House File 2578

S-5155

Amend House File 2578, as amended, passed, and reprinted by

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

<DIVISION I

DEPARTMENT ON AGING — FY 2022-2023

Section 1. DEPARTMENT ON AGING. There is appropriated from

the general fund of the state to the department on aging for

the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary,

to be used for the purposes designated:

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

$11,304,082

FTEs 27.00

1. Funds appropriated in this section may be used to

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

2. Of the funds appropriated in this section, $418,700 is

transferred to the economic development authority for the Iowa
commission on volunteer services to be used for the retired and
senior volunteer program.

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

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

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

3. Prohibiting prepayment for goods or services not defined specifically by good or service, time period, or recipient.

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

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

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

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

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

DIVISION II

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

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

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

|$ 1,149,821|

FTEs 16.00

DIVISION III

DEPARTMENT OF PUBLIC HEALTH — FY 2022-2023

Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the department of public health for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amounts, or so much thereof as is
necessary, to be used for the purposes designated:
1 1. ADDICTIVE DISORDERS
2  For reducing the prevalence of the use of tobacco, alcohol,
3  and other drugs, and treating individuals affected by addictive
4  behaviors, including gambling, and for not more than the
5  following full-time equivalent positions:
6 .......................................................... $ 23,659,379
7 .......................................................... FTEs 12.00
8  a. (1) Of the funds appropriated in this subsection,
9  $4,020,894 shall be used for the tobacco use prevention
10  and control initiative, including efforts at the state and
11  local levels, as provided in chapter 142A. The commission
12  on tobacco use prevention and control established pursuant
13  to section 142A.3 shall advise the director of public health
14  in prioritizing funding needs and the allocation of moneys
15  appropriated for the programs and initiatives. Activities
16  of the programs and initiatives shall be in alignment with
17  the United States centers for disease control and prevention
18  best practices for comprehensive tobacco control programs
19  that include the goals of preventing youth initiation of
20  tobacco usage, reducing exposure to secondhand smoke, and
21  promotion of tobacco cessation. To maximize resources,
22  the department shall determine if third-party sources are
23  available to instead provide nicotine replacement products
24  to an applicant prior to provision of such products to an
25  applicant under the initiative. The department shall track and
26  report to the governor and the general assembly any reduction
27  in the provision of nicotine replacement products realized
28  by the initiative through implementation of the prerequisite
29  screening.
30  (2) (a) The department shall collaborate with the
31  alcoholic beverages division of the department of commerce for
32  enforcement of tobacco laws, regulations, and ordinances and to
33  engage in tobacco control activities approved by the division
34  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 warmline
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,
and for not more than the following full-time equivalent positions:

$5,816,681 FTEs 14.00

a. Of the funds appropriated in this subsection, not more than $734,000 shall be used for the healthy opportunities for parents to experience success (HOPES)—healthy families Iowa (HFI) program established pursuant to section 135.106.

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

c. Of the funds appropriated in this subsection, $3,075,000 shall be used for continuation of the department’s initiative to provide for adequate developmental surveillance and screening during a child’s first five years. The funds shall be used first to fully fund the current sites to ensure that the sites are fully operational, with the remaining funds to be used for expansion to additional sites. The full implementation and expansion shall include enhancing the scope of the initiative through collaboration with the child health specialty clinics to promote healthy child development through early identification and response to both biomedical and social determinants of healthy development; by monitoring child health metrics to inform practice, document long-term health impacts and savings, and provide for continuous improvement through training, education, and evaluation; and by providing for practitioner consultation particularly for children with behavioral conditions and needs. The department of public health shall also collaborate with the Iowa Medicaid enterprise and the child health specialty clinics to integrate the activities of the first five initiative into the establishment of patient-centered medical homes, community utilities, accountable care organizations, and other integrated care 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
shall be used for grants to individual patients who have an inherited metabolic disorder to assist with the costs of medically necessary foods and formula.

