

House File 766

S-3247

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 88, line 7, and
4 inserting:

5 <Amend House File 766, as amended, passed, and reprinted by
6 the House, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <DIVISION I

10 DEPARTMENT ON AGING — FY 2019-2020

11 Section 1. DEPARTMENT ON AGING. There is appropriated from
12 the general fund of the state to the department on aging for
13 the fiscal year beginning July 1, 2019, and ending June 30,
14 2020, the following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:

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

27 \$ 11,191,441
28 FTEs 27.00

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

1 by an area agency on aging for provision of the service within
2 the area.

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

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

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

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

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

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

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

31 4. Of the funds appropriated in this section, at least
32 \$600,000 shall be used to fund home and community-based
33 services through the area agencies on aging that enable older
34 individuals to avoid more costly utilization of residential or
35 institutional services and remain in their own homes.

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

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

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

23 DIVISION II

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

25 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
26 appropriated from the general fund of the state to the office
27 of long-term care ombudsman for the fiscal year beginning July
28 1, 2019, and ending June 30, 2020, the following amount, or
29 so much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, administration, maintenance, and
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

34	\$	1,149,821
35	FTEs	16.00

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DIVISION III

DEPARTMENT OF PUBLIC HEALTH — FY 2019-2020

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

1. ADDICTIVE DISORDERS

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

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

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

1 screening.

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

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

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

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

35 c. The requirement of [section 123.17, subsection 5](#), is met

1 by the appropriations and allocations made in this division of
2 this Act for purposes of substance-related disorder treatment
3 and addictive disorders for the fiscal year beginning July 1,
4 2019.

5 2. HEALTHY CHILDREN AND FAMILIES

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

10	\$ 5,817,057
11	FTEs 14.00

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

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

28 c. Of the funds appropriated in this subsection, \$3,075,000
29 shall be used for continuation of the department's initiative
30 to provide for adequate developmental surveillance and
31 screening during a child's first five years. The funds shall
32 be used first to fully fund the current sites to ensure that
33 the sites are fully operational, with the remaining funds
34 to be used for expansion to additional sites. The full
35 implementation and expansion shall include enhancing the scope

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

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

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

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

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

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

7 i. Of the funds appropriated in this subsection, up to
8 \$494,000 shall be used for childhood obesity prevention.

9 3. CHRONIC CONDITIONS

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

13	\$	4,223,519
14	FTEs	9.00

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

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

31 c. Of the funds appropriated in this subsection, \$144,000
32 shall be used for the public purpose of continuing to contract
33 with an existing nationally affiliated organization to provide
34 education, client-centered programs, and client and family
35 support for people living with epilepsy and their families.

1 The amount allocated in this paragraph in excess of \$50,000
2 shall be matched dollar-for-dollar by the organization
3 specified. Funds allocated under this paragraph shall be
4 distributed in their entirety for the purpose specified on July
5 1, 2019.

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

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

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

31 g. Of the funds appropriated in this subsection, \$97,000
32 shall be used for cervical and colon cancer screening, and
33 \$177,000 shall be used to enhance the capacity of the cervical
34 cancer screening program to include provision of recommended
35 prevention and early detection measures to a broader range of

1 low-income women.

2 h. Of the funds appropriated in this subsection, \$506,000
3 shall be used for the center for congenital and inherited
4 disorders.

5 4. COMMUNITY CAPACITY

6 For strengthening the health care delivery system at the
7 local level, and for not more than the following full-time
8 equivalent positions:

9	\$	5,594,677
10	FTEs	13.00

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

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

1 c. Of the funds appropriated in this subsection, the
2 following amounts are allocated to be used as follows
3 to support the goals of increased access, health system
4 integration, and engagement:

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

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

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

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

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

34 e. Of the funds appropriated in this subsection, \$96,000
35 shall be used for a matching dental education loan repayment

1 program to be allocated to a dental nonprofit health service
2 corporation to continue to develop the criteria and implement
3 the loan repayment program.

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

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

24 h. Of the funds appropriated in this subsection, \$2,000,000
25 shall be deposited in the medical residency training account
26 created in [section 135.175](#), subsection 5, paragraph "a", and
27 is appropriated from the account to the department of public
28 health to be used for the purposes of the medical residency
29 training state matching grants program as specified in [section](#)
30 [135.176](#).

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

1 j. Of the funds appropriated in this subsection, \$400,000
2 shall be used for rural psychiatric residencies to support the
3 annual creation and training of four psychiatric residents who
4 will provide mental health services in underserved areas of the
5 state.

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

11 5. ESSENTIAL PUBLIC HEALTH SERVICES

12 To provide public health services that reduce risks and
13 invest in promoting and protecting good health over the
14 course of a lifetime with a priority given to older Iowans and
15 vulnerable populations:

16 \$ 7,662,464

17 6. INFECTIOUS DISEASES

18 For reducing the incidence and prevalence of communicable
19 diseases, and for not more than the following full-time
20 equivalent positions:

21 \$ 1,796,426

22 FTEs 4.00

23 7. PUBLIC PROTECTION

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

27 \$ 4,093,383

28 FTEs 142.00

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

34 b. Of the funds appropriated in this subsection, up
35 to \$243,000 shall be used for sexual violence prevention

1 the control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 The university of Iowa hospitals and clinics billings to the
4 department shall be on at least a quarterly basis.

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

16 Sec. 4. CONTRACTED SERVICES — PROHIBITED USE OF GENERAL
17 FUND MONEYS FOR LOBBYING.

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

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

DIVISION IV

DEPARTMENT OF VETERANS AFFAIRS — FY 2019-2020

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

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

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

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

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

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

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

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

1 admission including residential or nursing level of care.

2 3. HOME OWNERSHIP ASSISTANCE PROGRAM

3 For transfer to the Iowa finance authority for the
4 continuation of the home ownership assistance program for
5 persons who are or were eligible members of the armed forces of
6 the United States, pursuant to section 16.54:

7 \$ 2,000,000

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

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

17 \$ 990,000

18 DIVISION V

19 DEPARTMENT OF HUMAN SERVICES — FY 2019-2020

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

30 1. To be credited to the family investment program account
31 and used for assistance under the family investment program
32 under chapter 239B:

33 \$ 4,524,006

34 2. To be credited to the family investment program account
35 and used for the job opportunities and basic skills (JOBS)

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

1 unallocated shall be used for state child care assistance
2 payments for families who are employed including but not
3 limited to individuals enrolled in the family investment
4 program.

5 7. For child and family services:
6 \$ 32,380,654

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

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

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

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

29 11. a. Notwithstanding any provision to the contrary,
30 including but not limited to requirements in [section 8.41](#) or
31 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the
32 receipt and appropriation of federal block grants, federal
33 funds from the temporary assistance for needy families block
34 grant received by the state and not otherwise appropriated
35 in this section and remaining available for the fiscal year

1 beginning July 1, 2019, are appropriated to the department of
2 human services to the extent as may be necessary to be used in
3 the following priority order: the family investment program,
4 for state child care assistance program payments for families
5 who are employed, and for the family investment program share
6 of system costs for eligibility determination and related
7 functions. The federal funds appropriated in this paragraph
8 "a" shall be expended only after all other funds appropriated
9 in subsection 1 for assistance under the family investment
10 program, in subsection 6 for state child care assistance, or
11 in subsection 10 for technology costs related to the family
12 investment program, as applicable, have been expended. For
13 the purposes of this subsection, the funds appropriated in
14 subsection 6, paragraph "a", for transfer to the child care
15 and development block grant appropriation are considered fully
16 expended when the full amount has been transferred.

