

House File 2643

H-8295

1 Amend the amendment, H-8294, to House File 2643 as follows:

2 1. Page 1, after line 7 by inserting:

3 <\_\_\_. Page 6, line 12, by striking <24> and inserting <20>

4 \_\_\_. Page 7, line 14, after <designated> by inserting

5 <, including for liability amounts associated with the

6 supplemental nutrition assistance program payment error rate,>

7 \_\_\_. Page 10, after line 15 by inserting:

8 <DIVISION \_\_\_

9 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER  
10 PROVISIONS

11 RURAL PSYCHIATRIC RESIDENCIES

12 Sec. \_\_\_. 2019 Iowa Acts, chapter 85, section 3, subsection  
13 4, paragraph j, is amended to read as follows:

14 j. Of the funds appropriated in this subsection, \$400,000  
15 shall be used for rural psychiatric residencies to support the  
16 annual creation and training of four psychiatric residents who  
17 will provide mental health services in underserved areas of  
18 the state. Notwithstanding section 8.33, moneys that remain  
19 unencumbered or unobligated at the close of the fiscal year  
20 shall not revert but shall remain available for expenditure for  
21 the purposes designated for subsequent fiscal years.

22 FAMILY INVESTMENT PROGRAM ACCOUNT

23 Sec. \_\_\_. 2019 Iowa Acts, chapter 85, section 9, is amended  
24 by adding the following new subsection:

25 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys  
26 appropriated in this section that remain unencumbered or  
27 unobligated at the close of the fiscal year shall not revert  
28 but shall remain available for expenditure for the purposes  
29 designated, and may be transferred to the appropriations made  
30 in this division of this Act for general administration and  
31 field operations for technology needs including the eligibility  
32 integrated applications solutions (ELIAS) project, until the  
33 close of the succeeding fiscal year.

34 STATE SUPPLEMENTARY ASSISTANCE

35 Sec. \_\_\_. 2019 Iowa Acts, chapter 85, section 15, subsection

1 4, is amended to read as follows:

2 4. Notwithstanding [section 8.33](#), moneys appropriated  
3 in this section that remain unencumbered or unobligated  
4 at the close of the fiscal year shall not revert but  
5 shall remain available for expenditure for the purposes  
6 designated, including for liability amounts associated with the  
7 supplemental nutrition assistance program payment error rate,  
8 until the close of the succeeding fiscal year.

9 CHILD AND FAMILY SERVICES

10 Sec. \_\_\_\_\_. 2019 Iowa Acts, chapter 85, section 19, subsection  
11 18, is amended to read as follows:

12 18. Of the funds appropriated in this section, at least  
13 \$147,000 shall be used for the continuation of the child  
14 welfare provider training academy, a collaboration between the  
15 coalition for family and children's services in Iowa and the  
16 department. Notwithstanding section 8.33, moneys allocated  
17 under this subsection that remain unencumbered or unobligated  
18 at the close of the fiscal year shall not revert but shall  
19 remain available for expenditure for the purposes designated  
20 until the close of the succeeding fiscal year.

21 Sec. \_\_\_\_\_. 2019 Iowa Acts, chapter 85, section 19, is amended  
22 by adding the following new subsection:

23 NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys  
24 appropriated in this section that remain unencumbered or  
25 unobligated at the close of the fiscal year shall not revert  
26 but shall remain available for expenditure for the purposes  
27 designated, and including services implemented to meet the  
28 requirements of the federal Family First Prevention Services  
29 Act, until the close of the succeeding fiscal year.

30 MENTAL HEALTH INSTITUTES

31 Sec. \_\_\_\_\_. 2019 Iowa Acts, chapter 85, section 24, subsection  
32 2, is amended to read as follows:

33 2. a. Notwithstanding [sections 218.78](#) and [249A.11](#), any  
34 revenue received from the state mental health institute at  
35 Cherokee or the state mental health institute at Independence

1 pursuant to 42 C.F.R §438.6(e) may be retained and expended by  
2 the mental health institute.

3 b. Notwithstanding sections 218.78 and 249A.11, any  
4 COVID-19 related funding received through federal funding  
5 sources by the state mental health institute at Cherokee or the  
6 state mental health institute at Independence may be retained  
7 and expended by the mental health institute.