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

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

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

e. Of the funds appropriated in this subsection, $384,000 shall be used by the regional autism assistance program established pursuant to section 256.35, and administered by the child health specialty clinic located at the university of Iowa hospitals and clinics. The funds shall be used to enhance interagency collaboration and coordination of educational, medical, and other human services for persons with autism, their families, and providers of services, including delivering
regionalized services of care coordination, family navigation, and integration of services through the statewide system of regional child health specialty clinics and fulfilling other requirements as specified in chapter 225D. The university of Iowa shall not receive funds allocated under this paragraph for indirect costs associated with the regional autism assistance program.

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

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

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

4. COMMUNITY CAPACITY

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

<table>
<thead>
<tr>
<th>Position Description</th>
<th>FTEs</th>
</tr>
</thead>
<tbody>
<tr>
<td>----------------------</td>
<td>------</td>
</tr>
</tbody>
</table>

- $6,519,306
- FTEs 13.00

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

b. Of the funds appropriated in this subsection, $48,000 shall be used for a grant to a statewide association of psychologists, that is affiliated with the American psychological association, to be used for continuation of a program to rotate intern psychologists in placements that serve urban and rural mental health professional shortage areas. Once an intern psychologist begins service, the intern psychologist may continue serving in the location of the intern psychologist’s placement, notwithstanding any change in the mental health professional shortage area designation of such location. The intern psychologist may also provide services via telehealth, to underserved populations, and to Medicaid members. For the purposes of this paragraph “b”, “mental health professional shortage area” means a geographic area in this state that has been designated by the United States department of health and human services, health resources and services administration, bureau of health professionals, as having a shortage of mental health professionals.

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

(1) Not less than $600,000 is allocated to the Iowa prescription drug corporation for continuation of the pharmaceutical infrastructure for safety net providers as described in 2007 Iowa Acts, chapter 218, section 108, and for the prescription drug donation repository program created in
chapter 135M. Funds allocated under this subparagraph shall be distributed in their entirety for the purpose specified on July 1, 2022.

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

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

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

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

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

f. Of the funds appropriated in this subsection, $100,000 shall be used for the purposes of the Iowa donor registry as specified in section 142C.18.

g. Of the funds appropriated in this subsection, $96,000 shall be used for continuation of a grant to a nationally affiliated volunteer eye organization that has an established
program for children and adults and that is solely dedicated to
preserving sight and preventing blindness through education,
nationally certified vision screening and training, and
community and patient service programs. The contractor shall
submit a report to the general assembly regarding the use
of funds allocated under this paragraph "g". The report
shall include the objectives and results for the program year
including the target population and how the funds allocated
assisted the program in meeting the objectives; the number,
age, grade level if appropriate, and location within the state
of individuals served; the type of services provided to the
individuals served; the distribution of funds based on services
provided; and the continuing needs of the program.

h. Of the funds appropriated in this subsection, $2,100,000
shall be deposited in the medical residency training account
created in section 135.175, subsection 5, paragraph "a", and
is appropriated from the account to the department of public
health to be used for the purposes of the medical residency
training state matching grants program as specified in section
135.176.

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

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

k. Of the funds appropriated in this subsection, $150,000
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
9. MISCELLANEOUS PROVISIONS

The university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section.

The university of Iowa hospitals and clinics billings to the department shall be on at least a quarterly basis.

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

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

$1,750,000

DIVISION IV

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

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

$1,229,763

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous 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
block grant appropriation made by the Eighty-ninth General  
Assembly, 2022 session, for the federal fiscal year beginning  
October 1, 2022, and ending September 30, 2023. Of this  
amount, $200,000 shall be used for provision of educational  
opportunities to registered child care home providers in order  
to improve services and programs offered by this category  
of providers and to increase the number of providers. The  
department may contract with institutions of higher education  
or child care resource and referral centers to provide  
the educational opportunities. Allowable administrative  
costs under the contracts shall not exceed 5 percent. The  
application for a grant shall not exceed two pages in length.  
b. Any funds appropriated in this subsection remaining  
unallocated shall be used for state child care assistance  
payments for families who are employed including but not  
limited to individuals enrolled in the family investment  
program.

