

Senate Amendment to  
House File 2578

H-8372

1 Amend House File 2578, as amended, passed, and reprinted by  
2 the House, as follows:

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

5 <DIVISION I

6 DEPARTMENT ON AGING — FY 2022-2023

7 Section 1. DEPARTMENT ON AGING. There is appropriated from  
8 the general fund of the state to the department on aging for  
9 the fiscal year beginning July 1, 2022, and ending June 30,  
10 2023, the following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For aging programs for the department on aging and area  
13 agencies on aging to provide citizens of Iowa who are 60  
14 years of age and older with case management, Iowa's aging and  
15 disabilities resource center, and other services which may  
16 include but are not limited to adult day, respite care, chore,  
17 information and assistance, and material aid, for information  
18 and options counseling for persons with disabilities who  
19 are 18 years of age or older, and for salaries, support,  
20 administration, maintenance, and miscellaneous purposes, and  
21 for not more than the following full-time equivalent positions:  
22 ..... \$ 11,304,082  
23 ..... FTEs 27.00

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

33 2. Of the funds appropriated in this section, \$418,700 is  
34 transferred to the economic development authority for the Iowa  
35 commission on volunteer services to be used for the retired and

1 senior volunteer program.

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

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

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

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

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

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

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

32 5. Of the funds appropriated in this section, \$1,000,000  
33 shall be used to fund continuation of the aging and disability  
34 resource center lifelong links to provide individuals and  
35 caregivers with information and services to plan for and

1 maintain independence.

2 6. Of the funds appropriated in this section, \$850,000  
3 shall be used by the department on aging, in collaboration with  
4 the department of human services and affected stakeholders,  
5 to continue to expand the pilot initiative to provide  
6 long-term care options counseling utilizing support planning  
7 protocols, to assist non-Medicaid eligible consumers who  
8 indicate a preference to return to the community and are  
9 deemed appropriate for discharge, to return to their community  
10 following a nursing facility stay; and shall be used by the  
11 department on aging to fund home and community-based services  
12 to enable older individuals to avoid more costly utilization  
13 of residential or institutional services and remain in their  
14 homes. The department on aging shall submit a report regarding  
15 the outcomes of the pilot initiative to the governor and the  
16 general assembly by December 15, 2022.

17 DIVISION II

18 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2022-2023

19 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is  
20 appropriated from the general fund of the state to the office  
21 of long-term care ombudsman for the fiscal year beginning July  
22 1, 2022, and ending June 30, 2023, the following amount, or  
23 so much thereof as is necessary, to be used for the purposes  
24 designated:

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

28 ..... \$ 1,149,821  
29 ..... FTEs 16.00

30 DIVISION III

31 DEPARTMENT OF PUBLIC HEALTH — FY 2022-2023

32 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated  
33 from the general fund of the state to the department of public  
34 health for the fiscal year beginning July 1, 2022, and ending  
35 June 30, 2023, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. ADDICTIVE DISORDERS

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

7 .....	\$ 23,659,379	
8 .....	FTEs	12.00

9 a. (1) Of the funds appropriated in this subsection,  
10 \$4,020,894 shall be used for the tobacco use prevention  
11 and control initiative, including efforts at the state and  
12 local levels, as provided in [chapter 142A](#). The commission  
13 on tobacco use prevention and control established pursuant  
14 to [section 142A.3](#) shall advise the director of public health  
15 in prioritizing funding needs and the allocation of moneys  
16 appropriated for the programs and initiatives. Activities  
17 of the programs and initiatives shall be in alignment with  
18 the United States centers for disease control and prevention  
19 best practices for comprehensive tobacco control programs  
20 that include the goals of preventing youth initiation of  
21 tobacco usage, reducing exposure to secondhand smoke, and  
22 promotion of tobacco cessation. To maximize resources,  
23 the department shall determine if third-party sources are  
24 available to instead provide nicotine replacement products  
25 to an applicant prior to provision of such products to an  
26 applicant under the initiative. The department shall track and  
27 report to the governor and the general assembly any reduction  
28 in the provision of nicotine replacement products realized  
29 by the initiative through implementation of the prerequisite  
30 screening.

31 (2) (a) The department shall collaborate with the  
32 alcoholic beverages division of the department of commerce for  
33 enforcement of tobacco laws, regulations, and ordinances and to  
34 engage in tobacco control activities approved by the division  
35 of tobacco use prevention and control of the department of

1 public health as specified in the memorandum of understanding  
2 entered into between the divisions.

3 (b) For the fiscal year beginning July 1, 2022, and ending  
4 June 30, 2023, the terms of the memorandum of understanding,  
5 entered into between the division of tobacco use prevention  
6 and control of the department of public health and the  
7 alcoholic beverages division of the department of commerce,  
8 governing compliance checks conducted to ensure licensed retail  
9 tobacco outlet conformity with tobacco laws, regulations, and  
10 ordinances relating to persons under 21 years of age, shall  
11 continue to restrict the number of such checks to one check per  
12 retail outlet, and one additional check for any retail outlet  
13 found to be in violation during the first check.

14 b. (1) Of the funds appropriated in this subsection,  
15 \$19,638,485 shall be used for problem gambling and  
16 substance-related disorder prevention, treatment, and recovery  
17 services, including a 24-hour helpline, public information  
18 resources, professional training, youth prevention, and program  
19 evaluation.

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

28 c. The requirement of [section 123.17, subsection 5](#), is met  
29 by the appropriations and allocations made in this division of  
30 this Act for purposes of substance-related disorder treatment  
31 and addictive disorders for the fiscal year beginning July 1,  
32 2022.

### 33 2. HEALTHY CHILDREN AND FAMILIES

34 For promoting the optimum health status for children and  
35 adolescents from birth through 21 years of age, and families,

1 and for not more than the following full-time equivalent  
2 positions:

3 ..... \$ 5,816,681  
4 ..... FTEs 14.00

5 a. Of the funds appropriated in this subsection, not more  
6 than \$734,000 shall be used for the healthy opportunities for  
7 parents to experience success (HOPES)-healthy families Iowa  
8 (HFI) program established pursuant to [section 135.106](#).

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

13 c. Of the funds appropriated in this subsection, \$3,075,000  
14 shall be used for continuation of the department's initiative  
15 to provide for adequate developmental surveillance and  
16 screening during a child's first five years. The funds shall  
17 be used first to fully fund the current sites to ensure that  
18 the sites are fully operational, with the remaining funds  
19 to be used for expansion to additional sites. The full  
20 implementation and expansion shall include enhancing the scope  
21 of the initiative through collaboration with the child health  
22 specialty clinics to promote healthy child development through  
23 early identification and response to both biomedical and social  
24 determinants of healthy development; by monitoring child  
25 health metrics to inform practice, document long-term health  
26 impacts and savings, and provide for continuous improvement  
27 through training, education, and evaluation; and by providing  
28 for practitioner consultation particularly for children with  
29 behavioral conditions and needs. The department of public  
30 health shall also collaborate with the Iowa Medicaid enterprise  
31 and the child health specialty clinics to integrate the  
32 activities of the first five initiative into the establishment  
33 of patient-centered medical homes, community utilities,  
34 accountable care organizations, and other integrated care  
35 models developed to improve health quality and population

1 health while reducing health care costs. To the maximum extent  
2 possible, funding allocated in this paragraph shall be utilized  
3 as matching funds for medical assistance program reimbursement.

4 d. Of the funds appropriated in this subsection, \$64,000  
5 shall be distributed to a statewide dental carrier to provide  
6 funds to continue the donated dental services program patterned  
7 after the projects developed by the dental lifeline network to  
8 provide dental services to indigent individuals who are elderly  
9 or with disabilities.

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

13 f. Of the funds appropriated in this subsection, \$23,000 is  
14 transferred to the university of Iowa college of dentistry for  
15 provision of primary dental services to children. State funds  
16 shall be matched on a dollar-for-dollar basis. The university  
17 of Iowa college of dentistry shall coordinate efforts with the  
18 department of public health, oral and health delivery system  
19 bureau, to provide dental care to underserved populations  
20 throughout the state.

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

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

27 i. Of the funds appropriated in this subsection, up to  
28 \$494,000 shall be used for childhood obesity prevention.

29 3. CHRONIC CONDITIONS

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

33 .....	\$	4,258,373
34 .....	FTEs	10.00

35 a. Of the funds appropriated in this subsection, \$188,000

1 shall be used for grants to individual patients who have an  
2 inherited metabolic disorder to assist with the costs of  
3 medically necessary foods and formula.

4 b. Of the funds appropriated in this subsection, \$1,055,000  
5 shall be used for the brain injury services program pursuant  
6 to [section 135.22B](#), including \$861,000 for contracting with an  
7 existing nationally affiliated and statewide organization whose  
8 purpose is to educate, serve, and support Iowans with brain  
9 injury and their families, for resource facilitator services  
10 in accordance with [section 135.22B, subsection 9](#), and for  
11 contracting to enhance brain injury training and recruitment  
12 of service providers on a statewide basis. Of the amount  
13 allocated in this paragraph, \$95,000 shall be used to fund  
14 1.00 full-time equivalent position to serve as the state brain  
15 injury services program manager.

16 c. Of the funds appropriated in this subsection, \$144,000  
17 shall be used for the public purpose of continuing to contract  
18 with an existing nationally affiliated organization to provide  
19 education, client-centered programs, and client and family  
20 support for people living with epilepsy and their families.  
21 The amount allocated in this paragraph in excess of \$50,000  
22 shall be matched dollar-for-dollar by the organization  
23 specified. Funds allocated under this paragraph shall be  
24 distributed in their entirety for the purpose specified on July  
25 1, 2022.

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

28 e. Of the funds appropriated in this subsection, \$384,000  
29 shall be used by the regional autism assistance program  
30 established pursuant to [section 256.35](#), and administered by  
31 the child health specialty clinic located at the university of  
32 Iowa hospitals and clinics. The funds shall be used to enhance  
33 interagency collaboration and coordination of educational,  
34 medical, and other human services for persons with autism,  
35 their families, and providers of services, including delivering



1 regionalized services of care coordination, family navigation,  
2 and integration of services through the statewide system of  
3 regional child health specialty clinics and fulfilling other  
4 requirements as specified in [chapter 225D](#). The university of  
5 Iowa shall not receive funds allocated under this paragraph for  
6 indirect costs associated with the regional autism assistance  
7 program.

8 f. Of the funds appropriated in this subsection, \$577,000  
9 shall be used for the comprehensive cancer control program to  
10 reduce the burden of cancer in Iowa through prevention, early  
11 detection, effective treatment, and ensuring quality of life.  
12 Of the funds allocated in this paragraph "f", \$150,000 shall  
13 be used to support a melanoma research symposium, a melanoma  
14 biorepository and registry, basic and translational melanoma  
15 research, and clinical trials.

16 g. Of the funds appropriated in this subsection, \$97,000  
17 shall be used for cervical and colon cancer screening, and  
18 \$177,000 shall be used to enhance the capacity of the cervical  
19 cancer screening program to include provision of recommended  
20 prevention and early detection measures to a broader range of  
21 low-income women.

22 h. Of the funds appropriated in this subsection, \$506,000  
23 shall be used for the center for congenital and inherited  
24 disorders.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the  
27 local level, and for not more than the following full-time  
28 equivalent positions:

29 .....	\$	6,519,306
30 .....	FTEs	13.00

31 a. Of the funds appropriated in this subsection, \$95,000  
32 is allocated for continuation of the child vision screening  
33 program implemented through the university of Iowa hospitals  
34 and clinics in collaboration with early childhood Iowa areas.  
35 The program shall submit a report to the department regarding

1 the use of funds allocated under this paragraph "a". The  
2 report shall include the objectives and results for the  
3 program year including the target population and how the funds  
4 allocated assisted the program in meeting the objectives; the  
5 number, age, and location within the state of individuals  
6 served; the type of services provided to the individuals  
7 served; the distribution of funds based on service provided;  
8 and the continuing needs of the program.

9 b. Of the funds appropriated in this subsection,  
10 \$48,000 shall be used for a grant to a statewide association  
11 of psychologists, that is affiliated with the American  
12 psychological association, to be used for continuation of a  
13 program to rotate intern psychologists in placements that  
14 serve urban and rural mental health professional shortage  
15 areas. Once an intern psychologist begins service, the intern  
16 psychologist may continue serving in the location of the intern  
17 psychologist's placement, notwithstanding any change in the  
18 mental health professional shortage area designation of such  
19 location. The intern psychologist may also provide services  
20 via telehealth, to underserved populations, and to Medicaid  
21 members. For the purposes of this paragraph "b", "mental  
22 health professional shortage area" means a geographic area  
23 in this state that has been designated by the United States  
24 department of health and human services, health resources and  
25 services administration, bureau of health professionals, as  
26 having a shortage of mental health professionals.

27 c. Of the funds appropriated in this subsection, the  
28 following amounts are allocated to be used as follows  
29 to support the goals of increased access, health system  
30 integration, and engagement:

31 (1) Not less than \$600,000 is allocated to the Iowa  
32 prescription drug corporation for continuation of the  
33 pharmaceutical infrastructure for safety net providers as  
34 described in [2007 Iowa Acts, chapter 218, section 108](#), and for  
35 the prescription drug donation repository program created in

1 chapter 135M. Funds allocated under this subparagraph shall  
2 be distributed in their entirety for the purpose specified on  
3 July 1, 2022.

4 (2) Not less than \$334,000 is allocated to free clinics and  
5 free clinics of Iowa for necessary infrastructure, statewide  
6 coordination, provider recruitment, service delivery, and  
7 provision of assistance to patients in securing a medical home  
8 inclusive of oral health care. Funds allocated under this  
9 subparagraph shall be distributed in their entirety for the  
10 purpose specified on July 1, 2022.

11 (3) Not less than \$25,000 is allocated to the Iowa  
12 association of rural health clinics for necessary  
13 infrastructure and service delivery transformation. Funds  
14 allocated under this subparagraph shall be distributed in their  
15 entirety for the purpose specified on July 1, 2022.

16 (4) Not less than \$225,000 is allocated to the Polk county  
17 medical society for continuation of the safety net provider  
18 patient access to specialty health care initiative as described  
19 in [2007 Iowa Acts, chapter 218, section 109](#). Funds allocated  
20 under this subparagraph shall be distributed in their entirety  
21 for the purpose specified on July 1, 2022.

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

25 e. Of the funds appropriated in this subsection, \$96,000  
26 shall be used for a matching dental education loan repayment  
27 program to be allocated to a dental nonprofit health service  
28 corporation to continue to develop the criteria and implement  
29 the loan repayment program.

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

33 g. Of the funds appropriated in this subsection, \$96,000  
34 shall be used for continuation of a grant to a nationally  
35 affiliated volunteer eye organization that has an established

1 program for children and adults and that is solely dedicated to  
2 preserving sight and preventing blindness through education,  
3 nationally certified vision screening and training, and  
4 community and patient service programs. The contractor shall  
5 submit a report to the general assembly regarding the use  
6 of funds allocated under this paragraph "g". The report  
7 shall include the objectives and results for the program year  
8 including the target population and how the funds allocated  
9 assisted the program in meeting the objectives; the number,  
10 age, grade level if appropriate, and location within the state  
11 of individuals served; the type of services provided to the  
12 individuals served; the distribution of funds based on services  
13 provided; and the continuing needs of the program.