8 FIELD OPERATIONS

9 Sec. \_\_\_\_\_. 2019 Iowa Acts, chapter 85, section 27, is amended  
10 by adding the following new subsection:

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

16 GENERAL ADMINISTRATION

17 Sec. \_\_\_\_\_. 2019 Iowa Acts, chapter 85, section 28, is amended  
18 by adding the following new subsection:

19 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys  
20 appropriated in this section that remain unencumbered or  
21 unobligated at the close of the fiscal year shall not revert  
22 but shall remain available for expenditure for the purposes  
23 designated until the close of the succeeding fiscal year.

24 DECATEGORIZATION FY 2018 CARRYOVER FUNDING

25 Sec. \_\_\_\_\_. DECATEGORIZATION CARRYOVER FUNDING FY 2018 —  
26 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,  
27 subsection 5, paragraph "b", any state-appropriated moneys in  
28 the funding pool that remained unencumbered or unobligated  
29 at the close of the fiscal year beginning July 1, 2017, and  
30 were deemed carryover funding to remain available for the two  
31 succeeding fiscal years that still remain unencumbered or  
32 unobligated at the close of the fiscal year beginning July 1,  
33 2019, shall not revert but shall be transferred to the medical  
34 assistance program for the fiscal year beginning July 1, 2020.

35 Sec. \_\_\_\_\_. LIMITATION NOT APPLICABLE TO FY 2020-2021. All

1 of the following amendments to 2019 Iowa Acts, chapter 85, are  
2 not applicable to the associated appropriations made for the  
3 fiscal year beginning July 1, 2020, and ending June 30, 2021,  
4 notwithstanding section 1 of this Act:

5 1. 2019 Iowa Acts, chapter 85, section 9, as amended in this  
6 division of this Act.

7 2. 2019 Iowa Acts, chapter 85, section 19, subsection 18, as  
8 amended in this division of this Act.

9 3. 2019 Iowa Acts, chapter 85, section 19, subsection 24, if  
10 enacted by this division of this Act.

11 4. 2019 Iowa Acts, chapter 85, section 27, as amended in  
12 this division of this Act.

13 5. 2019 Iowa Acts, chapter 85, section 28, as amended in  
14 this division of this Act.

15 Sec. \_\_\_\_\_. LIMITATION APPLICABLE TO FY 2020-2021. All of  
16 the following amendments to 2019 Iowa Acts, chapter 85, are  
17 applicable to the associated appropriations made for the fiscal  
18 year beginning July 1, 2020, and ending June 30, 2021, pursuant  
19 to section 1 of this Act:

20 1. 2019 Iowa Acts, chapter 85, section 3, subsection 4,  
21 paragraph "j".

22 2. 2019 Iowa Acts, chapter 85, section 15, subsection 4.

23 3. 2019 Iowa Acts, chapter 85, section 24, subsection 2, as  
24 amended in this division of this Act.

25 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act, being  
26 deemed of immediate importance, takes effect upon enactment.

27 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This division of this  
28 Act applies retroactively to July 1, 2019.

29 DIVISION \_\_\_\_

30 HEALTH AND HUMAN SERVICES — FY 2019-2020 PROVISIONS NOT  
31 APPLICABLE FOR FY 2020-2021

32 Sec. \_\_\_\_\_. HEALTH AND HUMAN SERVICES PROVISIONS NOT  
33 APPLICABLE TO FY 2020-2021. The following provisions of 2019  
34 Iowa Acts, chapter 85, are not applicable to the associated  
35 appropriations made for the fiscal year beginning July 1, 2020,

1 and ending June 30, 2021, notwithstanding section 1 of this  
2 Act:

3 1. 2019 Iowa Acts, chapter 85, section 3, subsection 2,  
4 paragraph "a".

5 2. 2019 Iowa Acts, chapter 85, section 3, subsection 7,  
6 paragraph "b".

7 3. 2019 Iowa Acts, chapter 85, section 3, subsection 9,  
8 paragraph "b".

9 4. 2019 Iowa Acts, chapter 85, section 4, subsection 1.

10 5. 2019 Iowa Acts, chapter 85, section 9, subsection 4.