7. For child and family services:

8. For child abuse prevention grants:

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

Pregnancy prevention grants shall be awarded to programs  
in existence on or before July 1, 2022, if the programs have  
demonstrated positive outcomes. Grants shall be awarded to  
pregnancy prevention programs which are developed after July  
1, 2022, if the programs are based on existing models that  
have demonstrated positive outcomes. Grants shall comply with  
the requirements provided in 1997 Iowa Acts, chapter 208,  
section 14, subsections 1 and 2, including the requirement that  
grant programs must emphasize sexual abstinence. Priority in  
the awarding of grants shall be given to programs that serve  
areas of the state which demonstrate the highest percentage of
unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

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

\[ \$1,037,186 \]

11. a. Notwithstanding any provision to the contrary, including but not limited to requirements in section 8.41 or provisions in 2021 Iowa Acts or 2022 Iowa Acts regarding the receipt and appropriation of federal block grants, federal funds from the temporary assistance for needy families block grant received by the state and not otherwise appropriated in this section and remaining available for the fiscal year beginning July 1, 2022, are appropriated to the department of human services to the extent as may be necessary to be used in the following priority order: the family investment program, for state child care assistance program payments for families who are employed, and for the family investment program share of system costs for eligibility determination and related functions. The federal funds appropriated in this paragraph “a” shall be expended only after all other funds appropriated in subsection 1 for assistance under the family investment program, in subsection 6 for state child care assistance, or in subsection 10 for technology needs and other resources necessary to meet departmental needs, as applicable, have been expended. For the purposes of this subsection, the funds appropriated in subsection 6, paragraph “a”, for transfer to the child care and development block grant appropriation are considered fully expended when the full amount has been transferred.

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

12. Of the amounts appropriated in this section,
$12,962,008 for the fiscal year beginning July 1, 2022, is transferred to the appropriation of the federal social services block grant made to the department of human services for that fiscal year.

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

$14,236

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

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

Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP)
account for the fiscal year beginning July 1, 2022, and ending June 30, 2023, shall be used to provide assistance in accordance with chapter 239B.

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

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

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

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

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

$7,192,834

(1) Of the funds allocated for the family development
and self-sufficiency grant program in this paragraph “b”,
not more than 5 percent of the funds shall be used for the
administration of the grant program.
(2) The department of human rights may continue to implement
the family development and self-sufficiency grant program
statewide during fiscal year 2022-2023.
(3) The department of human rights may engage in activities
to strengthen and improve family outcomes measures and
data collection systems under the family development and
self-sufficiency grant program.
c. For the diversion subaccount of the FIP account:
A portion of the moneys allocated for the diversion
subaccount may be used for field operations, salaries, data
management system development, and implementation costs and
support deemed necessary by the director of human services
in order to administer the FIP diversion program. To the
extent moneys allocated in this paragraph “c” are deemed by the
department not to be necessary to support diversion activities,
such moneys may be used for other efforts intended to increase
engagement by family investment program participants in work,
education, or training activities, or for the purposes of
assistance under the family investment program in accordance
with chapter 239B.
d. For the SNAP employment and training program:
$ 66,588
(1) The department shall apply the federal SNAP employment
and training state plan in order to maximize to the fullest
extent permitted by federal law the use of the 50 percent
federal reimbursement provisions for the claiming of allowable
federal reimbursement funds from the United States department
of agriculture pursuant to the federal SNAP employment and
training program for providing education, employment, and
training services for eligible SNAP participants, including
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
designated:
To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B and other costs associated with providing needs-based benefits or assistance:

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

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

3. a. Notwithstanding section 8.39, for the fiscal year beginning July 1, 2022, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding or to implement, in accordance with this division of this Act, activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys; to comply with federal requirements; or to maximize the use of federal funds; the department of human services may transfer funds within or between any of the appropriations made in this division of this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

(1) For the family investment program.
(2) For state child care assistance.
(3) For child and family services.
(4) For field operations.
(5) For general administration.
b. This subsection shall not be construed to prohibit the use of existing state transfer authority for other purposes. The department shall report any transfers made pursuant to this subsection to the general assembly.