14 h. Of the funds appropriated in this subsection, \$2,100,000  
15 shall be deposited in the medical residency training account  
16 created in [section 135.175, subsection 5](#), paragraph "a", and  
17 is appropriated from the account to the department of public  
18 health to be used for the purposes of the medical residency  
19 training state matching grants program as specified in section  
20 135.176.

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

26 j. Of the funds appropriated in this subsection, \$800,000  
27 shall be used for rural psychiatric residencies to support the  
28 annual creation and training of six psychiatric residents who  
29 will provide mental health services in underserved areas of  
30 the state. Notwithstanding section 8.33, moneys that remain  
31 unencumbered or unobligated at the close of the fiscal year  
32 shall not revert but shall remain available for expenditure for  
33 the purposes designated for subsequent fiscal years.

34 k. Of the funds appropriated in this subsection, \$150,000  
35 shall be used for psychiatric training to increase access to

1 mental health care services by expanding the mental health  
2 workforce via training of additional physician assistants and  
3 nurse practitioners.

4 1. Of the funds appropriated in this subsection, \$425,000  
5 shall be used for the creation or continuation of a center of  
6 excellence program to encourage innovation and collaboration  
7 among regional health care providers in a rural area based  
8 upon the results of a regional community needs assessment to  
9 transform health care delivery in order to provide quality,  
10 sustainable care that meets the needs of the local communities.  
11 An applicant for the funds shall specify how the funds will  
12 be expended to accomplish the goals of the program and shall  
13 provide a detailed five-year sustainability plan prior to  
14 being awarded any funding. Following the receipt of funding,  
15 a recipient shall submit periodic reports as specified by the  
16 department to the governor and the general assembly regarding  
17 the recipient's expenditure of the funds and progress in  
18 accomplishing the program goals.

19 5. ESSENTIAL PUBLIC HEALTH SERVICES

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

24 ..... \$ 7,662,464

25 6. INFECTIOUS DISEASES

26 For reducing the incidence and prevalence of communicable  
27 diseases, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 1,796,206

30 ..... FTEs 6.00

31 7. PUBLIC PROTECTION

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

35 ..... \$ 4,466,601

1 ..... FTEs 142.00

2 a. Of the funds appropriated in this subsection, not more  
3 than \$304,000 shall be credited to the emergency medical  
4 services fund created in section 135.25. Moneys in the  
5 emergency medical services fund are appropriated to the  
6 department to be used for the purposes of the fund.

7 b. Of the funds appropriated in this subsection, up  
8 to \$243,000 shall be used for sexual violence prevention  
9 programming through a statewide organization representing  
10 programs serving victims of sexual violence through the  
11 department's sexual violence prevention program, and for  
12 continuation of a training program for sexual assault  
13 response team (SART) members, including representatives of  
14 law enforcement, victim advocates, prosecutors, and certified  
15 medical personnel. The amount allocated in this paragraph "b"  
16 shall not be used to supplant funding administered for other  
17 sexual violence prevention or victims assistance programs.

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

28 d. Of the funds appropriated in this subsection, up to  
29 \$504,000 shall be used for childhood lead poisoning provisions.

30 8. RESOURCE MANAGEMENT

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

34 ..... \$ 933,871  
35 ..... FTEs 4.00

1 9. MISCELLANEOUS PROVISIONS

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

7 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING  
8 RECEIPTS FUND. There is appropriated from the sports wagering  
9 receipts fund created in section 8.57, subsection 6, to the  
10 department of public health for the fiscal year beginning July  
11 1, 2022, and ending June 30, 2023, the following amount, or  
12 so much thereof as is necessary, to be used for the purposes  
13 designated:

14 For problem gambling and substance-related disorder  
15 prevention, treatment, and recovery services, including a  
16 24-hour helpline, public information resources, professional  
17 training, youth prevention, and program evaluation:

18 ..... \$ 1,750,000

19 DIVISION IV

20 DEPARTMENT OF VETERANS AFFAIRS — FY 2022-2023

21 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is  
22 appropriated from the general fund of the state to the  
23 department of veterans affairs for the fiscal year beginning  
24 July 1, 2022, and ending June 30, 2023, the following amounts,  
25 or so much thereof as is necessary, to be used for the purposes  
26 designated:

27 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

31 ..... \$ 1,229,763

32 ..... FTEs 15.00

33 2. IOWA VETERANS HOME

34 For salaries, support, maintenance, and miscellaneous  
35 purposes:

1 ..... \$ 7,131,552

2 a. The Iowa veterans home billings involving the department  
3 of human services shall be submitted to the department on at  
4 least a monthly basis.

5 b. The Iowa veterans home expenditure report shall be  
6 submitted monthly to the general assembly.

7 c. The Iowa veterans home shall continue to include in the  
8 annual discharge report applicant information to provide for  
9 the collection of demographic information including but not  
10 limited to the number of individuals applying for admission and  
11 admitted or denied admittance and the basis for the admission  
12 or denial; the age, gender, and race of such individuals;  
13 and the level of care for which such individuals applied for  
14 admission including residential or nursing level of care.

15 3. HOME OWNERSHIP ASSISTANCE PROGRAM

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

20 ..... \$ 2,000,000

21 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS  
22 FUND STANDING APPROPRIATIONS. Notwithstanding the standing  
23 appropriation in [section 35A.16](#) for the fiscal year beginning  
24 July 1, 2022, and ending June 30, 2023, the amount appropriated  
25 from the general fund of the state pursuant to that section  
26 for the following designated purposes shall not exceed the  
27 following amount:

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

30 ..... \$ 990,000

31 DIVISION V

32 DEPARTMENT OF HUMAN SERVICES — FY 2022-2023

33 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
34 GRANT. There is appropriated from the fund created in section  
35 8.41 to the department of human services for the fiscal year



1 beginning July 1, 2022, and ending June 30, 2023, from moneys  
2 received under the federal temporary assistance for needy  
3 families (TANF) block grant pursuant to the federal Personal  
4 Responsibility and Work Opportunity Reconciliation Act of 1996,  
5 Pub. L. No. 104-193, and successor legislation, the following  
6 amounts, or so much thereof as is necessary, to be used for the  
7 purposes designated:

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

11 ..... \$ 5,002,006

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

16 ..... \$ 5,412,060

17 3. To be used for the family development and  
18 self-sufficiency grant program in accordance with section  
19 216A.107:

20 ..... \$ 2,888,980

21 Notwithstanding [section 8.33](#), moneys appropriated in this  
22 subsection that remain unencumbered or unobligated at the close  
23 of the fiscal year shall not revert but shall remain available  
24 for expenditure for the purposes designated until the close of  
25 the succeeding fiscal year. However, unless such moneys are  
26 encumbered or obligated on or before September 30, 2023, the  
27 moneys shall revert.

28 4. For field operations:  
29 ..... \$ 31,296,232

30 5. For general administration:  
31 ..... \$ 3,744,000

32 6. For state child care assistance:  
33 ..... \$ 47,166,826

34 a. Of the funds appropriated in this subsection,  
35 \$26,205,412 is transferred to the child care and development

1 block grant appropriation made by the Eighty-ninth General  
2 Assembly, 2022 session, for the federal fiscal year beginning  
3 October 1, 2022, and ending September 30, 2023. Of this  
4 amount, \$200,000 shall be used for provision of educational  
5 opportunities to registered child care home providers in order  
6 to improve services and programs offered by this category  
7 of providers and to increase the number of providers. The  
8 department may contract with institutions of higher education  
9 or child care resource and referral centers to provide  
10 the educational opportunities. Allowable administrative  
11 costs under the contracts shall not exceed 5 percent. The  
12 application for a grant shall not exceed two pages in length.

13 b. Any funds appropriated in this subsection remaining  
14 unallocated shall be used for state child care assistance  
15 payments for families who are employed including but not  
16 limited to individuals enrolled in the family investment  
17 program.

18 7. For child and family services:

19 ..... \$ 32,380,654

20 8. For child abuse prevention grants:

21 ..... \$ 125,000

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

24 ..... \$ 1,913,203

25 Pregnancy prevention grants shall be awarded to programs  
26 in existence on or before July 1, 2022, if the programs have  
27 demonstrated positive outcomes. Grants shall be awarded to  
28 pregnancy prevention programs which are developed after July  
29 1, 2022, if the programs are based on existing models that  
30 have demonstrated positive outcomes. Grants shall comply with  
31 the requirements provided in 1997 Iowa Acts, chapter 208,  
32 section 14, subsections 1 and 2, including the requirement that  
33 grant programs must emphasize sexual abstinence. Priority in  
34 the awarding of grants shall be given to programs that serve  
35 areas of the state which demonstrate the highest percentage of

1 unplanned pregnancies of females of childbearing age within the  
2 geographic area to be served by the grant.

3 10. For technology needs and other resources necessary to  
4 meet federal and state reporting, tracking, and case management  
5 requirements and other departmental needs:

6 ..... \$ 1,037,186

7 11. a. Notwithstanding any provision to the contrary,  
8 including but not limited to requirements in [section 8.41](#) or  
9 provisions in 2021 Iowa Acts or 2022 Iowa Acts regarding the  
10 receipt and appropriation of federal block grants, federal  
11 funds from the temporary assistance for needy families block  
12 grant received by the state and not otherwise appropriated  
13 in this section and remaining available for the fiscal year  
14 beginning July 1, 2022, are appropriated to the department of  
15 human services to the extent as may be necessary to be used in  
16 the following priority order: the family investment program,  
17 for state child care assistance program payments for families  
18 who are employed, and for the family investment program share  
19 of system costs for eligibility determination and related  
20 functions. The federal funds appropriated in this paragraph  
21 "a" shall be expended only after all other funds appropriated  
22 in subsection 1 for assistance under the family investment  
23 program, in subsection 6 for state child care assistance, or  
24 in subsection 10 for technology needs and other resources  
25 necessary to meet departmental needs, as applicable, have been  
26 expended. For the purposes of this subsection, the funds  
27 appropriated in subsection 6, paragraph "a", for transfer  
28 to the child care and development block grant appropriation  
29 are considered fully expended when the full amount has been  
30 transferred.

31 b. The department shall, on a quarterly basis, advise the  
32 general assembly and department of management of the amount of  
33 funds appropriated in this subsection that was expended in the  
34 prior quarter.

35 12. Of the amounts appropriated in this section,

1 \$12,962,008 for the fiscal year beginning July 1, 2022, is  
2 transferred to the appropriation of the federal social services  
3 block grant made to the department of human services for that  
4 fiscal year.

5 13. For continuation of the program providing categorical  
6 eligibility for the supplemental nutrition assistance program  
7 (SNAP) as specified for the program in the section of this  
8 division of this Act relating to the family investment program  
9 account:

10 ..... \$ 14,236

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

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

34 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

35 1. Moneys credited to the family investment program (FIP)

1 account for the fiscal year beginning July 1, 2022, and  
2 ending June 30, 2023, shall be used to provide assistance in  
3 accordance with [chapter 239B](#).

4 2. The department may use a portion of the moneys credited  
5 to the FIP account under this section as necessary for  
6 salaries, support, maintenance, and miscellaneous purposes,  
7 including administrative and information technology costs  
8 associated with rent reimbursement and other income assistance  
9 programs administered by the department.

10 3. The department may transfer funds allocated in  
11 subsection 4, excluding the allocation under subsection 4,  
12 paragraph "b", to the appropriations made in this division of  
13 this Act for the same fiscal year for general administration  
14 and field operations for resources necessary to implement  
15 and operate the services referred to in this section and  
16 those funded in the appropriations made in section 7 for the  
17 temporary assistance for needy families block grant and in  
18 section 9 for the family investment program from the general  
19 fund of the state in this division of this Act for the same  
20 fiscal year.

21 4. Moneys appropriated in this division of this Act and  
22 credited to the FIP account for the fiscal year beginning July  
23 1, 2022, and ending June 30, 2023, are allocated as follows:

24 a. To be retained by the department of human services to  
25 be used for coordinating with the department of human rights  
26 to more effectively serve participants in FIP and other shared  
27 clients and to meet federal reporting requirements under the  
28 federal temporary assistance for needy families block grant:  
29 ..... \$ 10,000

30 b. To the department of human rights for staffing,  
31 administration, and implementation of the family development  
32 and self-sufficiency grant program in accordance with section  
33 216A.107:  
34 ..... \$ 7,192,834

35 (1) Of the funds allocated for the family development

1 and self-sufficiency grant program in this paragraph "b",  
2 not more than 5 percent of the funds shall be used for the  
3 administration of the grant program.

4 (2) The department of human rights may continue to implement  
5 the family development and self-sufficiency grant program  
6 statewide during fiscal year 2022-2023.

7 (3) The department of human rights may engage in activities  
8 to strengthen and improve family outcomes measures and  
9 data collection systems under the family development and  
10 self-sufficiency grant program.

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

12 ..... \$ 1,293,000

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

25 d. For the SNAP employment and training program:

26 ..... \$ 66,588

27 (1) The department shall apply the federal SNAP employment  
28 and training state plan in order to maximize to the fullest  
29 extent permitted by federal law the use of the 50 percent  
30 federal reimbursement provisions for the claiming of allowable  
31 federal reimbursement funds from the United States department  
32 of agriculture pursuant to the federal SNAP employment and  
33 training program for providing education, employment, and  
34 training services for eligible SNAP participants, including  
35 but not limited to related dependent care and transportation

1 expenses.

2 (2) The department shall continue the categorical  
3 federal SNAP eligibility at 160 percent of the federal  
4 poverty level and continue to eliminate the asset test from  
5 eligibility requirements, consistent with federal SNAP program  
6 requirements. The department shall include as many SNAP  
7 households as is allowed by federal law. The eligibility  
8 provisions shall conform to all federal requirements including  
9 requirements addressing individuals who are disqualified for  
10 committing an intentional program violation or are otherwise  
11 ineligible.

12 e. For the JOBS program, not more than:

13 ..... \$ 12,018,258

14 5. Of the child support collections assigned under FIP,  
15 an amount equal to the federal share of support collections  
16 shall be credited to the child support recovery appropriation  
17 made in this division of this Act. Of the remainder of the  
18 assigned child support collections received by the child  
19 support recovery unit, a portion shall be credited to the FIP  
20 account, a portion may be used to increase recoveries, and a  
21 portion may be used to sustain cash flow in the child support  
22 payments account. If as a consequence of the appropriations  
23 and allocations made in this section the resulting amounts  
24 are insufficient to sustain cash assistance payments and meet  
25 federal maintenance of effort requirements, the department  
26 shall seek supplemental funding. If child support collections  
27 assigned under FIP are greater than estimated or are otherwise  
28 determined not to be required for maintenance of effort, the  
29 state share of either amount may be transferred to or retained  
30 in the child support payments account.

31 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
32 is appropriated from the general fund of the state to the  
33 department of human services for the fiscal year beginning July  
34 1, 2022, and ending June 30, 2023, the following amount, or  
35 so much thereof as is necessary, to be used for the purpose

1 designated:

2 To be credited to the family investment program (FIP)  
3 account and used for family investment program assistance  
4 under [chapter 239B](#) and other costs associated with providing  
5 needs-based benefits or assistance:

6 ..... \$ 41,003,978

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

9 2. Of the funds appropriated in this section, \$4,313,854 is  
10 allocated for the family development and self-sufficiency grant  
11 program.

