

House File 766

H-1324

1 Amend the amendment, H-1323, to the Senate amendment,  
2 H-1322, to House File 766, as amended, passed, and reprinted by  
3 the House, as follows:

4 1. By striking page 1, line 1, through page 113, line 15,  
5 and inserting:

6 <Amend the Senate amendment, H-1322, to House File 766, as  
7 amended, passed, and reprinted by the House, as follows:

8 1. By striking page 1, line 1, through page 113, line 5, and  
9 inserting:

10 <Amend House File 766, as amended, passed, and reprinted by  
11 the House, as follows:

12 1. By striking everything after the enacting clause and  
13 inserting:

14 <DIVISION I

15 DEPARTMENT ON AGING — FY 2019-2020

16 Section 1. DEPARTMENT ON AGING. There is appropriated from  
17 the general fund of the state to the department on aging for  
18 the fiscal year beginning July 1, 2019, and ending June 30,  
19 2020, the following amount, or so much thereof as is necessary,  
20 to be used for the purposes designated:

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

32 ..... \$ 11,191,441  
33 ..... FTEs 27.00

34 1. Funds appropriated in this section may be used to  
35 supplement federal funds under federal regulations. To

1 receive funds appropriated in this section, a local area  
2 agency on aging shall match the funds with moneys from other  
3 sources according to rules adopted by the department. Funds  
4 appropriated in this section may be used for elderly services  
5 not specifically enumerated in this section only if approved  
6 by an area agency on aging for provision of the service within  
7 the area.

8 2. Of the funds appropriated in this section, \$279,000 is  
9 transferred to the economic development authority for the Iowa  
10 commission on volunteer services to be used for the retired and  
11 senior volunteer program.

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

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

20 (2) Prohibiting prepayment for goods or services not  
21 received or performed prior to the end of the fiscal period  
22 designated for use of the funds.

23 (3) Prohibiting prepayment for goods or services not  
24 defined specifically by good or service, time period, or  
25 recipient.

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

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

1 4. Of the funds appropriated in this section, at least  
2 \$600,000 shall be used to fund home and community-based  
3 services through the area agencies on aging that enable older  
4 individuals to avoid more costly utilization of residential or  
5 institutional services and remain in their own homes.

6 5. Of the funds appropriated in this section, \$812,000 shall  
7 be used for the purposes of [chapter 231E](#) and to administer  
8 the prevention of elder abuse, neglect, and exploitation  
9 program pursuant to [section 231.56A](#), in accordance with the  
10 requirements of the federal Older Americans Act of 1965, 42  
11 U.S.C. §3001 et seq., as amended.

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

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

28 DIVISION II

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

30 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is  
31 appropriated from the general fund of the state to the office  
32 of long-term care ombudsman for the fiscal year beginning July  
33 1, 2019, and ending June 30, 2020, the following amount, or  
34 so much thereof as is necessary, to be used for the purposes  
35 designated:

1 For salaries, support, administration, maintenance, and  
 2 miscellaneous purposes, and for not more than the following  
 3 full-time equivalent positions:  
 4 ..... \$ 1,149,821  
 5 ..... FTEs 16.00

6 DIVISION III

7 DEPARTMENT OF PUBLIC HEALTH — FY 2019-2020

8 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated  
 9 from the general fund of the state to the department of public  
 10 health for the fiscal year beginning July 1, 2019, and ending  
 11 June 30, 2020, the following amounts, or so much thereof as is  
 12 necessary, to be used for the purposes designated:

13 1. ADDICTIVE DISORDERS

14 For reducing the prevalence of the use of tobacco, alcohol,  
 15 and other drugs, and treating individuals affected by addictive  
 16 behaviors, including gambling, and for not more than the  
 17 following full-time equivalent positions:

18 ..... \$ 25,110,000  
 19 ..... FTEs 12.00

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

1 prior to provision of such products to an applicant under  
2 the initiative. The department shall track and report to  
3 the individuals specified in this Act, any reduction in  
4 the provision of nicotine replacement products realized by  
5 the initiative through implementation of the prerequisite  
6 screening.

7 (2) (a) The department shall collaborate with the  
8 alcoholic beverages division of the department of commerce for  
9 enforcement of tobacco laws, regulations, and ordinances and to  
10 engage in tobacco control activities approved by the division  
11 of tobacco use prevention and control of the department of  
12 public health as specified in the memorandum of understanding  
13 entered into between the divisions.

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

25 b. (1) Of the funds appropriated in this subsection,  
26 \$21,089,000 shall be used for problem gambling and  
27 substance-related disorder prevention, treatment, and recovery  
28 services, including a 24-hour helpline, public information  
29 resources, professional training, youth prevention, and program  
30 evaluation.

31 (2) Of the amount allocated under this paragraph, \$306,000  
32 shall be utilized by the department of public health, in  
33 collaboration with the department of human services, to support  
34 establishment and maintenance of a single statewide 24-hour  
35 crisis hotline for the Iowa children's behavioral health system

1 that incorporates warmline services which may be provided  
2 through expansion of existing capabilities maintained by the  
3 department of public health as required pursuant to 2018 Iowa  
4 Acts, chapter 1056, section 16.

5 c. The requirement of [section 123.17, subsection 5](#), is met  
6 by the appropriations and allocations made in this division of  
7 this Act for purposes of substance-related disorder treatment  
8 and addictive disorders for the fiscal year beginning July 1,  
9 2019.

10 2. HEALTHY CHILDREN AND FAMILIES

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

15 .....	\$	5,817,057
16 .....	FTEs	14.00

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

29 b. In order to implement the legislative intent stated  
30 in sections [135.106](#) and [256I.9](#), priority for home visitation  
31 program funding shall be given to programs using evidence-based  
32 or promising models for home visitation.

33 c. Of the funds appropriated in this subsection, \$3,075,000  
34 shall be used for continuation of the department's initiative  
35 to provide for adequate developmental surveillance and

1 screening during a child's first five years. The funds shall  
2 be used first to fully fund the current sites to ensure that  
3 the sites are fully operational, with the remaining funds  
4 to be used for expansion to additional sites. The full  
5 implementation and expansion shall include enhancing the scope  
6 of the initiative through collaboration with the child health  
7 specialty clinics to promote healthy child development through  
8 early identification and response to both biomedical and social  
9 determinants of healthy development; by monitoring child  
10 health metrics to inform practice, document long-term health  
11 impacts and savings, and provide for continuous improvement  
12 through training, education, and evaluation; and by providing  
13 for practitioner consultation particularly for children with  
14 behavioral conditions and needs. The department of public  
15 health shall also collaborate with the Iowa Medicaid enterprise  
16 and the child health specialty clinics to integrate the  
17 activities of the first five initiative into the establishment  
18 of patient-centered medical homes, community utilities,  
19 accountable care organizations, and other integrated care  
20 models developed to improve health quality and population  
21 health while reducing health care costs. To the maximum extent  
22 possible, funding allocated in this paragraph shall be utilized  
23 as matching funds for medical assistance program reimbursement.

24 d. Of the funds appropriated in this subsection, \$64,000  
25 shall be distributed to a statewide dental carrier to provide  
26 funds to continue the donated dental services program patterned  
27 after the projects developed by the dental lifeline network to  
28 provide dental services to indigent individuals who are elderly  
29 or with disabilities.

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

33 f. Of the funds appropriated in this subsection, \$23,000 is  
34 transferred to the university of Iowa college of dentistry for  
35 provision of primary dental services to children. State funds

1 shall be matched on a dollar-for-dollar basis. The university  
2 of Iowa college of dentistry shall coordinate efforts with the  
3 department of public health, oral and health delivery system  
4 bureau, to provide dental care to underserved populations  
5 throughout the state.

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

8 h. Of the funds appropriated in this subsection, \$40,000  
9 shall be used to support the Iowa effort to address the survey  
10 of children who experience adverse childhood experiences known  
11 as ACEs.

12 i. Of the funds appropriated in this subsection, up to  
13 \$494,000 shall be used for childhood obesity prevention.

14 3. CHRONIC CONDITIONS

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

18 .....	\$	4,223,519
19 .....	FTEs	9.00

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

24 b. Of the funds appropriated in this subsection, \$1,055,000  
25 shall be used for the brain injury services program pursuant  
26 to section 135.22B, including \$861,000 for contracting with an  
27 existing nationally affiliated and statewide organization whose  
28 purpose is to educate, serve, and support Iowans with brain  
29 injury and their families, for resource facilitator services  
30 in accordance with section 135.22B, subsection 9, and for  
31 contracting to enhance brain injury training and recruitment  
32 of service providers on a statewide basis. Of the amount  
33 allocated in this paragraph, \$95,000 shall be used to fund  
34 1.00 full-time equivalent position to serve as the state brain  
35 injury services program manager.



1 c. Of the funds appropriated in this subsection, \$144,000  
2 shall be used for the public purpose of continuing to contract  
3 with an existing nationally affiliated organization to provide  
4 education, client-centered programs, and client and family  
5 support for people living with epilepsy and their families.  
6 The amount allocated in this paragraph in excess of \$50,000  
7 shall be matched dollar-for-dollar by the organization  
8 specified. Funds allocated under this paragraph shall be  
9 distributed in their entirety for the purpose specified on July  
10 1, 2019.

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

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

28 f. Of the funds appropriated in this subsection, \$577,000  
29 shall be used for the comprehensive cancer control program to  
30 reduce the burden of cancer in Iowa through prevention, early  
31 detection, effective treatment, and ensuring quality of life.  
32 Of the funds allocated in this paragraph "f", \$150,000 shall  
33 be used to support a melanoma research symposium, a melanoma  
34 biorepository and registry, basic and translational melanoma  
35 research, and clinical trials.

1 g. Of the funds appropriated in this subsection, \$97,000  
2 shall be used for cervical and colon cancer screening, and  
3 \$177,000 shall be used to enhance the capacity of the cervical  
4 cancer screening program to include provision of recommended  
5 prevention and early detection measures to a broader range of  
6 low-income women.

7 h. Of the funds appropriated in this subsection, \$506,000  
8 shall be used for the center for congenital and inherited  
9 disorders.

10 4. COMMUNITY CAPACITY

11 For strengthening the health care delivery system at the  
12 local level, and for not more than the following full-time  
13 equivalent positions:

14 .....	\$ 5,594,677
15 .....	FTEs 13.00

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

29 b. Of the funds appropriated in this subsection,  
30 \$48,000 shall be used for a grant to a statewide association  
31 of psychologists, that is affiliated with the American  
32 psychological association, to be used for continuation of a  
33 program to rotate intern psychologists in placements in urban  
34 and rural mental health professional shortage areas. For the  
35 purposes of this paragraph "b", "mental health professional

1 shortage area" means a geographic area in this state that has  
2 been designated by the United States department of health and  
3 human services, health resources and services administration,  
4 bureau of health professionals, as having a shortage of mental  
5 health professionals.

6 c. Of the funds appropriated in this subsection, the  
7 following amounts are allocated to be used as follows  
8 to support the goals of increased access, health system  
9 integration, and engagement:

10 (1) Not less than \$600,000 is allocated to the Iowa  
11 prescription drug corporation for continuation of the  
12 pharmaceutical infrastructure for safety net providers as  
13 described in 2007 Iowa Acts, chapter 218, section 108, and for  
14 the prescription drug donation repository program created in  
15 chapter 135M. Funds allocated under this subparagraph shall  
16 be distributed in their entirety for the purpose specified on  
17 July 1, 2019.

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

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

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

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

4 e. Of the funds appropriated in this subsection, \$96,000  
5 shall be used for a matching dental education loan repayment  
6 program to be allocated to a dental nonprofit health service  
7 corporation to continue to develop the criteria and implement  
8 the loan repayment program.

9 f. Of the funds appropriated in this subsection, \$100,000  
10 shall be used for the purposes of the Iowa donor registry as  
11 specified in [section 142C.18](#).

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

29 h. Of the funds appropriated in this subsection, \$2,000,000  
30 shall be deposited in the medical residency training account  
31 created in section 135.175, subsection 5, paragraph "a", and  
32 is appropriated from the account to the department of public  
33 health to be used for the purposes of the medical residency  
34 training state matching grants program as specified in section  
35 135.176.

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

6 j. Of the funds appropriated in this subsection, \$400,000  
7 shall be used for rural psychiatric residencies to support the  
8 annual creation and training of four psychiatric residents who  
9 will provide mental health services in underserved areas of the  
10 state.

11 k. Of the funds appropriated in this subsection, \$150,000  
12 shall be used for psychiatric training to increase access to  
13 mental health care services by expanding the mental health  
14 workforce via training of additional physician assistants and  
15 nurse practitioners.

16 5. ESSENTIAL PUBLIC HEALTH SERVICES

17 To provide public health services that reduce risks and  
18 invest in promoting and protecting good health over the  
19 course of a lifetime with a priority given to older Iowans and  
20 vulnerable populations:

21 ..... \$ 7,662,464

22 6. INFECTIOUS DISEASES

23 For reducing the incidence and prevalence of communicable  
24 diseases, and for not more than the following full-time  
25 equivalent positions:

26 ..... \$ 1,796,426

27 ..... FTEs 4.00

28 7. PUBLIC PROTECTION

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

32 ..... \$ 4,093,383

33 ..... FTEs 142.00

34 a. Of the funds appropriated in this subsection, not more  
35 than \$304,000 shall be credited to the emergency medical

1 services fund created in [section 135.25](#). Moneys in the  
2 emergency medical services fund are appropriated to the  
3 department to be used for the purposes of the fund.

4 b. Of the funds appropriated in this subsection, up  
5 to \$243,000 shall be used for sexual violence prevention  
6 programming through a statewide organization representing  
7 programs serving victims of sexual violence through the  
8 department's sexual violence prevention program, and for  
9 continuation of a training program for sexual assault  
10 response team (SART) members, including representatives of  
11 law enforcement, victim advocates, prosecutors, and certified  
12 medical personnel. However, the department shall issue  
13 a request for proposals and execute a contract with the  
14 contractor selected to provide the programming and training  
15 as specified in this paragraph no later than January 1, 2020.  
16 The amount allocated in this paragraph "b" shall not be used  
17 to supplant funding administered for other sexual violence  
18 prevention or victims assistance programs. The department  
19 shall not retain any portion of the allocation under this  
20 paragraph for administrative costs.

21 c. Of the funds appropriated in this subsection, up to  
22 \$500,000 shall be used for the state poison control center.  
23 Pursuant to the directive under 2014 Iowa Acts, chapter  
24 1140, section 102, the federal matching funds available to  
25 the state poison control center from the department of human  
26 services under the federal Children's Health Insurance Program  
27 Reauthorization Act allotment shall be subject to the federal  
28 administrative cap rule of 10 percent applicable to funding  
29 provided under Tit. XXI of the federal Social Security Act and  
30 included within the department's calculations of the cap.

31 d. Of the funds appropriated in this subsection, up to  
32 \$504,000 shall be used for childhood lead poisoning provisions.

33 8. RESOURCE MANAGEMENT

34 For establishing and sustaining the overall ability of the  
35 department to deliver services to the public, and for not more

1 than the following full-time equivalent positions:

2 .....	\$	971,215
3 .....	FTEs	4.00

4 9. MISCELLANEOUS PROVISIONS

5 a. The university of Iowa hospitals and clinics under  
6 the control of the state board of regents shall not receive  
7 indirect costs from the funds appropriated in this section.  
8 The university of Iowa hospitals and clinics billings to the  
9 department shall be on at least a quarterly basis.

10 b. The department of public health shall collaborate  
11 with applicable stakeholders to review the allocations,  
12 grants, and other distributions of funds appropriated under  
13 this division of this Act and shall submit a report to the  
14 individuals identified in this Act for submission of reports by  
15 December 15, 2019, regarding a proposal for the distribution  
16 of funds that more clearly reflects the department's stated  
17 priorities and goals, provides increased flexibility in the  
18 distribution of funds to meet these priorities and goals, and  
19 ensures stakeholder accountability and a discernable return on  
20 investment.

21 Sec. 4. CONTRACTED SERVICES — PROHIBITED USE OF GENERAL  
22 FUND MONEYS FOR LOBBYING.

23 1. The department shall submit a report to the individuals  
24 identified in this Act for submission of reports by January 1,  
25 2020, regarding the outcomes of any program or activity for  
26 which funding is appropriated or allocated from the general  
27 fund of the state to the department under this division of  
28 this Act, and for which a request for proposals process is  
29 specifically required.

30 2. The department shall incorporate into the general  
31 conditions applicable to all award documents involving funding  
32 appropriated or allocated from the general fund of the state to  
33 the department under this division of this Act, a prohibition  
34 against the use of such funding for the compensation of a  
35 lobbyist. For the purposes of this section, "lobbyist" means

1 the same as defined in section 68B.2; however, "lobbyist"  
2 does not include a person employed by a state agency of the  
3 executive branch of state government who represents the agency  
4 relative to the passage, defeat, approval, or modification of  
5 legislation that is being considered by the general assembly.

6 DIVISION IV

7 DEPARTMENT OF VETERANS AFFAIRS — FY 2019-2020

8 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is  
9 appropriated from the general fund of the state to the  
10 department of veterans affairs for the fiscal year beginning  
11 July 1, 2019, and ending June 30, 2020, the following amounts,  
12 or so much thereof as is necessary, to be used for the purposes  
13 designated:

14 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

15 For salaries, support, maintenance, and miscellaneous  
16 purposes, and for not more than the following full-time  
17 equivalent positions:

18 .....	\$ 1,225,500
19 .....	FTEs 15.00

20 2. IOWA VETERANS HOME

21 For salaries, support, maintenance, and miscellaneous  
22 purposes:

23 .....	\$ 7,162,976
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24 a. The Iowa veterans home billings involving the department  
25 of human services shall be submitted to the department on at  
26 least a monthly basis.