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

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

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

Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human
services for the fiscal year beginning July 1, 2022, and ending
June 30, 2023, the following amount, or so much thereof as is
necessary, to be used for the purposes designated:
For child support recovery, including salaries, support,
maintenance, and miscellaneous purposes, and for not more than
the following full-time equivalent positions:

1. The department shall expend up to $24,000, including
federal financial participation, for the fiscal year beginning
July 1, 2022, for a child support public awareness campaign.
The department and the office of the attorney general shall
cooperate in continuation of the campaign. The public
awareness campaign shall emphasize, through a variety of
media activities, the importance of maximum involvement of
both parents in the lives of their children as well as the
importance of payment of child support obligations.
2. Federal access and visitation grant moneys shall be
issued directly to private not-for-profit agencies that provide
services designed to increase compliance with the child access
provisions of court orders, including but not limited to
neutral visitation sites and mediation services.
3. The appropriation made to the department for child
support recovery may be used throughout the fiscal year in the
manner necessary for purposes of cash flow management, and for
cash flow management purposes the department may temporarily
draw more than the amount appropriated, provided the amount
appropriated is not exceeded at the close of the fiscal year.
Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
FY 2022-2023. Any funds remaining in the health care trust
fund created in section 453A.35A for the fiscal year beginning
July 1, 2022, and ending June 30, 2023, are appropriated to
the department of human services to supplement the medical
assistance program appropriations made in this division of this
Act, for medical assistance reimbursement and associated costs,
including program administration and costs associated with
program implementation.

Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
2022-2023. Any funds remaining in the Medicaid fraud fund
created in section 249A.50 for the fiscal year beginning
July 1, 2022, and ending June 30, 2023, are appropriated to
the department of human services to supplement the medical
assistance appropriations made in this division of this Act,
including program administration and costs associated with
program implementation.

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

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

$ 1,510,127,388

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

2. The provisions of this section relating to abortions
shall also apply to the Iowa health and wellness plan created
pursuant to chapter 249N.

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

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

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

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

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

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

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

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

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

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

13. a. The department may increase the amounts allocated for salaries, support, maintenance, and miscellaneous purposes
associated with the medical assistance program, as necessary, to sustain cost management efforts. The department shall report any such increase to the general assembly and the department of management.

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

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

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

b. Of the funds appropriated in this section, up to $400,000 may be transferred by the department to the appropriation made to the department in this division of this Act for the same fiscal year for Medicaid program-related general administration planning and implementation activities. The funds may be used for contracts or for personnel in addition to the amounts appropriated for and the positions authorized for general administration for the fiscal year.
c. Of the funds appropriated in this section, up to $3,000,000 may be transferred by the department to the appropriations made in this division of this Act for the same fiscal year for general administration or health program operations to be used to support the development and implementation of standardized assessment tools for persons with mental illness, an intellectual disability, a developmental disability, or a brain injury.

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

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

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

19. The department shall comply with the centers for Medicare and Medicaid services' guidance related to Medicaid program and children's health insurance program maintenance
of effort provisions, including eligibility standards, methodologies, procedures, and continuous enrollment, to receive the enhanced federal medical assistance percentage under section 6008(b) of the federal Families First Coronavirus Response Act, Pub. L. No. 116-127. The department shall utilize and implement all tools, processes, and resources available to expediently return to normal eligibility and enrollment operations in compliance with federal guidance and expectations.

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

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

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

For health program operations:

1. The department of inspections and appeals shall provide all state matching funds for survey and certification activities performed by the department of inspections and appeals. The department of human services is solely responsible for distributing the federal matching funds for such activities.
2. Of the funds appropriated in this section, $50,000 shall be used for continuation of home and community-based services waiver quality assurance programs, including the review and streamlining of processes and policies related to oversight and quality management to meet state and federal requirements.