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

21 12. Of the amounts appropriated in this section,
22 \$12,962,008 for the fiscal year beginning July 1, 2019, is
23 transferred to the appropriation of the federal social services
24 block grant made to the department of human services for that
25 fiscal year.

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

30 \$ 14,236

31 14. The department may transfer funds allocated in this
32 section to the appropriations made in this division of this Act
33 for the same fiscal year for general administration and field
34 operations for resources necessary to implement and operate the
35 services referred to in this section and those funded in the

1 appropriation made in this division of this Act for the same
2 fiscal year for the family investment program from the general
3 fund of the state.

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

19 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

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

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

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

1 fund of the state in this division of this Act for the same
2 fiscal year.

3 4. Moneys appropriated in this division of this Act and
4 credited to the FIP account for the fiscal year beginning July
5 1, 2019, and ending June 30, 2020, are allocated as follows:

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

12 b. To the department of human rights for staffing,
13 administration, and implementation of the family development
14 and self-sufficiency grant program in accordance with section
15 216A.107:
16 \$ 6,192,834

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

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

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

28 c. For the diversion subaccount of the FIP account:
29 \$ 815,000

30 A portion of the moneys allocated for the diversion
31 subaccount may be used for field operations, salaries, data
32 management system development, and implementation costs and
33 support deemed necessary by the director of human services
34 in order to administer the FIP diversion program. To the
35 extent moneys allocated in this paragraph "c" are deemed by the

1 department not to be necessary to support diversion activities,
2 such moneys may be used for other efforts intended to increase
3 engagement by family investment program participants in work,
4 education, or training activities, or for the purposes of
5 assistance under the family investment program in accordance
6 with [chapter 239B](#).

7 d. For the food assistance employment and training program:
8 \$ 66,588

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

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

29 e. For the JOBS program:
30 \$ 12,018,258

31 5. Of the child support collections assigned under FIP,
32 an amount equal to the federal share of support collections
33 shall be credited to the child support recovery appropriation
34 made in this division of this Act. Of the remainder of the
35 assigned child support collections received by the child

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

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

16 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
17 is appropriated from the general fund of the state to the
18 department of human services for the fiscal year beginning July
19 1, 2019, and ending June 30, 2020, the following amount, or
20 so much thereof as is necessary, to be used for the purpose
21 designated:

22 To be credited to the family investment program (FIP)
23 account and used for family investment program assistance under
24 chapter 239B:

25 \$ 40,365,037

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

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

31 3. a. Notwithstanding [section 8.39](#), for the fiscal
32 year beginning July 1, 2019, if necessary to meet federal
33 maintenance of effort requirements or to transfer federal
34 temporary assistance for needy families block grant funding
35 to be used for purposes of the federal social services block

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

- 15 (1) For the family investment program.
- 16 (2) For state child care assistance.
- 17 (3) For child and family services.
- 18 (4) For field operations.
- 19 (5) For general administration.

20 b. This subsection shall not be construed to prohibit the
21 use of existing state transfer authority for other purposes.
22 The department shall report any transfers made pursuant to this
23 subsection to the legislative services agency.

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

35 5. Of the funds appropriated in this section, \$70,000 shall

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

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

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

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

30	\$ 14,749,368
31	FTEs 459.00

32 1. The department shall expend up to \$24,000, including
33 federal financial participation, for the fiscal year beginning
34 July 1, 2019, for a child support public awareness campaign.
35 The department and the office of the attorney general shall

1 cooperate in continuation of the campaign. The public
2 awareness campaign shall emphasize, through a variety of
3 media activities, the importance of maximum involvement of
4 both parents in the lives of their children as well as the
5 importance of payment of child support obligations.

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

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

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

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

35 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the

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

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

12 \$ 1,427,379,707

13 1. Iowans support reducing the number of abortions
14 performed in our state. Funds appropriated under this section
15 shall not be used for abortions, unless otherwise authorized
16 under this section.

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

20 3. The department shall utilize not more than \$60,000 of
21 the funds appropriated in this section to continue the AIDS/HIV
22 health insurance premium payment program as established in 1992
23 Iowa Acts, Second Extraordinary Session, chapter 1001, section
24 409, subsection 6. Of the funds allocated in this subsection,
25 not more than \$5,000 may be expended for administrative
26 purposes.

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

1 necessary to continue the federal waivers as necessary to
2 maintain the level of services.

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

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

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

33 7. Of the funds appropriated in this section, up to \$442,100
34 may be transferred to the appropriation in this division
35 of this Act for medical contracts to be used for clinical

1 assessment services and prior authorization of services.

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

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

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

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

1 and retain 100 percent of the total disproportionate share
2 hospital payment in an amount up to the hospital-specific limit
3 as approved in the Medicaid state plan.

4 (1) The hospital qualifies for disproportionate share and
5 graduate medical education payments.

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

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

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

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

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

33 15. a. The department may increase the amounts allocated
34 for salaries, support, maintenance, and miscellaneous purposes
35 associated with the medical assistance program, as necessary,

1 to sustain cost management efforts. The department shall
2 report any such increase to the legislative services agency and
3 the department of management.

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

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

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

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

35 c. Of the funds appropriated in this section, up to

1 \$3,000,000 may be transferred by the department to the
2 appropriations made in this division of this Act for the same
3 fiscal year for general administration or medical contracts
4 to be used to support the development and implementation of
5 standardized assessment tools for persons with mental illness,
6 an intellectual disability, a developmental disability, or a
7 brain injury.

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

22 19. Of the funds appropriated in this section, up to
23 \$3,383,880 shall be used for administration of the state family
24 planning services program pursuant to section 217.41B, and
25 of this amount, the department may use up to \$200,000 for
26 administrative expenses.

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

32 21. The department shall continue to implement and
33 administer the provisions of 2018 Iowa Acts, chapter 1056.
34 Of the funds appropriated in this section, up to \$39,069 may
35 be transferred to the department of inspections and appeals

1 for inspection costs related to such implementation and
2 administration.

3 22. Of the funds appropriated in this section, up to
4 \$1,200,000 shall be used to implement reductions in the waiting
5 list for the children's mental health home and community-based
6 services waiver.

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

13 24. The department of human services shall utilize
14 \$1,000,000 of the funds appropriated under this section to
15 increase the current supported community living provider
16 daily rates for all tiers under the tiered rate reimbursement
17 methodology effective with dates of service beginning July
18 1, 2019. The funding amount shall be divided equally among
19 all tiers and applied within each tier in accordance with the
20 recommendations of the actuary. However, no resulting rates
21 shall be lower than the rates in effect on June 30, 2019.

22 Sec. 14. MEDICAL CONTRACTS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, the following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For medical contracts:

28 \$ 17,992,530

29 1. The department of inspections and appeals shall
30 provide all state matching funds for survey and certification
31 activities performed by the department of inspections
32 and appeals. The department of human services is solely
33 responsible for distributing the federal matching funds for
34 such activities.

35 2. Of the funds appropriated in this section, \$50,000 shall

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

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

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

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

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

31 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

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 the state supplementary assistance program:

3 \$ 7,812,909

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

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

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

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

33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2019, and ending June 30, 2020, the following

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

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

8 \$ 19,361,112

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

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

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

24 For child care programs:

25 \$ 40,816,931

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

29 2. Nothing in this section shall be construed or is
30 intended as or shall imply a grant of entitlement for services
31 to persons who are eligible for assistance due to an income
32 level consistent with the waiting list requirements of section
33 237A.13. Any state obligation to provide services pursuant to
34 this section is limited to the extent of the funds appropriated
35 in this section.