11 6. 2019 Iowa Acts, chapter 85, section 13, subsections 21,  
12 22, 23, and 24.

13 7. 2019 Iowa Acts, chapter 85, section 22, subsection 2.

14 8. 2019 Iowa Acts, chapter 85, section 24, subsection 1,  
15 paragraph "a", subparagraph (2).

16 9. 2019 Iowa Acts, chapter 85, section 24, subsection 1,  
17 paragraph "b", subparagraph (2).

18 10. 2019 Iowa Acts, chapter 85, section 26, subsection 1,  
19 paragraph "b".

20 11. 2019 Iowa Acts, chapter 85, section 27, subsection 2.

21 12. 2019 Iowa Acts, chapter 85, section 32, subsection 1.

22 13. 2019 Iowa Acts, chapter 85, section 33.

23 14. 2019 Iowa Acts, chapter 85, divisions VII, VIII, XI,  
24 XII, XIV, XVI, XIX, and XXVII.

25 DIVISION \_\_\_\_

26 HEALTH AND HUMAN SERVICES — NEW PROVISIONS APPLICABLE FOR FY  
27 2020-2021

28 STATE MEDICAL EXAMINER

29 Sec. \_\_\_\_ . STATE MEDICAL EXAMINER — USE OF MONEYS. For  
30 the fiscal year beginning July 1, 2020, and ending June 30,  
31 2021, a portion of the moneys appropriated from the general  
32 fund of the state to the department of public health for  
33 public protection shall be used to support the office of the  
34 state medical examiner and to address the growth in demand  
35 for services. The office of the state medical examiner shall

1 enter into a memorandum of understanding with the university  
2 of Iowa hospitals and clinics to coordinate the completion of  
3 forensic autopsies to address increased caseloads and prolonged  
4 backlogs, and to promote regional efficiencies.

5 HOPEs — HFI

6 Sec. \_\_\_\_\_. HEALTHY OPPORTUNITIES FOR PARENTS TO EXPERIENCE  
7 SUCCESS (HOPES) — HEALTHY FAMILIES IOWA (HFI) PROGRAM. For  
8 the fiscal year beginning July 1, 2020, and ending June 30,  
9 2021, of the funds appropriated from the general fund of the  
10 state to the department of public health for healthy children  
11 and families, not more than \$734,000 shall be used for the  
12 healthy opportunities for parents to experience success (HOPES)  
13 — healthy families Iowa (HFI) program established pursuant to  
14 section 135.106.

15 SEXUAL VIOLENCE PREVENTION PROGRAMMING

16 Sec. \_\_\_\_\_. SEXUAL VIOLENCE PREVENTION PROGRAMMING. For  
17 the fiscal year beginning July 1, 2020, and ending June  
18 30, 2021, of the moneys appropriated from the general fund  
19 of the state to the department of public health for public  
20 protection, up to \$243,000 shall be used for sexual violence  
21 prevention programming through a statewide organization  
22 representing programs serving victims of sexual violence  
23 through the department's sexual violence prevention program,  
24 and for continuation of a training program for sexual assault  
25 response team (SART) members, including representatives of  
26 law enforcement, victim advocates, prosecutors, and certified  
27 medical personnel. The amount allocated in this section shall  
28 not be used to supplant funding administered for other sexual  
29 violence prevention or victims assistance programs.

30 TAX PREPARATION ASSISTANCE

31 Sec. \_\_\_\_\_. DEPARTMENT OF HUMAN SERVICES — TAX PREPARATION  
32 ASSISTANCE. For the fiscal year beginning July 1, 2020, and  
33 ending June 30, 2021, of the moneys appropriated from the  
34 general fund of the state to the department of human services  
35 to be credited to the family investment program account and

1 used for family investment assistance under chapter 239B,  
2 \$195,000 shall be used for a contract executed in accordance  
3 with 2019 Iowa Acts, chapter 85, section 9, subsection 4,  
4 with an Iowa-based nonprofit organization with a history of  
5 providing tax preparation assistance to low-income Iowans in  
6 order to expand the usage of the earned income tax credit.  
7 The purpose of the contract is to supply this assistance to  
8 underserved areas of the state.