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

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

5. a. Of the funds appropriated in this section, $188,000 shall be credited to the autism support program fund created in section 225D.2 to be used for the autism support program created in chapter 225D, with the exception of the following amount of this allocation which shall be used as follows:

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

Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

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

3 For the state supplementary assistance program:
2 .......... .......................................................... $ 7,349,002

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

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

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

34

Sec. 16. CHILDREN’S HEALTH INSURANCE PROGRAM.
1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

$38,661,688

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

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

Sec. 17. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

$40,816,931

1. Of the funds appropriated in this section, $34,966,931 shall be used for state child care assistance in accordance with section 237A.13.

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

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

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

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

A portion of the state match for the federal child care and development block grant shall be provided as necessary to meet federal matching funds requirements through the state general fund appropriation made for child development grants and other programs for at-risk children in section 279.51.

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

8. Notwithstanding section 8.33, moneys advanced for purposes of the programs developed by early childhood Iowa areas, advanced for purposes of wraparound child care, or received from the federal appropriations made for the purposes of this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

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

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

$17,606,871 FTEs 207.00

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

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

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

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

Sec. 19. CHILD AND FAMILY SERVICES.

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

For child and family services:

$93,571,677

2. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services 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
shall remain available for the purposes designated until the close of the succeeding fiscal year.

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

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

c. Notwithstanding section 232.141 or any other provision of law to the contrary, the amounts allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator and to the department’s service areas as determined by the administrator of the department of human services’ division of child and family services. The state court administrator and the division administrator shall make the determination of the distribution amounts on or before June 15, 2022.

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

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

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

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

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

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

11. Of the funds appropriated in this section, $4,025,000 is
allocated for the preparation for adult living program pursuant
to section 234.46.

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

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

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

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

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

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

18. Of the funds appropriated in this section, at least
$147,000 shall be used for the continuation of the child welfare provider training program.

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

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

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

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

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

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

Sec. 20. ADOPTION SUBSIDY.

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

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

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

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

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

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

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

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

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

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

Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2022, and ending June 30, 2023, are appropriated to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for distribution of an amount equal to a percentage of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2021. Moneys appropriated
for distribution in accordance with this section shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all eligible detention homes in the fiscal year beginning July 1, 2021. The percentage figure shall be determined by the department based on the amount available for distribution for the fund. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2022, shall be limited to the amount appropriated for the purposes of this section.

Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.
1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program subject to the enrollment restrictions in section 225C.37, subsection 3:

$949,282

2. At least $931,536 of the moneys appropriated in this section is transferred to the department of public health for the family support center component of the comprehensive family support program under chapter 225C, subchapter V.