27 b. Within available resources and in conformance with  
28 associated state and federal program eligibility requirements,  
29 the Iowa veterans home may implement measures to provide  
30 financial assistance to or on behalf of veterans or their  
31 spouses who are participating in the community reentry program.

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

34 d. The Iowa veterans home shall continue to include in the  
35 annual discharge report applicant information to provide for



1 the collection of demographic information including but not  
2 limited to the number of individuals applying for admission and  
3 admitted or denied admittance and the basis for the admission  
4 or denial; the age, gender, and race of such individuals;  
5 and the level of care for which such individuals applied for  
6 admission including residential or nursing level of care.

7 3. HOME OWNERSHIP ASSISTANCE PROGRAM

8 For transfer to the Iowa finance authority for the  
9 continuation of the home ownership assistance program for  
10 persons who are or were eligible members of the armed forces of  
11 the United States, pursuant to [section 16.54](#):

12 ..... \$ 2,000,000

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

20 For the county commissions of veteran affairs fund under  
21 section 35A.16:

22 ..... \$ 990,000

23 DIVISION V

24 DEPARTMENT OF HUMAN SERVICES — FY 2019-2020

25 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
26 GRANT. There is appropriated from the fund created in section  
27 8.41 to the department of human services for the fiscal year  
28 beginning July 1, 2019, and ending June 30, 2020, from moneys  
29 received under the federal temporary assistance for needy  
30 families (TANF) block grant pursuant to the federal Personal  
31 Responsibility and Work Opportunity Reconciliation Act of 1996,  
32 Pub. L. No. 104-193, and successor legislation, the following  
33 amounts, or so much thereof as is necessary, to be used for the  
34 purposes designated:

35 1. To be credited to the family investment program account

1 and used for assistance under the family investment program  
2 under [chapter 239B](#):  
3 ..... \$ 4,524,006  
4 2. To be credited to the family investment program account  
5 and used for the job opportunities and basic skills (JOBS)  
6 program and implementing family investment agreements in  
7 accordance with [chapter 239B](#):  
8 ..... \$ 5,412,060  
9 3. To be used for the family development and  
10 self-sufficiency grant program in accordance with section  
11 216A.107:  
12 ..... \$ 2,898,980  
13 Notwithstanding [section 8.33](#), moneys appropriated in this  
14 subsection that remain unencumbered or unobligated at the close  
15 of the fiscal year shall not revert but shall remain available  
16 for expenditure for the purposes designated until the close of  
17 the succeeding fiscal year. However, unless such moneys are  
18 encumbered or obligated on or before September 30, 2020, the  
19 moneys shall revert.  
20 4. For field operations:  
21 ..... \$ 31,296,232  
22 5. For general administration:  
23 ..... \$ 3,744,000  
24 6. For state child care assistance:  
25 ..... \$ 47,166,826  
26 a. Of the funds appropriated in this subsection,  
27 \$26,205,412 is transferred to the child care and development  
28 block grant appropriation made by the Eighty-eighth General  
29 Assembly, 2019 session, for the federal fiscal year beginning  
30 October 1, 2019, and ending September 30, 2020. Of this  
31 amount, \$200,000 shall be used for provision of educational  
32 opportunities to registered child care home providers in order  
33 to improve services and programs offered by this category  
34 of providers and to increase the number of providers. The  
35 department may contract with institutions of higher education

1 or child care resource and referral centers to provide  
2 the educational opportunities. Allowable administrative  
3 costs under the contracts shall not exceed 5 percent. The  
4 application for a grant shall not exceed two pages in length.

5 b. Any funds appropriated in this subsection remaining  
6 unallocated shall be used for state child care assistance  
7 payments for families who are employed including but not  
8 limited to individuals enrolled in the family investment  
9 program.

10 7. For child and family services:

11 ..... \$ 32,380,654

12 8. For child abuse prevention grants:

13 ..... \$ 125,000

14 9. For pregnancy prevention grants on the condition that  
15 family planning services are funded:

16 ..... \$ 1,913,203

17 Pregnancy prevention grants shall be awarded to programs  
18 in existence on or before July 1, 2019, if the programs have  
19 demonstrated positive outcomes. Grants shall be awarded to  
20 pregnancy prevention programs which are developed after July  
21 1, 2019, if the programs are based on existing models that  
22 have demonstrated positive outcomes. Grants shall comply with  
23 the requirements provided in 1997 Iowa Acts, chapter 208,  
24 section 14, subsections 1 and 2, including the requirement that  
25 grant programs must emphasize sexual abstinence. Priority in  
26 the awarding of grants shall be given to programs that serve  
27 areas of the state which demonstrate the highest percentage of  
28 unplanned pregnancies of females of childbearing age within the  
29 geographic area to be served by the grant.

30 10. For technology needs and other resources necessary  
31 to meet federal welfare reform reporting, tracking, and case  
32 management requirements:

33 ..... \$ 1,037,186

34 11. a. Notwithstanding any provision to the contrary,  
35 including but not limited to requirements in [section 8.41](#) or

1 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the  
2 receipt and appropriation of federal block grants, federal  
3 funds from the temporary assistance for needy families block  
4 grant received by the state and not otherwise appropriated  
5 in this section and remaining available for the fiscal year  
6 beginning July 1, 2019, are appropriated to the department of  
7 human services to the extent as may be necessary to be used in  
8 the following priority order: the family investment program,  
9 for state child care assistance program payments for families  
10 who are employed, and for the family investment program share  
11 of system costs for eligibility determination and related  
12 functions. The federal funds appropriated in this paragraph  
13 "a" shall be expended only after all other funds appropriated  
14 in subsection 1 for assistance under the family investment  
15 program, in subsection 6 for state child care assistance, or  
16 in subsection 10 for technology costs related to the family  
17 investment program, as applicable, have been expended. For  
18 the purposes of this subsection, the funds appropriated in  
19 subsection 6, paragraph "a", for transfer to the child care  
20 and development block grant appropriation are considered fully  
21 expended when the full amount has been transferred.

22 b. The department shall, on a quarterly basis, advise the  
23 legislative services agency and department of management of  
24 the amount of funds appropriated in this subsection that was  
25 expended in the prior quarter.

26 12. Of the amounts appropriated in this section,  
27 \$12,962,008 for the fiscal year beginning July 1, 2019, is  
28 transferred to the appropriation of the federal social services  
29 block grant made to the department of human services for that  
30 fiscal year.

31 13. For continuation of the program providing categorical  
32 eligibility for the food assistance program as specified  
33 for the program in the section of this division of this Act  
34 relating to the family investment program account:

35 ..... \$ 14,236

1 14. The department may transfer funds allocated in this  
2 section to the appropriations made in this division of this Act  
3 for the same fiscal year for general administration and field  
4 operations for resources necessary to implement and operate the  
5 services referred to in this section and those funded in the  
6 appropriation made in this division of this Act for the same  
7 fiscal year for the family investment program from the general  
8 fund of the state.

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

24 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

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

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

32 3. The department may transfer funds allocated in  
33 subsection 4, excluding the allocation under subsection 4,  
34 paragraph "b", to the appropriations made in this division of  
35 this Act for the same fiscal year for general administration

1 and field operations for resources necessary to implement  
2 and operate the services referred to in this section and  
3 those funded in the appropriations made in section 7 for the  
4 temporary assistance for needy families block grant and in  
5 section 9 for the family investment program from the general  
6 fund of the state in this division of this Act for the same  
7 fiscal year.

8 4. Moneys appropriated in this division of this Act and  
9 credited to the FIP account for the fiscal year beginning July  
10 1, 2019, and ending June 30, 2020, are allocated as follows:

11 a. To be retained by the department of human services to  
12 be used for coordinating with the department of human rights  
13 to more effectively serve participants in FIP and other shared  
14 clients and to meet federal reporting requirements under the  
15 federal temporary assistance for needy families block grant:  
16 ..... \$ 20,000

17 b. To the department of human rights for staffing,  
18 administration, and implementation of the family development  
19 and self-sufficiency grant program in accordance with section  
20 216A.107:  
21 ..... \$ 6,192,834

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

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

29 (3) The department of human rights may engage in activities  
30 to strengthen and improve family outcomes measures and  
31 data collection systems under the family development and  
32 self-sufficiency grant program.

33 c. For the diversion subaccount of the FIP account:  
34 ..... \$ 815,000

35 A portion of the moneys allocated for the diversion

1 subaccount may be used for field operations, salaries, data  
2 management system development, and implementation costs and  
3 support deemed necessary by the director of human services  
4 in order to administer the FIP diversion program. To the  
5 extent moneys allocated in this paragraph "c" are deemed by the  
6 department not to be necessary to support diversion activities,  
7 such moneys may be used for other efforts intended to increase  
8 engagement by family investment program participants in work,  
9 education, or training activities, or for the purposes of  
10 assistance under the family investment program in accordance  
11 with [chapter 239B](#).

12 d. For the food assistance employment and training program:  
13 ..... \$ 66,588

14 (1) The department shall apply the federal supplemental  
15 nutrition assistance program (SNAP) employment and training  
16 state plan in order to maximize to the fullest extent permitted  
17 by federal law the use of the 50 percent federal reimbursement  
18 provisions for the claiming of allowable federal reimbursement  
19 funds from the United States department of agriculture  
20 pursuant to the federal SNAP employment and training program  
21 for providing education, employment, and training services  
22 for eligible food assistance program participants, including  
23 but not limited to related dependent care and transportation  
24 expenses.

25 (2) The department shall continue the categorical federal  
26 food assistance program eligibility at 160 percent of the  
27 federal poverty level and continue to eliminate the asset test  
28 from eligibility requirements, consistent with federal food  
29 assistance program requirements. The department shall include  
30 as many food assistance households as is allowed by federal  
31 law. The eligibility provisions shall conform to all federal  
32 requirements including requirements addressing individuals who  
33 are incarcerated or otherwise ineligible.

34 e. For the JOBS program:  
35 ..... \$ 12,018,258

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

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

21 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
22 is appropriated from the general fund of the state to the  
23 department of human services 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 purpose  
26 designated:

27 To be credited to the family investment program (FIP)  
28 account and used for family investment program assistance under  
29 chapter 239B:

30 ..... \$ 40,365,037

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

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



1 3. a. Notwithstanding [section 8.39](#), for the fiscal  
2 year beginning July 1, 2019, if necessary to meet federal  
3 maintenance of effort requirements or to transfer federal  
4 temporary assistance for needy families block grant funding  
5 to be used for purposes of the federal social services block  
6 grant or to meet cash flow needs resulting from delays in  
7 receiving federal funding or to implement, in accordance with  
8 this division of this Act, activities currently funded with  
9 juvenile court services, county, or community moneys and state  
10 moneys used in combination with such moneys; to comply with  
11 federal requirements; or to maximize the use of federal funds;  
12 the department of human services may transfer funds within or  
13 between any of the appropriations made in this division of this  
14 Act and appropriations in law for the federal social services  
15 block grant to the department for the following purposes,  
16 provided that the combined amount of state and federal  
17 temporary assistance for needy families block grant funding  
18 for each appropriation remains the same before and after the  
19 transfer:

20 (1) For the family investment program.

21 (2) For state child care assistance.

22 (3) For child and family services.

23 (4) For field operations.

24 (5) For general administration.

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

29 4. Of the funds appropriated in this section, \$195,000 shall  
30 be used for continuation of a grant to an Iowa-based nonprofit  
31 organization with a history of providing tax preparation  
32 assistance to low-income Iowans in order to expand the usage  
33 of the earned income tax credit. The purpose of the grant is  
34 to supply this assistance to underserved areas of the state.  
35 However, the department shall issue a request for proposals and

1 execute a contract with the contractor selected to administer  
2 the program no later than January 1, 2020. The department  
3 shall not retain any portion of the allocation under this  
4 subsection for administrative costs.

5 5. Of the funds appropriated in this section, \$70,000 shall  
6 be used for the continuation of the parenting program, as  
7 specified in 441 IAC ch. 100, relating to parental obligations,  
8 in which the child support recovery unit participates, to  
9 support the efforts of a nonprofit organization committed  
10 to strengthening the community through youth development,  
11 healthy living, and social responsibility headquartered in  
12 a county with a population over 350,000 according to the  
13 latest certified federal census. The funds allocated in this  
14 subsection shall be used by the recipient organization to  
15 develop a larger community effort, through public and private  
16 partnerships, to support a broad-based multi-county parenthood  
17 initiative that promotes payment of child support obligations,  
18 improved family relationships, and full-time employment.

19 6. The department may transfer funds appropriated in this  
20 section, excluding the allocation in subsection 2 for the  
21 family development and self-sufficiency grant program, to the  
22 appropriations made in this division of this Act for general  
23 administration and field operations as necessary to administer  
24 this section, section 7 for the temporary assistance for needy  
25 families block grant, and section 8 for the family investment  
26 program account.

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

32 For child support recovery, including salaries, support,  
33 maintenance, and miscellaneous purposes, and for not more than  
34 the following full-time equivalent positions:

35 ..... \$ 14,749,368

1 ..... FTEs 459.00

2 1. The department shall expend up to \$24,000, including  
3 federal financial participation, for the fiscal year beginning  
4 July 1, 2019, for a child support public awareness campaign.  
5 The department and the office of the attorney general shall  
6 cooperate in continuation of the campaign. The public  
7 awareness campaign shall emphasize, through a variety of  
8 media activities, the importance of maximum involvement of  
9 both parents in the lives of their children as well as the  
10 importance of payment of child support obligations.

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

16 3. The appropriation made to the department for child  
17 support recovery may be used throughout the fiscal year in the  
18 manner necessary for purposes of cash flow management, and for  
19 cash flow management purposes the department may temporarily  
20 draw more than the amount appropriated, provided the amount  
21 appropriated is not exceeded at the close of the fiscal year.

22 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —  
23 FY 2019-2020. Any funds remaining in the health care trust  
24 fund created in [section 453A.35A](#) 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 program appropriations made in this division of this  
28 Act, for medical assistance reimbursement and associated costs,  
29 including program administration and costs associated with  
30 program implementation.

31 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY  
32 2019-2020. Any funds remaining in the Medicaid fraud fund  
33 created in [section 249A.50](#) for the fiscal year beginning  
34 July 1, 2019, and ending June 30, 2020, are appropriated to  
35 the department of human services to supplement the medical

1 assistance appropriations made in this division of this Act,  
2 for medical assistance reimbursement and associated costs,  
3 including program administration and costs associated with  
4 program implementation.

5     Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the  
6 general fund of the state to the department of human services  
7 for the fiscal year beginning July 1, 2019, and ending June 30,  
8 2020, the following amount, or so much thereof as is necessary,  
9 to be used for the purpose designated:

10     For medical assistance program reimbursement and associated  
11 costs as specifically provided in the reimbursement  
12 methodologies in effect on June 30, 2019, except as otherwise  
13 expressly authorized by law, consistent with options under  
14 federal law and regulations, and contingent upon receipt of  
15 approval from the office of the governor of reimbursement for  
16 each abortion performed under the program:

17 ..... \$ 1,427,379,707

18     1. Iowans support reducing the number of abortions  
19 performed in our state. Funds appropriated under this section  
20 shall not be used for abortions, unless otherwise authorized  
21 under this section.

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

25     3. The department shall utilize not more than \$60,000 of  
26 the funds appropriated in this section to continue the AIDS/HIV  
27 health insurance premium payment program as established in 1992  
28 Iowa Acts, Second Extraordinary Session, chapter 1001, section  
29 409, subsection 6. Of the funds allocated in this subsection,  
30 not more than \$5,000 may be expended for administrative  
31 purposes.

32     4. Of the funds appropriated in this Act to the department  
33 of public health for addictive disorders, \$950,000 for  
34 the fiscal year beginning July 1, 2019, is transferred  
35 to the department of human services for an integrated

1 substance-related disorder managed care system. The  
2 departments of human services and public health shall  
3 work together to maintain the level of mental health and  
4 substance-related disorder treatment services provided by the  
5 managed care contractors. Each department shall take the steps  
6 necessary to continue the federal waivers as necessary to  
7 maintain the level of services.

8 5. a. The department shall aggressively pursue options for  
9 providing medical assistance or other assistance to individuals  
10 with special needs who become ineligible to continue receiving  
11 services under the early and periodic screening, diagnostic,  
12 and treatment program under the medical assistance program  
13 due to becoming 21 years of age who have been approved for  
14 additional assistance through the department's exception to  
15 policy provisions, but who have health care needs in excess  
16 of the funding available through the exception to policy  
17 provisions.

18 b. Of the funds appropriated in this section, \$100,000  
19 shall be used for participation in one or more pilot projects  
20 operated by a private provider to allow the individual or  
21 individuals to receive service in the community in accordance  
22 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
23 (1999), for the purpose of providing medical assistance or  
24 other assistance to individuals with special needs who become  
25 ineligible to continue receiving services under the early and  
26 periodic screening, diagnostic, and treatment program under  
27 the medical assistance program due to becoming 21 years of  
28 age who have been approved for additional assistance through  
29 the department's exception to policy provisions, but who have  
30 health care needs in excess of the funding available through  
31 the exception to the policy provisions.

32 6. Of the funds appropriated in this section, up to  
33 \$3,050,082 may be transferred to the field operations or  
34 general administration appropriations in this division of this  
35 Act for operational costs associated with Part D of the federal

1 Medicare Prescription Drug Improvement and Modernization Act  
2 of 2003, Pub. L. No. 108-173.

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

7 8. A portion of the funds appropriated in this section  
8 may be transferred to the appropriations in this division of  
9 this Act for general administration, medical contracts, the  
10 children's health insurance program, or field operations to be  
11 used for the state match cost to comply with the payment error  
12 rate measurement (PERM) program for both the medical assistance  
13 and children's health insurance programs as developed by the  
14 centers for Medicare and Medicaid services of the United States  
15 department of health and human services to comply with the  
16 federal Improper Payments Information Act of 2002, Pub. L.  
17 No. 107-300, and to support other reviews and quality control  
18 activities to improve the integrity of these programs.