12 3. a. Notwithstanding [section 8.39](#), for the fiscal  
13 year beginning July 1, 2022, if necessary to meet federal  
14 maintenance of effort requirements or to transfer federal  
15 temporary assistance for needy families block grant funding  
16 to be used for purposes of the federal social services block  
17 grant or to meet cash flow needs resulting from delays in  
18 receiving federal funding or to implement, in accordance with  
19 this division of this Act, activities currently funded with  
20 juvenile court services, county, or community moneys and state  
21 moneys used in combination with such moneys; to comply with  
22 federal requirements; or to maximize the use of federal funds;  
23 the department of human services may transfer funds within or  
24 between any of the appropriations made in this division of this  
25 Act and appropriations in law for the federal social services  
26 block grant to the department for the following purposes,  
27 provided that the combined amount of state and federal  
28 temporary assistance for needy families block grant funding  
29 for each appropriation remains the same before and after the  
30 transfer:

- 31 (1) For the family investment program.
- 32 (2) For state child care assistance.
- 33 (3) For child and family services.
- 34 (4) For field operations.
- 35 (5) For general administration.



1     b. This subsection shall not be construed to prohibit the  
2 use of existing state transfer authority for other purposes.  
3 The department shall report any transfers made pursuant to this  
4 subsection to the general assembly.

5     4. Of the funds appropriated in this section, \$195,000  
6 shall be used for a contract for tax preparation assistance  
7 to low-income Iowans to expand the usage of the earned income  
8 tax credit. The purpose of the contract is to supply this  
9 assistance to underserved areas of the state. The department  
10 shall not retain any portion of the allocation under this  
11 subsection for administrative costs.

12     5. Of the funds appropriated in this section, \$70,000 shall  
13 be used for the continuation of the parenting program, as  
14 specified in [441 IAC ch. 100](#), relating to parental obligations,  
15 in which the child support recovery unit participates, to  
16 support the efforts of a nonprofit organization committed to  
17 strengthening the community through youth development, healthy  
18 living, and social responsibility headquartered in a county  
19 with a population over 450,000 according to the 2020 certified  
20 federal census. The funds allocated in this subsection shall  
21 be used by the recipient organization to develop a larger  
22 community effort, through public and private partnerships, to  
23 support a broad-based multi-county parenthood initiative that  
24 promotes payment of child support obligations, improved family  
25 relationships, and full-time employment.

26     6. The department may transfer funds appropriated in this  
27 section, excluding the allocation in subsection 2 for the  
28 family development and self-sufficiency grant program, to the  
29 appropriations made in this division of this Act for general  
30 administration and field operations as necessary to administer  
31 this section, section 7 for the temporary assistance for needy  
32 families block grant, and section 8 for the family investment  
33 program account.

34     Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated  
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2022, and ending  
2 June 30, 2023, the following amount, or so much thereof as is  
3 necessary, to be used for the purposes designated:

4 For child support recovery, including salaries, support,  
5 maintenance, and miscellaneous purposes, and for not more than  
6 the following full-time equivalent positions:

7 ..... \$ 15,942,885  
8 ..... FTEs 459.00

9 1. The department shall expend up to \$24,000, including  
10 federal financial participation, for the fiscal year beginning  
11 July 1, 2022, for a child support public awareness campaign.  
12 The department and the office of the attorney general shall  
13 cooperate in continuation of the campaign. The public  
14 awareness campaign shall emphasize, through a variety of  
15 media activities, the importance of maximum involvement of  
16 both parents in the lives of their children as well as the  
17 importance of payment of child support obligations.

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

23 3. The appropriation made to the department for child  
24 support recovery may be used throughout the fiscal year in the  
25 manner necessary for purposes of cash flow management, and for  
26 cash flow management purposes the department may temporarily  
27 draw more than the amount appropriated, provided the amount  
28 appropriated is not exceeded at the close of the fiscal year.

29 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —  
30 FY 2022-2023. Any funds remaining in the health care trust  
31 fund created in [section 453A.35A](#) for the fiscal year beginning  
32 July 1, 2022, and ending June 30, 2023, are appropriated to  
33 the department of human services to supplement the medical  
34 assistance program appropriations made in this division of this  
35 Act, for medical assistance reimbursement and associated costs,

1 including program administration and costs associated with  
2 program implementation.

3     Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY  
4 2022-2023. Any funds remaining in the Medicaid fraud fund  
5 created in [section 249A.50](#) for the fiscal year beginning  
6 July 1, 2022, and ending June 30, 2023, are appropriated to  
7 the department of human services to supplement the medical  
8 assistance appropriations made in this division of this Act,  
9 for medical assistance reimbursement and associated costs,  
10 including program administration and costs associated with  
11 program implementation.

12     Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the  
13 general fund of the state to the department of human services  
14 for the fiscal year beginning July 1, 2022, and ending June 30,  
15 2023, the following amount, or so much thereof as is necessary,  
16 to be used for the purpose designated:

17     For medical assistance program reimbursement and associated  
18 costs as specifically provided in the reimbursement  
19 methodologies in effect on June 30, 2022, except as otherwise  
20 expressly authorized by law, consistent with options under  
21 federal law and regulations, and contingent upon receipt of  
22 approval from the office of the governor of reimbursement for  
23 each abortion performed under the program:

24 ..... \$ 1,510,127,388

25     1. Iowans support reducing the number of abortions  
26 performed in our state. Funds appropriated under this section  
27 shall not be used for abortions, unless otherwise authorized  
28 under this section.

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

32     3. The department shall utilize not more than \$60,000 of  
33 the funds appropriated in this section to continue the AIDS/HIV  
34 health insurance premium payment program as established in 1992  
35 Iowa Acts, Second Extraordinary Session, chapter 1001, section

1 409, subsection 6. Of the funds allocated in this subsection,  
2 not more than \$5,000 may be expended for administrative  
3 purposes.

4 4. Of the funds appropriated in this Act to the department  
5 of public health for addictive disorders, \$950,000 for  
6 the fiscal year beginning July 1, 2022, is transferred  
7 to the department of human services for an integrated  
8 substance-related disorder managed care system. The  
9 departments of human services and public health shall  
10 work together to maintain the level of mental health and  
11 substance-related disorder treatment services provided by the  
12 managed care contractors. Each department shall take the steps  
13 necessary to continue the federal waivers as necessary to  
14 maintain the level of services.

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

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

31 7. Of the funds appropriated in this section, up to \$442,100  
32 may be transferred to the appropriation in this division of  
33 this Act for health program operations to be used for clinical  
34 assessment services and prior authorization of services.

35 8. A portion of the funds appropriated in this section may

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

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

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

25 11. A portion of the funds appropriated in this section may  
26 be transferred to the appropriation in this division of this  
27 Act for health program operations to be used for administrative  
28 activities associated with the money follows the person  
29 demonstration project.

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

34 13. a. The department may increase the amounts allocated  
35 for salaries, support, maintenance, and miscellaneous purposes

1 associated with the medical assistance program, as necessary,  
2 to sustain cost management efforts. The department shall  
3 report any such increase to the general assembly and the  
4 department of management.

5 b. If the savings to the medical assistance program from  
6 ongoing cost management efforts exceed the associated cost  
7 for the fiscal year beginning July 1, 2022, the department  
8 may transfer any savings generated for the fiscal year due  
9 to medical assistance program cost management efforts to the  
10 appropriation made in this division of this Act for health  
11 program operations or general administration to defray the  
12 costs associated with implementing the efforts.

13 14. For the fiscal year beginning July 1, 2022, and ending  
14 June 30, 2023, the replacement generation tax revenues required  
15 to be deposited in the property tax relief fund pursuant to  
16 section 437A.8, subsection 4, paragraph "d", and section  
17 437A.15, subsection 3, paragraph "f", shall instead be credited  
18 to and supplement the appropriation made in this section and  
19 used for the allocations made in this section.

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

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

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

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

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

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

33 19. The department shall comply with the centers for  
34 Medicare and Medicaid services' guidance related to Medicaid  
35 program and children's health insurance program maintenance

1 of effort provisions, including eligibility standards,  
2 methodologies, procedures, and continuous enrollment, to  
3 receive the enhanced federal medical assistance percentage  
4 under section 6008(b) of the federal Families First Coronavirus  
5 Response Act, Pub. L. No. 116-127. The department shall  
6 utilize and implement all tools, processes, and resources  
7 available to expediently return to normal eligibility and  
8 enrollment operations in compliance with federal guidance and  
9 expectations.

10 20. A portion of the funds appropriated in this section  
11 may be transferred to the appropriation made in this division  
12 of this Act for the children's health insurance program,  
13 if the children's health insurance program appropriation  
14 is insufficient to cover the designated purposes of that  
15 appropriation.

16 21. The department of human services shall submit a Medicaid  
17 state plan amendment to the centers for Medicare and Medicaid  
18 services to request the addition of functional family therapy  
19 and multisystemic therapy for youth as covered services under  
20 the Medicaid program. The department shall include functional  
21 family therapy and multisystemic therapy under the Medicaid  
22 program as covered services upon receipt of federal approval.

23 Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated  
24 from the general fund of the state to the department of human  
25 services for the fiscal year beginning July 1, 2022, and ending  
26 June 30, 2023, the following amount, or so much thereof as is  
27 necessary, to be used for the purpose designated:

28 For health program operations:  
29 ..... \$ 17,446,343

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



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

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

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

18 5. a. Of the funds appropriated in this section, \$188,000  
19 shall be credited to the autism support program fund created  
20 in [section 225D.2](#) to be used for the autism support program  
21 created in [chapter 225D](#), with the exception of the following  
22 amount of this allocation which shall be used as follows:

23 b. Of the funds allocated in this subsection, \$25,000 shall  
24 be used for the public purpose of continuation of a grant to  
25 a nonprofit provider of child welfare services that has been  
26 in existence for more than 115 years, is located in a county  
27 with a population between 220,000 and 250,000 according to the  
28 2020 federal decennial census, is licensed as a psychiatric  
29 medical institution for children, and provides school-based  
30 programming, to be used for support services for children with  
31 autism spectrum disorder and their families.

32 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

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, 2022, and ending June 30, 2023, the following

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

3 For the state supplementary assistance program:

4 ..... \$ 7,349,002

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

12 3. If during the fiscal year beginning July 1, 2022,  
13 the department projects that state supplementary assistance  
14 expenditures for a calendar year will not meet the federal  
15 pass-through requirement specified in Tit. XVI of the federal  
16 Social Security Act, section 1618, as codified in 42 U.S.C.  
17 §1382g, the department may take actions including but not  
18 limited to increasing the personal needs allowance for  
19 residential care facility residents and making programmatic  
20 adjustments or upward adjustments of the residential care  
21 facility or in-home health-related care reimbursement rates  
22 prescribed in this division of this Act to ensure that federal  
23 requirements are met. In addition, the department may make  
24 other programmatic and rate adjustments necessary to remain  
25 within the amount appropriated in this section while ensuring  
26 compliance with federal requirements. The department may adopt  
27 emergency rules to implement the provisions of this subsection.

28 4. Notwithstanding [section 8.33](#), moneys appropriated  
29 in this section that remain unencumbered or unobligated  
30 at the close of the fiscal year shall not revert but  
31 shall remain available for expenditure for the purposes  
32 designated, including for liability amounts associated with the  
33 supplemental nutrition assistance program payment error rate,  
34 until the close of the succeeding fiscal year.

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

1 1. There is appropriated from the general fund of the  
2 state to the department of human services for the fiscal year  
3 beginning July 1, 2022, and ending June 30, 2023, the following  
4 amount, or so much thereof as is necessary, to be used for the  
5 purpose designated:

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

11 ..... \$ 38,661,688

12 2. Of the funds appropriated in this section, \$158,850 is  
13 allocated for continuation of the contract for outreach with  
14 the department of public health.

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

22 Sec. 17. CHILD CARE ASSISTANCE. 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, 2022, and ending  
25 June 30, 2023, the following amount, or so much thereof as is  
26 necessary, to be used for the purpose designated:

27 For child care programs:  
28 ..... \$ 40,816,931

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

32 2. Nothing in this section shall be construed or is  
33 intended as or shall imply a grant of entitlement for services  
34 to persons who are eligible for assistance due to an income  
35 level consistent with the waiting list requirements of section

1 237A.13. Any state obligation to provide services pursuant to  
2 this section is limited to the extent of the funds appropriated  
3 in this section.

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

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

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

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

35 7. If a uniform reduction ordered by the governor under

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

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

30 Sec. 18. JUVENILE INSTITUTION. There is appropriated  
31 from the general fund of the state to the department of human  
32 services for the fiscal year beginning July 1, 2022, and ending  
33 June 30, 2023, the following amounts, or so much thereof as is  
34 necessary, to be used for the purposes designated:

35 1. a. For operation of the state training school at Eldora

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

4 ..... \$ 17,606,871  
5 ..... FTEs 207.00

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

12 2. A portion of the moneys appropriated in this section  
13 shall be used by the state training school at Eldora for  
14 grants for adolescent pregnancy prevention activities at the  
15 institution in the fiscal year beginning July 1, 2022.

16 3. Of the funds appropriated in this subsection, \$212,000  
17 shall be used by the state training school at Eldora for a  
18 substance use disorder treatment program at the institution for  
19 the fiscal year beginning July 1, 2022.

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

25 Sec. 19. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the  
27 state to the department of human services for the fiscal year  
28 beginning July 1, 2022, and ending June 30, 2023, the following  
29 amount, or so much thereof as is necessary, to be used for the  
30 purpose designated:

31 For child and family services:

32 ..... \$ 93,571,677

33 2. The department may transfer funds appropriated in this  
34 section as necessary to pay the nonfederal costs of services  
35 reimbursed under the medical assistance program, state child

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

8 3. Of the funds appropriated in this section, up to  
9 \$40,500,000 is allocated for group foster care maintenance and  
10 services.

11 4. In accordance with the provisions of [section 232.188](#),  
12 the department shall continue the child welfare and juvenile  
13 justice funding initiative during fiscal year 2022-2023. Of  
14 the funds appropriated in this section, \$1,717,000 is allocated  
15 specifically for expenditure for fiscal year 2022-2023 through  
16 the decategorization services funding pools and governance  
17 boards established pursuant to [section 232.188](#).

18 5. A portion of the funds appropriated in this section  
19 may be used for emergency family assistance to provide other  
20 resources required for a family participating in a family  
21 preservation or reunification project or successor project to  
22 stay together or to be reunified.

23 6. Of the funds appropriated in this section, a sufficient  
24 amount is allocated for shelter care and the child welfare  
25 emergency services contracting implemented to provide for or  
26 prevent the need for shelter care.

27 7. Federal funds received by the state during the fiscal  
28 year beginning July 1, 2022, as the result of the expenditure  
29 of state funds appropriated during a previous state fiscal  
30 year for a service or activity funded under this section are  
31 appropriated to the department to be used as additional funding  
32 for services and purposes provided for under this section.  
33 Notwithstanding [section 8.33](#), moneys received in accordance  
34 with this subsection that remain unencumbered or unobligated at  
35 the close of the fiscal year shall not revert to any fund but

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

3 8. a. Of the funds appropriated in this section, up to  
4 \$3,290,000 is allocated for the payment of the expenses of  
5 court-ordered services provided to juveniles who are under the  
6 supervision of juvenile court services, which expenses are a  
7 charge upon the state pursuant to section 232.141, subsection  
8 4. Of the amount allocated in this paragraph "a", up to  
9 \$1,556,000 shall be made available to provide school-based  
10 supervision of children adjudicated under [chapter 232](#), of which  
11 not more than \$15,000 may be used for the purpose of training.  
12 A portion of the cost of each school-based liaison officer  
13 shall be paid by the school district or other funding source as  
14 approved by the chief juvenile court officer.