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

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

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

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

32 7. If a uniform reduction ordered by the governor under
33 section 8.31 or other operation of law, transfer, or federal
34 funding reduction reduces the appropriation made in this
35 section for the fiscal year, the percentage reduction in the

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

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

27 Sec. 18. JUVENILE INSTITUTION. 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 amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1. a. For operation of the state training school at Eldora
33 and for salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 13,920,757
2 FTEs 207.00

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

9 c. The additional full-time equivalent positions authorized
10 in paragraph "a" shall include 1.00 youth services technician,
11 1.00 clinical supervisor, and 1.00 registered nurse, or
12 comparable additional, full-time equivalent positions.

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

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

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

26 Sec. 19. CHILD AND FAMILY SERVICES.

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

32 For child and family services:

33 \$ 89,071,761

34 2. The department may transfer funds appropriated in this
35 section as necessary to pay the nonfederal costs of services

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

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

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

34 4. In accordance with the provisions of [section 232.188](#),
35 the department shall continue the child welfare and juvenile

1 justice funding initiative during fiscal year 2019-2020. Of
2 the funds appropriated in this section, \$1,717,000 is allocated
3 specifically for expenditure for fiscal year 2019-2020 through
4 the decategorization services funding pools and governance
5 boards established pursuant to [section 232.188](#).

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

11 6. Of the funds appropriated in this section, a sufficient
12 amount is allocated for shelter care and the child welfare
13 emergency services contracting implemented to provide for or
14 prevent the need for shelter care.

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

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

1 shall be paid by the school district or other funding source as
2 approved by the chief juvenile court officer.

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

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

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

33 e. Notwithstanding any provision of law to the contrary,
34 a district or juvenile court shall not order a county to pay
35 for any service provided to a juvenile pursuant to an order

1 entered under [chapter 232](#) which is a charge upon the state
2 under [section 232.141, subsection 4](#).

3 f. Of the funds allocated in this subsection, not more than
4 \$83,000 may be used by the judicial branch for administration
5 of the requirements under this subsection.

6 g. Of the funds allocated in this subsection, \$17,000
7 shall be used by the department of human services to support
8 the interstate commission for juveniles in accordance with
9 the interstate compact for juveniles as provided in section
10 232.173.

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

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

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

33 12. Of the funds appropriated in this section, \$227,000
34 shall be used for the public purpose of continuing a grant to a
35 nonprofit human services organization, providing services to

1 individuals and families in multiple locations in southwest
2 Iowa and Nebraska for support of a project providing immediate,
3 sensitive support and forensic interviews, medical exams, needs
4 assessments, and referrals for victims of child abuse and their
5 nonoffending family members.

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

9 14. Of the funds appropriated in this section, \$202,000 is
10 allocated for use pursuant to [section 235A.1](#) for continuation
11 of the initiative to address child sexual abuse implemented
12 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
13 21.

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

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

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

23 18. Of the funds appropriated in this section, at least
24 \$147,000 shall be used for the continuation of the child
25 welfare provider training academy, a collaboration between the
26 coalition for family and children's services in Iowa and the
27 department.

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

31 20. Of the funds appropriated in this section, \$235,000
32 shall be used for the public purpose of the continuation
33 and expansion of a system of care program grant implemented
34 in Cerro Gordo and Linn counties to utilize a comprehensive
35 and long-term approach for helping children and families by

1 addressing the key areas in a child's life of childhood basic
2 needs, education and work, family, and community.

3 21. Of the funds appropriated in this section, at least
4 \$25,000 shall be used to continue and to expand the foster
5 care respite pilot program in which postsecondary students in
6 social work and other human services-related programs receive
7 experience by assisting family foster care providers with
8 respite and other support.

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

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

23 Sec. 20. ADOPTION SUBSIDY.

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

29 a. For adoption subsidy payments and services:

30 \$ 40,596,007

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

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

35 (b) For post-adoption services and for other purposes under

1 Tit. IV-B or Tit. IV-E of the federal Social Security Act.

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

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

18 2. The department may transfer funds appropriated in
19 this section to the appropriation made in this division of
20 this Act for general administration for costs paid from the
21 appropriation relating to adoption subsidy.

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

33 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
34 in the juvenile detention home fund created in [section 232.142](#)
35 during the fiscal year beginning July 1, 2019, and ending June

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

17 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

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

23 For the family support subsidy program subject to the
24 enrollment restrictions in [section 225C.37, subsection 3](#):
25 \$ 949,282

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

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

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

3 Sec. 23. CONNER DECREE. There is appropriated from the
4 general fund of the state to the department of human services
5 for the fiscal year beginning July 1, 2019, and ending June 30,
6 2020, the following amount, or so much thereof as is necessary,
7 to be used for the purpose designated:

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

12 \$ 33,632

13 Sec. 24. MENTAL HEALTH INSTITUTES.

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

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

23 \$ 14,216,149

24 FTEs 169.00

25 (2) The additional full-time equivalent positions
26 authorized in this paragraph "a" shall include 3.50 security
27 staff and 3.00 support staff, or comparable additional,
28 full-time equivalent positions.

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

33 \$ 19,165,110

34 FTEs 208.00

35 (2) The additional full-time equivalent positions

1 authorized in this paragraph "b" shall include 3.50 security
2 staff, or comparable additional, full-time equivalent
3 positions.

4 2. Notwithstanding sections 218.78 and 249A.11, any revenue
5 received from the state mental health institute at Cherokee or
6 the state mental health institute at Independence pursuant to
7 42 C.F.R §438.6(e) may be retained and expended by the mental
8 health institute.

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

15 4. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the succeeding fiscal year.

20 Sec. 25. STATE RESOURCE CENTERS.

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

26 a. For the state resource center at Glenwood for salaries,
27 support, maintenance, and miscellaneous purposes:
28 \$ 16,048,348

29 b. For the state resource center at Woodward for salaries,
30 support, maintenance, and miscellaneous purposes:
31 \$ 10,872,356

32 2. The department may continue to bill for state resource
33 center services utilizing a scope of services approach used for
34 private providers of intermediate care facilities for persons
35 with an intellectual disability services, in a manner which

1 does not shift costs between the medical assistance program,
2 counties, or other sources of funding for the state resource
3 centers.

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

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

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

32 6. Notwithstanding [section 8.33](#), and notwithstanding
33 the amount limitation specified in [section 222.92](#), moneys
34 appropriated in this section that remain unencumbered or
35 unobligated at the close of the fiscal year shall not revert

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

3 Sec. 26. SEXUALLY VIOLENT PREDATORS.

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

9 For costs associated with the commitment and treatment of
10 sexually violent predators in the unit located at the state
11 mental health institute at Cherokee, including costs of legal
12 services and other associated costs, including salaries,
13 support, maintenance, and miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:
15 \$ 12,053,093
16 FTEs 139.00

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

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

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

34 Sec. 27. FIELD OPERATIONS.

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

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

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

8 \$ 55,396,906
9 FTEs 1,539.00

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

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

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

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

26 \$ 13,833,040
27 FTEs 294.00

28 1. The department shall report at least monthly to the
29 legislative services agency concerning the department's
30 operational and program expenditures.

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

1 medical assistance program.