19 9. The department shall continue to implement the  
20 recommendations of the assuring better child health and  
21 development initiative II (ABCDII) clinical panel to the  
22 Iowa early and periodic screening, diagnostic, and treatment  
23 services healthy mental development collaborative board  
24 regarding changes to billing procedures, codes, and eligible  
25 service providers.

26 10. Of the funds appropriated in this section, a sufficient  
27 amount is allocated to supplement the incomes of residents of  
28 nursing facilities, intermediate care facilities for persons  
29 with mental illness, and intermediate care facilities for  
30 persons with an intellectual disability, with incomes of less  
31 than \$50 in the amount necessary for the residents to receive a  
32 personal needs allowance of \$50 per month pursuant to section  
33 249A.30A.

34 11. a. Hospitals that meet the conditions specified  
35 in subparagraphs (1) and (2) shall either certify public

1 expenditures or transfer to the medical assistance program  
2 an amount equal to provide the nonfederal share for a  
3 disproportionate share hospital payment in an amount up to the  
4 hospital-specific limit as approved in the Medicaid state plan.  
5 The hospitals that meet the conditions specified shall receive  
6 and retain 100 percent of the total disproportionate share  
7 hospital payment in an amount up to the hospital-specific limit  
8 as approved in the Medicaid state plan.

9 (1) The hospital qualifies for disproportionate share and  
10 graduate medical education payments.

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

15 b. Distribution of the disproportionate share payments  
16 shall be made on a monthly basis. The total amount of  
17 disproportionate share payments including graduate medical  
18 education, enhanced disproportionate share, and Iowa  
19 state-owned teaching hospital payments shall not exceed the  
20 amount of the state's allotment under Pub. L. No. 102-234.  
21 In addition, the total amount of all disproportionate  
22 share payments shall not exceed the hospital-specific  
23 disproportionate share limits under Pub. L. No. 103-66.

24 12. One hundred percent of the nonfederal share of payments  
25 to area education agencies that are medical assistance  
26 providers for medical assistance-covered services provided to  
27 medical assistance-covered children, shall be made from the  
28 appropriation made in this section.

29 13. A portion of the funds appropriated in this section  
30 may be transferred to the appropriation in this division of  
31 this Act for medical contracts to be used for administrative  
32 activities associated with the money follows the person  
33 demonstration project.

34 14. Of the funds appropriated in this section, \$349,011  
35 shall be used for the administration of the health insurance

1 premium payment program, including salaries, support,  
2 maintenance, and miscellaneous purposes.

3 15. a. The department may increase the amounts allocated  
4 for salaries, support, maintenance, and miscellaneous purposes  
5 associated with the medical assistance program, as necessary,  
6 to sustain cost management efforts. The department shall  
7 report any such increase to the legislative services agency and  
8 the department of management.

9 b. If the savings to the medical assistance program from  
10 ongoing cost management efforts exceed the associated cost  
11 for the fiscal year beginning July 1, 2019, the department  
12 may transfer any savings generated for the fiscal year due  
13 to medical assistance program cost management efforts to the  
14 appropriation made in this division of this Act for medical  
15 contracts or general administration to defray the costs  
16 associated with implementing the efforts.

17 16. For the fiscal year beginning July 1, 2019, and ending  
18 June 30, 2020, the replacement generation tax revenues required  
19 to be deposited in the property tax relief fund pursuant to  
20 section 437A.8, subsection 4, paragraph "d", and section  
21 437A.15, subsection 3, paragraph "f", shall instead be credited  
22 to and supplement the appropriation made in this section and  
23 used for the allocations made in this section.

24 17. a. Of the funds appropriated in this section, up  
25 to \$50,000 may be transferred by the department to the  
26 appropriation made in this division of this Act to the  
27 department for the same fiscal year for general administration  
28 to be used for associated administrative expenses and for not  
29 more than 1.00 full-time equivalent position, in addition to  
30 those authorized for the same fiscal year, to be assigned to  
31 implementing the children's mental health home project.

32 b. Of the funds appropriated in this section, up to \$400,000  
33 may be transferred by the department to the appropriation made  
34 to the department in this division of this Act for the same  
35 fiscal year for Medicaid program-related general administration



1 planning and implementation activities. The funds may be used  
2 for contracts or for personnel in addition to the amounts  
3 appropriated for and the positions authorized for general  
4 administration for the fiscal year.

5 c. Of the funds appropriated in this section, up to  
6 \$3,000,000 may be transferred by the department to the  
7 appropriations made in this division of this Act for the same  
8 fiscal year for general administration or medical contracts  
9 to be used to support the development and implementation of  
10 standardized assessment tools for persons with mental illness,  
11 an intellectual disability, a developmental disability, or a  
12 brain injury.

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

27 19. Of the funds appropriated in this section, up to  
28 \$3,383,880 shall be used for administration of the state family  
29 planning services program pursuant to section 217.41B, and  
30 of this amount, the department may use up to \$200,000 for  
31 administrative expenses.

32 20. Of the funds appropriated in this section, \$1,545,530  
33 shall be used and may be transferred to other appropriations  
34 in this division of this Act as necessary to administer the  
35 provisions in the division of this Act relating to Medicaid

1 program administration.

2 21. The department shall continue to implement and  
3 administer the provisions of 2018 Iowa Acts, chapter 1056.  
4 Of the funds appropriated in this section, up to \$39,069 may  
5 be transferred to the department of inspections and appeals  
6 for inspection costs related to such implementation and  
7 administration.

8 22. Of the funds appropriated in this section, up to  
9 \$1,200,000 shall be used to implement reductions in the waiting  
10 list for the children's mental health home and community-based  
11 services waiver.

12 23. Of the funds appropriated in this section, \$1,500,000  
13 shall be used to provide reimbursement to critical access  
14 hospitals for inpatient and outpatient services based on  
15 a critical access hospital adjustment factor methodology  
16 developed by the department as provided in this division of  
17 this Act.

18 24. The department of human services shall utilize  
19 \$1,000,000 of the funds appropriated under this section to  
20 increase the current supported community living provider  
21 daily rates for all tiers under the tiered rate reimbursement  
22 methodology effective with dates of service beginning July  
23 1, 2019. The funding amount shall be divided equally among  
24 all tiers and applied within each tier in accordance with the  
25 recommendations of the actuary. However, no resulting rates  
26 shall be lower than the rates in effect on June 30, 2019.

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

32 For medical contracts:

33 ..... \$ 17,992,530

34 1. The department of inspections and appeals shall  
35 provide all state matching funds for survey and certification

1 activities performed by the department of inspections  
2 and appeals. The department of human services is solely  
3 responsible for distributing the federal matching funds for  
4 such activities.

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

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

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

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

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

1       Sec. 15.   STATE SUPPLEMENTARY ASSISTANCE.

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

7       For the state supplementary assistance program:

8 ..... \$ 7,812,909

9       2.   The department shall increase the personal needs  
10 allowance for residents of residential care facilities by the  
11 same percentage and at the same time as federal supplemental  
12 security income and federal social security benefits are  
13 increased due to a recognized increase in the cost of living.  
14 The department may adopt emergency rules to implement this  
15 subsection.

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

32       4.   Notwithstanding [section 8.33](#), moneys appropriated in  
33 this section that remain unencumbered or unobligated at the  
34 close of the fiscal year shall not revert but shall remain  
35 available for expenditure for the purposes designated until the

1 close of the succeeding fiscal year.

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

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

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

13 ..... \$ 19,361,112

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

17 3. A portion of the funds appropriated in this section may  
18 be transferred to the appropriations made in this division of  
19 this Act for field operations or medical contracts to be used  
20 for the integration of hawk-i program eligibility, payment, and  
21 administrative functions under the purview of the department  
22 of human services, including for the Medicaid management  
23 information system upgrade.

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

29 For child care programs:

30 ..... \$ 40,816,931

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

34 2. Nothing in this section shall be construed or is  
35 intended as or shall imply a grant of entitlement for services

1 to persons who are eligible for assistance due to an income  
2 level consistent with the waiting list requirements of section  
3 237A.13. Any state obligation to provide services pursuant to  
4 this section is limited to the extent of the funds appropriated  
5 in this section.

6 3. A list of the registered and licensed child care  
7 facilities operating in the area served by a child care  
8 resource and referral service shall be made available to the  
9 families receiving state child care assistance in that area.

10 4. Of the funds appropriated in this section, \$5,850,000  
11 shall be credited to the early childhood programs grants  
12 account in the early childhood Iowa fund created in section  
13 256I.11. The moneys shall be distributed for funding of  
14 community-based early childhood programs targeted to children  
15 from birth through five years of age developed by early  
16 childhood Iowa areas in accordance with approved community  
17 plans as provided in [section 256I.8](#).

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

32 6. A portion of the state match for the federal child care  
33 and development block grant shall be provided as necessary to  
34 meet federal matching funds requirements through the state  
35 general fund appropriation made for child development grants

1 and other programs for at-risk children in [section 279.51](#).

2 7. If a uniform reduction ordered by the governor under  
3 section 8.31 or other operation of law, transfer, or federal  
4 funding reduction reduces the appropriation made in this  
5 section for the fiscal year, the percentage reduction in the  
6 amount paid out to or on behalf of the families participating  
7 in the state child care assistance program shall be equal to or  
8 less than the percentage reduction made for any other purpose  
9 payable from the appropriation made in this section and the  
10 federal funding relating to it. The percentage reduction to  
11 the other allocations made in this section shall be the same as  
12 the uniform reduction ordered by the governor or the percentage  
13 change of the federal funding reduction, as applicable. If  
14 there is an unanticipated increase in federal funding provided  
15 for state child care services, the entire amount of the  
16 increase, except as necessary to meet federal requirements  
17 including quality set asides, shall be used for state child  
18 care assistance payments. If the appropriations made for  
19 purposes of the state child care assistance program for the  
20 fiscal year are determined to be insufficient, it is the intent  
21 of the general assembly to appropriate sufficient funding for  
22 the fiscal year in order to avoid establishment of waiting list  
23 requirements.

24 8. Notwithstanding [section 8.33](#), moneys advanced for  
25 purposes of the programs developed by early childhood Iowa  
26 areas, advanced for purposes of wraparound child care, or  
27 received from the federal appropriations made for the purposes  
28 of this section that remain unencumbered or unobligated at the  
29 close of the fiscal year shall not revert to any fund but shall  
30 remain available for expenditure for the purposes designated  
31 until the close of the succeeding fiscal year.

32 Sec. 18. JUVENILE INSTITUTION. There is appropriated  
33 from the general fund of the state to the department of human  
34 services for the fiscal year beginning July 1, 2019, and ending  
35 June 30, 2020, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. a. For operation of the state training school at Eldora  
3 and for salaries, support, maintenance, and miscellaneous  
4 purposes, and for not more than the following full-time  
5 equivalent positions:

6 .....	\$ 13,920,757
7 .....	FTEs 207.00

8 b. Of the funds appropriated in this subsection, \$91,000  
9 shall be used for distribution to licensed classroom teachers  
10 at this and other institutions under the control of the  
11 department of human services based upon the average student  
12 yearly enrollment at each institution as determined by the  
13 department.

14 c. The additional full-time equivalent positions authorized  
15 in paragraph "a" shall include 1.00 youth services technician,  
16 1.00 clinical supervisor, and 1.00 registered nurse, or  
17 comparable additional, full-time equivalent positions.

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

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

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

31 Sec. 19. CHILD AND FAMILY SERVICES.

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



1 purpose designated:

2 For child and family services:

3 ..... \$ 89,071,761

4 2. The department may transfer funds appropriated in this  
5 section as necessary to pay the nonfederal costs of services  
6 reimbursed under the medical assistance program, state child  
7 care assistance program, or the family investment program which  
8 are provided to children who would otherwise receive services  
9 paid under the appropriation in this section. The department  
10 may transfer funds appropriated in this section to the  
11 appropriations made in this division of this Act for general  
12 administration and for field operations for resources necessary  
13 to implement and operate the services funded in this section.

14 3. a. Of the funds appropriated in this section, up to  
15 \$34,536,000 is allocated as the statewide expenditure target  
16 under [section 232.143](#) for group foster care maintenance and  
17 services. If the department projects that such expenditures  
18 for the fiscal year will be less than the target amount  
19 allocated in this paragraph "a", the department may reallocate  
20 the excess to provide additional funding for family foster  
21 care, independent living, family safety, risk and permanency  
22 services, shelter care, or the child welfare emergency services  
23 addressed with the allocation for shelter care.

24 b. If at any time after September 30, 2019, annualization  
25 of a service area's current expenditures indicates a service  
26 area is at risk of exceeding its group foster care expenditure  
27 target under [section 232.143](#) by more than 5 percent, the  
28 department and juvenile court services shall examine all  
29 group foster care placements in that service area in order to  
30 identify those which might be appropriate for termination.  
31 In addition, any aftercare services believed to be needed  
32 for the children whose placements may be terminated shall be  
33 identified. The department and juvenile court services shall  
34 initiate action to set dispositional review hearings for the  
35 placements identified. In such a dispositional review hearing,

1 the juvenile court shall determine whether needed aftercare  
2 services are available and whether termination of the placement  
3 is in the best interest of the child and the community.

4 4. In accordance with the provisions of [section 232.188](#),  
5 the department shall continue the child welfare and juvenile  
6 justice funding initiative during fiscal year 2019-2020. Of  
7 the funds appropriated in this section, \$1,717,000 is allocated  
8 specifically for expenditure for fiscal year 2019-2020 through  
9 the decategorization services funding pools and governance  
10 boards established pursuant to [section 232.188](#).

11 5. A portion of the funds appropriated in this section  
12 may be used for emergency family assistance to provide other  
13 resources required for a family participating in a family  
14 preservation or reunification project or successor project to  
15 stay together or to be reunified.

16 6. Of the funds appropriated in this section, a sufficient  
17 amount is allocated for shelter care and the child welfare  
18 emergency services contracting implemented to provide for or  
19 prevent the need for shelter care.

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

31 8. a. Of the funds appropriated in this section, up to  
32 \$3,290,000 is allocated for the payment of the expenses of  
33 court-ordered services provided to juveniles who are under the  
34 supervision of juvenile court services, which expenses are a  
35 charge upon the state pursuant to [section 232.141](#), subsection

1 4. Of the amount allocated in this paragraph "a", up to  
2 \$1,556,000 shall be made available to provide school-based  
3 supervision of children adjudicated under [chapter 232](#), of which  
4 not more than \$15,000 may be used for the purpose of training.  
5 A portion of the cost of each school-based liaison officer  
6 shall be paid by the school district or other funding source as  
7 approved by the chief juvenile court officer.

8 b. Of the funds appropriated in this section, up to \$748,000  
9 is allocated for the payment of the expenses of court-ordered  
10 services provided to children who are under the supervision  
11 of the department, which expenses are a charge upon the state  
12 pursuant to [section 232.141, subsection 4](#).

13 c. Notwithstanding [section 232.141](#) or any other provision  
14 of law to the contrary, the amounts allocated in this  
15 subsection shall be distributed to the judicial districts  
16 as determined by the state court administrator and to the  
17 department's service areas as determined by the administrator  
18 of the department of human services' division of child and  
19 family services. The state court administrator and the  
20 division administrator shall make the determination of the  
21 distribution amounts on or before June 15, 2019.

22 d. Notwithstanding [chapter 232](#) or any other provision of  
23 law to the contrary, a district or juvenile court shall not  
24 order any service which is a charge upon the state pursuant  
25 to [section 232.141](#) if there are insufficient court-ordered  
26 services funds available in the district court or departmental  
27 service area distribution amounts to pay for the service. The  
28 chief juvenile court officer and the departmental service area  
29 manager shall encourage use of the funds allocated in this  
30 subsection such that there are sufficient funds to pay for  
31 all court-related services during the entire year. The chief  
32 juvenile court officers and departmental service area managers  
33 shall attempt to anticipate potential surpluses and shortfalls  
34 in the distribution amounts and shall cooperatively request the  
35 state court administrator or division administrator to transfer

1 funds between the judicial districts' or departmental service  
2 areas' distribution amounts as prudent.

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

8 f. Of the funds allocated in this subsection, not more than  
9 \$83,000 may be used by the judicial branch for administration  
10 of the requirements under this subsection.

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

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

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

35 11. Of the funds appropriated in this section, \$4,025,000 is

1 allocated for the preparation for adult living program pursuant  
2 to [section 234.46](#).

3 12. Of the funds appropriated in this section, \$227,000  
4 shall be used for the public purpose of continuing a grant to a  
5 nonprofit human services organization, providing services to  
6 individuals and families in multiple locations in southwest  
7 Iowa and Nebraska for support of a project providing immediate,  
8 sensitive support and forensic interviews, medical exams, needs  
9 assessments, and referrals for victims of child abuse and their  
10 nonoffending family members.

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

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

19 15. Of the funds appropriated in this section, \$630,000 is  
20 allocated for the community partnership for child protection  
21 sites.

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

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

28 18. Of the funds appropriated in this section, at least  
29 \$147,000 shall be used for the continuation of the child  
30 welfare provider training academy, a collaboration between the  
31 coalition for family and children's services in Iowa and the  
32 department.

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

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

8 21. Of the funds appropriated in this section, at least  
9 \$25,000 shall be used to continue and to expand the foster  
10 care respite pilot program in which postsecondary students in  
11 social work and other human services-related programs receive  
12 experience by assisting family foster care providers with  
13 respite and other support.

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

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

28 Sec. 20. ADOPTION SUBSIDY.

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 a. For adoption subsidy payments and services:  
35 ..... \$ 40,596,007

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

4     (a) For adoption subsidy payments and related costs.

5     (b) For post-adoption services and for other purposes under  
6 Tit. IV-B or Tit. IV-E of the federal Social Security Act.