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

20 c. Notwithstanding [section 232.141](#) or any other provision  
21 of law to the contrary, the amounts allocated in this  
22 subsection shall be distributed to the judicial districts  
23 as determined by the state court administrator and to the  
24 department's service areas as determined by the administrator  
25 of the department of human services' division of child and  
26 family services. The state court administrator and the  
27 division administrator shall make the determination of the  
28 distribution amounts on or before June 15, 2022.

29 d. Notwithstanding [chapter 232](#) or any other provision of  
30 law to the contrary, a district or juvenile court shall not  
31 order any service which is a charge upon the state pursuant  
32 to [section 232.141](#) if there are insufficient court-ordered  
33 services funds available in the district court or departmental  
34 service area distribution amounts to pay for the service. The  
35 chief juvenile court officer and the departmental service area



1 manager shall encourage use of the funds allocated in this  
2 subsection such that there are sufficient funds to pay for  
3 all court-related services during the entire year. The chief  
4 juvenile court officers and departmental service area managers  
5 shall attempt to anticipate potential surpluses and shortfalls  
6 in the distribution amounts and shall cooperatively request the  
7 state court administrator or division administrator to transfer  
8 funds between the judicial districts' or departmental service  
9 areas' distribution amounts as prudent.

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

15 f. Of the funds allocated in this subsection, not more than  
16 \$83,000 may be used by the judicial branch for administration  
17 of the requirements under this subsection.

18 g. Of the funds allocated in this subsection, \$17,000  
19 shall be used by the department of human services to support  
20 the interstate commission for juveniles in accordance with  
21 the interstate compact for juveniles as provided in section  
22 232.173.

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

29 10. Of the funds appropriated in this section, \$1,658,000 is  
30 transferred to the department of public health to be used for  
31 the child protection center grant program for child protection  
32 centers located in Iowa in accordance with [section 135.118](#).  
33 The grant amounts under the program shall be equalized so that  
34 each center receives a uniform base amount of \$245,000, and so  
35 that the remaining funds are awarded through a funding formula

1 based upon the volume of children served. To increase access  
2 to child protection center services for children in rural  
3 areas, the funding formula for the awarding of the remaining  
4 funds shall provide for the awarding of an enhanced amount to  
5 eligible grantees to develop and maintain satellite centers in  
6 underserved regions of the state.

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

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

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

21 14. Of the funds appropriated in this section, \$202,000 is  
22 allocated for use pursuant to [section 235A.1](#) for continuation  
23 of the initiative to address child sexual abuse implemented  
24 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection  
25 21.

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

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

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

35 18. Of the funds appropriated in this section, at least

1 \$147,000 shall be used for the continuation of the child  
2 welfare provider training program.

3 19. Of the funds appropriated in this section, \$211,000  
4 shall be used for continuation of the central Iowa system of  
5 care program grant for the purposes of funding community-based  
6 services and other supports with a system of care approach for  
7 children with serious emotional disturbance and their families  
8 through a nonprofit provider that is located in a county  
9 with a population of more than 450,000 according to the 2020  
10 certified federal census, is licensed as a psychiatric medical  
11 institution for children, and was a system of care grantee  
12 prior to July 1, 2022.

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

20 21. Of the funds appropriated in this section, \$110,000  
21 shall be used for the public purpose of funding community-based  
22 services and other supports with a system of care approach  
23 for children with a serious emotional disturbance and their  
24 families through a nonprofit provider of child welfare services  
25 that has been in existence for more than 115 years, is located  
26 in a county with a population of more than 230,000 according to  
27 the 2020 certified federal census, is licensed as a psychiatric  
28 medical institution for children, and was a system of care  
29 grantee prior to July 1, 2022.

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

34 23. Of the funds appropriated in this section, a portion may  
35 be used for family-centered services for purposes of complying

1 with the federal Family First Prevention Services Act of 2018,  
2 Pub. L. No. 115-123, and successor legislation.

3 24. Of the funds appropriated in this section, \$3,850,718  
4 shall be used to support placements in qualified residential  
5 treatment programs.

6 Sec. 20. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the  
8 state to the department of human services for the fiscal year  
9 beginning July 1, 2022, and ending June 30, 2023, the following  
10 amount, or so much thereof as is necessary, to be used for the  
11 purpose designated:

12 a. For adoption subsidy payments and related costs and for  
13 other operations and services provided for under paragraph "b"  
14 and paragraph "c", subparagraph (2):

15 ..... \$ 40,596,007

16 b. Of the funds appropriated in this section, up to  
17 \$11,000,000 may be transferred to the appropriation for  
18 department-wide duties in this division of this Act to be used  
19 for facility operations.

20 c. (1) Of the funds appropriated in this section remaining  
21 after the transfer of funds under paragraph "b", a sufficient  
22 amount is allocated for adoption subsidy payments and related  
23 costs.

24 (2) Any funds appropriated in this section remaining after  
25 the allocation under subparagraph (1) are designated and  
26 allocated as state savings resulting from implementation of  
27 the federal Fostering Connections to Success and Increasing  
28 Adoptions Act of 2008, Pub. L. No. 110-351, and successor  
29 legislation, as determined in accordance with 42 U.S.C.  
30 §673(a)(8), and shall be used for post-adoption services and  
31 for other purposes allowed under these federal laws, Tit. IV-B  
32 or Tit. IV-E of the federal Social Security Act.

33 (a) The department of human services may transfer funds  
34 allocated in this subparagraph (2) to the appropriation for  
35 child and family services in this division of this Act for the

1 purposes designated in this subparagraph (2).

2 (b) Notwithstanding section 8.33, moneys allocated  
3 under this subparagraph (2) shall not revert to any fund but  
4 shall remain available for the purposes designated in this  
5 subparagraph (2) until expended.

6 2. The department may transfer funds appropriated in this  
7 section remaining after the transfer of funds under subsection  
8 1, paragraph "b", to the appropriation made in this division  
9 of this Act for general administration for costs paid from the  
10 appropriation relating to adoption subsidy.

11 3. Federal funds received by the state during the  
12 fiscal year beginning July 1, 2022, as the result of the  
13 expenditure of state funds during a previous state fiscal  
14 year for a service or activity funded under this section are  
15 appropriated to the department to be used as additional funding  
16 for the services and activities funded under this section.  
17 Notwithstanding [section 8.33](#), moneys received in accordance  
18 with this subsection that remain unencumbered or unobligated  
19 at the close of the fiscal year shall not revert to any fund  
20 but shall remain available for expenditure for the purposes  
21 designated until the close of the succeeding fiscal year.

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

27 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited  
28 in the juvenile detention home fund created in [section 232.142](#)  
29 during the fiscal year beginning July 1, 2022, and ending June  
30 30, 2023, are appropriated to the department of human services  
31 for the fiscal year beginning July 1, 2022, and ending June 30,  
32 2023, for distribution of an amount equal to a percentage of  
33 the costs of the establishment, improvement, operation, and  
34 maintenance of county or multicounty juvenile detention homes  
35 in the fiscal year beginning July 1, 2021. Moneys appropriated

1 for distribution in accordance with this section shall be  
2 allocated among eligible detention homes, prorated on the basis  
3 of an eligible detention home's proportion of the costs of all  
4 eligible detention homes in the fiscal year beginning July  
5 1, 2021. The percentage figure shall be determined by the  
6 department based on the amount available for distribution for  
7 the fund. Notwithstanding [section 232.142, subsection 3](#), the  
8 financial aid payable by the state under that provision for the  
9 fiscal year beginning July 1, 2022, shall be limited to the  
10 amount appropriated for the purposes of this section.

11 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

12 1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2022, and ending June 30, 2023, the following  
15 amount, or so much thereof as is necessary, to be used for the  
16 purpose designated:

17 For the family support subsidy program subject to the  
18 enrollment restrictions in [section 225C.37, subsection 3](#):  
19 ..... \$ 949,282

20 2. At least \$931,536 of the moneys appropriated in this  
21 section is transferred to the department of public health for  
22 the family support center component of the comprehensive family  
23 support program under [chapter 225C, subchapter V](#).

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

32 Sec. 23. CONNER DECREE. There is appropriated from the  
33 general fund of the state to the department of human services  
34 for the fiscal year beginning July 1, 2022, and ending June 30,  
35 2023, the following amount, or so much thereof as is necessary,

1 to be used for the purpose designated:

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

6 ..... \$ 33,632

7 Sec. 24. MENTAL HEALTH INSTITUTES.

8 1. There is appropriated from the general fund of the  
9 state to the department of human services for the fiscal year  
10 beginning July 1, 2022, and ending June 30, 2023, the following  
11 amounts, or so much thereof as is necessary, to be used for the  
12 purposes designated:

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

17 ..... \$ 15,613,624

18 ..... FTEs 169.00

19 b. For operation of the state mental health institute at  
20 Independence 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 ..... \$ 19,688,928

24 ..... FTEs 208.00

25 2. a. Notwithstanding sections 218.78 and 249A.11, any  
26 revenue received from the state mental health institute at  
27 Cherokee or the state mental health institute at Independence  
28 pursuant to 42 C.F.R. §438.6(e) may be retained and expended  
29 by the mental health institute.

30 b. Notwithstanding sections 218.78 and 249A.11, any  
31 COVID-19 related funding received through federal funding  
32 sources by the state mental health institute at Cherokee or the  
33 state mental health institute at Independence may be retained  
34 and expended by the mental health institute.

35 3. Notwithstanding any provision of law to the contrary,

1 a Medicaid member residing at the state mental health  
2 institute at Cherokee or the state mental health institute  
3 at Independence shall retain Medicaid eligibility during  
4 the period of the Medicaid member's stay for which federal  
5 financial participation is available.

6 4. Notwithstanding [section 8.33](#), moneys appropriated in  
7 this section that remain unencumbered or unobligated at the  
8 close of the fiscal year shall not revert but shall remain  
9 available for expenditure for the purposes designated until the  
10 close of the succeeding fiscal year.

11 Sec. 25. STATE RESOURCE CENTERS.

12 1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2022, and ending June 30, 2023, the following  
15 amounts, or so much thereof as is necessary, to be used for the  
16 purposes designated:

17 a. For the state resource center at Glenwood for salaries,  
18 support, maintenance, and miscellaneous purposes:  
19 ..... \$ 16,288,739

20 b. For the state resource center at Woodward for salaries,  
21 support, maintenance, and miscellaneous purposes:  
22 ..... \$ 13,409,294

23 2. The department may continue to bill for state resource  
24 center services utilizing a scope of services approach used for  
25 private providers of intermediate care facilities for persons  
26 with an intellectual disability services, in a manner which  
27 does not shift costs between the medical assistance program,  
28 mental health and disability services regions, or other sources  
29 of funding for the state resource centers.

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

32 4. If the department's administration and the department  
33 of management concur with a finding by a state resource  
34 center's superintendent that projected revenues can reasonably  
35 be expected to pay the salary and support costs for a new



1 employee position, or that such costs for adding a particular  
2 number of new positions for the fiscal year would be less  
3 than the overtime costs if new positions would not be added,  
4 the superintendent may add the new position or positions. If  
5 the vacant positions available to a resource center do not  
6 include the position classification desired to be filled, the  
7 state resource center's superintendent may reclassify any  
8 vacant position as necessary to fill the desired position. The  
9 superintendents of the state resource centers may, by mutual  
10 agreement, pool vacant positions and position classifications  
11 during the course of the fiscal year in order to assist one  
12 another in filling necessary positions.

13 5. If existing capacity limitations are reached in  
14 operating units, a waiting list is in effect for a service or  
15 a special need for which a payment source or other funding  
16 is available for the service or to address the special need,  
17 and facilities for the service or to address the special need  
18 can be provided within the available payment source or other  
19 funding, the superintendent of a state resource center may  
20 authorize opening not more than two units or other facilities  
21 and begin implementing the service or addressing the special  
22 need during fiscal year 2022-2023.

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

29 Sec. 26. SEXUALLY VIOLENT PREDATORS.

30 1. There is appropriated from the general fund of the  
31 state to the department of human services for the fiscal year  
32 beginning July 1, 2022, and ending June 30, 2023, the following  
33 amount, or so much thereof as is necessary, to be used for the  
34 purpose designated:

35 For costs associated with the commitment and treatment of

1 sexually violent predators in the unit located at the state  
 2 mental health institute at Cherokee, including costs of legal  
 3 services and other associated costs, including salaries,  
 4 support, maintenance, and miscellaneous purposes, and for not  
 5 more than the following full-time equivalent positions:  
 6 ..... \$ 13,891,276  
 7 ..... FTEs 140.00

8 2. Unless specifically prohibited by law, if the amount  
 9 charged provides for recoupment of at least the entire amount  
 10 of direct and indirect costs, the department of human services  
 11 may contract with other states to provide care and treatment  
 12 of persons placed by the other states at the unit for sexually  
 13 violent predators at Cherokee. The moneys received under  
 14 such a contract shall be considered to be repayment receipts  
 15 and used for the purposes of the appropriation made in this  
 16 section.

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

22 Sec. 27. FIELD OPERATIONS.

23 1. There is appropriated from the general fund of the  
 24 state to the department of human services for the fiscal year  
 25 beginning July 1, 2022, and ending June 30, 2023, the following  
 26 amount, or so much thereof as is necessary, to be used for the  
 27 purposes designated:

28 For field operations, including salaries, support,  
 29 maintenance, and miscellaneous purposes, and for not more than  
 30 the following full-time equivalent positions:  
 31 ..... \$ 65,894,438  
 32 ..... FTEs 1,589.00

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



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

3 a. To fund not more than 1.00 full-time equivalent position  
4 to address the department's responsibility to support the work  
5 of the children's behavioral health system state board and  
6 implementation of the services required pursuant to section  
7 331.397.

8 b. To support the cost of establishing and implementing new  
9 or additional services required pursuant to sections 331.397  
10 and 331.397A.

11 c. Of the amount allocated, \$32,000 shall be transferred  
12 to the department of public health to support the costs of  
13 establishing and implementing new or additional services  
14 required pursuant to sections 331.397 and 331.397A.

15 7. Of the funds appropriated in this section, \$800,000 shall  
16 be used for the renovation and construction of certain nursing  
17 facilities, consistent with the provisions of chapter 249K.

18 8. Of the funds appropriated under this section, \$500,000  
19 shall be used for the purposes of program administration and  
20 provision of pregnancy support services through the more  
21 options for maternal support program created in this Act.

22 Sec. 29. DEPARTMENT-WIDE DUTIES. 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, 2022, and ending  
25 June 30, 2023, the following amount, or so much thereof as is  
26 necessary, to be used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous  
28 purposes at facilities under the purview of the department of  
29 human services:

30 ..... \$ 4,172,123

31 Sec. 30. VOLUNTEERS. There is appropriated from the general  
32 fund of the state to the department of human services for the  
33 fiscal year beginning July 1, 2022, and ending June 30, 2023,  
34 the following amount, or so much thereof as is necessary, to be  
35 used for the purpose designated:

1 For development and coordination of volunteer services:  
2 ..... \$ 84,686

3 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
5 DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) (a) Notwithstanding any provision of law to the  
7 contrary, for the fiscal year beginning July 1, 2022, case-mix  
8 nursing facilities shall be reimbursed in accordance with the  
9 methodology in effect on June 30, 2022.

10 (b) For the fiscal year beginning July 1, 2022, non-case-mix  
11 and special population nursing facilities shall be reimbursed  
12 in accordance with the methodology in effect on June 30, 2022.