9 HEALTH PROGRAM OPERATIONS

10 Sec. \_\_\_\_\_. HEALTH PROGRAM OPERATIONS. There is appropriated  
11 from the general fund of the state to the department of human  
12 services for the fiscal year beginning July 1, 2020, and ending  
13 June 30, 2021, the following amount or so much thereof as is  
14 necessary, to be used for the purposes designated:

15 For health program operations:

16 ..... \$ 17,831,343

17 1. The department of inspections and appeals shall provide  
18 all state matching moneys for survey and certification  
19 activities performed by the department of inspections  
20 and appeals. The department of human services is solely  
21 responsible for distributing the federal matching moneys for  
22 such activities.

23 2. Of the moneys appropriated in this section, \$50,000 shall  
24 be used for continuation of home and community-based services  
25 waiver quality assurance programs, including the review and  
26 streamlining of processes and policies related to oversight and  
27 quality management to meet state and federal requirements.

28 3. Of the amount appropriated in this section, up to  
29 \$200,000 may be transferred to the appropriation for general  
30 administration to be used for additional full-time equivalent  
31 positions in the development of key health initiatives such  
32 as development and oversight of managed care programs and  
33 development of health strategies targeted toward improved  
34 quality and reduced costs in the Medicaid program.

35 4. Of the moneys appropriated in this section, \$1,000,000

1 shall be used for planning and development, in cooperation with  
2 the department of public health, of a phased-in program to  
3 provide a dental home for children.

4 5. a. Of the moneys appropriated in this section, \$573,000  
5 shall be credited to the autism support program fund created  
6 in section 225D.2 to be used for the autism support program  
7 created in chapter 225D, with the exception of the following  
8 amount of this allocation which shall be used as follows:

9 b. Of the moneys allocated in this subsection, \$25,000 shall  
10 be used for the public purpose of continuation of a grant to a  
11 nonprofit provider of child welfare services that has been in  
12 existence for more than 115 years, is located in a county with  
13 a population between 200,000 and 220,000 according to the most  
14 recent federal decennial census, is licensed as a psychiatric  
15 medical institution for children, and provides school-based  
16 programming, to be used for support services for children with  
17 autism spectrum disorder and their families.

18 Sec. \_\_\_\_\_. REFERENCES TO MEDICAL CONTRACTS — REPLACED. For  
19 the fiscal year beginning July 1, 2020, and ending June 30,  
20 2021, all references in 2019 Iowa Acts, chapter 85, division V,  
21 to "medical contracts" shall be replaced with the term "health  
22 program operations" and all transfers of funds made to or from  
23 the appropriation for medical contracts shall instead be made  
24 to or from the appropriation for health program operations.

#### 25 CHILD AND FAMILY SERVICES

26 Sec. \_\_\_\_\_. CHILD AND FAMILY SERVICES — GROUP FOSTER  
27 CARE. For the fiscal year beginning July 1, 2020, and ending  
28 June 30, 2021, of the funds appropriated from the general fund  
29 of the state to the department of human services for child and  
30 family services, \$26,025,000 is allocated as the statewide  
31 expenditure target under section 232.143 for group foster care  
32 maintenance and services. If the department projects that such  
33 expenditures for the fiscal year will be less than the target  
34 amount allocated in this paragraph "a", the department may  
35 reallocate the excess to provide additional funding for family



1 foster care, independent living, family-centered services,  
2 shelter care, or the child welfare emergency services addressed  
3 with the allocation for shelter care.

4                                   FAMILY SUPPORT SUBSIDY PROGRAM

5       Sec. \_\_\_\_\_. FAMILY SUPPORT SUBSIDY PROGRAM. For the fiscal  
6 year beginning July 1, 2020, and ending June 30, 2021, of the  
7 moneys appropriated from the general fund of the state to the  
8 department of human services for the family support subsidy  
9 program, at least \$875,195 is transferred to the department  
10 of public health for the family support center component of  
11 the comprehensive family support program under chapter 225C,  
12 subchapter V.