7     (2) The department of human services may transfer funds  
8 appropriated in this subsection to the appropriation for  
9 child and family services in this Act for the purposes of  
10 post-adoption services as specified in this paragraph "b".

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

23     2. The department may transfer funds appropriated in  
24 this section to the appropriation made in this division of  
25 this Act for general administration for costs paid from the  
26 appropriation relating to adoption subsidy.

27     3. Federal funds received by the state during the  
28 fiscal year beginning July 1, 2019, as the result of the  
29 expenditure of state funds during a previous state fiscal  
30 year for a service or activity funded under this section are  
31 appropriated to the department to be used as additional funding  
32 for the services and activities funded under this section.  
33 Notwithstanding [section 8.33](#), moneys received in accordance  
34 with this subsection that remain unencumbered or unobligated  
35 at the close of the fiscal year shall not revert to any fund

1 but shall remain available for expenditure for the purposes  
2 designated until the close of the succeeding fiscal year.

3     Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited  
4 in the juvenile detention home fund created in [section 232.142](#)  
5 during the fiscal year beginning July 1, 2019, and ending June  
6 30, 2020, are appropriated to the department of human services  
7 for the fiscal year beginning July 1, 2019, and ending June 30,  
8 2020, for distribution of an amount equal to a percentage of  
9 the costs of the establishment, improvement, operation, and  
10 maintenance of county or multicounty juvenile detention homes  
11 in the fiscal year beginning July 1, 2018. Moneys appropriated  
12 for distribution in accordance with this section shall be  
13 allocated among eligible detention homes, prorated on the basis  
14 of an eligible detention home's proportion of the costs of all  
15 eligible detention homes in the fiscal year beginning July  
16 1, 2018. The percentage figure shall be determined by the  
17 department based on the amount available for distribution for  
18 the fund. Notwithstanding [section 232.142, subsection 3](#), the  
19 financial aid payable by the state under that provision for the  
20 fiscal year beginning July 1, 2019, shall be limited to the  
21 amount appropriated for the purposes of this section.

22     Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

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 the family support subsidy program subject to the  
29 enrollment restrictions in [section 225C.37, subsection 3](#):  
30 ..... \$ 949,282

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

35     3. If at any time during the fiscal year, the amount of



1 funding available for the family support subsidy program  
2 is reduced from the amount initially used to establish the  
3 figure for the number of family members for whom a subsidy  
4 is to be provided at any one time during the fiscal year,  
5 notwithstanding [section 225C.38, subsection 2](#), the department  
6 shall revise the figure as necessary to conform to the amount  
7 of funding available.

8     Sec. 23. CONNER DECREE. There is appropriated from the  
9 general fund of the state to the department of human services  
10 for the fiscal year beginning July 1, 2019, and ending June 30,  
11 2020, the following amount, or so much thereof as is necessary,  
12 to be used for the purpose designated:

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

17 ..... \$           33,632

18     Sec. 24. MENTAL HEALTH INSTITUTES.

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

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

28 ..... \$ 14,216,149

29 ..... FTEs       169.00

30     (2) The additional full-time equivalent positions  
31 authorized in this paragraph "a" shall include 3.50 security  
32 staff and 3.00 support staff, or comparable additional,  
33 full-time equivalent positions.

34     b. (1) For operation of the state mental health institute  
35 at Independence as required by [chapters 218](#) and [226](#) for

1 salaries, support, maintenance, and miscellaneous purposes, and  
 2 for not more than the following full-time equivalent positions:  
 3 ..... \$ 19,165,110  
 4 ..... FTEs 208.00

5 (2) The additional full-time equivalent positions  
 6 authorized in this paragraph "b" shall include 3.50 security  
 7 staff, or comparable additional, full-time equivalent  
 8 positions.

9 2. Notwithstanding sections 218.78 and 249A.11, any revenue  
 10 received from the state mental health institute at Cherokee or  
 11 the state mental health institute at Independence pursuant to  
 12 42 C.F.R §438.6(e) may be retained and expended by the mental  
 13 health institute.

14 3. Notwithstanding any provision of law to the contrary,  
 15 a Medicaid member residing at the state mental health  
 16 institute at Cherokee or the state mental health institute  
 17 at Independence shall retain Medicaid eligibility during  
 18 the period of the Medicaid member's stay for which federal  
 19 financial participation is available.

20 4. Notwithstanding section 8.33, moneys appropriated in  
 21 this section that remain unencumbered or unobligated at the  
 22 close of the fiscal year shall not revert but shall remain  
 23 available for expenditure for the purposes designated until the  
 24 close of the succeeding fiscal year.

25 Sec. 25. STATE RESOURCE CENTERS.

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

31 a. For the state resource center at Glenwood for salaries,  
 32 support, maintenance, and miscellaneous purposes:  
 33 ..... \$ 16,048,348

34 b. For the state resource center at Woodward for salaries,  
 35 support, maintenance, and miscellaneous purposes:

1 ..... \$ 10,872,356

2 2. The department may continue to bill for state resource  
3 center services utilizing a scope of services approach used for  
4 private providers of intermediate care facilities for persons  
5 with an intellectual disability services, in a manner which  
6 does not shift costs between the medical assistance program,  
7 counties, or other sources of funding for the state resource  
8 centers.

9 3. The state resource centers may expand the time-limited  
10 assessment and respite services during the fiscal year.

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

27 5. If existing capacity limitations are reached in  
28 operating units, a waiting list is in effect for a service or  
29 a special need for which a payment source or other funding  
30 is available for the service or to address the special need,  
31 and facilities for the service or to address the special need  
32 can be provided within the available payment source or other  
33 funding, the superintendent of a state resource center may  
34 authorize opening not more than two units or other facilities  
35 and begin implementing the service or addressing the special

1 need during fiscal year 2019-2020.

2 6. Notwithstanding section 8.33, and notwithstanding  
3 the amount limitation specified in section 222.92, moneys  
4 appropriated in this section that remain unencumbered or  
5 unobligated at the close of the fiscal year shall not revert  
6 but shall remain available for expenditure for the purposes  
7 designated until the close of the succeeding fiscal year.

8 Sec. 26. SEXUALLY VIOLENT PREDATORS.

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

14 For costs associated with the commitment and treatment of  
15 sexually violent predators in the unit located at the state  
16 mental health institute at Cherokee, including costs of legal  
17 services and other associated costs, including salaries,  
18 support, maintenance, and miscellaneous purposes, and for not  
19 more than the following full-time equivalent positions:

20 .....	\$ 12,053,093
21 .....	FTEs 139.00

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

25 2. Unless specifically prohibited by law, if the amount  
26 charged provides for recoupment of at least the entire amount  
27 of direct and indirect costs, the department of human services  
28 may contract with other states to provide care and treatment  
29 of persons placed by the other states at the unit for sexually  
30 violent predators at Cherokee. The moneys received under  
31 such a contract shall be considered to be repayment receipts  
32 and used for the purposes of the appropriation made in this  
33 section.

34 3. Notwithstanding section 8.33, moneys appropriated in  
35 this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain  
2 available for expenditure for the purposes designated until the  
3 close of the succeeding fiscal year.

4 Sec. 27. FIELD OPERATIONS.

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

10 For field operations, including salaries, support,  
11 maintenance, and miscellaneous purposes, and for not more than  
12 the following full-time equivalent positions:

13 ..... \$ 55,396,906  
14 ..... FTEs 1,539.00

15 2. The additional full-time equivalent positions authorized  
16 in subsection 1 shall include 29.00 full-time equivalent staff  
17 positions to relieve caseloads and 6.00 full-time equivalent  
18 positions related to the eligibility integrated application  
19 solution (ELIAS) system.

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

23 Sec. 28. GENERAL ADMINISTRATION. 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 amount, or so much thereof as is  
27 necessary, to be used for the purpose designated:

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

31 ..... \$ 13,833,040  
32 ..... FTEs 294.00

33 1. The department shall report at least monthly to the  
34 legislative services agency concerning the department's  
35 operational and program expenditures.

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

7     3. Of the funds appropriated in this section, \$50,000  
8 is transferred to the Iowa finance authority to be used  
9 for administrative support of the council on homelessness  
10 established in [section 16.2D](#) and for the council to fulfill its  
11 duties in addressing and reducing homelessness in the state.

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

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

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

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

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

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

7 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated  
8 from the general fund of the state to the department of human  
9 services for the fiscal year beginning July 1, 2019, and ending  
10 June 30, 2020, the following amount, or so much thereof as is  
11 necessary, to be used for the purposes designated:

12 For salaries, support, maintenance, and miscellaneous  
13 purposes at facilities under the purview of the department of  
14 human services:  
15 ..... \$ 2,879,274

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

21 For development and coordination of volunteer services:  
22 ..... \$ 84,686

23 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
24 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
25 DEPARTMENT OF HUMAN SERVICES.

26 1. a. (1) (a) For the fiscal year beginning July 1,  
27 2019, the department shall rebase case-mix nursing facility  
28 rates effective July 1, 2019, to the extent possible within the  
29 state funding, including the \$23,401,942, appropriated for this  
30 purpose.

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

35 (c) For managed care claims, the department of human

1 services shall adjust the payment rate floor for nursing  
2 facilities, annually, to maintain a rate floor that is no  
3 lower than the Medicaid fee-for-service case-mix adjusted  
4 rate calculated in accordance with subparagraph division  
5 (a) and 441 IAC 81.6. The department shall then calculate  
6 adjusted reimbursement rates, including but not limited to  
7 add-on-payments, annually, and shall notify Medicaid managed  
8 care organizations of the adjusted reimbursement rates within  
9 30 days of determining the adjusted reimbursement rates. Any  
10 adjustment of reimbursement rates under this subparagraph  
11 division shall be budget neutral to the state budget.

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

17 (2) Medicaid managed care organizations shall adjust  
18 facility-specific rates based upon payment rate listings issued  
19 by the department. The rate adjustments shall be applied  
20 prospectively from the effective date of the rate letter issued  
21 by the department.

22 b. (1) For the fiscal year beginning July 1, 2019,  
23 the department shall establish the pharmacy dispensing fee  
24 reimbursement at \$10.07 per prescription, until a cost of  
25 dispensing survey is completed. The actual dispensing fee  
26 shall be determined by a cost of dispensing survey performed  
27 by the department and required to be completed by all medical  
28 assistance program participating pharmacies every two years,  
29 adjusted as necessary to maintain expenditures within the  
30 amount appropriated to the department for this purpose for the  
31 fiscal year.

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



1 c. (1) For the fiscal year beginning July 1, 2019,  
2 reimbursement rates for outpatient hospital services shall  
3 remain at the rates in effect on June 30, 2019, subject to  
4 Medicaid program upper payment limit rules, and adjusted  
5 as necessary to maintain expenditures within the amount  
6 appropriated to the department for this purpose for the fiscal  
7 year.

8 (2) For the fiscal year beginning July 1, 2019,  
9 reimbursement rates for inpatient hospital services shall  
10 remain at the rates in effect on June 30, 2019, subject to  
11 Medicaid program upper payment limit rules, and adjusted  
12 as necessary to maintain expenditures within the amount  
13 appropriated to the department for this purpose for the fiscal  
14 year.

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

29 (4) For the fiscal year beginning July 1, 2019, the graduate  
30 medical education and disproportionate share hospital fund  
31 shall remain at the amount in effect on June 30, 2019, except  
32 that the portion of the fund attributable to graduate medical  
33 education shall be reduced in an amount that reflects the  
34 elimination of graduate medical education payments made to  
35 out-of-state hospitals.

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

7 d. For the fiscal year beginning July 1, 2019, reimbursement  
8 rates for hospices and acute psychiatric hospitals shall be  
9 increased in accordance with increases under the federal  
10 Medicare program or as supported by their Medicare audited  
11 costs.

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

15 f. (1) For the fiscal year beginning July 1, 2019,  
16 reimbursement rates for home health agencies shall continue to  
17 be based on the Medicare low utilization payment adjustment  
18 (LUPA) methodology with state geographic wage adjustments.  
19 The department shall continue to update the rates every two  
20 years to reflect the most recent Medicare LUPA rates to the  
21 extent possible within the state funding appropriated for this  
22 purpose.

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

28 g. For the fiscal year beginning July 1, 2019, federally  
29 qualified health centers and rural health clinics shall receive  
30 cost-based reimbursement for 100 percent of the reasonable  
31 costs for the provision of services to recipients of medical  
32 assistance.

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

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

5 (2) As a condition of participation in the medical  
6 assistance program, enrolled providers shall accept the medical  
7 assistance reimbursement rate for any covered goods or services  
8 provided to recipients of medical assistance who are children  
9 under the custody of a psychiatric medical institution for  
10 children.

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

22 k. Notwithstanding any provision to the contrary, for the  
23 fiscal year beginning July 1, 2019, the reimbursement rate for  
24 anesthesiologists shall remain at the rates in effect on June  
25 30, 2019, and updated on January 1, 2020, to align with the  
26 most current Iowa Medicare anesthesia rate.

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

34 m. For the fiscal year beginning July 1, 2019, the  
35 reimbursement rate for residential care facilities shall not

1 be less than the minimum payment level as established by the  
2 federal government to meet the federally mandated maintenance  
3 of effort requirement. The flat reimbursement rate for  
4 facilities electing not to file annual cost reports shall not  
5 be less than the minimum payment level as established by the  
6 federal government to meet the federally mandated maintenance  
7 of effort requirement.

8 n. For the fiscal year beginning July 1, 2019, the  
9 reimbursement rates for inpatient mental health services  
10 provided at hospitals shall remain at the rates in effect on  
11 June 30, 2019, subject to Medicaid program upper payment limit  
12 rules; and psychiatrists shall be reimbursed at the medical  
13 assistance program fee-for-service rate in effect on June 30,  
14 2019.

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

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

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

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

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

32 r. For the fiscal year beginning July 1, 2019, the  
33 reimbursement rates for emergency medical service providers  
34 shall remain at the rates in effect on June 30, 2019, or as  
35 approved by the centers for Medicare and Medicaid services of

1 the United States department of health and human services.

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

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

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

15 3. Unless otherwise directed in this section, when the  
16 department's reimbursement methodology for any provider  
17 reimbursed in accordance with this section includes an  
18 inflation factor, this factor shall not exceed the amount  
19 by which the consumer price index for all urban consumers  
20 increased during the calendar year ending December 31, 2002.

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

35 5. For the fiscal year beginning July 1, 2019, the maximum

1 reimbursement rates for social services providers under  
2 contract shall remain at the rates in effect on June 30, 2019,  
3 or the provider's actual and allowable cost plus inflation for  
4 each service, whichever is less. However, if a new service  
5 or service provider is added after June 30, 2019, the initial  
6 reimbursement rate for the service or provider shall be based  
7 upon a weighted average of provider rates for similar services.

8 6. a. For the fiscal year beginning July 1, 2019, the  
9 reimbursement rates for resource family recruitment and  
10 retention contractors shall be established by contract.

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

14 7. For the fiscal year beginning July 1, 2019, the  
15 reimbursement rate for group foster care providers shall be the  
16 combined service and maintenance reimbursement rate established  
17 by contract.

18 8. The group foster care reimbursement rates paid for  
19 placement of children out of state shall be calculated  
20 according to the same rate-setting principles as those used for  
21 in-state providers, unless the director of human services or  
22 the director's designee determines that appropriate care cannot  
23 be provided within the state. The payment of the daily rate  
24 shall be based on the number of days in the calendar month in  
25 which service is provided.

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

30 b. For the fiscal year beginning July 1, 2019, the combined  
31 service and maintenance components of the reimbursement rate  
32 paid for shelter care services shall be based on the financial  
33 and statistical report submitted to the department. The  
34 maximum reimbursement rate shall be \$101.83 per day. The  
35 department shall reimburse a shelter care provider at the

1 provider's actual and allowable unit cost, plus inflation, not  
2 to exceed the maximum reimbursement rate.

3 c. Notwithstanding [section 232.141, subsection 8](#), for the  
4 fiscal year beginning July 1, 2019, the amount of the statewide  
5 average of the actual and allowable rates for reimbursement of  
6 juvenile shelter care homes that is utilized for the limitation  
7 on recovery of unpaid costs shall remain at the amount in  
8 effect for this purpose in the fiscal year beginning July 1,  
9 2018.

10 10. For the fiscal year beginning July 1, 2019, the  
11 department shall calculate reimbursement rates for intermediate  
12 care facilities for persons with an intellectual disability  
13 at the 80th percentile. Beginning July 1, 2019, the rate  
14 calculation methodology shall utilize the consumer price index  
15 inflation factor applicable to the fiscal year beginning July  
16 1, 2019.

17 11. Effective July 1, 2019, the child care provider  
18 reimbursement rates shall remain at the rates in effect on June  
19 30, 2019. The department shall set rates in a manner so as  
20 to provide incentives for a nonregistered provider to become  
21 registered by applying any increase only to registered and  
22 licensed providers.

23 12. The department may adopt emergency rules to implement  
24 this section.

25 Sec. 32. CONTRACTED SERVICES — PROHIBITED USE OF STATE  
26 FUNDING FOR LOBBYING.

27 1. The department shall submit a report to the individuals  
28 identified in this Act for submission of reports by December  
29 15, 2019, regarding the outcomes of any program or activity for  
30 which funding is appropriated or allocated from the general  
31 fund of the state to the department under this division of this  
32 Act, and for which a request for proposals process is required.

33 2. The department shall incorporate into the general  
34 conditions applicable to all award documents involving funding  
35 appropriated or allocated from the general fund of the state to

1 the department under this division of this Act, a prohibition  
2 against the use of such funding for the compensation of a  
3 lobbyist. For the purposes of this section, "lobbyist" means  
4 the same as defined in section 68B.2; however, "lobbyist"  
5 does not include a person employed by a state agency of the  
6 executive branch of state government who represents the agency  
7 relative to the passage, defeat, approval, or modification of  
8 legislation that is being considered by the general assembly.