13 (c) For managed care claims, the department of human  
14 services shall adjust the payment rate floor for nursing  
15 facilities, annually, to maintain a rate floor that is no  
16 lower than the Medicaid fee-for-service case-mix adjusted rate  
17 calculated in accordance with subparagraph division (a) and  
18 441 IAC 81.6. The department shall then calculate adjusted  
19 reimbursement rates, including but not limited to add-on  
20 payments, annually, and shall notify Medicaid managed care  
21 organizations of the adjusted reimbursement rates within 30  
22 days of determining the adjusted reimbursement rates. Any  
23 adjustment of reimbursement rates under this subparagraph  
24 division shall be budget neutral to the state budget.

25 (d) For the fiscal year beginning July 1, 2022, Medicaid  
26 managed care long-term services and supports capitation rates  
27 shall be adjusted to reflect the case-mix adjusted rates  
28 specified pursuant to subparagraph division (a) for the patient  
29 populations residing in Medicaid-certified nursing facilities.

30 (2) Medicaid managed care organizations shall adjust  
31 facility-specific rates based upon payment rate listings issued  
32 by the department. The rate adjustments shall be applied  
33 prospectively from the effective date of the rate letter issued  
34 by the department.

35 b. (1) For the fiscal year beginning July 1, 2022, the

1 department shall establish the fee-for-service pharmacy  
2 dispensing fee reimbursement at \$10.38 per prescription,  
3 until a cost of dispensing survey is completed. The actual  
4 dispensing fee shall be determined by a cost of dispensing  
5 survey performed by the department and required to be completed  
6 by all medical assistance program participating pharmacies  
7 every two years, adjusted as necessary to maintain expenditures  
8 within the amount appropriated to the department for this  
9 purpose for the fiscal year. A change in the dispensing  
10 fee shall become effective following federal approval of the  
11 Medicaid state plan.

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

16 c. (1) For the fiscal year beginning July 1, 2022,  
17 reimbursement rates for outpatient hospital services shall  
18 remain at the rates in effect on June 30, 2022, subject to  
19 Medicaid program upper payment limit rules, and adjusted  
20 as necessary to maintain expenditures within the amount  
21 appropriated to the department for this purpose for the fiscal  
22 year.

23 (2) For the fiscal year beginning July 1, 2022,  
24 reimbursement rates for inpatient hospital services shall  
25 remain at the rates in effect on June 30, 2022, subject to  
26 Medicaid program upper payment limit rules, and adjusted  
27 as necessary to maintain expenditures within the amount  
28 appropriated to the department for this purpose for the fiscal  
29 year.

30 (3) For the fiscal year beginning July 1, 2022, under  
31 both fee-for-service and managed care administration of  
32 the Medicaid program, critical access hospitals shall be  
33 reimbursed for inpatient and outpatient services based on the  
34 hospital-specific critical access hospital cost adjustment  
35 factor methodology utilizing the most recent and complete cost

1 reporting period as applied prospectively within the funds  
2 appropriated for such purpose for the fiscal year.

3 (4) For the fiscal year beginning July 1, 2022, the graduate  
4 medical education and disproportionate share hospital fund  
5 shall remain at the amount in effect on June 30, 2022, except  
6 that the portion of the fund attributable to graduate medical  
7 education shall be reduced in an amount that reflects the  
8 elimination of graduate medical education payments made to  
9 out-of-state hospitals.

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

16 d. For the fiscal year beginning July 1, 2022, reimbursement  
17 rates for hospices and acute psychiatric hospitals shall be  
18 increased in accordance with increases under the federal  
19 Medicare program or as supported by their Medicare audited  
20 costs.

21 e. For the fiscal year beginning July 1, 2022, independent  
22 laboratories and rehabilitation agencies shall be reimbursed  
23 using the same methodology in effect on June 30, 2022.

24 f. (1) For the fiscal year beginning July 1, 2022,  
25 reimbursement rates for home health agencies shall continue to  
26 be based on the Medicare low utilization payment adjustment  
27 (LUPA) methodology with state geographic wage adjustments. The  
28 department shall continue to update the rates every two years  
29 to reflect the most recent Medicare LUPA rates.

30 (2) For the fiscal year beginning July 1, 2022, the  
31 department shall create a reimbursement rate structure that  
32 provides incentives to home health care providers located in  
33 rural areas and providing home health care to Medicaid members,  
34 within the \$1,777,082 appropriated for this purpose. The rate  
35 structure shall include a telehealth component to incentivize

1 the provision of necessary supervision for skilled care without  
2 requiring travel time. For the purposes of this subparagraph  
3 (2), "rural area" means an area that is not an Iowa core based  
4 statistical area as defined by the federal office of management  
5 and budget.

6 (3) For the fiscal year beginning July 1, 2022, rates for  
7 private duty nursing and personal care services under the early  
8 and periodic screening, diagnostic, and treatment program  
9 benefit shall be calculated based on the methodology in effect  
10 on June 30, 2022.

11 g. For the fiscal year beginning July 1, 2022, federally  
12 qualified health centers and rural health clinics shall receive  
13 cost-based reimbursement for 100 percent of the reasonable  
14 costs for the provision of services to recipients of medical  
15 assistance.

16 h. For the fiscal year beginning July 1, 2022, the  
17 reimbursement rates for dental services shall remain at the  
18 rates in effect on June 30, 2022.

19 i. (1) For the fiscal year beginning July 1, 2022,  
20 reimbursement rates for non-state-owned psychiatric medical  
21 institutions for children shall be based on the reimbursement  
22 methodology in effect on June 30, 2022.

23 (2) As a condition of participation in the medical  
24 assistance program, enrolled providers shall accept the medical  
25 assistance reimbursement rate for any covered goods or services  
26 provided to recipients of medical assistance who are children  
27 under the custody of a psychiatric medical institution for  
28 children.

29 j. For the fiscal year beginning July 1, 2022, unless  
30 otherwise specified in this Act, all noninstitutional medical  
31 assistance provider reimbursement rates shall remain at the  
32 rates in effect on June 30, 2022, except for area education  
33 agencies, local education agencies, infant and toddler  
34 services providers, home and community-based services providers  
35 including consumer-directed attendant care providers under a



1 section 1915(c) or 1915(i) waiver, targeted case management  
2 providers, and those providers whose rates are required to be  
3 determined pursuant to [section 249A.20](#), or to meet federal  
4 mental health parity requirements.

5 k. Notwithstanding any provision to the contrary, for the  
6 fiscal year beginning July 1, 2022, the reimbursement rate for  
7 anesthesiologists shall remain at the rates in effect on June  
8 30, 2022, and updated on January 1, 2023, to align with the  
9 most current Iowa Medicare anesthesia rate.

10 l. Notwithstanding [section 249A.20](#), for the fiscal year  
11 beginning July 1, 2022, the average reimbursement rate for  
12 health care providers eligible for use of the federal Medicare  
13 resource-based relative value scale reimbursement methodology  
14 under [section 249A.20](#) shall remain at the rate in effect on  
15 June 30, 2022; however, this rate shall not exceed the maximum  
16 level authorized by the federal government.

17 m. For the fiscal year beginning July 1, 2022, the  
18 reimbursement rate for residential care facilities shall not  
19 be less than the minimum payment level as established by the  
20 federal government to meet the federally mandated maintenance  
21 of effort requirement. The flat reimbursement rate for  
22 facilities electing not to file annual cost reports shall not  
23 be less than the minimum payment level as established by the  
24 federal government to meet the federally mandated maintenance  
25 of effort requirement.

26 n. (1) For the fiscal year beginning July 1, 2022, the  
27 reimbursement rates for inpatient mental health services  
28 provided at hospitals shall remain at the rates in effect on  
29 June 30, 2022, subject to Medicaid program upper payment limit  
30 rules and adjusted as necessary to maintain expenditures within  
31 the amount appropriated to the department for this purpose for  
32 the fiscal year; and psychiatrists shall be reimbursed at the  
33 medical assistance program fee-for-service rate in effect on  
34 June 30, 2022.

35 (2) Notwithstanding any conflicting application of

1 subparagraph (1), if 2022 Iowa Acts, House File 2546, is  
2 enacted, by January 1, 2023, the department of human services  
3 shall implement a tiered rate reimbursement methodology for  
4 psychiatric intensive inpatient care utilizing the tiered rate  
5 reimbursement methodology developed in accordance with that  
6 Act, subject to the limitations of the appropriation made for  
7 this purpose.

8 o. For the fiscal year beginning July 1, 2022, community  
9 mental health centers may choose to be reimbursed for the  
10 services provided to recipients of medical assistance through  
11 either of the following options:

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

13 (2) In accordance with the alternative reimbursement rate  
14 methodology approved by the department of human services in  
15 effect on June 30, 2022.

16 p. For the fiscal year beginning July 1, 2022, the  
17 reimbursement rate for providers of family planning services  
18 that are eligible to receive a 90 percent federal match shall  
19 remain at the rates in effect on June 30, 2022.

20 q. For the fiscal year beginning July 1, 2022, reimbursement  
21 rates for intermediate care facility for persons with an  
22 intellectual disability providers shall be increased over  
23 the rates in effect on June 30, 2022, within the \$1,339,971  
24 appropriated for this purpose. The entire rate increase  
25 shall be used for wages and associated costs specific to  
26 wages, benefits, and required withholding of direct support  
27 professionals and frontline management.

28 r. For the fiscal year beginning July 1, 2022, the  
29 reimbursement rates for emergency medical service providers  
30 shall remain at the rates in effect on June 30, 2022, or as  
31 approved by the centers for Medicare and Medicaid services of  
32 the United States department of health and human services.

33 s. For the fiscal year beginning July 1, 2022, reimbursement  
34 rates for substance-related disorder treatment programs  
35 licensed under [section 125.13](#) shall remain at the rates in

1 effect on June 30, 2022.

2 t. For the fiscal year beginning July 1, 2022, assertive  
3 community treatment per diem rates shall remain at the rates in  
4 effect on June 30, 2022.

5 u. For the fiscal year beginning July 1, 2022, the  
6 reimbursement rate for family-centered services providers shall  
7 be established by contract.

8 v. For the fiscal year beginning July 1, 2022, the  
9 reimbursement rate for air ambulance services shall remain at  
10 the rate in effect on June 30, 2022.

11 w. For the fiscal year beginning July 1, 2022, all applied  
12 behavioral analysis services reimbursement rates shall be  
13 increased over the rates in effect on June 30, 2022, within the  
14 \$385,000 appropriated for this purpose.

15 x. For the fiscal year beginning July 1, 2022, all  
16 behavioral health intervention services reimbursement rates  
17 shall be increased over the rates in effect on June 30, 2022,  
18 within the \$1,277,082 appropriated for this purpose. The  
19 entire rate increase shall be used for wages and associated  
20 costs specific to wages, benefits, and required withholding of  
21 direct support professionals and frontline management.

22 2. For the fiscal year beginning July 1, 2022, the  
23 reimbursement rate for providers reimbursed under the  
24 in-home-related care program shall not be less than the minimum  
25 payment level as established by the federal government to meet  
26 the federally mandated maintenance of effort requirement.

27 3. Unless otherwise directed in this section, when the  
28 department's reimbursement methodology for any provider  
29 reimbursed in accordance with this section includes an  
30 inflation factor, this factor shall not exceed the amount  
31 by which the consumer price index for all urban consumers  
32 increased during the most recently ended calendar year.

33 4. Notwithstanding [section 234.38](#), for the fiscal  
34 year beginning July 1, 2022, the foster family basic daily  
35 maintenance rate and the maximum adoption subsidy rate for

1 children ages 0 through 5 years shall be \$16.78, the rate for  
2 children ages 6 through 11 years shall be \$17.45, the rate for  
3 children ages 12 through 15 years shall be \$19.10, and the  
4 rate for children and young adults ages 16 and older shall  
5 be \$19.35. For youth ages 18 to 23 who have exited foster  
6 care, the preparation for adult living program maintenance  
7 rate shall be up to \$602.70 per month as calculated based on  
8 the age of the participant. The maximum payment for adoption  
9 subsidy nonrecurring expenses shall be limited to \$500 and the  
10 disallowance of additional amounts for court costs and other  
11 related legal expenses implemented pursuant to 2010 Iowa Acts,  
12 chapter 1031, section 408, shall be continued.

13 5. For the fiscal year beginning July 1, 2022, the maximum  
14 reimbursement rates for social services providers under  
15 contract shall remain at the rates in effect on June 30, 2022,  
16 or the provider's actual and allowable cost plus inflation for  
17 each service, whichever is less. However, if a new service  
18 or service provider is added after June 30, 2022, the initial  
19 reimbursement rate for the service or provider shall be based  
20 upon a weighted average of provider rates for similar services.

21 6. a. For the fiscal year beginning July 1, 2022, the  
22 reimbursement rates for resource family recruitment and  
23 retention contractors shall be established by contract.

24 b. For the fiscal year beginning July 1, 2022, the  
25 reimbursement rates for supervised apartment living foster care  
26 providers shall be established by contract.

27 7. For the fiscal year beginning July 1, 2022, the  
28 reimbursement rate for group foster care providers shall be the  
29 combined service and maintenance reimbursement rate established  
30 by contract.

31 8. The group foster care reimbursement rates paid for  
32 placement of children out of state shall be calculated  
33 according to the same rate-setting principles as those used for  
34 in-state providers, unless the director of human services or  
35 the director's designee determines that appropriate care cannot

1 be provided within the state. The payment of the daily rate  
2 shall be based on the number of days in the calendar month in  
3 which service is provided.

4 9. a. For the fiscal year beginning July 1, 2022, the  
5 reimbursement rate paid for shelter care and the child welfare  
6 emergency services implemented to provide or prevent the need  
7 for shelter care shall be established by contract.

8 b. For the fiscal year beginning July 1, 2022, the combined  
9 service and maintenance components of the per day reimbursement  
10 rate paid for shelter care services shall be based on the  
11 financial and statistical report submitted to the department.  
12 The maximum per day reimbursement rate shall be the maximum  
13 per day reimbursement rate in effect on June 30, 2022, as  
14 increased within the \$649,029 appropriated for this purpose.  
15 The department shall reimburse a shelter care provider at the  
16 provider's actual and allowable unit cost, plus inflation, not  
17 to exceed the maximum reimbursement rate.

18 10. For the fiscal year beginning July 1, 2022, the  
19 department shall calculate reimbursement rates for intermediate  
20 care facilities for persons with an intellectual disability  
21 at the 80th percentile. Beginning July 1, 2022, the rate  
22 calculation methodology shall utilize the consumer price index  
23 inflation factor applicable to the fiscal year beginning July  
24 1, 2022.

25 11. Effective July 1, 2022, child care provider  
26 reimbursement rates shall remain at the rates in effect on June  
27 30, 2022. The department shall set rates in a manner so as  
28 to provide incentives for a nonregistered provider to become  
29 registered by applying any increase only to registered and  
30 licensed providers.

31 12. The department may adopt emergency rules to implement  
32 this section.

33 Sec. 32. EMERGENCY RULES.

34 1. If necessary to comply with federal requirements  
35 including time frames, or if specifically authorized by a

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

20 2. If during a fiscal year, the department of human  
21 services is adopting rules in accordance with this section  
22 or as otherwise directed or authorized by state law, and  
23 the rules will result in an expenditure increase beyond the  
24 amount anticipated in the budget process or if the expenditure  
25 was not addressed in the budget process for the fiscal  
26 year, the department shall notify the general assembly and  
27 the department of management concerning the rules and the  
28 expenditure increase. The notification shall be provided at  
29 least 30 calendar days prior to the date notice of the rules  
30 is submitted to the administrative rules coordinator and the  
31 administrative code editor.