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

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

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

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

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

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

31 c. Of the amount allocated, \$32,000 shall be transferred
32 to the department of public health to support the costs of
33 establishing and implementing new or additional services
34 required pursuant to 2018 Iowa Acts, chapter 1056, and any
35 legislation enacted by the 2019 general assembly establishing a

1 children's behavioral health system.

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

7 For salaries, support, maintenance, and miscellaneous
8 purposes at facilities under the purview of the department of
9 human services:

10 \$ 2,879,274

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

16 For development and coordination of volunteer services:

17 \$ 84,686

18 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
20 DEPARTMENT OF HUMAN SERVICES.

21 1. a. (1) (a) For the fiscal year beginning July 1,
22 2019, the department shall rebase case-mix nursing facility
23 rates effective July 1, 2019, to the extent possible within the
24 state funding, including the \$23,401,942, appropriated for this
25 purpose.

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

30 (c) For managed care claims, the department of human
31 services shall adjust the payment rate floor for nursing
32 facilities, annually, to maintain a rate floor that is no
33 lower than the Medicaid fee-for-service case-mix adjusted
34 rate calculated in accordance with subparagraph division
35 (a) and 441 IAC 81.6. The department shall then calculate

1 adjusted reimbursement rates, including but not limited to
2 add-on-payments, annually, and shall notify Medicaid managed
3 care organizations of the adjusted reimbursement rates within
4 30 days of determining the adjusted reimbursement rates. Any
5 adjustment of reimbursement rates under this subparagraph
6 division shall be budget neutral to the state budget.

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

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

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

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

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

1 appropriated to the department for this purpose for the fiscal
2 year.

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

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

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

31 (5) In order to ensure the efficient use of limited state
32 funds in procuring health care services for low-income Iowans,
33 funds appropriated in this Act for hospital services shall
34 not be used for activities which would be excluded from a
35 determination of reasonable costs under the federal Medicare

1 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

2 d. For the fiscal year beginning July 1, 2019, reimbursement
3 rates for hospices and acute psychiatric hospitals shall be
4 increased in accordance with increases under the federal
5 Medicare program or as supported by their Medicare audited
6 costs.

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

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

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

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

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

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

35 (2) As a condition of participation in the medical

1 assistance program, enrolled providers shall accept the medical
2 assistance reimbursement rate for any covered goods or services
3 provided to recipients of medical assistance who are children
4 under the custody of a psychiatric medical institution for
5 children.

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

17 k. Notwithstanding any provision to the contrary, for the
18 fiscal year beginning July 1, 2019, the reimbursement rate for
19 anesthesiologists shall remain at the rates in effect on June
20 30, 2019, and updated on January 1, 2020, to align with the
21 most current Iowa Medicare anesthesia rate.

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

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

1 federal government to meet the federally mandated maintenance
2 of effort requirement.

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

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

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

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

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

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

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

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

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

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

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

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

30 5. For the fiscal year beginning July 1, 2019, the maximum
31 reimbursement rates for social services providers under
32 contract shall remain at the rates in effect on June 30, 2019,
33 or the provider's actual and allowable cost plus inflation for
34 each service, whichever is less. However, if a new service
35 or service provider is added after June 30, 2019, the initial

1 reimbursement rate for the service or provider shall be based
2 upon a weighted average of provider rates for similar services.

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

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

9 7. For the fiscal year beginning July 1, 2019, the
10 reimbursement rate for group foster care providers shall be the
11 combined service and maintenance reimbursement rate established
12 by contract.

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

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

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

33 c. Notwithstanding [section 232.141, subsection 8](#), for the
34 fiscal year beginning July 1, 2019, the amount of the statewide
35 average of the actual and allowable rates for reimbursement of

1 juvenile shelter care homes that is utilized for the limitation
2 on recovery of unpaid costs shall remain at the amount in
3 effect for this purpose in the fiscal year beginning July 1,
4 2018.

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

12 11. Effective July 1, 2019, the child care provider
13 reimbursement rates shall remain at the rates in effect on June
14 30, 2019. The department shall set rates in a manner so as
15 to provide incentives for a nonregistered provider to become
16 registered by applying any increase only to registered and
17 licensed providers.

18 12. The department may adopt emergency rules to implement
19 this section.

20 Sec. 32. CONTRACTED SERVICES — PROHIBITED USE OF STATE
21 FUNDING FOR LOBBYING.

22 1. The department shall submit a report to the individuals
23 identified in this Act for submission of reports by December
24 15, 2019, regarding the outcomes of any program or activity for
25 which funding is appropriated or allocated from the general
26 fund of the state to the department under this division of this
27 Act, and for which a request for proposals process is required.

28 2. The department shall incorporate into the general
29 conditions applicable to all award documents involving funding
30 appropriated or allocated from the general fund of the state to
31 the department under this division of this Act, a prohibition
32 against the use of such funding for the compensation of a
33 lobbyist. For the purposes of this section, "lobbyist" means
34 the same as defined in section 68B.2; however, "lobbyist"
35 does not include a person employed by a state agency of the

1 executive branch of state government who represents the agency
2 relative to the passage, defeat, approval, or modification of
3 legislation that is being considered by the general assembly.

4 Sec. 33. EMERGENCY RULES.

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

26 2. If during a fiscal year, the department of human
27 services is adopting rules in accordance with this section
28 or as otherwise directed or authorized by state law, and the
29 rules will result in an expenditure increase beyond the amount
30 anticipated in the budget process or if the expenditure was
31 not addressed in the budget process for the fiscal year, the
32 department shall notify the persons designated by this division
33 of this Act for submission of reports, the chairpersons and
34 ranking members of the committees on appropriations, and
35 the department of management concerning the rules and the

1 expenditure increase. The notification shall be provided at
2 least 30 calendar days prior to the date notice of the rules
3 is submitted to the administrative rules coordinator and the
4 administrative code editor.

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

13 Sec. 35. EFFECTIVE UPON ENACTMENT. The following
14 provisions of this division of this Act, being deemed of
15 immediate importance, take effect upon enactment:

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

23 DIVISION VI

24 HEALTH CARE ACCOUNTS AND FUNDS — FY 2019-2020

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

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

35 \$ 234,193

1 Sec. 37. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
2 SERVICES. Notwithstanding any provision to the contrary and
3 subject to the availability of funds, there is appropriated
4 from the quality assurance trust fund created in section
5 249L.4 to the department of human services for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amounts, or so much thereof as is necessary, for the purposes
8 designated:

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

12 \$ 58,570,397

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

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

24 \$ 33,920,554

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

1 fiscal year.

2 DIVISION VII

3 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE
4 SERVICES AND FUNDING WORK GROUP

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

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

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

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

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

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

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

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

1 (1) The judicial branch, including the state court
2 administrator or the state court administrator's designee,
3 a juvenile court judge, at least one chief juvenile court
4 officer, and a representative with fiscal and contract
5 experience.

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

9 (3) The department of justice.

10 (4) The juvenile justice advisory committee.

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

13 (6) Providers of community-based services for eligible
14 children.

15 (7) Providers of group foster care.

16 (8) Attorneys who represent children in juvenile justice
17 proceedings.

18 (9) County attorneys.

19 (10) Federal Title IV-E funding and services subject matter
20 experts.

21 (11) Individuals who formerly received services as eligible
22 children or their parents.

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

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

33 d. Any expenses incurred by a member of the work group
34 shall be the responsibility of the individual member or the
35 respective entity represented by the member.