9 Sec. 33. EMERGENCY RULES.

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

31 2. If during a fiscal year, the department of human  
32 services is adopting rules in accordance with this section  
33 or as otherwise directed or authorized by state law, and the  
34 rules will result in an expenditure increase beyond the amount  
35 anticipated in the budget process or if the expenditure was



1 not addressed in the budget process for the fiscal year, the  
2 department shall notify the persons designated by this division  
3 of this Act for submission of reports, the chairpersons and  
4 ranking members of the committees on appropriations, and  
5 the department of management concerning the rules and the  
6 expenditure increase. The notification shall be provided at  
7 least 30 calendar days prior to the date notice of the rules  
8 is submitted to the administrative rules coordinator and the  
9 administrative code editor.

10 Sec. 34. REPORTS. Any reports or other information  
11 required to be compiled and submitted under this Act during the  
12 fiscal year beginning July 1, 2019, shall be submitted to the  
13 chairpersons and ranking members of the joint appropriations  
14 subcommittee on health and human services, the legislative  
15 services agency, and the legislative caucus staffs on or  
16 before the dates specified for submission of the reports or  
17 information.

18 Sec. 35. EFFECTIVE UPON ENACTMENT. The following  
19 provisions of this division of this Act, being deemed of  
20 immediate importance, take effect upon enactment:

21 1. The provision relating to section 232.141 and directing  
22 the state court administrator and the division administrator of  
23 the department of human services division of child and family  
24 services to make the determination, by June 15, 2019, of the  
25 distribution of funds allocated for the payment of the expenses  
26 of court-ordered services provided to juveniles which are a  
27 charge upon the state.

28 DIVISION VI

29 HEALTH CARE ACCOUNTS AND FUNDS — FY 2019-2020

30 Sec. 36. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
31 appropriated from the pharmaceutical settlement account created  
32 in section 249A.33 to the department of human services for the  
33 fiscal year beginning July 1, 2019, and ending June 30, 2020,  
34 the following amount, or so much thereof as is necessary, to be  
35 used for the purpose designated:

1 Notwithstanding any provision of law to the contrary, to  
2 supplement the appropriations made in this Act for medical  
3 contracts under the medical assistance program for the fiscal  
4 year beginning July 1, 2019, and ending June 30, 2020:

5 ..... \$ 234,193

6 Sec. 37. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN  
7 SERVICES. Notwithstanding any provision to the contrary and  
8 subject to the availability of funds, there is appropriated  
9 from the quality assurance trust fund created in section  
10 249L.4 to the department of human services for the fiscal year  
11 beginning July 1, 2019, and ending June 30, 2020, the following  
12 amounts, or so much thereof as is necessary, for the purposes  
13 designated:

14 To supplement the appropriation made in this Act from the  
15 general fund of the state to the department of human services  
16 for medical assistance for the same fiscal year:

17 ..... \$ 58,570,397

18 Sec. 38. HOSPITAL HEALTH CARE ACCESS TRUST FUND —  
19 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to  
20 the contrary and subject to the availability of funds, there is  
21 appropriated from the hospital health care access trust fund  
22 created in [section 249M.4](#) to the department of human services  
23 for the fiscal year beginning July 1, 2019, and ending June  
24 30, 2020, the following amounts, or so much thereof as is  
25 necessary, for the purposes designated:

26 To supplement the appropriation made in this Act from the  
27 general fund of the state to the department of human services  
28 for medical assistance for the same fiscal year:

29 ..... \$ 33,920,554

30 Sec. 39. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
31 FOR FY 2019–2020. Notwithstanding [section 8.33](#), if moneys  
32 appropriated for purposes of the medical assistance program for  
33 the fiscal year beginning July 1, 2019, and ending June 30,  
34 2020, from the general fund of the state, the quality assurance  
35 trust fund, and the hospital health care access trust fund, are

1 in excess of actual expenditures for the medical assistance  
2 program and remain unencumbered or unobligated at the close  
3 of the fiscal year, the excess moneys shall not revert but  
4 shall remain available for expenditure for the purposes of the  
5 medical assistance program until the close of the succeeding  
6 fiscal year.

7 DIVISION VII

8 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE  
9 SERVICES AND FUNDING WORK GROUP

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

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

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

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

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

22 d. "Graduated sanction services" includes community-based  
23 interventions, school-based supervision, and supportive  
24 enhancements provided in community-based settings to an  
25 eligible child who is adjudicated delinquent or who is at risk  
26 of adjudication.

27 2. The division of criminal and juvenile justice planning  
28 of the department of human rights shall convene and provide  
29 administrative support to a work group to review and develop  
30 a plan to transfer the administration of graduated sanctions  
31 and court-ordered services and funding and the oversight of  
32 group foster care placements for eligible children from the  
33 department to the office of the state court administrator.  
34 The plan shall ensure that the office of the state court  
35 administrator has the capacity, resources, and expertise to

1 manage the funding and services effectively.

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

6 (1) The judicial branch, including the state court  
7 administrator or the state court administrator's designee,  
8 a juvenile court judge, at least one chief juvenile court  
9 officer, and a representative with fiscal and contract  
10 experience.

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

14 (3) The department of justice.

15 (4) The juvenile justice advisory committee.

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

18 (6) Providers of community-based services for eligible  
19 children.

20 (7) Providers of group foster care.

21 (8) Attorneys who represent children in juvenile justice  
22 proceedings.

23 (9) County attorneys.

24 (10) Federal Title IV-E funding and services subject matter  
25 experts.

26 (11) Individuals who formerly received services as eligible  
27 children or their parents.

28 b. In addition, the work group membership shall include  
29 four members of the general assembly. The legislative members  
30 shall serve as ex officio, nonvoting members of the work group,  
31 with one member to be appointed by each of the following: the  
32 majority leader of the senate, the minority leader of the  
33 senate, the speaker of the house of representatives, and the  
34 minority leader of the house of representatives.

35 c. In addition to the members specified, the division

1 of criminal and juvenile justice planning may include other  
2 stakeholders with interest or expertise on the work group.

3 d. Any expenses incurred by a member of the work group  
4 shall be the responsibility of the individual member or the  
5 respective entity represented by the member.

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

7 a. Develop an action plan to transfer the administration  
8 of juvenile court graduated sanction services, court-ordered  
9 services, and associated funding from the department to the  
10 office of the state court administrator or other appropriate  
11 state entity.

12 b. Develop an action plan to transfer the oversight of  
13 group foster care services for eligible children from the  
14 department to the office of the state court administrator or  
15 other appropriate state entity with the necessary expertise to  
16 provide such services.

17 c. Develop an action plan to transfer administration of the  
18 juvenile detention home fund created in section 232.142 from  
19 the department to the office of the state court administrator  
20 or other appropriate state entity.

21 d. Evaluate current resources to determine the most  
22 efficient means of suitably equipping the office of the state  
23 court administrator or other appropriate state entity with  
24 the policies and legal authority; staffing; contracting,  
25 procurement, data, and quality assurance capabilities;  
26 and other resources necessary to manage such funds and  
27 associated services effectively. The evaluation shall  
28 require collaboration with the department to manage transition  
29 activities.

30 e. Recommend statutory and administrative policies and  
31 court rules to promote collaborative case planning and quality  
32 assurance between the department and juvenile court services  
33 for youth who may be involved in both the child welfare and  
34 juvenile justice systems or who may utilize the same providers  
35 or services.

1 f. Determine the impact and role of the federal Family  
2 First Prevention Services Act relative to the various funding  
3 streams and services under the purview of the work group, and  
4 recommend statutory and administrative policies and rules to  
5 coordinate the duties of the work group with implementation and  
6 administration of the federal Act.

7 g. Determine the role of the decategorization of child  
8 welfare and juvenile justice funding initiative pursuant  
9 to section 232.188 relative to the other funding streams  
10 and services under the purview of the work group, and make  
11 recommendations regarding the future of the initiative  
12 including the potential transfer of administration of the  
13 initiative from the department to the office of the state court  
14 administrator or other appropriate state entity.

15 h. Consult with other state juvenile court systems and  
16 subject matter experts to review administration of similar  
17 programs, to glean information on lessons learned and best  
18 practices, and to determine the types of community and  
19 residential services that have demonstrated effectiveness for  
20 eligible children.

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

26 DIVISION VIII

27 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

28 Sec. 41. REVIEW TO PROVIDE ENHANCED DELIVERY OF SERVICES  
29 FOR CO-OCCURRING CONDITIONS. The director of the department  
30 of public health and the director of the department of human  
31 services shall develop recommendations for the enhanced  
32 delivery of co-occurring conditions services. The directors  
33 shall examine the current service delivery system to identify  
34 opportunities for reducing the administrative burden on the  
35 departments and providers, evaluate the use of an integrated

1 helpline and website and improvements in data collection  
2 and sharing of outcomes, and create a structure for ongoing  
3 collaboration. The directors shall submit a report including  
4 findings, a five-year plan to address co-occurring conditions  
5 across provider types and payors, and other recommendations to  
6 the governor and general assembly by December 15, 2019.

7 DIVISION IX

8 MEDICAID MANAGED CARE CONTRACTS

9 Sec. 42. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION  
10 TO GENERAL ASSEMBLY. The department of human services shall  
11 notify the chairpersons and ranking members of the joint  
12 appropriations subcommittee on health and human services, the  
13 legislative services agency, and the legislative caucus staffs  
14 as follows:

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

17 2. Within thirty days of the determination by the  
18 department during each measurement year whether to return the  
19 incentive payment withhold amount to the Medicaid managed care  
20 organization based upon performance and the criteria used in  
21 making the determination.

22 DIVISION X

23 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

24 Sec. 43. IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The  
25 department on aging and the department of human services shall  
26 continue to collaborate to develop a cost allocation plan  
27 requesting Medicaid administrative funding to provide for the  
28 claiming of federal financial participation for aging and  
29 disability resource center activities that are performed to  
30 assist with administration of the Medicaid program. By January  
31 1, 2021, the department of human services shall submit to  
32 the centers for Medicare and Medicaid services of the United  
33 States department of health and human services any Medicaid  
34 state plan amendment as necessary and shall enter into any  
35 interagency agreement with the department on aging to implement

1 this section.

2 DIVISION XI

3 DECATEGORYIZATION FY 2017 CARRYOVER FUNDING

4 Sec. 44. DECATEGORYIZATION CARRYOVER FUNDING FY 2017 —  
5 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,  
6 subsection 5, paragraph "b", any state-appropriated moneys in  
7 the funding pool that remained unencumbered or unobligated  
8 at the close of the fiscal year beginning July 1, 2016, and  
9 were deemed carryover funding to remain available for the two  
10 succeeding fiscal years that still remain unencumbered or  
11 unobligated at the close of the fiscal year beginning July 1,  
12 2018, shall not revert but shall be transferred to the medical  
13 assistance program for the fiscal year beginning July 1, 2019.

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

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

18 DIVISION XII

19 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

20 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

21 Sec. 47. 2017 Iowa Acts, chapter 174, section 45, as amended  
22 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read  
23 as follows:

24 SEC. 45. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
25 GRANT. There is appropriated from the fund created in section  
26 8.41 to the department of human services for the fiscal year  
27 beginning July 1, 2018, and ending June 30, 2019, from moneys  
28 received under the federal temporary assistance for needy  
29 families (TANF) block grant pursuant to the federal Personal  
30 Responsibility and Work Opportunity Reconciliation Act of 1996,  
31 Pub. L. No. 104-193, and successor legislation, the following  
32 amounts, or so much thereof as is necessary, to be used for the  
33 purposes designated:

34 1. To be credited to the family investment program account  
35 and used for assistance under the family investment program



1 under [chapter 239B](#):

2 ..... \$ ~~4,539,006~~

3 4,025,108

4 2. To be credited to the family investment program account

5 and used for the job opportunities and basic skills (JOBS)

6 program and implementing family investment agreements in

7 accordance with [chapter 239B](#):

8 ..... \$ ~~5,412,060~~

9 5,192,060

10 3. To be used for the family development and

11 self-sufficiency grant program in accordance with section

12 216A.107:

13 ..... \$ ~~2,883,980~~

14 2,898,980

15 Notwithstanding [section 8.33](#), moneys appropriated in this

16 subsection that remain unencumbered or unobligated at the close

17 of the fiscal year shall not revert but shall remain available

18 for expenditure for the purposes designated until the close of

19 the succeeding fiscal year. However, unless such moneys are

20 encumbered or obligated on or before September 30, 2019, the

21 moneys shall revert.

22 4. For field operations:

23 ..... \$ ~~31,296,232~~

24 32,465,681

25 5. For general administration:

26 ..... \$ 3,744,000

27 6. For state child care assistance:

28 ..... \$ 47,166,826

29 a. Of the funds appropriated in this subsection,

30 \$26,205,412 is transferred to the child care and development

31 block grant appropriation made by the Eighty-seventh General

32 Assembly, 2018 session, for the federal fiscal year beginning

33 October 1, 2018, and ending September 30, 2019. Of this

34 amount, \$200,000 shall be used for provision of educational

35 opportunities to registered child care home providers in order

1 to improve services and programs offered by this category  
2 of providers and to increase the number of providers. The  
3 department may contract with institutions of higher education  
4 or child care resource and referral centers to provide  
5 the educational opportunities. Allowable administrative  
6 costs under the contracts shall not exceed 5 percent. The  
7 application for a grant shall not exceed two pages in length.

8 b. Any funds appropriated in this subsection remaining  
9 unallocated shall be used for state child care assistance  
10 payments for families who are employed including but not  
11 limited to individuals enrolled in the family investment  
12 program.

- 13 7. For child and family services:  
14 ..... \$ 32,380,654
- 15 8. For child abuse prevention grants:  
16 ..... \$ 125,000
- 17 9. For pregnancy prevention grants on the condition that  
18 family planning services are funded:  
19 ..... \$ 1,913,203  
20 ..... 1,890,203

21 Pregnancy prevention grants shall be awarded to programs  
22 in existence on or before July 1, 2018, if the programs have  
23 demonstrated positive outcomes. Grants shall be awarded to  
24 pregnancy prevention programs which are developed after July  
25 1, 2018, if the programs are based on existing models that  
26 have demonstrated positive outcomes. Grants shall comply with  
27 the requirements provided in 1997 Iowa Acts, chapter 208,  
28 section 14, subsections 1 and 2, including the requirement that  
29 grant programs must emphasize sexual abstinence. Priority in  
30 the awarding of grants shall be given to programs that serve  
31 areas of the state which demonstrate the highest percentage of  
32 unplanned pregnancies of females of childbearing age within the  
33 geographic area to be served by the grant.

34 10. For technology needs and other resources necessary  
35 to meet federal welfare reform reporting, tracking, and case

1 management requirements:

2 ..... \$ ~~1,037,186~~  
3 862,186

4 11. a. Notwithstanding any provision to the contrary,  
5 including but not limited to requirements in [section 8.41](#) or  
6 provisions in 2017 or 2018 Iowa Acts regarding the receipt and  
7 appropriation of federal block grants, federal funds from the  
8 temporary assistance for needy families block grant received by  
9 the state and not otherwise appropriated in this section and  
10 remaining available for the fiscal year beginning July 1, 2018,  
11 are appropriated to the department of human services to the  
12 extent as may be necessary to be used in the following priority  
13 order: the family investment program, for state child care  
14 assistance program payments for families who are employed, and  
15 for the family investment program share of system costs for  
16 eligibility determination and related functions. The federal  
17 funds appropriated in this paragraph "a" shall be expended  
18 only after all other funds appropriated in subsection 1 for  
19 assistance under the family investment program, in subsection 6  
20 for child care assistance, or in subsection 10 for technology  
21 costs related to the family investment program, as applicable,  
22 have been expended. For the purposes of this subsection, the  
23 funds appropriated in subsection 6, paragraph "a", for transfer  
24 to the child care and development block grant appropriation  
25 are considered fully expended when the full amount has been  
26 transferred.

27 b. The department shall, on a quarterly basis, advise the  
28 legislative services agency and department of management of  
29 the amount of funds appropriated in this subsection that was  
30 expended in the prior quarter.

31 12. Of the amounts appropriated in this section,  
32 \$12,962,008 for the fiscal year beginning July 1, 2018, is  
33 transferred to the appropriation of the federal social services  
34 block grant made to the department of human services for that  
35 fiscal year.

1 13. For continuation of the program providing categorical  
2 eligibility for the food assistance program as specified  
3 for the program in the section of this division of this Act  
4 relating to the family investment program account:

5 ..... \$ ~~14,236~~  
6 13,000

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

15 15. With the exception of moneys allocated under this  
16 section for the family development and self-sufficiency grant  
17 program, to the extent moneys allocated in this section are  
18 deemed by the department not to be necessary to support the  
19 purposes for which they are allocated, such moneys may be  
20 used in the same fiscal year for any other purpose for which  
21 funds are allocated in this section or in section 7 of this  
22 division for the family investment program account. If there  
23 are conflicting needs, priority shall first be given to the  
24 family investment program account as specified under subsection  
25 1 of this section and used for the purposes of assistance under  
26 the family investment program under [chapter 239B](#), followed by  
27 state child care assistance program payments for families who  
28 are employed, followed by other priorities as specified by the  
29 department.

30 FAMILY INVESTMENT PROGRAM ADJUSTMENTS

31 Sec. 48. 2017 Iowa Acts, chapter 174, section 46, subsection  
32 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is  
33 amended to read as follows:

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, 2018, and ending June 30, 2019, 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 ..... \$ 5,000  
8 20,000

9 b. To the department of human rights for staffing,  
10 administration, and implementation of the family development  
11 and self-sufficiency grant program in accordance with section  
12 216A.107:

13 ..... \$ 6,192,834

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

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

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

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

26 ..... \$ 749,694  
27 815,000

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

1 engagement by family investment program participants in work,  
2 education, or training activities, or for the purposes of  
3 assistance under the family investment program in accordance  
4 with [chapter 239B](#).