32 Sec. 33. REPORTS. Unless otherwise provided, any reports or  
33 other information required to be compiled and submitted under  
34 this Act during the fiscal year beginning July 1, 2022, shall  
35 be submitted on or before the dates specified for submission

1 of the reports or information.

2 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision  
3 of this division of this Act, being deemed of immediate  
4 importance, takes effect upon enactment:

5 The provision relating to [section 232.141](#) and directing the  
6 state court administrator and the division administrator of  
7 the department of human services division of child and family  
8 services to make the determination, by June 15, 2022, of the  
9 distribution of funds allocated for the payment of the expenses  
10 of court-ordered services provided to juveniles which are a  
11 charge upon the state.

12 DIVISION VI

13 HEALTH CARE ACCOUNTS AND FUNDS — FY 2022-2023

14 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
15 appropriated from the pharmaceutical settlement account created  
16 in [section 249A.33](#) to the department of human services for the  
17 fiscal year beginning July 1, 2022, and ending June 30, 2023,  
18 the following amount, or so much thereof as is necessary, to be  
19 used for the purpose designated:

20 Notwithstanding any provision of law to the contrary, to  
21 supplement the appropriations made in this Act for health  
22 program operations under the medical assistance program for the  
23 fiscal year beginning July 1, 2022, and ending June 30, 2023:

24 ..... \$ 234,193

25 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN  
26 SERVICES. Notwithstanding any provision to the contrary and  
27 subject to the availability of funds, there is appropriated  
28 from the quality assurance trust fund created in section  
29 249L.4 to the department of human services for the fiscal year  
30 beginning July 1, 2022, and ending June 30, 2023, the following  
31 amounts, or so much thereof as is necessary, for the purposes  
32 designated:

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

1 ..... \$ 56,305,139

2 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —  
3 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to  
4 the contrary and subject to the availability of funds, there is  
5 appropriated from the hospital health care access trust fund  
6 created in section 249M.4 to the department of human services  
7 for the fiscal year beginning July 1, 2022, and ending June  
8 30, 2023, the following amounts, or so much thereof as is  
9 necessary, for the purposes designated:

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

13 ..... \$ 33,920,554

14 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
15 FOR FY 2022-2023. Notwithstanding section 8.33, if moneys  
16 appropriated for purposes of the medical assistance program for  
17 the fiscal year beginning July 1, 2022, and ending June 30,  
18 2023, from the general fund of the state, the quality assurance  
19 trust fund, and the hospital health care access trust fund, are  
20 in excess of actual expenditures for the medical assistance  
21 program and remain unencumbered or unobligated at the close  
22 of the fiscal year, the excess moneys shall not revert but  
23 shall remain available for expenditure for the purposes of the  
24 medical assistance program until the close of the succeeding  
25 fiscal year.

26 DIVISION VII

27 DECATEGORIZATION CARRYOVER FUNDING

28 Sec. 39. DECATEGORIZATION CARRYOVER FUNDING FY 2020 —  
29 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,  
30 subsection 5, paragraph "b", any state-appropriated moneys in  
31 the funding pool that remained unencumbered or unobligated  
32 at the close of the fiscal year beginning July 1, 2019, and  
33 were deemed carryover funding to remain available for the two  
34 succeeding fiscal years that still remain unencumbered or  
35 unobligated at the close of the fiscal year beginning July 1,



1 2021, shall not revert but shall be transferred to the medical  
2 assistance program for the fiscal year beginning July 1, 2022.

3 Sec. 40. EFFECTIVE DATE. This division of this Act, being  
4 deemed of immediate importance, takes effect upon enactment.

5 Sec. 41. RETROACTIVE APPLICABILITY. This division of this  
6 Act applies retroactively to July 1, 2021.

7 DIVISION VIII

8 TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE

9 Sec. 42. TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE —  
10 FY 2021-2022. Notwithstanding any provision to the contrary,  
11 any funds remaining in the property tax relief fund created  
12 in section 426B.1 at the close of the fiscal year beginning  
13 July 1, 2021, shall be transferred to the region incentive fund  
14 created in the mental health and disability services regional  
15 service fund pursuant to section 225C.7A.

16 Sec. 43. EFFECTIVE DATE. This division of this Act, being  
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION IX

19 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

20 FAMILY INVESTMENT PROGRAM GENERAL FUND

21 Sec. 44. 2021 Iowa Acts, chapter 182, section 9, is amended  
22 by adding the following new subsection:

23 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys  
24 appropriated in this section that remain unencumbered or  
25 unobligated at the close of the fiscal year shall not revert  
26 but shall remain available for one-time purposes, and may be  
27 transferred to the appropriation in this division of this Act  
28 for general administration for technology purposes, until the  
29 close of the succeeding fiscal year.

30 CHILD AND FAMILY SERVICES

31 Sec. 45. 2021 Iowa Acts, chapter 182, section 19, is amended  
32 by adding the following new subsection:

33 NEW SUBSECTION. 24. Notwithstanding section 8.33, 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 the purposes designated until  
2 the close of the succeeding fiscal year.

3 ADOPTION SUBSIDY

4 Sec. 46. 2021 Iowa Acts, chapter 182, section 20, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys  
7 appropriated in this section that remain unencumbered or  
8 unobligated at the close of the fiscal year shall not revert  
9 but shall remain available for the purposes designated until  
10 the close of the succeeding fiscal year.

11 FIELD OPERATIONS

12 Sec. 47. 2021 Iowa Acts, chapter 182, section 27, is amended  
13 by adding the following new subsection:

14 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys  
15 appropriated in this section that remain unencumbered or  
16 unobligated at the close of the fiscal year shall not revert  
17 but shall remain available for one-time expenditure purposes  
18 until the close of the succeeding fiscal year.

19 GENERAL ADMINISTRATION

20 Sec. 48. 2021 Iowa Acts, chapter 182, section 28, is amended  
21 by adding the following new subsection:

22 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys  
23 appropriated in this section that remain unencumbered or  
24 unobligated at the close of the fiscal year shall not revert  
25 but shall remain available for one-time expenditure purposes  
26 until the close of the succeeding fiscal year.

27 Sec. 49. EFFECTIVE DATE. This division of this Act, being  
28 deemed of immediate importance, takes effect upon enactment.

29 DIVISION X

30 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS

31 Sec. 50. COVID-19 FEDERAL REGULATIONS. For the time  
32 period beginning on the effective date of this division of  
33 this Act, and ending June 30, 2023, notwithstanding state  
34 administrative rules to the contrary, to the extent federal  
35 regulations relating to the COVID-19 pandemic differ from state

1 administrative rules, including applicable federal waivers,  
2 the federal regulations are controlling during the pendency of  
3 the federally declared state of emergency and for such period  
4 of time following the end of the federally declared state of  
5 emergency applicable to the respective federal regulations.

6 DIVISION XI

7 HEALTH AND HUMAN SERVICES REALIGNMENT

8 Sec. 51. TRANSITION OF DEPARTMENT OF HUMAN SERVICES AND  
9 DEPARTMENT OF PUBLIC HEALTH INTO DEPARTMENT OF HEALTH AND HUMAN  
10 SERVICES.

11 1. Definitions. For the purposes of this section:

12 a. "Department of health and human services" or  
13 "department" means the department of health and human services  
14 created under this section.

15 b. "Transition department" means the department of human  
16 services or the department of public health.

17 c. "Transition departments" means the department of human  
18 services and the department of public health.

19 d. "Transition period" means the period beginning July 1,  
20 2022, and ending June 30, 2023.

21 2. Creation of department of health and human services  
22 — transition period — powers and duties. Notwithstanding  
23 any conflicting provision of law to the contrary, there is  
24 created a department of health and human services. During  
25 the transition period, the department of health and human  
26 services shall have and may exercise all of the policymaking  
27 functions, regulatory and enforcement powers, rights, duties,  
28 and responsibilities of the department of human services and  
29 the department of public health as prescribed by law or rule  
30 in effect on July 1, 2022, including but not limited to those  
31 relating to:

32 a. All obligations and contracts of a transition  
33 department, including obligations and contracts related to a  
34 grant program.

35 b. All property and records in the custody of a transition

1 department.

2 c. All funds appropriated to a transition department by the  
3 general assembly and all state, federal, and other funds for  
4 which expenditure by a transition department is authorized.

5 d. Complaints, investigations, contested cases, causes of  
6 action, and statutes of limitations involving a transition  
7 department.

8 (1) All complaints, investigations, contested cases, or  
9 a remand of an action by a reviewing court pending before a  
10 transition department or an authorized person of a transition  
11 department shall continue without change in status before  
12 the department and shall be governed by the laws and rules  
13 applicable to the complaint, investigation, contested case, or  
14 remand action or proceeding in effect on July 1, 2022.

15 (2) Any cause of action or statute of limitation relating  
16 to a transition department shall not be affected as a result  
17 of the transition and such cause of action or statute of  
18 limitation shall apply to the department.

19 e. Rules, policies, and forms. All rules, policies, and  
20 forms adopted by or on behalf of a transition department shall  
21 become rules, policies, and forms of the department and shall  
22 remain in effect unless altered by the department.

23 f. Licenses, permits, and certifications. All licenses,  
24 permits, and certifications issued by a transition department  
25 shall continue in effect as a license, permit, or certification  
26 of the department in accordance with the law or rule governing  
27 the license, permit, or certification in effect on July 1,  
28 2022, until the license, permit, or certification expires, is  
29 suspended or revoked, or otherwise becomes invalid by the terms  
30 of such law or rule.

31 g. References to a department or director. All references  
32 to the department of public health or the department of human  
33 services in law or in rule shall be interpreted to mean the  
34 department of health and human services, and all references to  
35 the director of public health or the director of human services

1 shall be interpreted to mean the director of the department of  
2 health and human services.

3 h. Departmental structure.

4 (1) Any transition department, transition department  
5 subunit, or transition department body created or established  
6 by law and in existence on July 1, 2022, shall continue in  
7 full force and effect and shall not be permanently abolished,  
8 merged, or otherwise altered until amended, repealed, or  
9 supplemented by action of the general assembly.

10 (2) This paragraph shall not prohibit a transition  
11 department, transition department subunit, or transition  
12 department body created or established by law in existence on  
13 July 1, 2022, from sharing or coordinating responsibilities  
14 or functions under their respective purviews nor prohibit  
15 the director from temporarily integrating such departments,  
16 subunits, or bodies or the responsibilities or functions under  
17 their respective purviews in furtherance of the transition plan  
18 during the transition period.

19 3. Transition period leadership. During the transition  
20 period, the director of human services shall continue to act  
21 as the director of human services, shall assume the duties  
22 of the director of public health, shall act as the director  
23 of the department of health and human services, and may  
24 thereby exercise any policymaking functions, regulatory and  
25 enforcement powers, rights, duties, and responsibilities of the  
26 director of human services and the director of public health  
27 including those duties prescribed by law for the department  
28 of human services or the department of public health in  
29 effect on July 1, 2022. Notwithstanding any provision to the  
30 contrary, the director of the department of health and human  
31 services shall also be vested with administrative authority  
32 to direct transition department employees with regard to the  
33 implementation of statutory directives for the transition  
34 departments or the boards, commissions, or other bodies  
35 administratively supported by the transition departments,

1 including boards administering the requirements of chapter  
2 272C.

3 4. Federal authorization and effective date of  
4 authorizations. If a transition department or the department  
5 determines that a waiver or authorization from the federal  
6 government is necessary to administer any provision of  
7 this section, the department shall request the waiver or  
8 authorization, and notwithstanding any other effective date to  
9 the contrary, the provision shall take effect only upon receipt  
10 of federal approval.

11 5. Initial written transition plan.

12 a. On or before September 30, 2022, the transition  
13 departments or department shall publish on their respective  
14 internet sites an initial written transition plan for merging  
15 the functions of the transition departments into the department  
16 of health and human services effective July 1, 2023, in order  
17 to do all of the following:

18 (1) More efficiently and effectively manage health and  
19 human services programs that are the responsibility of the  
20 state.

21 (2) Establish a health and human services policy for the  
22 state.

23 (3) Promote health and the quality of life in the health and  
24 human services field.

25 b. The transition plan shall describe, at a minimum, all of  
26 the following:

27 (1) The tasks that require completion before July 1, 2023,  
28 including a description of how the transition departments shall  
29 solicit comment from stakeholders, including employees of the  
30 transition departments, clients and partners of the transition  
31 departments, members of the public, and members of the general  
32 assembly.

33 (2) The proposed organizational structure of the  
34 department, at a minimum, including the division level of  
35 the table of organization. Any personnel in the state merit

1 system of employment who are mandatorily transferred due to the  
2 transition shall be so transferred without any loss in salary,  
3 benefits, or accrued years of service.

4 (3) Proposed changes to any transition department boards,  
5 commissions, committees, councils, or other bodies and their  
6 functions.

7 (4) Office space and infrastructure requirements related  
8 to the transition.

9 (5) Any work site location changes for transitioning  
10 employees.

11 (6) The transition of service delivery sites.

12 (7) Procedures for the transfer and reconciliation of  
13 budgeting and funding between the transition departments and  
14 the department.

15 (8) The transition of technology services of the transition  
16 departments to the department.

17 (9) Any additional known tasks that may require completion  
18 after the transition on July 1, 2023.

19 c. The written transition plan published under paragraph  
20 "b" shall:

21 (1) Include a detailed timeline for the completion of the  
22 tasks described.

23 (2) Be updated quarterly during the remainder of the  
24 transition period.

25 (3) Describe how information will be provided to clients  
26 of the transition departments and the department regarding any  
27 changes in service delivery.

28 (4) Describe how the transition to the department will be  
29 funded, including how expenses associated with the transition  
30 will be managed; how funding for services provided by the  
31 transition departments will be managed to ensure provision  
32 of services by the transition departments and the department  
33 without interruption; and how federal funds will be used by  
34 or transferred between the transition departments and the  
35 department to ensure provision of services by the transition

1 departments and the department without interruption.  
2 6. Statutory and administrative rule updates.  
3 a. Legislative changes required to implement the  
4 transition. Additional legislation is necessary to fully  
5 implement the transition. The director of the department  
6 of health and human services shall, in compliance with  
7 section 2.16, prepare draft legislation for submission to the  
8 legislative services agency, as necessary, for consideration  
9 by the general assembly during the 2023 legislative  
10 session, to implement the transition effective July 1, 2023.  
11 Notwithstanding any provision to the contrary in section 2.16,  
12 the draft legislation shall be submitted to the legislative  
13 services agency by October 1, 2022.  
14 b. Update of administrative code required by the  
15 transition. In updating references and the format in the  
16 Iowa administrative code, in order to correspond to the  
17 transferring of duties of the transition departments, the  
18 administrative rules coordinator and the administrative rules  
19 review committee, in consultation with the administrative code  
20 editor, shall collectively develop a schedule for the necessary  
21 updating of the Iowa administrative code.

