 Iowa Acts, chapter 1139, sections
23 80, 81, 82, 83, and 84, are repealed.

24 Sec. 107. REPEAL. 2017 Iowa Acts, chapter 174, sections
25 113, 114, 115, and 116, are repealed.

26 Sec. 108. EFFECTIVE UPON ENACTMENT. This division of this
27 Act, being deemed of immediate importance, takes effect upon
28 enactment.

29 Sec. 109. IMPLEMENTATION PROVISIONS.

30 1. The section of this division of this Act directing the
31 department of human services to submit a Medicaid state plan
32 amendment to CMS shall be implemented as soon as possible
33 following enactment, consistent with all applicable federal
34 requirements.

35 2. The section of this division of this Act amending

1 section 249L.2, shall only be implemented upon receipt by
2 the department of human services of approval of the Medicaid
3 state plan amendment by CMS, and if such approval is received,
4 is applicable no earlier than the first day of the calendar
5 quarter following the date of receipt of such approval.>>