5 d. For the food assistance employment and training program:  
6 ..... \$ 66,588

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

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

27 e. For the JOBS program:  
28 ..... \$ ~~12,139,821~~  
29 11,919,821

30 MEDICAL ASSISTANCE PROGRAM ADJUSTMENT

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

34 For medical assistance program reimbursement and associated  
35 costs as specifically provided in the reimbursement

1 methodologies in effect on June 30, 2018, except as otherwise  
2 expressly authorized by law, consistent with options under  
3 federal law and regulations, and contingent upon receipt of  
4 approval from the office of the governor of reimbursement for  
5 each abortion performed under the program:

6 ..... \$ ~~1,337,841,375~~  
7 1,488,141,375

8 GROUP FOSTER CARE REALLOCATION

9 Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection  
10 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165,  
11 section 28, is amended to read as follows:

12 a. Of the funds appropriated in this section, up to  
13 \$34,536,648 is allocated as the statewide expenditure target  
14 under [section 232.143](#) for group foster care maintenance and  
15 services. If the department projects that such expenditures  
16 for the fiscal year will be less than the target amount  
17 allocated in this paragraph "a", the department may reallocate  
18 the excess to provide additional funding for family foster  
19 care, independent living, family safety, risk and permanency  
20 services, shelter care, or the child welfare emergency services  
21 addressed with the allocation for shelter care.

22 SHELTER CARE ALLOCATION

23 Sec. 51. 2017 Iowa Acts, chapter 174, section 57, subsection  
24 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is  
25 amended to read as follows:

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

32 OTHER FUNDING FOR CHILD WELFARE SERVICES

33 Sec. 52. 2017 Iowa Acts, chapter 174, section 57, as amended  
34 by 2018 Iowa Acts, chapter 1165, section 28, is amended by  
35 adding the following new subsection:





1 amended to read as follows:

2 1. There shall be a professional licensure division within  
3 the department of public health. Each board under [chapter 147](#)  
4 or under the administrative authority of the department, except  
5 the board of nursing, board of medicine, dental board, and  
6 board of pharmacy, shall receive administrative and clerical  
7 support from the division and may not employ its own support  
8 staff for administrative and clerical duties. The executive  
9 director of the board of nursing, board of medicine, dental  
10 board, and board of pharmacy shall be appointed pursuant to  
11 section 135.11B.

12 Sec. 59. NEW SECTION. 135.11B **Appointment of certain**  
13 **executive directors.**

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

- 16 a. The board of medicine.
- 17 b. The board of nursing.
- 18 c. The dental board.
- 19 d. The board of pharmacy.

20 2. Each board listed in subsection 1 shall advise the  
21 director in evaluating potential candidates for the position of  
22 executive director, consult with the director in the hiring of  
23 the executive director, and review and advise the director on  
24 the performance of the executive director in the discharge of  
25 the executive director's duties.

26 3. Each board listed in subsection 1 shall retain sole  
27 discretion and authority to execute the core functions of the  
28 board including but not limited to policymaking, advocating  
29 for and against legislation, rulemaking, licensing, licensee  
30 investigations, licensee disciplinary proceedings, and  
31 oversight of professional health programs. The director's  
32 supervision of the executive director shall not interfere with  
33 the board's discretion and authority in executing the core  
34 functions of the board.

35 Sec. 60. Section 147.80, subsection 3, Code 2019, is amended

1 to read as follows:

2 3. The board of medicine, the board of pharmacy, the  
3 dental board, and the board of nursing shall retain individual  
4 executive officers pursuant to section 135.11B, but shall  
5 make every effort to share administrative, clerical, and  
6 investigative staff to the greatest extent possible.

7 Sec. 61. Section 152.2, Code 2019, is amended to read as  
8 follows:

9 **152.2 Executive director.**

10 The board shall ~~appoint~~ retain a full-time executive  
11 director, who shall be appointed pursuant to section 135B.11.  
12 The executive director shall be a registered nurse ~~and shall~~  
13 ~~not be a member of the board~~. The governor, with the approval  
14 of the executive council pursuant to section 8A.413, subsection  
15 3, under the pay plan for exempt positions in the executive  
16 branch of government, shall set the salary of the executive  
17 director.

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

20 2. All employees needed to administer **this chapter** except  
21 the executive director shall be appointed pursuant to the merit  
22 system. The executive director shall ~~serve at the pleasure of~~  
23 ~~the board~~ be appointed pursuant to section 135.11B and shall  
24 be exempt from the merit system provisions of chapter 8A,  
25 subchapter IV.

26 DIVISION XVI

27 MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —  
28 CENTRAL PORTAL

29 Sec. 63. MEDICAID — MEDICAL PRIOR AUTHORIZATION UNIFORM  
30 PROCESS. The department of human services shall adopt rules  
31 pursuant to chapter 17A by October 1, 2019, to require that  
32 both managed care and fee-for-service payment and delivery  
33 systems utilize a uniform process, including but not limited to  
34 uniform forms, information requirements, and time frames, to  
35 request medical prior authorization under the Medicaid program.

1 The rules shall require the managed care organizations,  
2 by contract, to implement the uniform process by a date as  
3 determined by the department.

4 Sec. 64. MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL  
5 PORTAL — REVIEW. The department shall review the costs  
6 associated with expanding the medical assistance management  
7 information system to integrate a single, statewide system to  
8 serve as a central portal for submission of all medical prior  
9 authorization requests for the Medicaid program. The portal  
10 shall not be designed to make or review final determinations  
11 of managed care organization medical prior authorization  
12 requests, but shall only serve as a conduit to deliver medical  
13 prior authorization requests to the appropriate managed care  
14 organization. The results of the study shall be submitted to  
15 the governor and the general assembly no later than March 31,  
16 2020.

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

19 DIVISION XVII

20 HEALTH AND HUMAN SERVICES EXECUTIVE BRANCH ENTITIES — REFORM  
21 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK

22 Sec. 66. Section 135.24, subsection 7, paragraph e, Code  
23 2019, is amended to read as follows:

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

30 Sec. 67. Section 135.159, subsection 1, paragraph h, Code  
31 2019, is amended by striking the paragraph.

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

33 HOSPITAL HEALTH CARE ACCESS TRUST FUND BOARD

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

1       **249M.4 Hospital health care access trust fund —~~board~~.**

2       1. A hospital health care access trust fund is created  
3 in the state treasury under the authority of the department.  
4 Moneys received through the collection of the hospital health  
5 care access assessment imposed under [this chapter](#) and any  
6 other moneys specified for deposit in the trust fund shall be  
7 deposited in the trust fund.

8       2. Moneys in the trust fund shall be used, subject to  
9 their appropriation by the general assembly, by the department  
10 to reimburse participating hospitals the medical assistance  
11 program upper payment limit for inpatient and outpatient  
12 hospital services as calculated in [this section](#). Following  
13 payment of such upper payment limit to participating hospitals,  
14 any remaining funds in the trust fund on an annual basis may be  
15 used for any of the following purposes:

16       *a.* To support medical assistance program utilization  
17 shortfalls.

18       *b.* To maintain the state's capacity to provide access to and  
19 delivery of services for vulnerable Iowans.

20       *c.* To fund the health care workforce support initiative  
21 created pursuant to [section 135.175](#).

22       *d.* To support access to health care services for uninsured  
23 Iowans.

24       *e.* To support Iowa hospital programs and services which  
25 expand access to health care services for Iowans.

26       3. The trust fund shall be separate from the general fund  
27 of the state and shall not be considered part of the general  
28 fund. The moneys in the trust fund shall not be considered  
29 revenue of the state, but rather shall be funds of the hospital  
30 health care access assessment program. The moneys deposited  
31 in the trust fund are not subject to [section 8.33](#) and shall not  
32 be transferred, used, obligated, appropriated, or otherwise  
33 encumbered, except to provide for the purposes of [this chapter](#).  
34 Notwithstanding [section 12C.7, subsection 2](#), interest or  
35 earnings on moneys deposited in the trust fund shall be

1 credited to the trust fund.

2 4. The department shall adopt rules pursuant to chapter  
3 17A to administer the trust fund and reimbursements and  
4 expenditures as specified in [this chapter](#) made from the trust  
5 fund.

6 5. *a.* Beginning July 1, 2010, or the implementation date  
7 of the hospital health care access assessment program as  
8 determined by receipt of approval from the centers for Medicare  
9 and Medicaid services of the United States department of health  
10 and human services, whichever is later, the department shall  
11 increase the diagnostic related groups and ambulatory patient  
12 classifications base rates to provide payments to participating  
13 hospitals at the Medicare upper payment limit for the fiscal  
14 year beginning July 1, 2010, calculated as of July 31, 2010.  
15 Each participating hospital shall receive the same percentage  
16 increase, but the percentage may differ depending on whether  
17 the basis for the base rate increase is the diagnostic related  
18 groups or ambulatory patient classifications.

19 *b.* The percentage increase shall be calculated by dividing  
20 the amount calculated under subparagraph (1) by the amount  
21 calculated under subparagraph (2) as follows:

22 (1) The amount under the Medicare upper payment limit for  
23 the fiscal year beginning July 1, 2010, for participating  
24 hospitals.

25 (2) The projected expenditures for participating hospitals  
26 for the fiscal year beginning July 1, 2010, as determined by  
27 the fiscal management division of the department, plus the  
28 amount calculated under subparagraph (1).

29 6. For the fiscal year beginning July 1, 2011, and for  
30 each fiscal year beginning July 1, thereafter, the payments to  
31 participating hospitals shall continue to be calculated based  
32 on the upper payment limit as calculated for the fiscal year  
33 beginning July 1, 2010.

34 7. Reimbursement of participating hospitals shall  
35 incorporate the rebasing process for inpatient and outpatient

1 services for state fiscal year 2012. However, the total amount  
2 of increased funding available for reimbursement attributable  
3 to rebasing shall not exceed four million five hundred thousand  
4 dollars for state fiscal year 2012 and six million dollars for  
5 state fiscal year 2013.

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

9 ~~9. a. A hospital health care access trust fund board is~~  
10 ~~established consisting of the following members:~~

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

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

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

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

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

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

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

23 ~~(2) Make recommendations regarding the hospital health care~~  
24 ~~access assessment program, including recommendations regarding~~  
25 ~~the assessment calculation, assessment amounts, payments to~~  
26 ~~participating hospitals, and use of the moneys in the trust~~  
27 ~~fund.~~

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

31 ~~c. The department shall provide administrative assistance~~  
32 ~~to the board.~~

33 ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY  
34 CARE

35 Sec. 70. Section 135.107, subsection 5, Code 2019, is

1 amended by striking the subsection.

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

4 3. The president of the university of Iowa, in consultation  
5 with the president of Iowa state university of science and  
6 technology, shall employ a full-time director of the center.  
7 The center may employ staff to carry out the center's purpose.  
8 The director shall coordinate the agricultural health and  
9 safety programs of the center. The director shall regularly  
10 meet and consult with the ~~advisory committee to the center for~~  
11 rural health and primary care. The director shall provide  
12 the board of regents with relevant information regarding the  
13 center.

14 GOVERNMENTAL PUBLIC HEALTH ADVISORY COUNCIL

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

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

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

20 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

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

22 COMBINING STATE MEDICAL EXAMINER ADVISORY COUNCIL WITH THE  
23 INTERAGENCY COORDINATING COUNCIL

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

26 **691.6B Interagency coordinating council.**

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

29 a. Advise and consult with the state medical examiner on a  
30 range of issues affecting the organization and functions of the  
31 office of the state medical examiner and the effectiveness of  
32 the medical examiner system in the state.

33 b. Advise the state medical examiner concerning the  
34 assurance of effective coordination of the functions and  
35 operations of the office of the state medical examiner with the

1 needs and interests of the departments of public safety and  
2 public health.

3 2. Members of the interagency coordinating council shall  
4 include ~~the~~ all of the following:

5 a. The state medical examiner, or when the state medical  
6 examiner is not available, the deputy state medical examiner,  
7 ~~the.~~

8 b. The commissioner of public safety or the commissioner's  
9 designee, ~~the.~~

10 c. The director of public health or the director's designee,  
11 ~~and the.~~

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

13 e. Representatives from the office of the attorney  
14 general, the Iowa county attorneys association, the Iowa  
15 medical society, the Iowa association of pathologists, the  
16 Iowa association of county medical examiners, the statewide  
17 emergency medical system, and the Iowa funeral directors  
18 association.

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

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

23 TRAUMA SYSTEM ADVISORY COUNCIL

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

26 2. The council shall consist of seven members to be  
27 appointed by the director from the recommendations of  
28 the organizations in subsection 1 for terms of two years.  
29 Vacancies on the council shall be filled for the remainder of  
30 the term of the original appointment. Members whose terms  
31 expire may be reappointed.

32 Sec. 79. TRANSITION PROVISIONS. Notwithstanding any  
33 provision of section 147A.24, subsection 2, to the contrary, a  
34 member of the trauma system advisory council on July 1, 2019,  
35 shall continue serving until the expiration of that member's



1 term or until a vacancy occurs prior to the expiration of the  
2 applicable term, and such vacancy shall only be filled to the  
3 extent consistent with and necessary to maintain the total  
4 number of members of the council specified in section 147A.24,  
5 subsection 2, as amended in this Act.

6 TELECONFERENCE OPTION FOR STATE ENTITIES

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

9 Any statutorily established board, commission, committee, or  
10 council established under the purview of the department shall  
11 provide for a teleconference option for board, commission,  
12 committee, or council members to participate in official  
13 meetings.

14 ELIMINATION OF PAYMENT OF EXPENSES FOR PUBLIC MEMBERS OF  
15 CERTAIN STATE ENTITIES

16 Sec. 81. Section 105.3, subsection 6, Code 2019, is amended  
17 by striking the subsection.

18 Sec. 82. Section 135.43, subsection 2, unnumbered paragraph  
19 1, Code 2019, is amended to read as follows:

20 The membership of the review team is subject to the  
21 provisions of sections 69.16 and 69.16A, relating to political  
22 affiliation and gender balance. Review team members who  
23 are not designated by another appointing authority shall be  
24 appointed by the state medical examiner. Membership terms  
25 shall be for three years. A membership vacancy shall be filled  
26 in the same manner as the original appointment. The review  
27 team shall elect a chairperson and other officers as deemed  
28 necessary by the review team. The review team shall meet upon  
29 the call of the state medical examiner or as determined by  
30 the review team. ~~The members of the team are eligible for~~  
31 ~~reimbursement of actual and necessary expenses incurred in the~~  
32 ~~performance of their official duties.~~ The review team shall  
33 include the following:

34 Sec. 83. Section 135.62, subsection 2, paragraph e, Code  
35 2019, is amended by striking the paragraph.

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

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

4     Membership, terms of office, and quorum, ~~and expenses~~ shall  
5 be determined by the director pursuant to **chapter 135**.

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

8             ELIMINATION OF CHILD WELFARE ADVISORY COMMITTEE, CHILD  
9     SUPPORT ADVISORY COMMITTEE, CHILDREN'S MENTAL HEALTH WAIVER  
10    IMPLEMENTATION COMMITTEE, AND PROPERTY TAX RELIEF FUND RISK  
11                             POOL

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

14    1. *General.* The council on human services shall establish  
15 and utilize the advisory ~~committees~~ committee identified in  
16 this section and may establish and utilize other advisory  
17 committees. The council shall establish appointment  
18 provisions, membership terms, operating guidelines, and other  
19 operational requirements for committees established pursuant to  
20 this section.

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

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

25    Sec. 89. 2005 Iowa Acts, chapter 117, section 4, subsection  
26 3, is amended by striking the subsection.

27                             DIVISION XVIII  
28                             MEDICAL ASSISTANCE ADVISORY COUNCIL

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

31    4. Approve the budget of the department of human services  
32 prior to submission to the governor. Prior to approval of the  
33 budget, the council shall publicize and hold a public hearing  
34 to provide explanations and hear questions, opinions, and  
35 suggestions regarding the budget. Invitations to the hearing

1 shall be extended to the governor, the governor-elect, the  
2 director of the department of management, and other persons  
3 deemed by the council as integral to the budget process. The  
4 budget materials submitted to the governor shall include a  
5 review of options for revising the medical assistance program  
6 made available by federal action or by actions implemented  
7 by other states as identified by the department, the medical  
8 assistance advisory council ~~and the executive committee of the~~  
9 ~~medical assistance advisory council~~ created in [section 249A.4B](#),  
10 and by county representatives. The review shall address what  
11 potential revisions could be made in this state and how the  
12 changes would be beneficial to Iowans.

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

15 **249A.4B Medical assistance advisory council.**

16 1. A medical assistance advisory council is created to  
17 comply with [42 C.F.R. §431.12](#) based on section 1902(a)(4) of  
18 the federal Social Security Act and to advise the director  
19 about health and medical care services under the medical  
20 assistance program. The council shall meet no more than  
21 quarterly. The director of public health and a public member  
22 of the council selected by the public members of the council  
23 ~~specified in [subsection 2](#), paragraph "b"~~, shall serve as  
24 co-chairpersons of the council.

25 2. a. The council shall consist of the following voting  
26 members:

27 (1) Five professional or business entity members selected  
28 by the entities specified pursuant to subsection 3, paragraph  
29 "a".

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

33 b. The council shall include all of the following nonvoting  
34 members:

35 (1) The director of public health, or the director's

1 designee.

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

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

6 (4) The dean of Des Moines university – osteopathic medical  
7 center, or the dean's designee.

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

10 (6) A member of the hawk-i board created in section 514I.5,  
11 selected by the members of the hawk-i board.

12 (7) The following members of the general assembly, each for  
13 a term of two years as provided in section 69.16B:

14 (a) Two members of the house of representatives, one  
15 appointed by the speaker of the house of representatives  
16 and one appointed by the minority leader of the house of  
17 representatives from their respective parties.