- 1 4. The work group shall do all of the following:
- 2 a. Develop an action plan to transfer the administration
3 of juvenile court graduated sanction services, court-ordered
4 services, and associated funding from the department to the
5 office of the state court administrator or other appropriate
6 state entity.
- 7 b. Develop an action plan to transfer the oversight of
8 group foster care services for eligible children from the
9 department to the office of the state court administrator or
10 other appropriate state entity with the necessary expertise to
11 provide such services.
- 12 c. Develop an action plan to transfer administration of the
13 juvenile detention home fund created in section 232.142 from
14 the department to the office of the state court administrator
15 or other appropriate state entity.
- 16 d. Evaluate current resources to determine the most
17 efficient means of suitably equipping the office of the state
18 court administrator or other appropriate state entity with
19 the policies and legal authority; staffing; contracting,
20 procurement, data, and quality assurance capabilities;
21 and other resources necessary to manage such funds and
22 associated services effectively. The evaluation shall
23 require collaboration with the department to manage transition
24 activities.
- 25 e. Recommend statutory and administrative policies and
26 court rules to promote collaborative case planning and quality
27 assurance between the department and juvenile court services
28 for youth who may be involved in both the child welfare and
29 juvenile justice systems or who may utilize the same providers
30 or services.
- 31 f. Determine the impact and role of the federal Family
32 First Prevention Services Act relative to the various funding
33 streams and services under the purview of the work group, and
34 recommend statutory and administrative policies and rules to
35 coordinate the duties of the work group with implementation and

1 administration of the federal Act.

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

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

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

21 DIVISION VIII

22 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

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

1 the governor and general assembly by December 15, 2019.

2 DIVISION IX

3 MEDICAID MANAGED CARE CONTRACTS

4 Sec. 42. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION
5 TO GENERAL ASSEMBLY. The department of human services shall
6 notify the chairpersons and ranking members of the joint
7 appropriations subcommittee on health and human services, the
8 legislative services agency, and the legislative caucus staffs
9 as follows:

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

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

17 DIVISION X

18 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

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

32 DIVISION XI

33 DECATEGORIZATION FY 2017 CARRYOVER FUNDING

34 Sec. 44. DECATEGORIZATION CARRYOVER FUNDING FY 2017 —
35 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,

1 subsection 5, paragraph "b", any state-appropriated moneys in
2 the funding pool that remained unencumbered or unobligated
3 at the close of the fiscal year beginning July 1, 2016, and
4 were deemed carryover funding to remain available for the two
5 succeeding fiscal years that still remain unencumbered or
6 unobligated at the close of the fiscal year beginning July 1,
7 2018, shall not revert but shall be transferred to the medical
8 assistance program for the fiscal year beginning July 1, 2019.

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

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

13 DIVISION XII

14 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

15 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

16 Sec. 47. 2017 Iowa Acts, chapter 174, section 45, as amended
17 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read
18 as follows:

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

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

32 \$ ~~4,539,006~~
33 4,025,108

34 2. To be credited to the family investment program account
35 and used for the job opportunities and basic skills (JOBS)

1 program and implementing family investment agreements in
 2 accordance with [chapter 239B](#):
 3 \$ ~~5,412,060~~
 4 5,192,060

5 3. To be used for the family development and
 6 self-sufficiency grant program in accordance with section
 7 216A.107:
 8 \$ ~~2,883,980~~
 9 2,898,980

10 Notwithstanding [section 8.33](#), moneys appropriated in this
 11 subsection that remain unencumbered or unobligated at the close
 12 of the fiscal year shall not revert but shall remain available
 13 for expenditure for the purposes designated until the close of
 14 the succeeding fiscal year. However, unless such moneys are
 15 encumbered or obligated on or before September 30, 2019, the
 16 moneys shall revert.

17 4. For field operations:
 18 \$ ~~31,296,232~~
 19 32,465,681

20 5. For general administration:
 21 \$ 3,744,000

22 6. For state child care assistance:
 23 \$ 47,166,826

24 a. Of the funds appropriated in this subsection,
 25 \$26,205,412 is transferred to the child care and development
 26 block grant appropriation made by the Eighty-seventh General
 27 Assembly, 2018 session, for the federal fiscal year beginning
 28 October 1, 2018, and ending September 30, 2019. Of this
 29 amount, \$200,000 shall be used for provision of educational
 30 opportunities to registered child care home providers in order
 31 to improve services and programs offered by this category
 32 of providers and to increase the number of providers. The
 33 department may contract with institutions of higher education
 34 or child care resource and referral centers to provide
 35 the educational opportunities. Allowable administrative

1 costs under the contracts shall not exceed 5 percent. The
2 application for a grant shall not exceed two pages in length.

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

8 7. For child and family services:

9 \$ 32,380,654

10 8. For child abuse prevention grants:

11 \$ 125,000

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

14 \$ ~~1,913,203~~

15 1,890,203

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

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

32 \$ ~~1,037,186~~

33 862,186

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

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

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

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

25 FAMILY INVESTMENT PROGRAM ADJUSTMENTS

26 Sec. 48. 2017 Iowa Acts, chapter 174, section 46, subsection
27 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is
28 amended to read as follows:

29 4. Moneys appropriated in this division of this Act and
30 credited to the FIP account for the fiscal year beginning July
31 1, 2018, and ending June 30, 2019, are allocated as follows:

32 a. To be retained by the department of human services to
33 be used for coordinating with the department of human rights
34 to more effectively serve participants in FIP and other shared
35 clients and to meet federal reporting requirements under the

1 federal temporary assistance for needy families block grant:
 2 \$ ~~5,000~~
 3 20,000

4 b. To the department of human rights for staffing,
 5 administration, and implementation of the family development
 6 and self-sufficiency grant program in accordance with section
 7 216A.107:
 8 \$ 6,192,834

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

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

16 (3) The department of human rights may engage in activities
 17 to strengthen and improve family outcomes measures and
 18 data collection systems under the family development and
 19 self-sufficiency grant program.

20 c. For the diversion subaccount of the FIP account:
 21 \$ ~~749,694~~
 22 815,000

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

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

1 \$ 66,588

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

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

22 e. For the JOBS program:
23 \$ ~~12,139,821~~
24 11,919,821

25 MEDICAL ASSISTANCE PROGRAM ADJUSTMENT

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

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

1 \$ ~~1,337,841,375~~
2 1,488,141,375

3 GROUP FOSTER CARE REALLOCATION

4 Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection
5 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165,
6 section 28, is amended to read as follows:

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

17 SHELTER CARE ALLOCATION

18 Sec. 51. 2017 Iowa Acts, chapter 174, section 57, subsection
19 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
20 amended to read as follows:

21 ~~6. Notwithstanding section 234.35 or any other provision of~~
22 ~~law to the contrary, state funding~~ Of the funds appropriated
23 in this section, a sufficient amount is allocated for shelter
24 care and the child welfare emergency services contracting
25 implemented to provide for or prevent the need for shelter care
26 ~~shall be limited to \$8,096,158.~~

27 OTHER FUNDING FOR CHILD WELFARE SERVICES

28 Sec. 52. 2017 Iowa Acts, chapter 174, section 57, subsection
29 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
30 amended by adding the following new subsection:

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

1 board of pharmacy, shall receive administrative and clerical
2 support from the division and may not employ its own support
3 staff for administrative and clerical duties. The executive
4 director of the board of nursing, board of medicine, dental
5 board, and board of pharmacy shall be appointed pursuant to
6 section 135.11B.