22 DIVISION XII

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

25 Sec. 52. Section 249L.2, subsections 6 and 7, Code 2022, are  
26 amended by striking the subsections.

27 Sec. 53. Section 249L.2, subsection 8, Code 2022, is amended  
28 to read as follows:

29 8. *"Nursing facility"* means a licensed nursing facility as  
30 defined in [section 135C.1](#) that is a freestanding facility or  
31 a nursing facility operated by a hospital licensed pursuant  
32 to [chapter 135B](#), but does not include a distinct-part skilled  
33 nursing unit or a swing-bed unit operated by a hospital, or  
34 a nursing facility owned by the state or federal government  
35 or other governmental unit. ~~*"Nursing facility"* includes a~~



1 ~~non-state government-owned nursing facility if the nursing~~  
2 ~~facility participates in the non-state government-owned nursing~~  
3 ~~facility quality of care rate add-on program.~~

4 Sec. 54. REPEAL. 2019 Iowa Acts, chapter 85, sections 103,  
5 104, and 108, are repealed.

6 Sec. 55. REPEAL. 2020 Iowa Acts, chapter 1063, section 390,  
7 is repealed.

8 DIVISION XIII

9 HEARING AIDS AND AUDIOLOGIC SERVICES FUNDING PROGRAM —

10 FY 2021-2022 NONREVERSION

11 Sec. 56. 2021 Iowa Acts, chapter 182, section 3, subsection  
12 2, paragraph e, is amended to read as follows:

13 e. Of the funds appropriated in this subsection, \$156,000  
14 shall be used to provide audiological services and hearing  
15 aids for children. Notwithstanding section 8.33, moneys  
16 appropriated in this paragraph that remain unencumbered or  
17 unobligated at the close of the fiscal year shall not revert  
18 but shall remain available for expenditure for the purposes  
19 designated until the close of the succeeding fiscal year. The  
20 amount that does not revert shall be reported by the department  
21 to the general assembly.

22 Sec. 57. EFFECTIVE DATE. This division of this Act, being  
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION XIV

25 ADMISSION OR TRANSFER OF PERSONS WITH A DIAGNOSIS OF AN  
26 INTELLECTUAL DISABILITY TO A STATE MENTAL HEALTH INSTITUTE

27 Sec. 58. Section 4.1, subsection 9A, Code 2022, is amended  
28 by striking the subsection and inserting in lieu thereof the  
29 following:

30 9A. "*Intellectual disability*" means a diagnosis of  
31 intellectual disability or intellectual developmental disorder,  
32 global developmental delay, or unspecified intellectual  
33 disability or intellectual developmental disorder which  
34 diagnosis shall be made only when the onset of the person's  
35 condition was during the developmental period and based on an

1 assessment of the person's intellectual functioning and level  
2 of adaptive skills. A diagnosis of intellectual disability  
3 shall be made by a licensed psychologist or psychiatrist who  
4 is professionally trained to administer the tests required to  
5 assess intellectual functioning and to evaluate a person's  
6 adaptive skills and shall be made in accordance with the  
7 criteria provided in the current version of the diagnostic  
8 and statistical manual of mental disorders published by the  
9 American psychiatric association.

10 Sec. 59. Section 226.8, Code 2022, is amended to read as  
11 follows:

12 **226.8 Persons with a diagnosis of an intellectual disability**  
13 **~~not receivable — exception — admission or transfer to state~~**  
14 **mental health institute.**

15 1. A Admission or transfer pursuant to section 222.7 to  
16 a state mental health institute of a person who has with a  
17 diagnosis of an intellectual disability, as defined in section  
18 4.1, shall not be admitted, or transferred pursuant to section  
19 222.7, to a state mental health institute unless a professional  
20 diagnostic evaluation indicates that such only occur under the  
21 following conditions:

22 a. If all of the following requirements are met:

23 (1) The person has been determined by the state mental  
24 health institute to meet admission criteria for inpatient  
25 psychiatric care.

26 (2) The state mental health institute has determined the  
27 person will benefit from psychiatric treatment or from some  
28 other specific program available at the state mental health  
29 institute to which it is proposed to admit or transfer the  
30 person.

31 (3) There is sufficient capacity available at the state  
32 mental health institute to support the needs of the person.

33 b. If determined appropriate for the person at the  
34 sole discretion of the director of human services, the  
35 administrator, or the director's or administrator's designee.



1 confidentiality training.

2 DIVISION XVI  
3 MEDICAID AND HAWK-I PROGRAMS — INSURANCE PROVISIONS  
4 APPLICABILITY

5 Sec. 63. NEW SECTION. 505.34 **Medical assistance and hawk-i**  
6 **programs — applicability of subtitle.**

7 1. The medical assistance program under chapter 249A and the  
8 healthy and well kids in Iowa (hawk-i) program under chapter  
9 514I shall not be subject to this subtitle unless otherwise  
10 provided by law.

11 2. A managed care organization acting pursuant to a contract  
12 with the department of human services to administer the medical  
13 assistance program under chapter 249A, or the healthy and well  
14 kids in the Iowa (hawk-i) program under chapter 514I, shall not  
15 be subject to this subtitle unless otherwise provided by law.

16 Sec. 64. Section 514B.32, Code 2022, is amended by adding  
17 the following new subsection:

18 NEW SUBSECTION. 5. The provisions of this chapter shall be  
19 applicable to a managed care organization acting pursuant to a  
20 contract with the department of human services to administer  
21 the medical assistance program under chapter 249A, or the  
22 healthy and well kids in Iowa (hawk-i) program under chapter  
23 514I, only with respect to licensure and solvency standards  
24 as evidenced by the managed care organization obtaining  
25 and maintaining a certificate of authority, and maintaining  
26 compliance with the solvency standards set forth in this  
27 chapter.

28 Sec. 65. Section 514I.2, subsection 9, Code 2022, is amended  
29 to read as follows:

30 9. "*Participating insurer*" means any of the following:

31 a. An entity licensed by the division of insurance of the  
32 department of commerce to provide health insurance in Iowa that  
33 has contracted with the department to provide health insurance  
34 coverage to eligible children under **this chapter**.

35 b. A managed care organization acting pursuant to a contract

1 with the department of human services to administer the hawk-i  
2 program.

3 Sec. 66. Section 514I.5, subsection 9, Code 2022, is amended  
4 to read as follows:

5 9. The hawk-i board shall monitor the capacity of Medicaid  
6 managed care organizations acting pursuant to a contract with  
7 the department to administer the hawk-i program to specifically  
8 and appropriately address the unique needs of children and  
9 children's health delivery.

10

DIVISION XVII

11

MORE OPTIONS FOR MATERNAL SUPPORT PROGRAM — MEDICAID

12

POSTPARTUM COVERAGE REPORT

13

Sec. 67. NEW SECTION. 217.41C More options for maternal

14

support program.

15

1. a. The department of human services shall create the

16

more options for maternal support program, a statewide program  
17 to promote healthy pregnancies and childbirth through nonprofit  
18 organizations that provide pregnancy support services.

19

b. The more options for maternal support program is designed

20

to do all of the following:

21

(1) Provide an approach and personalized support to

22

pregnant women to provide stabilization to families.

23

(2) Promote improved pregnancy outcomes, including reducing

24

abortions, by helping women practice sound health-related

25

behaviors and improve prenatal nutrition.

26

(3) Improve child health and development by helping parents

27

provide responsible and competent care for their children.

28

(4) Improve family economic self-sufficiency by linking

29

parents to services that address individual economic and social

30

needs.

31

c. For the purposes of this section, "*pregnancy support*

32

*services*" means those nonmedical services that promote

33

childbirth by providing information, counseling, and support

34

services that assist pregnant women or women who believe they

35

may be pregnant to choose childbirth and to make informed

1 decisions regarding the choice of adoption or parenting with  
2 respect to their children.

3 2. The program may provide and support all of the following  
4 pregnancy support services:

5 a. Nutritional services and education.

6 b. Housing, education, and employment assistance during  
7 pregnancy and up to one year following a birth.

8 c. Adoption education, planning, and services.

9 d. Child care assistance if necessary for a pregnant woman  
10 to receive pregnancy support services.

11 e. Parenting education and support services for up to one  
12 year following a child's birth.

13 f. Material items which are supportive of pregnancy and  
14 childbirth including but not limited to cribs, car seats,  
15 clothing, diapers, formula, or other safety devices.

16 g. Information regarding health care benefits, including but  
17 not limited to available Medicaid coverage for pregnancy care  
18 and health care coverage for a child following birth.

19 h. A call center for information or to schedule  
20 appointments.

21 i. Medical information and referrals for medical care,  
22 including but not limited to pregnancy tests, sexually  
23 transmitted infection tests, other health screenings,  
24 ultrasound services, prenatal care, and birth classes and  
25 planning.

26 j. Counseling, mentoring, educational information, and  
27 classes relating to pregnancy, parenting, adoption, life  
28 skills, and employment readiness.

29 3. The department of human services shall issue a request  
30 for proposals to select a program administrator for the  
31 program. A program administrator shall meet all of the  
32 following requirements:

33 a. Be a nonprofit entity incorporated in this state with a  
34 tax-exempt status pursuant to section 501(c)(3) of the Internal  
35 Revenue Code.

1     *b.* Have systems and processes in place that have been used  
2 for at least three years to successfully manage a statewide  
3 network of subcontractors providing pregnancy support services.

4     *c.* Have a commitment to promoting healthy pregnancies and  
5 childbirth instead of abortion as a fundamental part of the  
6 program administrator's mission.

7     *d.* Create and maintain a network of subcontractors to  
8 provide pregnancy support services.

9     *e.* Maintain records for each subcontractor.

10    *f.* Monitor compliance with the terms and conditions of a  
11 subcontractor.

12    4. A subcontractor providing pregnancy support services  
13 under the program shall meet all of the following requirements:

14    *a.* Be a nonprofit organization incorporated in this state  
15 with a tax-exempt status pursuant to section 501(c)(3) of the  
16 Internal Revenue Code.

17    *b.* Have a minimum of one year of operational experience in  
18 either providing core pregnancy support services or managing  
19 a network of providers of pregnancy support services as a  
20 subcontractor.

21    *c.* Have a primary mission of promoting healthy pregnancies  
22 and childbirth instead of abortion.

23    *d.* Have a system of financial accountability consistent with  
24 generally accepted accounting principles, including an annual  
25 budget.

26    *e.* Have a board that hires and supervises a director who  
27 manages the organization's operations.

28    *f.* Offer, at a minimum, counseling for women who are or may  
29 be experiencing unplanned pregnancies.

30    *g.* Provide confidential and free pregnancy support and other  
31 program services.

32    *h.* Provide each pregnant woman with accurate information  
33 on the developmental characteristics of unborn children and  
34 babies.

35    *i.* Ensure that program funds are not used to provide

1 or refer pregnant women for terminations of pregnancy, or  
2 to encourage or affirmatively counsel a pregnant woman to  
3 terminate a pregnancy unless the pregnant woman's attending  
4 physician confirms the termination of pregnancy is medically  
5 necessary to prevent the pregnant woman's death.

6 *j.* Maintain confidentiality of all data, files, and records  
7 related to the program services provided to persons accessing  
8 program services in compliance with state and federal laws.

9 5. The department of human services shall publish the  
10 program administrator and subcontractor criteria on the  
11 department's internet site.

12 6. The department of human services shall adopt rules  
13 pursuant to chapter 17A to administer the program, and shall  
14 provide technical assistance to the program administrator,  
15 monitor the program administrator for adherence to state and  
16 federal requirements, and collect and maintain program data.

17 7. Beginning October 1, 2023, and on or before October  
18 1 annually thereafter, the department of human services  
19 shall submit to the general assembly the following program  
20 information relative to the prior fiscal year:

21 *a.* The total number of subcontractors by geographical region  
22 and the total number of unduplicated clients served by each  
23 subcontractor by gender and age.

24 *b.* A description of outreach efforts by the administrator,  
25 subcontractors, and the department.

26 *c.* Total program expenditures.

27 *d.* The amounts attributable to the administrator contract  
28 and to each contract with the subcontractors.

29 *e.* The outcomes based on outcome measures included in the  
30 contracts with the administrator and each subcontractor.

31 Sec. 68. MEDICAID POSTPARTUM COVERAGE — REPORT. The  
32 department of human services shall review data regarding  
33 the postpartum coverage available to recipients of  
34 pregnancy-related Medicaid coverage and shall submit a report  
35 to the general assembly by December 15, 2022, that includes



1 the number of recipients of postpartum services, the services  
2 utilized, and the costs of such services for the period  
3 beginning January 1, 2020, through June 30, 2022, as well as  
4 information regarding the number of states that have expanded  
5 Medicaid postpartum coverage beyond sixty days, such states'  
6 postpartum coverage expansion period, the amount of cost  
7 savings realized by the states that expanded coverage to twelve  
8 months postpartum, and whether a state expanded coverage  
9 pursuant to a Medicaid waiver or a state plan amendment.

10 DIVISION XVIII

11 MENTAL HEALTH AND DISABILITY SERVICES REGIONS

12 Sec. 69. Section 331.389, Code 2022, is amended to read as  
13 follows:

14 **331.389 Mental health and disability services regions —**  
15 **criteria.**

16 1. ~~a.~~ Local access to mental health and disability services  
17 ~~for adults~~ shall be provided either by counties organized  
18 into a regional service system or by individual counties that  
19 are exempted as provided by this subsection. The department  
20 of human services shall encourage counties to enter into  
21 a regional system when the regional approach is likely to  
22 increase the availability of services to residents of the state  
23 who need the services comprised of mental health and disability  
24 services regions approved by the director of the department.  
25 It is the intent of the general assembly that the adult  
26 residents of this state should have access to needed mental  
27 health and disability services regardless of the location of  
28 their residence.

29 ~~b.~~ If a county has been exempted prior to July 1, 2014, from  
30 the requirement to enter into a regional service system, the  
31 county and the county's board of supervisors shall fulfill all  
32 requirements and be eligible as a region under this chapter and  
33 chapters 222, 225, 225C, 226, 227, 229, and 230 for a regional  
34 service system, regional service system management plan,  
35 regional governing board, and regional administrator, and any

1 ~~other provisions applicable to a region of counties providing~~  
2 ~~local mental health and disability services. Additionally, a~~  
3 ~~county exempted under this subsection shall be considered a~~  
4 ~~region for purposes of chapter 426B.~~

5 2. The director of human services shall approve any a region  
6 meeting the requirements of subsection 3.

7 3. Each county in the state shall participate in an  
8 approved mental health and disability services region, ~~unless~~  
9 ~~exempted pursuant to subsection 1~~. A region exempted from  
10 the requirement to form a multicounty region prior to July 1,  
11 2014, shall adhere to and fulfill all of the requirements of a  
12 multicounty region. A mental health and disability services  
13 region shall comply with all of the following requirements, as  
14 applicable:

15 a. The counties comprising the a multicounty region are  
16 contiguous.

17 b. The A multicounty region has at least three counties.

18 c. The region ~~has the capacity to provide~~ provides  
19 required core services and perform performs all other required  
20 functions.

21 d. At least one community mental health center or a  
22 federally qualified health center with providers qualified  
23 to provide psychiatric services, either directly or through  
24 contractual arrangements with mental health professionals  
25 qualified to provide psychiatric services, is located within  
26 the region, has the capacity to provide outpatient services for  
27 the region, and is ~~either under contract with the region or has~~  
28 ~~provided documentation of intent to contract with the region~~  
29 ~~to provide the services~~.

30 e. A hospital with an inpatient psychiatric unit or a state  
31 mental health institute is located in or within reasonably  
32 close proximity to the region, has the capability to provide  
33 inpatient services for the region, and is ~~either under contract~~  
34 ~~with the region or has provided documentation of intent to~~  
35 ~~contract with the region to provide the services~~.

1 f. The regional administrator structure ~~proposed for~~  
2 ~~or~~ utilized by the region has demonstrates clear lines of  
3 accountability and the regional administrator functions as a  
4 lead agency utilizing ~~shared county staff or other~~ appropriate  
5 means of limiting administrative costs.