18 (b) Two members of the senate, one appointed by the  
19 president of the senate after consultation with the majority  
20 leader of the senate and one appointed by the minority leader  
21 of the senate.

22 ~~2.~~ 3. The voting membership of the council shall include  
23 all of the following voting members be selected or appointed  
24 as follows:

25 a. The five professional or business entity members shall  
26 be selected by the entities specified under this paragraph "a".  
27 The five professional or business entity members selected shall  
28 be the president, or the president's representative, of each  
29 ~~of the following professional or business entities~~ entity, or  
30 ~~a member of each of the following professional or business~~  
31 ~~entities, selected~~ entity, designated by the entity.

32 (1) The Iowa medical society.

33 (2) The Iowa osteopathic medical association.

34 (3) The Iowa academy of family physicians.

35 (4) The Iowa chapter of the American academy of pediatrics.

- 1 (5) The Iowa physical therapy association.
- 2 (6) The Iowa dental association.
- 3 (7) The Iowa nurses association.
- 4 (8) The Iowa pharmacy association.
- 5 (9) The Iowa podiatric medical society.
- 6 (10) The Iowa optometric association.
- 7 (11) The Iowa association of community providers.
- 8 (12) The Iowa psychological association.
- 9 (13) The Iowa psychiatric society.
- 10 (14) The Iowa chapter of the national association of social
- 11 workers.
- 12 (15) The coalition for family and children's services in
- 13 Iowa.
- 14 (16) The Iowa hospital association.
- 15 (17) The Iowa association of rural health clinics.
- 16 (18) The Iowa primary care association.
- 17 (19) Free clinics of Iowa.
- 18 (20) The opticians' association of Iowa, inc.
- 19 (21) The Iowa association of hearing health professionals.
- 20 (22) The Iowa speech and hearing association.
- 21 (23) The Iowa health care association.
- 22 (24) The Iowa association of area agencies on aging.
- 23 (25) AARP.
- 24 (26) The Iowa caregivers association.
- 25 (27) Leading age Iowa.
- 26 (28) The Iowa association for home care.
- 27 (29) The Iowa council of health care centers.
- 28 (30) The Iowa physician assistant society.
- 29 (31) The Iowa association of nurse practitioners.
- 30 (32) The Iowa nurse practitioner society.
- 31 (33) The Iowa occupational therapy association.
- 32 (34) The ARC of Iowa, formerly known as the association for
- 33 retarded citizens of Iowa.
- 34 (35) The national alliance on mental illness.
- 35 (36) The Iowa state association of counties.

1 (37) The Iowa developmental disabilities council.

2 (38) The Iowa chiropractic society.

3 (39) The Iowa academy of nutrition and dietetics.

4 (40) The Iowa behavioral health association.

5 (41) The midwest association for medical equipment services  
6 or an affiliated Iowa organization.

7 ~~b. Ten~~ The five public members shall be public  
8 representatives which may include members of consumer groups,  
9 including recipients of medical assistance or their families,  
10 consumer organizations, and others, appointed by the governor  
11 for staggered terms of two years each, none of whom shall be  
12 members of, or practitioners of, or have a pecuniary interest  
13 in any of the professional or business entities specifically  
14 represented under paragraph "a", ~~and a majority of whom shall be~~  
15 ~~current or former recipients of medical assistance or members~~  
16 ~~of the families of current or former recipients.~~

17 ~~c. A member of the hawk-i board created in~~ section 514I.5,  
18 ~~selected by the members of the hawk-i board.~~

19 ~~3. The council shall include all of the following nonvoting~~  
20 ~~members:~~

21 ~~a. The director of public health, or the director's~~  
22 ~~designee.~~

23 ~~b. The director of the department on aging, or the~~  
24 ~~director's designee.~~

25 ~~c. The long-term care ombudsman, or the long-term care~~  
26 ~~ombudsman's designee.~~

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

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

31 ~~f. The following members of the general assembly, each for a~~  
32 ~~term of two years as provided in~~ section 69.16B:

33 ~~(1) Two members of the house of representatives, one~~  
34 ~~appointed by the speaker of the house of representatives~~  
35 ~~and one appointed by the minority leader of the house of~~

1 ~~representatives from their respective parties.~~

2 ~~(2) Two members of the senate, one appointed by the~~  
3 ~~president of the senate after consultation with the majority~~  
4 ~~leader of the senate and one appointed by the minority leader~~  
5 ~~of the senate.~~

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

8 ~~(1) Five of the professional or business entity members~~  
9 ~~designated pursuant to [subsection 2](#), paragraph "a", and~~  
10 ~~selected by the members specified under that paragraph, as~~  
11 ~~voting members.~~

12 ~~(2) Five of the public members appointed pursuant to~~  
13 ~~[subsection 2](#), paragraph "b", and selected by the members~~  
14 ~~specified under that paragraph, as voting members. Of the five~~  
15 ~~public members, at least one member shall be a recipient of~~  
16 ~~medical assistance.~~

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

19 ~~b. The executive committee shall meet on a monthly basis.~~  
20 ~~The director of public health and the public member serving as~~  
21 ~~co-chairperson of the council shall serve as co-chairpersons of~~  
22 ~~the executive committee.~~

23 ~~e. 4. Based upon the deliberations of the council and the~~  
24 ~~executive committee, the executive committee council shall make~~  
25 ~~recommendations to the director regarding the budget, policy,~~  
26 ~~and administration of the medical assistance program.~~

27 ~~5. For each council meeting, other than those held during~~  
28 ~~the time the general assembly is in session, each legislative~~  
29 ~~member of the council shall be reimbursed for actual travel~~  
30 ~~and other necessary expenses and shall receive a per diem as~~  
31 ~~specified in [section 7E.6](#) for each day in attendance, as shall~~  
32 ~~the members of the council or the executive committee who are~~  
33 ~~recipients or the family members of recipients of medical~~  
34 ~~assistance, regardless of whether the general assembly is in~~  
35 ~~session.~~

1 6. The department shall provide staff support and  
2 independent technical assistance to the council ~~and the~~  
3 ~~executive committee.~~

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

9 DIVISION XIX

10 MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY ADMITTED FOR  
11 PERMANENT RESIDENCE

12 Sec. 92. MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY  
13 ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES WITHOUT  
14 APPLICATION OF FIVE-YEAR WAITING PERIOD.

15 1. The department of human services shall seek a waiver from  
16 the centers for Medicare and Medicaid services of the United  
17 States department of health and human services to provide  
18 coverage under the Medicaid program for pregnant women lawfully  
19 admitted for permanent residence in the United States, without  
20 application of the five-year waiting period.

21 2. If federal approval is received by the department, the  
22 department shall provide Medicaid coverage for pregnant women  
23 lawfully admitted for permanent residence in the United States,  
24 without application of the five-year waiting period, effective  
25 the first day of the month following the department's receipt  
26 of federal approval.

27 DIVISION XX

28 PROVISION OF CERTAIN SURGERIES OR PROCEDURES — EXEMPTION FROM  
29 REQUIRED ACCOMMODATIONS OR SERVICES

30 Sec. 93. Section 216.7, Code 2019, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 3. This section shall not require any  
33 state or local government unit or tax-supported district to  
34 provide for sex reassignment surgery or any other cosmetic,  
35 reconstructive, or plastic surgery procedure related to



1 transsexualism, hermaphroditism, gender identity disorder, or  
2 body dysmorphic disorder.

3 Sec. 94. EFFECTIVE DATE. This division of this Act, being  
4 deemed of immediate importance, takes effect upon enactment.

5 DIVISION XXI

6 REVISION OF MEDICAID MANAGED CARE CONTRACTS — LIQUIDATED  
7 DAMAGES

8 Sec. 95. REVISION OF MEDICAID MANAGED CARE CONTRACTS —  
9 LIQUIDATED DAMAGES. The department shall revise the Medicaid  
10 managed care contracts to include all of the following  
11 provisions:

12 1. The assessment of liquidated damages for prior  
13 authorization and claims payment system issues that were  
14 reported by the managed care organization to the department  
15 as corrected, but reoccurred within 60 days of the reported  
16 correction.

17 2. The assessment of liquidated damages for the failure of  
18 a managed care organization to complete provider credentialing  
19 or to accurately load provider rosters as required in the  
20 contract.

21 DIVISION XXII

22 HEALTH DATA COLLECTION AND USE

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

25 1. a. The department of public health shall enter into  
26 a memorandum of understanding ~~to utilize the Iowa hospital~~  
27 ~~association~~ with the contractor selected through a request for  
28 proposals process to act as the department's intermediary in  
29 collecting, maintaining, and disseminating hospital inpatient,  
30 outpatient, and ambulatory data, as initially authorized in  
31 1996 Iowa Acts, ch. 1212, §5, subsection 1, paragraph "a",  
32 subparagraph (4), and 641 IAC 177.3.

33 b. The memorandum of understanding shall include but is not  
34 limited to provisions that address the duties of the department  
35 and the ~~Iowa hospital association~~ contractor regarding the

1 collection, reporting, disclosure, storage, and confidentiality  
2 of the data.

3 Sec. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The  
4 department of public health shall continue the memorandum of  
5 understanding with the entity acting as intermediary on June  
6 30, 2019, pursuant to section 135.166, until the contractor  
7 selected through a request for proposals process assumes the  
8 duties of intermediary on January 1, 2021, as specified under  
9 this division of this Act.

10

#### DIVISION XXIII

11 DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION

12 Sec. 98. DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES ACT  
13 FUNDS FOR FAMILY PLANNING.

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

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

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

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

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

32 3. a. (1) Distribution of funds under this section shall  
33 not be made to any entity that performs abortions, promotes  
34 abortions, maintains or operates a facility where abortions are  
35 performed or promoted, contracts or subcontracts with an entity

1 that performs or promotes abortions, becomes or continues to be  
2 an affiliate of any entity that performs or promotes abortions,  
3 or regularly makes referrals to an entity that provides or  
4 promotes abortions or maintains or operates a facility where  
5 abortions are performed. However, the prohibition specified  
6 in this subparagraph (1) shall not be interpreted to include  
7 a nonpublic entity that is a distinct location of a nonprofit  
8 health care delivery system, if the distinct location provides  
9 family planning services but does not perform abortions  
10 or maintain or operate as a facility where abortions are  
11 performed.

12 (2) The department of public health shall adopt rules  
13 pursuant to chapter 17A to require that as a condition of  
14 eligibility as an applicant under this section, each distinct  
15 location of a nonprofit health care delivery system shall be  
16 assigned a distinct provider identification number and complete  
17 an attestation that abortions are not performed at the distinct  
18 location.

19 b. For the purposes of this section, "nonprofit health  
20 care delivery system" means an Iowa nonprofit corporation  
21 that controls, directly or indirectly, a regional health  
22 care network consisting of hospital facilities and various  
23 ambulatory and clinic locations that provide a range of  
24 primary, secondary, and tertiary inpatient, outpatient, and  
25 physician services.

26 c. For the purposes of this section, "abortion" does not  
27 include any of the following:

28 (1) The treatment of a woman for a physical disorder,  
29 physical injury, or physical illness, including a  
30 life-endangering physical condition caused by or arising from  
31 the pregnancy itself, that would, as certified by a physician,  
32 place the woman in danger of death.

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

1 4. Funds distributed in accordance with this section shall  
2 not be used for direct or indirect costs, including but not  
3 limited to administrative costs or expenses, overhead, employee  
4 salaries, rent, and telephone and other utility costs, related  
5 to providing or promoting abortions as specified in this  
6 section.

7 5. The department of public health shall submit a report to  
8 the governor and the general assembly, annually by January 1,  
9 listing any entities that received funds pursuant to subsection  
10 1, paragraph "c", and the amount and type of funds received by  
11 such entities during the preceding calendar year. The report  
12 shall provide a detailed explanation of how the department  
13 determined that distribution of funds to such an entity,  
14 instead of to an entity described in subsection 1, paragraph  
15 "a" or "b", was necessary to prevent severe limitation or  
16 elimination of access to family planning services in the region  
17 of the state where the entity is located.

18 Sec. 99. ADMINISTRATION OF PERSONAL RESPONSIBILITY  
19 EDUCATION PROGRAM AND SEXUAL RISK AVOIDANCE EDUCATION GRANT  
20 PROGRAM FUNDS.

21 1. Any contract entered into on or after July 1, 2019, by  
22 the department of public health to administer the personal  
23 responsibility education program as specified in 42 U.S.C.  
24 §713 or to administer the sexual risk avoidance education  
25 grant program authorized pursuant to section 510 of Tit.  
26 V of the federal Social Security Act, 42 U.S.C. §710, as  
27 amended by section 50502 of the federal Bipartisan Budget  
28 Act of 2018, Pub. L. No. 115-123, and as further amended by  
29 division S, Title VII, section 701 of the federal Consolidated  
30 Appropriations Act of 2018, Pub. L. No. 115-141, shall exclude  
31 as an eligible applicant, any applicant entity that performs  
32 abortions, promotes abortions, maintains or operates a  
33 facility where abortions are performed or promoted, contracts  
34 or subcontracts with an entity that performs or promotes  
35 abortions, becomes or continues to be an affiliate of any

1 entity that performs or promotes abortions, or regularly makes  
2 referrals to an entity that provides or promotes abortions or  
3 maintains or operates a facility where abortions are performed.  
4 However, the prohibition specified in this section shall not be  
5 interpreted to include a nonpublic entity that is a distinct  
6 location of a nonprofit health care delivery system, if the  
7 distinct location provides personal responsibility education  
8 program or sexual risk avoidance education grant program  
9 services but does not perform abortions or maintain or operate  
10 as a facility where abortions are performed.

11 2. The department of public health shall adopt rules  
12 pursuant to chapter 17A to require that as a condition of  
13 eligibility as an applicant, grantee, grantee contractor,  
14 or grantee subcontractor under the personal responsibility  
15 education program or sexual risk avoidance education grant  
16 program, each distinct location of a nonprofit health care  
17 delivery system shall be assigned a distinct identification  
18 number and complete an attestation that abortions are not  
19 performed at the distinct location.

20 3. For the purposes of this section, "nonprofit health  
21 care delivery system" means an Iowa nonprofit corporation  
22 that controls, directly or indirectly, a regional health  
23 care network consisting of hospital facilities and various  
24 ambulatory and clinic locations that provide a range of  
25 primary, secondary, and tertiary inpatient, outpatient, and  
26 physician services.

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

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

34 b. The treatment of a woman for a spontaneous abortion,  
35 commonly known as a miscarriage, when not all of the products

1 of human conception are expelled.

2 Sec. 100. AWARD OF COMMUNITY ADOLESCENT PREGNANCY  
3 PREVENTION AND SERVICES PROGRAM GRANT FUNDS.

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

18 2. The eligibility exclusion specified in subsection 1  
19 shall not be interpreted to include a nonpublic entity that  
20 is a distinct location of a nonprofit health care delivery  
21 system, if the distinct location provides community adolescent  
22 pregnancy prevention program services but does not perform  
23 abortions or maintain or operate as a facility where abortions  
24 are performed.

25 3. The department of human services shall adopt rules  
26 pursuant to chapter 17A to require that as a condition of  
27 eligibility as an applicant, grantee, grantee contractor,  
28 or grantee subcontractor under the adolescent pregnancy  
29 prevention and services program, each distinct location of  
30 a nonprofit health care delivery system shall be assigned a  
31 distinct identification number and complete an attestation that  
32 abortions are not performed at the distinct location.

33 4. For the purposes of this section, "nonprofit health  
34 care delivery system" means an Iowa nonprofit corporation  
35 that controls, directly or indirectly, a regional health

1 care network consisting of hospital facilities and various  
2 ambulatory and clinic locations that provide a range of  
3 primary, secondary, and tertiary inpatient, outpatient, and  
4 physician services.

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

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

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

15 Sec. 101. SEVERABILITY. If any provision of this division  
16 of this Act or the application of this division of this Act to  
17 any person or circumstances is held invalid, the invalidity  
18 shall not affect other provisions or applications of this  
19 division of this Act which can be given effect without the  
20 invalid provisions or application and, to this end, the  
21 provisions of this division of this Act are severable.

22 Sec. 102. EFFECTIVE DATE. This division of this Act, being  
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION XXIV

25 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE  
26 RATE ADD-ON PROGRAM

27 Sec. 103. Section 249L.2, subsections 7 and 8, Code 2019,  
28 are amended to read as follows:

29 7. "*Non-state government-owned nursing facility*" means a  
30 nursing facility that is owned or operated by a non-state  
31 governmental entity and for which a non-state governmental  
32 entity holds the nursing facility's license and is party to the  
33 nursing facility's Medicaid contract.

34 8. "*Nursing facility*" means a licensed nursing facility as  
35 defined in [section 135C.1](#) that is a freestanding facility or

1 a nursing facility operated by a hospital licensed pursuant  
2 to [chapter 135B](#), but does not include a distinct-part skilled  
3 nursing unit or a swing-bed unit operated by a hospital, or  
4 a nursing facility owned by the state or federal government  
5 or other governmental unit. *“Nursing facility”* includes a  
6 non-state government-owned nursing facility if the nursing  
7 facility participates in the non-state government-owned nursing  
8 facility ~~upper payment limit alternative payment~~ quality of  
9 care rate add-on program.

10 Sec. 104. NON-STATE GOVERNMENT-OWNED NURSING FACILITY  
11 QUALITY OF CARE RATE ADD-ON PROGRAM.

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

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

15 b. “Intergovernmental transfer” means a transfer of  
16 state share funds from a non-state governmental entity to the  
17 department of human services.

18 c. “Non-state governmental entity” or “NSGE” means a  
19 hospital authority, hospital district, health care district,  
20 city, or county.