7 **Sec. 59. NEW SECTION. 135.11B Appointment of certain**
8 **executive directors.**

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

- 11 a. The board of medicine.
- 12 b. The board of nursing.
- 13 c. The dental board.
- 14 d. The board of pharmacy.

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

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

30 **Sec. 60. Section 147.80, subsection 3, Code 2019, is amended**
31 **to read as follows:**

32 3. The board of medicine, the board of pharmacy, the
33 dental board, and the board of nursing shall retain individual
34 executive officers pursuant to section 135.11B, but shall
35 make every effort to share administrative, clerical, and

1 investigative staff to the greatest extent possible.

2 Sec. 61. Section 152.2, Code 2019, is amended to read as
3 follows:

4 **152.2 Executive director.**

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

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

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

21 DIVISION XVI

22 MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —
23 CENTRAL PORTAL

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

34 Sec. 64. MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL
35 PORTAL — REVIEW. The department shall review the costs

1 associated with expanding the medical assistance management
2 information system to integrate a single, statewide system to
3 serve as a central portal for submission of all medical prior
4 authorization requests for the Medicaid program. The portal
5 shall not be designed to make or review final determinations
6 of managed care organization medical prior authorization
7 requests, but shall only serve as a conduit to deliver medical
8 prior authorization requests to the appropriate managed care
9 organization. The results of the study shall be submitted to
10 the governor and the general assembly no later than March 31,
11 2020.

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

14 DIVISION XVII

15 HEALTH AND HUMAN SERVICES EXECUTIVE BRANCH ENTITIES — REFORM
16 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK

17 Sec. 66. Section 135.24, subsection 7, paragraph e, Code
18 2019, is amended to read as follows:

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

25 Sec. 67. Section 135.159, subsection 1, paragraph h, Code
26 2019, is amended by striking the paragraph.

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

28 HOSPITAL HEALTH CARE ACCESS TRUST FUND BOARD

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

31 **249M.4 Hospital health care access trust fund — board.**

32 1. A hospital health care access trust fund is created
33 in the state treasury under the authority of the department.
34 Moneys received through the collection of the hospital health
35 care access assessment imposed under [this chapter](#) and any

1 other moneys specified for deposit in the trust fund shall be
2 deposited in the trust fund.

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

11 a. To support medical assistance program utilization
12 shortfalls.

13 b. To maintain the state's capacity to provide access to and
14 delivery of services for vulnerable Iowans.

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

17 d. To support access to health care services for uninsured
18 Iowans.

19 e. To support Iowa hospital programs and services which
20 expand access to health care services for Iowans.

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

32 4. The department shall adopt rules pursuant to chapter
33 17A to administer the trust fund and reimbursements and
34 expenditures as specified in [this chapter](#) made from the trust
35 fund.

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

14 *b.* The percentage increase shall be calculated by dividing
15 the amount calculated under subparagraph (1) by the amount
16 calculated under subparagraph (2) as follows:

17 (1) The amount under the Medicare upper payment limit for
18 the fiscal year beginning July 1, 2010, for participating
19 hospitals.

20 (2) The projected expenditures for participating hospitals
21 for the fiscal year beginning July 1, 2010, as determined by
22 the fiscal management division of the department, plus the
23 amount calculated under subparagraph (1).

24 6. For the fiscal year beginning July 1, 2011, and for
25 each fiscal year beginning July 1, thereafter, the payments to
26 participating hospitals shall continue to be calculated based
27 on the upper payment limit as calculated for the fiscal year
28 beginning July 1, 2010.

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

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

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

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

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

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

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

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

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

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

18 ~~(2) Make recommendations regarding the hospital health care
19 access assessment program, including recommendations regarding
20 the assessment calculation, assessment amounts, payments to
21 participating hospitals, and use of the moneys in the trust
22 fund.~~

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

26 ~~c. The department shall provide administrative assistance
27 to the board.~~

28 ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY
29 CARE

30 Sec. 70. Section 135.107, subsection 5, Code 2019, is
31 amended by striking the subsection.

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

34 3. The president of the university of Iowa, in consultation
35 with the president of Iowa state university of science and

1 technology, shall employ a full-time director of the center.
2 The center may employ staff to carry out the center's purpose.
3 The director shall coordinate the agricultural health and
4 safety programs of the center. The director shall regularly
5 meet and consult with the ~~advisory committee to the center~~ for
6 rural health and primary care. The director shall provide
7 the board of regents with relevant information regarding the
8 center.

9 GOVERNMENTAL PUBLIC HEALTH ADVISORY COUNCIL

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

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

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

15 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

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

17 COMBINING STATE MEDICAL EXAMINER ADVISORY COUNCIL WITH THE
18 INTERAGENCY COORDINATING COUNCIL

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

21 **691.6B Interagency coordinating council.**

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

24 a. Advise and consult with the state medical examiner on a
25 range of issues affecting the organization and functions of the
26 office of the state medical examiner and the effectiveness of
27 the medical examiner system in the state.

28 b. Advise the state medical examiner concerning the
29 assurance of effective coordination of the functions and
30 operations of the office of the state medical examiner with the
31 needs and interests of the departments of public safety and
32 public health.

33 2. Members of the interagency coordinating council shall
34 include ~~the~~ all of the following:

35 a. The state medical examiner, or when the state medical

1 examiner is not available, the deputy state medical examiner,
2 ~~the~~.

3 b. The commissioner of public safety or the commissioner's
4 designee,~~the~~.

5 c. The director of public health or the director's designee,
6 ~~and the~~.

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

8 e. Representatives from the office of the attorney
9 general, the Iowa county attorneys association, the Iowa
10 medical society, the Iowa association of pathologists, the
11 Iowa association of county medical examiners, the statewide
12 emergency medical system, and the Iowa funeral directors
13 association.

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

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

18 TRAUMA SYSTEM ADVISORY COUNCIL

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

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

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

1 TELECONFERENCE OPTION FOR STATE ENTITIES

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

4 Any statutorily established board, commission, committee, or
5 council established under the purview of the department shall
6 provide for a teleconference option for board, commission,
7 committee, or council members to participate in official
8 meetings.

9 ELIMINATION OF PAYMENT OF EXPENSES FOR PUBLIC MEMBERS OF
10 CERTAIN STATE ENTITIES

11 Sec. 81. Section 105.3, subsection 6, Code 2019, is amended
12 by striking the subsection.

13 Sec. 82. Section 135.43, subsection 2, unnumbered paragraph
14 1, Code 2019, is amended to read as follows:

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

29 Sec. 83. Section 135.62, subsection 2, paragraph e, Code
30 2019, is amended by striking the paragraph.

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

33 147A.3 Meetings of the council — quorum — expenses.

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

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

3 ELIMINATION OF CHILD WELFARE ADVISORY COMMITTEE, CHILD
4 SUPPORT ADVISORY COMMITTEE, CHILDREN'S MENTAL HEALTH WAIVER
5 IMPLEMENTATION COMMITTEE, AND PROPERTY TAX RELIEF FUND RISK
6 POOL

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

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

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

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

20 Sec. 89. 2005 Iowa Acts, chapter 117, section 4, subsection
21 3, is amended by striking the subsection.

22 DIVISION XVIII

23 MEDICAL ASSISTANCE ADVISORY COUNCIL

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

26 4. Approve the budget of the department of human services
27 prior to submission to the governor. Prior to approval of the
28 budget, the council shall publicize and hold a public hearing
29 to provide explanations and hear questions, opinions, and
30 suggestions regarding the budget. Invitations to the hearing
31 shall be extended to the governor, the governor-elect, the
32 director of the department of management, and other persons
33 deemed by the council as integral to the budget process. The
34 budget materials submitted to the governor shall include a
35 review of options for revising the medical assistance program

1 made available by federal action or by actions implemented
2 by other states as identified by the department, the medical
3 assistance advisory council ~~and the executive committee of the~~
4 ~~medical assistance advisory council~~ created in [section 249A.4B](#),
5 and by county representatives. The review shall address what
6 potential revisions could be made in this state and how the
7 changes would be beneficial to Iowans.