13                           DEPARTMENT OF HUMAN SERVICES PROVIDER REIMBURSEMENTS

14       Sec. \_\_\_\_\_. PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF  
15 HUMAN SERVICES.

16       1. For the fiscal year beginning July 1, 2020, and  
17 ending June 30, 2021, the following reimbursement rates and  
18 methodologies shall apply:

19       a. (1) For the fiscal year beginning July 1, 2020,  
20 case-mix, non-case-mix, and special population nursing  
21 facilities shall be reimbursed in accordance with the  
22 methodology in effect on June 30, 2020.

23       (2) For managed care claims, the department of human  
24 services shall adjust the payment rate floor for nursing  
25 facilities, annually, to maintain a rate floor that is no  
26 lower than the Medicaid fee-for-service case-mix adjusted  
27 rate calculated in accordance with subparagraph (1) and  
28 441 IAC 81.6. The department shall then calculate adjusted  
29 reimbursement rates, including but not limited to add-on  
30 payments, annually, and shall notify Medicaid managed care  
31 organizations of the adjusted reimbursement rates within 30  
32 days of determining the adjusted reimbursement rates. Any  
33 adjustment of reimbursement rates under this subparagraph shall  
34 be budget neutral to the state budget.

35       (3) Medicaid managed care organizations shall adjust

1 facility-specific rates based upon payment rate listings issued  
2 by the department. The rate adjustments shall be applied  
3 prospectively from the effective date of the rate letter issued  
4 by the department.

5 b. For the fiscal year beginning July 1, 2020, reimbursement  
6 rates for inpatient hospital services shall be rebased  
7 effective October 1, 2020, subject to Medicaid program upper  
8 payment limit rules, and adjusted as necessary to maintain  
9 expenditures within the amount appropriated to the department  
10 for this purpose for the fiscal year.

11 c. For the fiscal year beginning July 1, 2020, under  
12 both fee-for-service and managed care administration of  
13 the Medicaid program, critical access hospitals shall be  
14 reimbursed for inpatient and outpatient services based on the  
15 hospital-specific critical access hospital cost adjustment  
16 factor methodology utilizing the most recent and complete cost  
17 reporting period as applied prospectively within the funds  
18 appropriated for such purpose for the fiscal year.

19 d. For the fiscal year beginning July 1, 2020, assertive  
20 community treatment per diem rates shall remain at the rates in  
21 effect on June 30, 2020.

22 e. Notwithstanding section 234.38, for the fiscal  
23 year beginning July 1, 2020, the foster family basic daily  
24 maintenance rate and the maximum adoption subsidy rate for  
25 children ages 0 through 5 years shall be \$16.78, the rate for  
26 children ages 6 through 11 years shall be \$17.45, the rate for  
27 children ages 12 through 15 years shall be \$19.10, and the  
28 rate for children and young adults ages 16 and older shall be  
29 \$19.35. For youth ages 18 through 23 who have exited foster  
30 care, the preparation for adult living program maintenance rate  
31 shall be \$602.70 per month. The maximum payment for adoption  
32 subsidy nonrecurring expenses shall be limited to \$500 and the  
33 disallowance of additional amounts for court costs and other  
34 related legal expenses implemented pursuant to 2010 Iowa Acts,  
35 chapter 1031, section 408, shall be continued.

1 f. For the fiscal year beginning July 1, 2020, the  
2 reimbursement rate for family-centered services providers shall  
3 be established by contract.

4 2. With the exception of the providers and services  
5 specified in subsection 1, all other provider and service  
6 reimbursement rates and methodologies specified in 2019 Iowa  
7 Acts, chapter 85, section 31, shall continue to be applicable  
8 for the fiscal year beginning July 1, 2020, and ending June 30,  
9 2021.

10 EMERGENCY RULES

11 Sec. \_\_\_\_ . EMERGENCY RULES.

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

34 2. If during a fiscal year, the department of human  
35 services is adopting rules in accordance with this section

1 or as otherwise directed or authorized by state law, and the  
2 rules will result in an expenditure increase beyond the amount  
3 anticipated in the budget process or if the expenditure was  
4 not addressed in the budget process for the fiscal year, the  
5 department shall notify the persons designated by this division  
6 of this Act for submission of reports, the chairpersons and  
7 ranking members of the committees on appropriations, and  
8 the department of management concerning the rules and the  
9 expenditure increase. The notification shall be provided at  
10 least 30 calendar days prior to the date notice of the rules  
11 is submitted to the administrative rules coordinator and the  
12 administrative code editor.