21 d. “Non-state government-owned nursing facility” or “NSGO  
22 nursing facility” means a nursing facility that is owned or  
23 operated by a non-state governmental entity and for which a  
24 non-state governmental entity holds the nursing facility’s  
25 license and is party to the nursing facility’s Medicaid  
26 contract.

27 e. “Program” means the non-state government-owned nursing  
28 facility quality of care rate add-on program described in this  
29 section.

30 f. “Quality of care rate add-on calculation period” means  
31 the fiscal year for which quality of care rate add-on amounts  
32 are calculated based on adjudicated claims for days of service  
33 provided.

34 g. “Upper payment limit” means a reasonable estimate of  
35 the amount that would be paid for the services furnished by a



1 facility under Medicare payment principles.

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

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

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

14 b. Non-state government-owned nursing facility  
15 qualifications. An NSGO nursing facility shall qualify for  
16 participation in the program if all of the following conditions  
17 are met:

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

20 (2) The NSGE for the NSGO nursing facility has provided  
21 proof that the entity holds the NSGO nursing facility's license  
22 and has complete operational responsibility for the NSGO  
23 nursing facility.

24 (3) The NSGE for the NSGO nursing facility has filed a  
25 certification of eligibility application for the quality of  
26 care rate add-on program with the department and has received  
27 approval from the department for participation in the program.

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

31 (5) The NSGO nursing facility and the NSGE for the  
32 NSGO nursing facility are in compliance with care criteria  
33 requirements.

34 c. NSGE participation requirements. An NSGE shall qualify  
35 for participation in the program if all of the following

1 conditions are met:

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

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

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

8 (4) The NSGE has provided, to the department, an executed  
9 management agreement between the NSGE and the NSGO nursing  
10 facility manager.

11 d. Care criteria requirements. A participating NSGO  
12 nursing facility shall comply with all of the following care  
13 criteria quality metrics, shall adhere to all of the following  
14 performance measures to improve the quality of care delivered  
15 to residents and to improve efficiency and care avoidance costs  
16 for the overall Medicaid program, and shall do all of the  
17 following:

18 (1) Develop a written action plan that includes  
19 satisfaction survey results, an analysis of the satisfaction  
20 survey results with identification of areas in need of  
21 improvement, and a process for addressing areas in need of  
22 improvement.

23 (2) Develop and implement, within six months of  
24 commencement of participation in the program, a written plan  
25 for the mitigation of unnecessary inpatient admissions within  
26 30 days of a nursing facility discharge. The written plan  
27 shall include or address all of the following:

28 (a) The inpatient admission management tool which  
29 identifies those residents at high risk for the potential  
30 return to acute care.

31 (b) The tools to support effective communications.

32 (c) Advance directive planning and implementation.

33 (d) Application of a quality assurance and program  
34 integrity methodology to provide a root cause analysis and  
35 identify teaching needs.

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

6 (a) The latest available three-quarter average of both the  
7 CMS measure for the percent of long-stay residents assessed and  
8 appropriately given the seasonal influenza vaccine and of the  
9 CMS measure for the percentage of long-stay residents assessed  
10 and appropriately given the pneumococcal vaccine, to establish  
11 a baseline.

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

14 (c) A written plan for an influenza and pneumonia  
15 vaccination program to address new admissions and current  
16 residents.

17 (4) Elevate healthy aging in the state by implementing  
18 a plan that accomplishes at least one of the following  
19 strategies:

20 (a) Prevention and reduction of falls.

21 (b) Improved nutrition.

22 (c) Increased physical activity.

23 (d) Reduction in the incidence of depression.

24 (5) Demonstrate improvement above the facility-specific  
25 baseline in the CMS five-star quality measures composite  
26 scoring. Metrics shall be determined based upon the CMS  
27 nursing home compare composite score over the preceding  
28 twelve-month period.

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

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

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

6 e. Quality of care rate add-on.

7 (1) The nursing facility quality of care rate add-on  
8 provided to a participating NSGE under the program shall not  
9 exceed Medicare payment principles pursuant to 42 C.F.R.  
10 §447.272 and shall be calculated pursuant to 42 C.F.R. §438.6.  
11 The quality of care rate add-on shall be calculated and paid  
12 as follows:

13 (a) The methodology utilized to calculate the upper  
14 payment limit shall be based on the data available during the  
15 calculation period.

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

21 (c) The difference calculated under subparagraph division  
22 (b) shall be divided by total patient days as determined under  
23 subparagraph division (b).

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

26 (2) The amount of the quality of care rate add-on shall  
27 be associated with improvement in care of Medicaid nursing  
28 facility residents in the state as demonstrated through the  
29 specified care criteria. A participating NSGE shall receive  
30 payment under the program based on earned percentages related  
31 to the care criteria. A participating NSGE shall meet or  
32 exceed at least two of the five established care criteria  
33 metrics to be eligible for the rate add-on payment for each  
34 quarter. After at least two of the five metrics have been met,  
35 the participating NSGE shall be eligible for seventy percent

1 of the total eligible quality of care rate add-on amount for a  
2 participating NSGO nursing facility. The participating NSGE  
3 may qualify for the remaining thirty percent of the total  
4 eligible quality of care rate add-on amount, by attribution  
5 in ten percent increments, for each additional care criterion  
6 that is met up to the full one hundred percent of the eligible  
7 quality of care rate add-on amount.

8 f. Change of ownership.

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

13 (2) If a participating NSGO nursing facility changes  
14 ownership on or after the first day of the quality of care  
15 rate add-on calculation period, the data used for calculations  
16 shall include data from the participating NSGO nursing facility  
17 for the entire quality of care rate add-on calculation period  
18 relating to payments for days of service provided under the  
19 prior owner, prorated to reflect only the number of calendar  
20 days during the calculation period that the participating NSGO  
21 nursing facility is owned by the new owner.

22 g. Payment to participating NSGO nursing facilities. A  
23 participating NSGO nursing facility shall secure allowable  
24 intergovernmental transfer funds from a participating NSGE  
25 to provide the state share amount. The process for the  
26 intergovernmental transfer shall comply with the following:

27 (1) The department, or the department's designee, shall  
28 notify the participating NSGE of the state share amount to be  
29 transferred in the form of an intergovernmental transfer for  
30 purposes of seeking federal financial participation for the  
31 rate add-on payment, within twenty-five business days after  
32 the end of a quarter. The amount shall reflect the percentage  
33 of metrics achieved under the care criteria requirement. The  
34 participating NSGE shall have five business days from the  
35 date of receipt of the departmental notification to sign the

1 participation agreement and remit payment of the state share  
2 amount in the form of an intergovernmental transfer to the  
3 department or the department's designee.

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

9 h. Penalties and adjustments. Failure by a participating  
10 NSGE to remit the full intergovernmental transfer amount or  
11 the correct amount as indicated by the department or the  
12 department's designee within the following defined time frames  
13 indicates the participating NSGE has voluntarily elected to  
14 withdraw from program participation for that current quarter  
15 and must reapply for participation in the program in any  
16 subsequent quarter. All of the following shall apply when  
17 determining the application of penalties and adjustments:

18 (1) The total amount of the intergovernmental transfer  
19 must be received from the participating NSGE by the department  
20 or the department's designee within five business days from  
21 receipt by the participating NSGE of notification from the  
22 department or the department's designee of the state share  
23 amount.

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

27 (b) The date of receipt of notification of the state  
28 share amount by the participating NSGE from the department or  
29 the department's designee is the official reference date in  
30 measuring the commencement of the five business days.

31 (2) Any intergovernmental transfer amount received by  
32 the department or the department's designee after the fifth  
33 business day as specified, but with a date stamp or mailing  
34 postal mark indicating a date on or prior to five business  
35 days from the date of notification by the department or the

1 department's designee of the state share amount, shall not be  
2 subject to penalty.

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

16 (b) The department shall notify the participating NSGE of  
17 the assessed penalty in writing. If the participating NSGE  
18 fails to pay the department or the department's designee the  
19 assessed penalty within the time frame noted on the written  
20 notice to the participating NSGE, the assessed penalty shall be  
21 deducted in accordance with the state Medicaid fee-for-service  
22 recoupment process. The penalty shall be paid regardless  
23 of any appeal requested by the participating NSGE. If an  
24 appeal results in a decision to disallow a portion of or the  
25 entire assessed penalty, reimbursement to the participating  
26 NSGE shall be made as part of future Medicaid payments to the  
27 participating NSGO nursing facility.

28 (4) If a participating NSGO nursing facility fails to  
29 achieve, at a minimum, two of the required care criteria  
30 metrics for two consecutive quarters, the participating NSGO  
31 nursing facility shall be suspended from participation in the  
32 program for two subsequent quarters. An NSGO nursing facility  
33 that has been suspended for a total of four quarters within a  
34 two-year period due to noncompliance with the required care  
35 criteria shall be terminated from the program, and shall be

1 required to reapply for approval to participate at a subsequent  
2 time. Readmittance into the program is at the sole discretion  
3 of the department, taking into consideration input from  
4 stakeholders. If the NSGO nursing facility is subsequently  
5 readmitted to the program, terms of participation may include a  
6 probationary period with defined requirements related to care.

7 4. The quality of care rate add-on shall only be implemented  
8 upon receipt by the department of approval of the Medicaid  
9 state plan amendment by CMS, and if such approval is received,  
10 the rate add-on is applicable no earlier than the first day  
11 of the calendar quarter following the date of receipt of such  
12 approval.

13 Sec. 105. REPEAL. 2016 Iowa Acts, chapter 1139, sections  
14 80, 81, 82, 83, and 84, are repealed.

15 Sec. 106. REPEAL. 2017 Iowa Acts, chapter 174, sections  
16 113, 114, 115, and 116, are repealed.

17 Sec. 107. EFFECTIVE UPON ENACTMENT. This division of this  
18 Act, being deemed of immediate importance, takes effect upon  
19 enactment.

20 Sec. 108. IMPLEMENTATION PROVISIONS.

21 1. The section of this division of this Act directing the  
22 department of human services to submit a Medicaid state plan  
23 amendment to CMS shall be implemented as soon as possible  
24 following enactment, consistent with all applicable federal  
25 requirements.

26 2. The section of this division of this Act amending  
27 section 249L.2, shall only be implemented upon receipt by  
28 the department of human services of approval of the Medicaid  
29 state plan amendment by CMS, and if such approval is received,  
30 is applicable no earlier than the first day of the calendar  
31 quarter following the date of receipt of such approval.

32 DIVISION XXV

33 PREPARATION FOR ADULT LIVING PROGRAM

34 Sec. 109. Section 234.46, subsection 1, paragraph b, Code  
35 2019, is amended to read as follows:





1 designee.

2 e. A member of the mental health and disability services  
3 commission.

4 ~~e.~~ f. Members appointed by the governor who are active  
5 members of each of the indicated groups:

6 (1) One member shall be selected from nominees submitted by  
7 the state court administrator.

8 ~~f.~~ (2) One member shall be selected from nominees submitted  
9 by the early childhood Iowa office in the department of  
10 management.

11 ~~g. One member shall be a member of the mental health and~~  
12 ~~disability services commission.~~

13 ~~h.~~ (3) One member shall be a board member or an employee of  
14 a provider of mental health services to children.

15 ~~i.~~ (4) One member shall be a board member or an employee of  
16 a provider of child welfare services.

17 ~~j.~~ (5) One member shall be an administrator of an area  
18 education agency.

19 ~~k.~~ (6) One member shall be an educator, counselor, or  
20 administrator of a school district.

21 ~~l.~~ (7) One member shall be a representative of an  
22 established advocacy organization whose mission or purpose it  
23 is, in part, to further goals related to children's mental  
24 health.

25 ~~m.~~ (8) One member shall be a parent or guardian of a child  
26 currently utilizing or who has utilized behavioral health  
27 services.

28 ~~n.~~ (9) One member shall be a sheriff.

29 ~~o.~~ (10) One member shall be a pediatrician.

30 ~~p.~~ (11) One member shall be a representative from a health  
31 care system.

32 ~~q.~~ (12) One member shall be a chief executive officer of a  
33 mental health and disability services region.

34 ~~r.~~ f. In addition to the voting members, the membership  
35 shall include four members of the general assembly with one



1 those appropriations, until the close of the succeeding fiscal  
2 year.

3 STATE RESOURCE CENTERS

4 Sec. 112. 2017 Iowa Acts, chapter 174, section 63, is  
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 6. Notwithstanding section 8.33, and  
7 notwithstanding the amount limitation specified in section  
8 222.92, moneys appropriated in this section that remain  
9 unencumbered or unobligated at the close of the fiscal year  
10 shall not revert but shall remain available for expenditure  
11 for the purposes designated, including year-end purchases and  
12 technology needs, and may be transferred to the appropriations  
13 made in this division of this Act for the juvenile institution  
14 or the mental health institutes, to be used for the purposes of  
15 those appropriations, until the close of the succeeding fiscal  
16 year.

17 FIELD OPERATIONS

18 Sec. 113. 2017 Iowa Acts, chapter 174, section 65, as  
19 amended by 2018 Iowa Acts, chapter 1165, section 35, is amended  
20 to read as follows:

21 SEC. 65. FIELD OPERATIONS. There is appropriated from the  
22 general fund of the state to the department of human services  
23 for the fiscal year beginning July 1, 2018, and ending June 30,  
24 2019, the following amount, or so much thereof as is necessary,  
25 to be used for the purposes designated:

26 For field operations, including salaries, support,  
27 maintenance, and miscellaneous purposes, and for not more than  
28 the following full-time equivalent positions:  
29 ..... \$ 49,074,517  
30 ..... FTEs 1,539.00

31 Priority in filling full-time equivalent positions shall be  
32 given to those positions related to child protection services  
33 and eligibility determination for low-income families.

34 Notwithstanding section 8.33, moneys appropriated in  
35 this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain  
2 available for expenditure for the purposes designated,  
3 including for technology needs, personal computer replacements,  
4 and accelerated hiring, and may be transferred to the  
5 appropriations made in this division of this Act for the  
6 juvenile institution, the mental health institutes, or the  
7 state resource centers, to be used for the purposes of those  
8 appropriations, until the close of the succeeding fiscal year.

9 GENERAL ADMINISTRATION

10 Sec. 114. 2017 Iowa Acts, chapter 174, section 66, as  
11 amended by 2018 Iowa Acts, chapter 1165, section 36, is amended  
12 to read as follows:

13 SEC. 66. GENERAL ADMINISTRATION.

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, 2018, and ending June 30, 2019, the following  
17 amount, or so much thereof as is necessary, to be used for the  
18 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 2. Of the funds appropriated in this section, \$150,000 shall  
25 be used to continue the contract for the provision of a program  
26 to provide technical assistance, support, and consultation to  
27 providers of habilitation services and home and community-based  
28 services waiver services for adults with disabilities under the  
29 medical assistance program.

30 3. Of the funds appropriated in this section, \$50,000  
31 is transferred to the Iowa finance authority to be used  
32 for administrative support of the council on homelessness  
33 established in [section 16.2D](#) and for the council to fulfill its  
34 duties in addressing and reducing homelessness in the state.

35 4. Of the funds appropriated in this section, \$200,000 shall

1 be transferred to and deposited in the administrative fund of  
2 the Iowa ABLE savings plan trust created in [section 12I.4](#), to  
3 be used for implementation and administration activities of the  
4 Iowa ABLE savings plan trust.

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

13 7. Of the funds appropriated in this section, \$300,000 shall  
14 be used to contract for children's well-being collaboratives  
15 grants for the development and implementation of children's  
16 well-being collaboratives to establish and coordinate  
17 prevention and early intervention services to promote improved  
18 mental health and well-being for children and families, as  
19 enacted in [2017 Iowa Acts, chapter 174, section 88](#).

20 8. The department of human services shall submit the  
21 strategic plan to create and implement a children's mental  
22 health system submitted to the governor by the children's  
23 system state board established by Executive Order Number Two  
24 issued April 23, 2018, to the general assembly by November 15,  
25 2018.

26 9. Notwithstanding section 8.33, moneys appropriated in  
27 this section that remain unencumbered or unobligated at the  
28 close of the fiscal year shall not revert but shall remain  
29 available for expenditure for the purposes designated,  
30 including for technology needs and the relocation of the  
31 Iowa Medicaid enterprise, and may be transferred to the  
32 appropriations made in this division of this Act for the  
33 juvenile institution, the mental health institutes, or the  
34 state resource centers, to be used for the purposes of those  
35 appropriations, until the close of the succeeding fiscal year.

1 STATE SUPPLEMENTARY ASSISTANCE

2 Sec. 115. 2018 Iowa Acts, chapter 1165, section 53,  
3 subsection 4, is amended to read as follows:

4 4. Notwithstanding [section 8.33](#), moneys appropriated in  
5 this section that remain unencumbered or unobligated at the  
6 close of the fiscal year shall not revert but shall remain  
7 available for expenditure for the purposes designated,  
8 including for technology needs, and may be transferred to the  
9 appropriations made in this division of this Act for general  
10 administration, field operations, the juvenile institution, the  
11 mental health institutes, or the state resource centers, to be  
12 used for the purposes of those appropriations, until the close  
13 of the succeeding fiscal year.

14 Sec. 116. EFFECTIVE DATE. This division of this Act, being  
15 deemed of immediate importance, takes effect upon enactment.

16 Sec. 117. RETROACTIVE APPLICABILITY. This division of this  
17 Act applies retroactively to July 1, 2017.

18 DIVISION XXVIII

19 VACCINE AND IMMUNIZATION ADMINISTRATION — FUTURE REPEAL

20 Sec. 118. 2018 Iowa Acts, chapter 1142, section 8, is  
21 amended to read as follows:

22 SEC. 8. FUTURE REPEAL. [Section 155A.44](#), Code 2018, is  
23 repealed effective July 1, ~~2019~~ 2020.

24 Sec. 119. EFFECTIVE DATE. This division of this Act, being  
25 deemed of immediate importance, takes effect upon enactment.>>

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FRY of Clarke