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

Sec. 23. CONNER DECR EE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 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
<table>
<thead>
<tr>
<th>Purpose</th>
<th>1994 Appropriation</th>
<th>1994 FTEs</th>
</tr>
</thead>
<tbody>
<tr>
<td>$33,632</td>
<td>$15,613,624</td>
<td>169.00</td>
</tr>
<tr>
<td>$19,688,928</td>
<td>$19,688,928</td>
<td>208.00</td>
</tr>
</tbody>
</table>
7
8 Sec. 24. MENTAL HEALTH INSTITUTES.
9
10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2022, and ending June 30, 2023, the following
13 amounts, or so much thereof as is necessary, to be used for the
14 purposes designated:
15
16 a. For operation of the state mental health institute at
17 Cherokee as required by chapters 218 and 226 for salaries,
18 support, maintenance, and miscellaneous purposes, and for not
19 more than the following full-time equivalent positions:
20
<table>
<thead>
<tr>
<th>Purpose</th>
<th>1994 Appropriation</th>
<th>1994 FTEs</th>
</tr>
</thead>
<tbody>
<tr>
<td>$33,632</td>
<td>$15,613,624</td>
<td>169.00</td>
</tr>
<tr>
<td>$19,688,928</td>
<td>$19,688,928</td>
<td>208.00</td>
</tr>
</tbody>
</table>
21
22 b. For operation of the state mental health institute at
23 Independence as required by chapters 218 and 226 for salaries,
24 support, maintenance, and miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:
26
<table>
<thead>
<tr>
<th>Purpose</th>
<th>1994 Appropriation</th>
<th>1994 FTEs</th>
</tr>
</thead>
<tbody>
<tr>
<td>$33,632</td>
<td>$15,613,624</td>
<td>169.00</td>
</tr>
<tr>
<td>$19,688,928</td>
<td>$19,688,928</td>
<td>208.00</td>
</tr>
</tbody>
</table>
27
28 2. a. Notwithstanding sections 218.78 and 249A.11, any
29 revenue received from the state mental health institute at
30 Cherokee or the state mental health institute at Independence
31 pursuant to 42 C.F.R. § 438.6(e) may be retained and expended
32 by the mental health institute.
33 b. Notwithstanding sections 218.78 and 249A.11, any
34 COVID-19 related funding received through federal funding
35 sources by the state mental health institute at Cherokee or the
36 state mental health institute at Independence may be retained
37 and expended by the mental health institute.
38 3. Notwithstanding any provision of law to the contrary,
a Medicaid member residing at the state mental health institute at Cherokee or the state mental health institute at Independence shall retain Medicaid eligibility during the period of the Medicaid member’s stay for which federal financial participation is available.

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

Sec. 25. STATE RESOURCE CENTERS.

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

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

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

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

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

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

HF 2578.4533 (2) 89

-48-
employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

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

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

Sec. 26. SEXUALLY VIOLENT PREDATORS.

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

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

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


1. The department shall report at least monthly to the general assembly concerning the department’s operational and program expenditures.

2. Of the funds appropriated in this section, $150,000 shall be used for the provision of a program to provide technical assistance, support, and consultation to providers of home and community-based services under the medical assistance program.

3. Of the funds appropriated in this section, $50,000 is transferred to the Iowa finance authority to be used for administrative support of the council on homelessness established in section 16.2D and for the council to fulfill its duties in addressing and reducing homelessness in the state.

4. Of the funds appropriated in this section, $200,000 shall be transferred to and deposited in the administrative fund of the Iowa ABLE savings plan trust created in section 12I.4, to be used for implementation and administration activities of the Iowa ABLE savings plan trust.

5. Of the funds appropriated in this section, $200,000 is transferred to the economic development authority for the Iowa commission on volunteer services to continue to be used for the RefugeeRISE AmeriCorps program established under section 15H.8 for member recruitment and training to improve the economic well-being and health of economically disadvantaged refugees in local communities across Iowa. Funds transferred may be used to supplement federal funds under federal regulations.
6. Of the funds appropriated in this section, up to $300,000 shall be used as follows:
   a. To fund not more than 1.00 full-time equivalent position to address the department's responsibility to support the work of the children's behavioral health system state board and implementation of the services required pursuant to section 331.397.
   b. To support the cost of establishing and implementing new or additional services required pursuant to sections 331.397 and 331.397A.
   c. Of the amount allocated, $32,000 shall be transferred to the department of public health to support the costs of establishing and implementing new or additional services required pursuant to sections 331.397 and 331.397A.
7. Of the funds appropriated in this section, $800,000 shall be used for the renovation and construction of certain nursing facilities, consistent with the provisions of chapter 249K.
8. Of the funds appropriated under this section, $500,000 shall be used for the purposes of program administration and provision of pregnancy support services through the more options for maternal support program created in this Act.

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

- For salaries, support, maintenance, and miscellaneous purposes at facilities under the purview of the department of human services: $4,172,123

Sec. 30. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purpose designated:
For development and coordination of volunteer services: $ 84,686

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

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

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

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

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

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

   b. (1) For the fiscal year beginning July 1, 2022, the
1 department shall establish the fee-for-service pharmacy dispensing fee reimbursement at $10.38 per prescription, until a cost of dispensing survey is completed. The actual dispensing fee shall be determined by a cost of dispensing survey performed by the department and required to be completed by all medical assistance program participating pharmacies every two years, adjusted as necessary to maintain expenditures within the amount appropriated to the department for this purpose for the fiscal year. A change in the dispensing fee shall become effective following federal approval of the Medicaid state plan.