13 REPORT ON NONREVERSION OF FUNDS

14 Sec. \_\_\_\_\_. REPORT ON NONREVERSION OF FUNDS. The department  
15 of human services shall report the expenditure of any moneys  
16 for which nonreversion authorization was provided for the  
17 fiscal year beginning July 1, 2019, and ending June 30, 2020,  
18 for the family investment program account, state supplementary  
19 assistance, child and family services, the mental health  
20 institutes, field operations, or general administration to the  
21 chairpersons and ranking members of the joint appropriations  
22 subcommittee on health and human services, the legislative  
23 services agency, and the four legislative caucus staffs on a  
24 quarterly basis beginning October 1, 2020.

25 CHILD AND FAMILY SERVICES

26 Sec. \_\_\_\_\_. CHILD AND FAMILY SERVICES APPROPRIATION. For the  
27 fiscal year beginning July 1, 2020, and ending June 30, 2021, a  
28 portion of the funds appropriated from the general fund of the  
29 state to the department of human services for child and family  
30 services may be used for family-centered services for purposes  
31 of complying with the federal Family First Prevention Services  
32 Act of 2018, Pub. L. No. 115-123, and successor legislation.

33 DIVISION \_\_\_\_

34 PUBLIC HEALTH EMERGENCY PROVISIONS

35 COVID-19 REGULATIONS

1     Sec. \_\_\_\_\_. COVID-19 FEDERAL REGULATION. For the time  
2 period beginning on the effective date of this division of  
3 this Act, and ending June 30, 2021, notwithstanding state  
4 administrative rules to the contrary, to the extent federal  
5 regulations relating to the COVID-19 pandemic differ from state  
6 administrative rules, including applicable federal waivers, the  
7 federal regulations are controlling during the pendency of the  
8 federally declared state of emergency.

9                                   COUNTY HOSPITAL FUNDING

10    Sec. \_\_\_\_\_. COUNTY HOSPITAL FUNDING — SUSTAINING OF HOSPITAL  
11 OPERATIONS. For the time period beginning on the effective  
12 date of this division of this Act, and ending June 30, 2021,  
13 notwithstanding any provision of section 347.14, subsection  
14 4, to the contrary, a board of trustees of a county hospital  
15 may borrow moneys secured solely by hospital revenues for the  
16 purpose of providing working capital or for general financing  
17 needs to sustain hospital operations.

18    Sec. \_\_\_\_\_. COUNTY HOSPITAL FUNDING — NONCURRENT DEBT  
19 ISSUANCE. For the time period beginning on the effective  
20 date of this division of this Act, and ending June 30, 2021,  
21 notwithstanding any provision of section 331.478, subsections  
22 2 and 3, to the contrary, a board of trustees of a county  
23 hospital may authorize noncurrent debt for the purpose of  
24 providing working capital or for general financing needs to  
25 sustain a county hospital's operations including in the form of  
26 natural disaster loans from the state or federal government.

27    Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act, being  
28 deemed of immediate importance, takes effect upon enactment.

29                                   DIVISION \_\_\_\_

30                                   MENTAL HEALTH AND DISABILITY SERVICES

31    Sec. \_\_\_\_\_. Section 331.389, subsection 4, paragraph c, Code  
32 2020, is amended to read as follows:

33    c. The department shall work with any county that has not  
34 agreed to be part of a region in accordance with paragraph  
35 "a" and with the regions forming around the county to resolve

1 issues preventing the county from joining a region. In  
2 addition to the regional governance agreement requirements  
3 in section 331.392, the department may compel the county and  
4 region to engage in mediation for resolution of a dispute.  
5 The costs incurred for mediation shall be paid by the county  
6 and the region in dispute according to their governance  
7 agreement. A county that has not agreed to be part of a  
8 region in accordance with paragraph "a" shall be assigned by  
9 the department to a region, unless exempted prior to July 1,  
10 2014. A county assigned by the department to a region shall  
11 be included in that region's amended governance agreement  
12 pursuant to this section as of an effective date designated by  
13 the department. The assigned county and region shall operate  
14 according to the region's existing governance agreement until  
15 the regional governance agreement is amended.