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

10 **249A.4B Medical assistance advisory council.**

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

20 2. a. The council shall consist of the following voting
21 members:

22 (1) Five professional or business entity members selected
23 by the entities specified pursuant to subsection 3, paragraph
24 "a".

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

28 b. The council shall include all of the following nonvoting
29 members:

30 (1) The director of public health, or the director's
31 designee.

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

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

1 (4) The dean of Des Moines university – osteopathic medical
2 center, or the dean’s designee.

3 (5) The dean of the university of Iowa college of medicine,
4 or the dean’s designee.

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

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

9 (a) Two members of the house of representatives, one
10 appointed by the speaker of the house of representatives
11 and one appointed by the minority leader of the house of
12 representatives from their respective parties.

13 (b) Two members of the senate, one appointed by the
14 president of the senate after consultation with the majority
15 leader of the senate and one appointed by the minority leader
16 of the senate.

17 ~~2.~~ 3. The voting membership of the council shall include
18 all of the following voting members be selected or appointed
19 as follows:

20 a. The five professional or business entity members shall
21 be selected by the entities specified under this paragraph “a”.
22 The five professional or business entity members selected shall
23 be the president, or the president’s representative, of each
24 of the following professional or business entities entity, or
25 a member of each of the following professional or business
26 entities, selected entity, designated by the entity+.

- 27 (1) The Iowa medical society.
- 28 (2) The Iowa osteopathic medical association.
- 29 (3) The Iowa academy of family physicians.
- 30 (4) The Iowa chapter of the American academy of pediatrics.
- 31 (5) The Iowa physical therapy association.
- 32 (6) The Iowa dental association.
- 33 (7) The Iowa nurses association.
- 34 (8) The Iowa pharmacy association.
- 35 (9) The Iowa podiatric medical society.

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

1 or an affiliated Iowa organization.

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

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

14 ~~3. The council shall include all of the following nonvoting~~
15 ~~members:~~

16 ~~a. The director of public health, or the director's~~
17 ~~designee.~~

18 ~~b. The director of the department on aging, or the~~
19 ~~director's designee.~~

20 ~~c. The long-term care ombudsman, or the long-term care~~
21 ~~ombudsman's designee.~~

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

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

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

28 ~~(1) Two members of the house of representatives, one~~
29 ~~appointed by the speaker of the house of representatives~~
30 ~~and one appointed by the minority leader of the house of~~
31 ~~representatives from their respective parties.~~

32 ~~(2) Two members of the senate, one appointed by the~~
33 ~~president of the senate after consultation with the majority~~
34 ~~leader of the senate and one appointed by the minority leader~~
35 ~~of the senate.~~

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

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

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

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

14 ~~b. The executive committee shall meet on a monthly basis.~~
15 ~~The director of public health and the public member serving as~~
16 ~~co-chairperson of the council shall serve as co-chairpersons of~~
17 ~~the executive committee.~~

18 ~~c. 4. Based upon the deliberations of the council and the~~
19 ~~executive committee, the executive committee council shall make~~
20 ~~recommendations to the director regarding the budget, policy,~~
21 ~~and administration of the medical assistance program.~~

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

31 6. The department shall provide staff support and
32 independent technical assistance to the council ~~and the~~
33 ~~executive committee.~~

34 7. The director shall consider the recommendations offered
35 by the council ~~and the executive committee~~ in the director's

1 preparation of medical assistance budget recommendations to
2 the council on human services pursuant to [section 217.3](#) and in
3 implementation of medical assistance program policies.

4 DIVISION XIX

5 MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY ADMITTED FOR
6 PERMANENT RESIDENCE

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

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

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

22 DIVISION XX

23 PROVISION OF CERTAIN SURGERIES OR PROCEDURES — EXEMPTION FROM
24 REQUIRED ACCOMMODATIONS OR SERVICES

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

27 NEW SUBSECTION. 3. This section shall not require any
28 state or local government unit or tax-supported district to
29 provide for sex reassignment surgery or any other cosmetic,
30 reconstructive, or plastic surgery procedure related to
31 transsexualism, hermaphroditism, gender identity disorder, or
32 body dysmorphic disorder.

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

35 DIVISION XXI

1 REVISION OF MEDICAID MANAGED CARE CONTRACTS — LIQUIDATED
2 DAMAGES

3 Sec. 95. REVISION OF MEDICAID MANAGED CARE CONTRACTS —
4 LIQUIDATED DAMAGES. The department shall revise the Medicaid
5 managed care contracts to include all of the following
6 provisions:

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

12 2. The assessment of liquidated damages for the failure of
13 a managed care organization to complete provider credentialing
14 or to accurately load provider rosters as required in the
15 contract.

16 DIVISION XXII

17 HEALTH DATA COLLECTION AND USE

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

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

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

33 Sec. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The
34 department of public health shall continue the memorandum of
35 understanding with the entity acting as intermediary on June

1 30, 2019, pursuant to section 135.166, until the contractor
2 selected through a request for proposals process assumes the
3 duties of intermediary on January 1, 2021, as specified under
4 this division of this Act.

5

DIVISION XXIII

6

ELDORA STATE TRAINING SCHOOL

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

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

23

DIVISION XXIV

24

DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION

25

Sec. 99. DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES ACT

26

FUNDS FOR FAMILY PLANNING.

27

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

33

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

1 organizations.

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

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

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

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

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

32 b. For the purposes of this section, "nonprofit health
33 care delivery system" means an Iowa nonprofit corporation
34 that controls, directly or indirectly, a regional health
35 care network consisting of hospital facilities and various

1 ambulatory and clinic locations that provide a range of
2 primary, secondary, and tertiary inpatient, outpatient, and
3 physician services.

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

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

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

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

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

31 Sec. 100. ADMINISTRATION OF PERSONAL RESPONSIBILITY
32 EDUCATION PROGRAM AND SEXUAL RISK AVOIDANCE EDUCATION GRANT
33 PROGRAM FUNDS.

34 1. Any contract entered into on or after July 1, 2019, by
35 the department of public health to administer the personal

1 responsibility education program as specified in 42 U.S.C.
2 §713 or to administer the sexual risk avoidance education
3 grant program authorized pursuant to section 510 of Tit.
4 V of the federal Social Security Act, 42 U.S.C. §710, as
5 amended by section 50502 of the federal Bipartisan Budget
6 Act of 2018, Pub. L. No. 115-123, and as further amended by
7 division S, Title VII, section 701 of the federal Consolidated
8 Appropriations Act of 2018, Pub. L. No. 115-141, shall exclude
9 as an eligible applicant, any applicant entity that performs
10 abortions, promotes abortions, maintains or operates a
11 facility where abortions are performed or promoted, contracts
12 or subcontracts with an entity that performs or promotes
13 abortions, becomes or continues to be an affiliate of any
14 entity that performs or promotes abortions, or regularly makes
15 referrals to an entity that provides or promotes abortions or
16 maintains or operates a facility where abortions are performed.
17 However, the prohibition specified in this section shall not be
18 interpreted to include a nonpublic entity that is a distinct
19 location of a nonprofit health care delivery system, if the
20 distinct location provides personal responsibility education
21 program or sexual risk avoidance education grant program
22 services but does not perform abortions or maintain or operate
23 as a facility where abortions are performed.