6 4. ~~County formation of a~~ A mental health and disability  
7 services region is subject to all of the following:

8 a. ~~On or before April 1, 2013, counties voluntarily~~  
9 ~~participating in a~~ The approved region ~~have complied shall~~  
10 comply with all of the following ~~formation~~ criteria:

11 (1) ~~The~~ Any counties ~~forming~~ comprising the region have  
12 ~~been shall be~~ identified and the ~~board of supervisors of the~~  
13 ~~counties have approved a written letter of intent to join~~  
14 ~~together to form the region.~~

15 (2) (a) ~~The proposed~~ region complies with the requirements  
16 in subsection 3.

17 ~~(3)~~ (b) ~~The department provides shall provide~~ written  
18 notice to the ~~boards of supervisors of the counties identified~~  
19 ~~for the region in the letter of intent~~ a region's regional  
20 administrator that the ~~counties have complied~~ region is in  
21 compliance with the requirements in subsection 3.

22 b. ~~Upon the department's determination that a region is in~~  
23 ~~compliance with the provisions of paragraph "a" requirements of~~  
24 subsection 3, the participating counties are region shall be  
25 eligible for technical assistance provided by the department.

26 c. ~~The department shall work with any county that has not~~  
27 ~~agreed to be part of a region in accordance with paragraph~~  
28 ~~"a" and with the regions forming around the county to resolve~~  
29 ~~issues preventing the county from joining a region. In~~  
30 addition to the regional governance agreement requirements  
31 in section 331.392, the department may compel the county and  
32 region to engage in mediation for resolution of a dispute.  
33 The costs incurred for mediation shall be paid by the county  
34 and the region in dispute according to their governance  
35 agreement. ~~A county that has not agreed to be part of a~~

1 ~~region in accordance with paragraph "a" shall be assigned by~~  
2 ~~the department to a region, unless exempted prior to July 1,~~  
3 ~~2014. A county assigned by the department to a region shall~~  
4 ~~be included in that region's amended governance agreement~~  
5 ~~pursuant to this section as of an effective date designated by~~  
6 ~~the department. The assigned county and region shall operate~~  
7 ~~according to the region's existing governance agreement until~~  
8 ~~the regional governance agreement is amended.~~

9 d. (1) On or before December 31, 2013, all counties shall  
10 be part of a region that is in compliance with the provisions  
11 of paragraph "a" other than meeting the April 1, 2013, date. If  
12 the department withdraws approval for a region, or if a county  
13 is not approved by the department as a single county region and  
14 otherwise not assigned to a region, the department may assign  
15 the county or counties no longer assigned to an approved region  
16 to an approved region.

17 (2) An approved region that has a county assigned to the  
18 region pursuant to subparagraph (1) shall amend the region's  
19 existing governance agreement to include the assigned county.  
20 The amended governance agreement shall include an effective  
21 date designated by the department.

22 (3) A county assigned to a region by the department pursuant  
23 to subparagraph (1) shall operate according to the governance  
24 agreement in existence at the time the county was assigned to  
25 the region until the region's amended governance agreement  
26 created pursuant to subparagraph (2) becomes effective.

27 ~~e. On or before June 30, 2014, unless exempted prior to July~~  
28 ~~1, 2014, all counties~~ A region shall be in compliance with all  
29 of the following ~~mental health and disability services region~~  
30 ~~implementation~~ criteria:

31 (1) The board of supervisors of each county participating  
32 in ~~the~~ a multicounty region has voted to approve a chapter 28E  
33 agreement.

34 (2) The duly authorized representatives of all the counties  
35 participating in ~~the~~ a multicounty region have signed the

1 chapter 28E agreement that is in compliance with section  
2 331.390.

3 (3) ~~The county board of supervisors' or supervisors'~~  
4 ~~designee members and other members~~ of the region's governing  
5 board have been appointed in accordance with [section 331.390](#).

6 (4) Executive staff for the region's regional administrator  
7 have been identified ~~or engaged~~.

8 (5) ~~An initial draft of a~~ A regional service management  
9 ~~transition plan~~ has been developed which identifies ~~the steps~~  
10 ~~to be taken by the region to do~~ all of the following:

11 (a) ~~Designate local~~ Local access points for the disability  
12 services administered by the region.

13 (b) ~~Designate the~~ The region's targeted case manager  
14 providers funded by the medical assistance program.

15 (c) ~~Identify the~~ The service provider network for the  
16 region.

17 (d) ~~Define the~~ The service access and service authorization  
18 process ~~to be utilized for~~ by the region.

19 (e) ~~Identify the~~ The information technology and data  
20 management capacity ~~to be employed to support regional~~  
21 functions.

22 (f) ~~Establish business~~ Business functions, funds accounting  
23 procedures, and other administrative processes.

24 (g) ~~Comply with data~~ Data reporting and other information  
25 technology requirements identified by the department.

26 (6) The department has approved the region's [chapter 28E](#)  
27 agreement and ~~the initial draft of the regional management~~  
28 ~~transition plan unless the county was exempted from the~~  
29 requirements of subparagraph (1) prior to July 1, 2014.

30 (7) The department has approved the region's regional  
31 management plan.

32 ~~f. If the department, in consultation with the state~~  
33 ~~commission, determines that a region is in substantial~~  
34 ~~compliance with the implementation criteria in paragraph "e"~~  
35 ~~and has sufficient operating capacity to begin operations, the~~

1 ~~region may commence partial or full operations prior to July~~  
2 ~~2014.~~

3 5. *a.* If the department determines that a region ~~or an~~  
4 ~~exempted county~~ is not adequately fulfilling the requirements  
5 under [this chapter](#) for a regional service system, the  
6 department shall address the region ~~or county~~ in the following  
7 order:

8 (1) Require compliance with a corrective action plan.

9 (2) Reduce the amount of the annual state funding provided  
10 for the regional service system ~~or exempted county~~, including  
11 amounts received under [section 225C.7A](#), not to exceed fifteen  
12 percent of the amount.

13 (3) Withdraw approval for the region ~~or for the county~~  
14 ~~exemption, as applicable.~~

15 *b.* The department shall rely on all information available,  
16 including annual audits submitted under [section 331.391](#),  
17 regional governance agreements submitted under [section 331.392](#),  
18 and annual service and budget plans submitted under section  
19 331.393 in determining whether a region ~~or an exempted county~~  
20 is adequately fulfilling the requirements for a regional  
21 service system. The department may request and review  
22 financial documents, contracts, and other audits, and may  
23 perform on-site reviews and interviews to gather information.

24 Sec. 70. Section 331.390, subsection 1, Code 2022, is  
25 amended to read as follows:

26 1. *a.* The counties comprising a mental health and  
27 disability services region shall enter into an agreement under  
28 chapter 28E to form a regional administrator under the control  
29 of a governing board to function on behalf of those counties.

30 *b.* A region exempted from the requirement to enter into  
31 a chapter 28E agreement prior to July 1, 2014, shall submit  
32 written documents demonstrating that the region has formed a  
33 regional administrator under the control of a governing board  
34 to function on behalf of that region and otherwise comply with  
35 the requirements of this section.

1     Sec. 71. Section 331.391, subsection 1, Code 2022, is  
2 amended to read as follows:

3     1. The funding under the control of the governing board  
4 shall be maintained in a combined account. A county exempted  
5 ~~under [section 331.389, subsection 1](#)~~ from joining a multicounty  
6 region prior to July 1, 2014, shall maintain a county mental  
7 health and disability services fund for the deposit of funding  
8 received under [section 225C.7A](#) and appropriations specifically  
9 authorized to be made from the county mental health and  
10 disability services fund shall not be made from any other fund  
11 of the county. A county mental health and disability services  
12 fund established by an exempt county, to the extent feasible,  
13 shall be considered to be the same as a region combined account  
14 and shall be subject to the same requirements as a region's  
15 combined account.

16     Sec. 72. Section 331.392, subsection 1, Code 2022, is  
17 amended to read as follows:

18     1. a. In addition to compliance with the applicable  
19 provisions of [chapter 28E](#), the [chapter 28E](#) agreement entered  
20 into by the counties comprising a mental health and disability  
21 services region in forming the regional administrator to  
22 function on behalf of the counties shall comply with the  
23 requirements of [this section](#).

24     b. Documents submitted by a region exempted from the  
25 requirement to enter into a chapter 28E agreement prior to July  
26 1, 2014, pursuant to section 331.390, subsection 1, paragraph  
27 "b", shall also demonstrate compliance with the requirements of  
28 this section.

29     Sec. 73. Section 331.393, subsection 1, Code 2022, is  
30 amended to read as follows:

31     1. a. The mental health and disability services provided  
32 by counties operating as a region shall be delivered in  
33 accordance with a regional service system management plan  
34 approved by the region's governing board and implemented by the  
35 regional administrator in accordance with [this section](#). The

1 requirements for a regional service system management plan and  
2 plan format shall be specified in rule adopted by the state  
3 commission pursuant to a recommendation made by the department.  
4 A regional management plan shall include an annual service and  
5 budget plan, a policies and procedures manual, and an annual  
6 report. ~~Each region's initial plan shall be submitted to the~~  
7 ~~department by April 1, 2014.~~

8 b. A region, regardless of whether the region is a  
9 single county or multicounty region, shall comply with all  
10 requirements of this section.

11 Sec. 74. Section 331.393, subsection 6, Code 2022, is  
12 amended by striking the subsection.

13 Sec. 75. Section 331.910, subsection 2, paragraph d, Code  
14 2022, is amended to read as follows:

15 *d.* "Region" means a mental health and disability services  
16 region formed in accordance with [section 331.389](#) ~~or a county~~  
17 ~~that has been exempted by the director of human services from~~  
18 ~~being required to be a part of a mental health and disability~~  
19 ~~services region in accordance with [section 331.389](#).~~

#### 20 DIVISION XIX

#### 21 HEALTH CARRIERS — TELEHEALTH

22 Sec. 76. Section 514C.34, subsection 3, Code 2022, is  
23 amended to read as follows:

24 3. a. Health care services that are delivered by telehealth  
25 must be appropriate and delivered in accordance with applicable  
26 law and generally accepted health care practices and standards  
27 prevailing at the time the health care services are provided,  
28 including all rules adopted by the appropriate professional  
29 licensing board, pursuant to [chapter 147](#), having oversight  
30 of the health care professional providing the health care  
31 services.

32 b. A health carrier shall not exclude a health care  
33 professional who provides services for mental health  
34 conditions, illnesses, injuries, or diseases and who is  
35 physically located out-of-state from participating as a



1 provider, via telehealth, under a policy, plan, or contract  
2 offered by the health carrier in the state if all of the  
3 following requirements are met:

4 (1) The health care professional is licensed in this state  
5 by the appropriate professional licensing board and is able  
6 to deliver health care services for mental health conditions,  
7 illnesses, injuries, or diseases via telehealth in compliance  
8 with paragraph "a".

9 (2) The health care professional is able to satisfy the same  
10 criteria that the health carrier uses to qualify a health care  
11 professional who is located in the state, and who holds the  
12 same license as the out-of-state professional, to participate  
13 as a provider, via telehealth, under a policy, plan, or  
14 contract offered by the health carrier in the state.

15 Sec. 77. EFFECTIVE DATE. This division of this Act, being  
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. 78. APPLICABILITY. This division of this Act applies  
18 to health carriers that deliver, issue for delivery, continue,  
19 or renew a policy, contract, or plan in this state on or after  
20 the effective date of this Act.

#### 21 DIVISION XX

#### 22 NURSING FACILITY CONSTRUCTION OR EXPANSION RELIEF

23 Sec. 79. Section 249K.2, subsection 4, Code 2022, is amended  
24 to read as follows:

25 4. "*Major renovations*" means construction or facility  
26 improvements to a nursing facility in which the total amount  
27 expended exceeds ~~one million five~~ seven hundred fifty thousand  
28 dollars.

29 Sec. 80. Section 249K.5, subsection 2, Code 2022, is amended  
30 by adding the following new paragraph:

31 NEW PARAGRAPH. c. The nursing facility for which relief  
32 or an exception is requested is proposing replacement or  
33 enhancement of an HVAC, as defined in section 105.2, system for  
34 improved infection control.

35 Sec. 81. ADMINISTRATIVE RULES — ADOPTION AND

1 AMENDMENT. The department of human services shall adopt or  
2 amend rules pursuant to chapter 17A to administer this division  
3 of this Act. Specifically, the department shall amend rules  
4 relating to nursing facility additional requirements for all  
5 requests for the capital cost per diem instant relief add-on  
6 and enhanced nondirect care rate component limit to provide  
7 that with regard to the additional requirements a nursing  
8 facility must meet, the facility has Medicaid utilization at  
9 or above forty percent for the two-month period before the  
10 request for additional reimbursement is submitted. Medicaid  
11 utilization for this purpose is calculated as total nursing  
12 facility Medicaid patient days divided by total in-house  
13 patient days as reported on the facility's most current  
14 financial and statistical report.

15 DIVISION XXI

16 PSYCHIATRY RESIDENCY PROGRAM

17 Sec. 82. NEW SECTION. 135.180 State-funded psychiatry  
18 residency program — fund — appropriations.

19 1. The university of Iowa hospitals and clinics shall  
20 administer a state-funded psychiatry residency program  
21 in cooperation with the state mental health institutes at  
22 Independence and Cherokee, the state resource center at  
23 Woodward, the state training school at Eldora, and the Iowa  
24 medical and classification center at Oakdale. The university  
25 of Iowa hospitals and clinics shall expand the psychiatry  
26 residency program to provide additional residency positions  
27 by providing financial support for residency positions  
28 which are in excess of the federal residency cap established  
29 by the federal Balanced Budget Act of 1997, Pub. L. No.  
30 105-33. Participating residents shall complete a portion of  
31 their psychiatry training at one of the state mental health  
32 institutes, the state resource center, the state training  
33 school, or the Iowa medical and classification center at  
34 Oakdale. For accreditation-required clinical experiences not  
35 available at the state mental health institutes, the state

1 resource center, the state training school, or the Iowa medical  
2 and classification center at Oakdale, the psychiatry residency  
3 program and its residents may utilize clinical rotations at the  
4 university of Iowa hospitals and clinics and its affiliates  
5 across the state.

6 2. The university of Iowa hospitals and clinics shall apply  
7 to the accreditation council for graduate medical education  
8 for approval of twelve additional residency positions for each  
9 class of residents and the psychiatry residency program shall  
10 award the total number of residency positions approved for each  
11 class of residents. Preference in the awarding of residency  
12 positions shall be given to candidates who are residents of  
13 Iowa, attended and earned an undergraduate degree from an Iowa  
14 college or university, or attended and earned a medical degree  
15 from a medical school in Iowa.

16 3. A psychiatry residency program fund is created in  
17 the state treasury consisting of the moneys appropriated or  
18 credited to the fund by law. Notwithstanding section 8.33,  
19 moneys in the fund at the end of each fiscal year shall not  
20 revert to any other fund but shall remain in the psychiatry  
21 residency program fund for use in subsequent fiscal years.  
22 Moneys in the fund are appropriated to the university of Iowa  
23 hospitals and clinics to be used for the purposes of the  
24 program. For the fiscal years beginning on or after July 1,  
25 2023, there is appropriated from the general fund of the state  
26 to the psychiatry residency program fund one hundred thousand  
27 dollars for each residency position approved and awarded under  
28 the program.>