16 Sec. \_\_\_\_\_. Section 331.389, subsection 5, Code 2020, is  
17 amended to read as follows:

18 5. a. If the department determines that a region or an  
19 exempted county is not adequately fulfilling the requirements  
20 under [this chapter](#) for a regional service system, the  
21 department shall address the region or county in the following  
22 order:

23 ~~a.~~ (1) Require compliance with a corrective action plan.

24 ~~b.~~ (2) Reduce the amount of the annual state funding  
25 provided for the regional service system, not to exceed fifteen  
26 percent of the amount.

27 ~~c.~~ (3) Withdraw approval for the region or for the county  
28 exemption, as applicable.

29 b. The department shall rely on all information available,  
30 including annual audits submitted under section 331.391,  
31 regional governance agreements submitted under section 331.392,  
32 and annual service and budget plans submitted under section  
33 331.393 in determining whether a region or an exempted county  
34 is adequately fulfilling the requirements for a regional  
35 service system. The department may request and review

1 financial documents, contracts, and other audits, and may  
2 perform on-site reviews and interviews to gather information.

3 Sec. \_\_\_\_\_. Section 331.392, subsection 4, Code 2020, is  
4 amended to read as follows:

5 4. The financial provisions of the agreement shall include  
6 all of the following:

7 a. Methods for pooling, management, and expenditure of the  
8 funding under the control of the regional administrator. If  
9 the agreement does not provide for pooling of the participating  
10 county moneys in a single fund, the agreement shall specify how  
11 the participating county moneys will be subject to the control  
12 of the regional administrator.

13 b. (1) Methods for allocating administrative funding and  
14 resources.

15 (2) Methods for allocating a region's cash flow amount in  
16 the event a county leaves the region. A region's cash flow  
17 amount shall be divided by the percentage of each county's  
18 population according to the region's population indicated  
19 in the region's annual service and budget plan and shall be  
20 allocated to the counties. This subparagraph shall apply to  
21 all agreements in existence or entered into on or after July  
22 1, 2020.

23 c. Contributions and uses of initial funding or related  
24 contributions made by the counties participating in the  
25 region for purposes of commencing operations by the regional  
26 administrator.

27 d. Methods for acquiring or disposing of real property.

28 e. A process for determining the use of savings for  
29 reinvestment.

30 f. A process for performance of an annual independent audit  
31 of the regional administrator. The annual independent audit  
32 prepared by the regional administrator shall be submitted to  
33 the department upon completion of the audit.

34 Sec. \_\_\_\_\_. Section 331.392, Code 2020, is amended by adding  
35 the following new subsection:

1     NEW SUBSECTION. 6. All agreements shall be submitted to the  
2 department. The department shall approve the agreement if the  
3 agreement complies with the requirements of this section.

4     Sec. \_\_\_\_\_. MENTAL HEALTH AND DISABILITY SERVICES —  
5 REGIONALIZATION AUTHORIZATION.

6     1. The department of human services shall facilitate the  
7 county social services mental health and disability services  
8 region dividing into two separate regions. All member  
9 counties shall participate in the planning as required by the  
10 department. Counties in the western portion of the region may  
11 form a new region if the counties meet the requirements of  
12 this section. Counties in the eastern portion of the region  
13 shall retain the name county social services if a new region is  
14 formed by the counties in the western portion of the region.

15     2. County formation of a proposed new mental health and  
16 disability services region pursuant to this section is subject  
17 to all of the following:

18     a. The aggregate population of all counties forming  
19 the region is at least 50,000 and includes at least one  
20 incorporated city with a population of more than 24,000. For  
21 purposes of this subparagraph, "population" means the same as  
22 defined in section 331.388, subsection 4, Code 2020.

23     b. Notwithstanding section 331.389, subsection 4, on or  
24 before February 1, 2021, the counties forming the region have  
25 complied with section 331.389, subsection 3, and all of the  
26 following additional requirements:

27     (1) The board of supervisors of each county forming the  
28 region has voted to approve a chapter 28E agreement.