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

33 3. 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 4. 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. AWARD OF COMMUNITY ADOLESCENT PREGNANCY
16 PREVENTION AND SERVICES PROGRAM GRANT FUNDS.

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

31 2. The eligibility exclusion specified in subsection 1
32 shall not be interpreted to include a nonpublic entity that
33 is a distinct location of a nonprofit health care delivery
34 system, if the distinct location provides community adolescent
35 pregnancy prevention program services but does not perform

1 abortions or maintain or operate as a facility where abortions
2 are performed.

3 3. The department of human services shall adopt rules
4 pursuant to chapter 17A to require that as a condition of
5 eligibility as an applicant, grantee, grantee contractor,
6 or grantee subcontractor under the adolescent pregnancy
7 prevention and services program, each distinct location of
8 a nonprofit health care delivery system shall be assigned a
9 distinct identification number and complete an attestation that
10 abortions are not performed at the distinct location.

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

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

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

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

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

35 Sec. 103. EFFECTIVE DATE. This division of this Act, being

1 deemed of immediate importance, takes effect upon enactment.

2

DIVISION XXV

3 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE

4

RATE ADD-ON PROGRAM

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

7 7. "*Non-state government-owned nursing facility*" means a
8 nursing facility that is owned or operated by a non-state
9 governmental entity and for which a non-state governmental
10 entity holds the nursing facility's license and is party to the
11 nursing facility's Medicaid contract.

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

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

25 1. As used in this section, unless the context otherwise
26 requires:

27 a. "Department" means the department of human services.

28 b. "Intergovernmental transfer" means a transfer of
29 state share funds from a non-state governmental entity to the
30 department of human services.

31 c. "Non-state governmental entity" or "NSGE" means a
32 hospital authority, hospital district, health care district,
33 city, or county.

34 d. "Non-state government-owned nursing facility" or "NSGO
35 nursing facility" means a nursing facility that is owned or

1 operated by a non-state governmental entity and for which a
2 non-state governmental entity holds the nursing facility's
3 license and is party to the nursing facility's Medicaid
4 contract.

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

8 f. "Quality of care rate add-on calculation period" means
9 the fiscal year for which quality of care rate add-on amounts
10 are calculated based on adjudicated claims for days of service
11 provided.

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

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

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

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

27 b. Non-state government-owned nursing facility
28 qualifications. An NSGO nursing facility shall qualify for
29 participation in the program if all of the following conditions
30 are met:

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

33 (2) The NSGE for the NSGO nursing facility has provided
34 proof that the entity holds the NSGO nursing facility's license
35 and has complete operational responsibility for the NSGO

1 nursing facility.

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

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

9 (5) The NSGO nursing facility and the NSGE for the
10 NSGO nursing facility are in compliance with care criteria
11 requirements.

12 c. NSGE participation requirements. An NSGE shall qualify
13 for participation in the program if all of the following
14 conditions are met:

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

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

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

21 (4) The NSGE has provided, to the department, an executed
22 management agreement between the NSGE and the NSGO nursing
23 facility manager.

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

31 (1) Develop a written action plan that includes
32 satisfaction survey results, an analysis of the satisfaction
33 survey results with identification of areas in need of
34 improvement, and a process for addressing areas in need of
35 improvement.

1 (2) Develop and implement, within six months of
2 commencement of participation in the program, a written plan
3 for the mitigation of unnecessary inpatient admissions within
4 30 days of a nursing facility discharge. The written plan
5 shall include or address all of the following:

6 (a) The inpatient admission management tool which
7 identifies those residents at high risk for the potential
8 return to acute care.

9 (b) The tools to support effective communications.

10 (c) Advance directive planning and implementation.

11 (d) Application of a quality assurance and program
12 integrity methodology to provide a root cause analysis and
13 identify teaching needs.

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

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

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

27 (c) A written plan for an influenza and pneumonia
28 vaccination program to address new admissions and current
29 residents.

30 (4) Elevate healthy aging in the state by implementing
31 a plan that accomplishes at least one of the following
32 strategies:

33 (a) Prevention and reduction of falls.

34 (b) Improved nutrition.

35 (c) Increased physical activity.

1 (d) Reduction in the incidence of depression.

2 (5) Demonstrate improvement above the facility-specific
3 baseline in the CMS five-star quality measures composite
4 scoring. Metrics shall be determined based upon the CMS
5 nursing home compare composite score over the preceding
6 twelve-month period.

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

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

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

19 e. Quality of care rate add-on.

20 (1) The nursing facility quality of care rate add-on
21 provided to a participating NSGE under the program shall not
22 exceed Medicare payment principles pursuant to 42 C.F.R.
23 §447.272 and shall be calculated pursuant to 42 C.F.R. §438.6.
24 The quality of care rate add-on shall be calculated and paid
25 as follows:

26 (a) The methodology utilized to calculate the upper
27 payment limit shall be based on the data available during the
28 calculation period.

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

34 (c) The difference calculated under subparagraph division
35 (b) shall be divided by total patient days as determined under

1 subparagraph division (b).

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

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

21 f. Change of ownership.

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

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

35 g. Payment to participating NSGO nursing facilities. A

1 participating NSGO nursing facility shall secure allowable
2 intergovernmental transfer funds from a participating NSGE
3 to provide the state share amount. The process for the
4 intergovernmental transfer shall comply with the following:

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

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

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

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

1 amount.

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

5 (b) The date of receipt of notification of the state
6 share amount by the participating NSGE from the department or
7 the department's designee is the official reference date in
8 measuring the commencement of the five business days.

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

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

29 (b) The department shall notify the participating NSGE of
30 the assessed penalty in writing. If the participating NSGE
31 fails to pay the department or the department's designee the
32 assessed penalty within the time frame noted on the written
33 notice to the participating NSGE, the assessed penalty shall be
34 deducted in accordance with the state Medicaid fee-for-service
35 recoupment process. The penalty shall be paid regardless

1 of any appeal requested by the participating NSGE. If an
2 appeal results in a decision to disallow a portion of or the
3 entire assessed penalty, reimbursement to the participating
4 NSGE shall be made as part of future Medicaid payments to the
5 participating NSGO nursing facility.

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

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

26 Sec. 106. REPEAL. 2016 Iowa Acts, chapter 1139, sections
27 80, 81, 82, 83, and 84, are repealed.

28 Sec. 107. REPEAL. 2017 Iowa Acts, chapter 174, sections
29 113, 114, 115, and 116, are repealed.

30 Sec. 108. EFFECTIVE UPON ENACTMENT. This division of this
31 Act, being deemed of immediate importance, takes effect upon
32 enactment.

33 Sec. 109. IMPLEMENTATION PROVISIONS.

34 1. The section of this division of this Act directing the
35 department of human services to submit a Medicaid state plan

1 amendment to CMS shall be implemented as soon as possible
2 following enactment, consistent with all applicable federal
3 requirements.

4 2. The section of this division of this Act amending
5 section 249L.2, shall only be implemented upon receipt by
6 the department of human services of approval of the Medicaid
7 state plan amendment by CMS, and if such approval is received,
8 is applicable no earlier than the first day of the calendar
9 quarter following the date of receipt of such approval.>>

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