29     (2) The duly authorized representatives of all the counties  
30 forming the region have signed a chapter 28E agreement that is  
31 in compliance with section 331.392 and 441 IAC 25.14.

32     (3) The county board of supervisors' or supervisors'  
33 designee members and other members of the region's governing  
34 board are appointed in accordance with section 331.390.

35     (4) Executive staff for the region's regional administrator



1 are identified or engaged.

2 (5) The regional service management plan is developed in  
3 accordance with section 331.393 and 441 IAC 25.18 and 441 IAC  
4 25.21 and is submitted to the department.

5 (6) The initial regional service management plan shall  
6 identify the service provider network for the region, identify  
7 the information technology and data management capacity to be  
8 employed to support regional functions, and establish business  
9 functions, accounting procedures, and other administrative  
10 processes.

11 c. Each county forming the region shall submit the  
12 compliance information required in paragraph "b" to the  
13 director of human services on or before February 1, 2021.  
14 Within forty-five days of receipt of such information, the  
15 director of human services shall determine if the region is in  
16 full compliance and shall approve the region if the region has  
17 met all of the requirements of this section.

18 d. The director of human services shall work with a county  
19 making a request under this section that has not agreed or  
20 is unable to join the proposed new region to resolve issues  
21 preventing the county from joining the proposed new region.

22 e. By February 1, 2021, the director of human services  
23 shall assign a county, making a request under this section  
24 that has not reached an agreement to be part of the proposed  
25 new region, to an existing region or to another new proposed  
26 region, consistent with this section.

27 3. If approved by the department, the region shall commence  
28 full operations no later than July 1, 2021.

29 Sec. \_\_\_\_ . MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER  
30 OF FUNDS. Notwithstanding section 331.432, a county with a  
31 population of over 300,000 based on the most recent federal  
32 decennial census may transfer funds from any other fund  
33 of the county to the mental health and disability regional  
34 services fund for the purposes of providing mental health and  
35 disability services for the fiscal year beginning July 1,

1 2020, and ending June 30, 2021. The county shall submit a  
2 report to the governor and the general assembly by September  
3 1, 2021, including the source of any funds transferred, the  
4 amount of the funds transferred, and the mental health and  
5 disability services provided with the transferred funds. The  
6 county shall work with the department to maximize the use of  
7 the medical assistance program and other third-party payment  
8 sources, including but not limited to identifying individuals  
9 enrolled with or eligible for Medicaid whose Medicaid-covered  
10 services are being paid by the county or could be converted to  
11 Medicaid-covered services.

12 DIVISION \_\_\_\_

13 FOSTER HOME INSURANCE FUND

14 Sec. \_\_\_\_ . Section 237.13, Code 2020, is amended by striking  
15 the section and inserting in lieu thereof the following:

16 **237.13 Foster home insurance fund.**

17 1. For the purposes of this section, "*foster home*" means an  
18 individual, as defined in section 237.1, subsection 7, who is  
19 licensed to provide child foster care and shall also be known  
20 as a "*licensed foster home*".

21 2. The foster home insurance fund shall be administered by  
22 the department of human services. The fund shall consist of  
23 all moneys appropriated by the general assembly for deposit  
24 in the fund. The department shall use moneys in the fund to  
25 reimburse foster parents for the cost of purchasing foster care  
26 liability insurance and to perform the administrative functions  
27 necessary to carry out this section.

28 3. The department of human services shall adopt rules,  
29 pursuant to chapter 17A, to carry out the provisions of this  
30 section.

31 DIVISION \_\_\_\_

32 VETERANS HOME CARRYFORWARD

33 Sec. \_\_\_\_ . Section 35D.18, subsection 5, Code 2020, is  
34 amended to read as follows:

35 5. Notwithstanding [section 8.33](#), any up to eight hundred

1 thousand dollars of the balance in the Iowa veterans home  
2 annual appropriation or revenues that remains unencumbered or  
3 unobligated at the close of the fiscal year shall not revert  
4 but shall remain available for expenditure for specified  
5 purposes of the Iowa veterans home until the close of the  
6 succeeding fiscal year.>>

7 2. By renumbering, redesignating, and correcting internal  
8 references as necessary.

---

FRY of Clarke