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

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

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

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

HF 2578.4533 (2) 89
-54- pf/rn 54/91
reporting period as applied prospectively within the funds appropriates for such purpose for the fiscal year.

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

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

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

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

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

(2) For the fiscal year beginning July 1, 2022, the department shall create a reimbursement rate structure that provides incentives to home health care providers located in rural areas and providing home health care to Medicaid members, within the $1,777,082 appropriated for this purpose. The rate structure shall include a telehealth component to incentivize
the provision of necessary supervision for skilled care without requiring travel time. For the purposes of this subparagraph (2), "rural area" means an area that is not an Iowa core based statistical area as defined by the federal office of management and budget.

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

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

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

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

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

j. For the fiscal year beginning July 1, 2022, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2022, except for area education agencies, local education agencies, infant and toddler services providers, home and community-based services providers 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
6 k. Notwithstanding any provision to the contrary, for the
7 fiscal year beginning July 1, 2022, the reimbursement rate for
8 anesthesiologists shall remain at the rates in effect on June
9 30, 2022, and updated on January 1, 2023, to align with the
10 most current Iowa Medicare anesthesia rate.
11
12 l. Notwithstanding section 249A.20, for the fiscal year
13 beginning July 1, 2022, the average reimbursement rate for
14 health care providers eligible for use of the federal Medicare
15 resource-based relative value scale reimbursement methodology
16 under section 249A.20 shall remain at the rate in effect on
17 June 30, 2022; however, this rate shall not exceed the maximum
18 level authorized by the federal government.
19
20 m. For the fiscal year beginning July 1, 2022, the
21 reimbursement rate for residential care facilities shall not
22 be less than the minimum payment level as established by the
23 federal government to meet the federally mandated maintenance
24 of effort requirement. The flat reimbursement rate for
25 facilities electing not to file annual cost reports shall not
26 be less than the minimum payment level as established by the
27 federal government to meet the federally mandated maintenance
28 of effort requirement.
29
30 n. (1) For the fiscal year beginning July 1, 2022, the
31 reimbursement rates for inpatient mental health services
32 provided at hospitals shall remain at the rates in effect on
33 June 30, 2022, subject to Medicaid program upper payment limit
34 rules and adjusted as necessary to maintain expenditures within
35 the amount appropriated to the department for this purpose for
36 the fiscal year; and psychiatrists shall be reimbursed at the
37 medical assistance program fee-for-service rate in effect on
38 June 30, 2022.
39 (2) Notwithstanding any conflicting application of
subparagraph (1), if 2022 Iowa Acts, House File 2546, is enacted, by January 1, 2023, the department of human services shall implement a tiered rate reimbursement methodology for psychiatric intensive inpatient care utilizing the tiered rate reimbursement methodology developed in accordance with that Act, subject to the limitations of the appropriation made for this purpose.

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

(1) For 100 percent of the reasonable costs of the services.
(2) In accordance with the alternative reimbursement rate methodology approved by the department of human services in effect on June 30, 2022.

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

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

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

s. For the fiscal year beginning July 1, 2022, reimbursement rates for substance-related disorder treatment programs licensed under section 125.13 shall remain at the rates in effect on June 30, 2022.
t. For the fiscal year beginning July 1, 2022, assertive community treatment per diem rates shall remain at the rates in effect on June 30, 2022.

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

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

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

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

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

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

4. Notwithstanding section 234.38, for the fiscal year beginning July 1, 2022, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for

HF 2578.4533 (2) 89
-59- pf/rn 59/91
children ages 0 through 5 years shall be $16.78, the rate for
children ages 6 through 11 years shall be $17.45, the rate for
children ages 12 through 15 years shall be $19.10, and the
rate for children and young adults ages 16 and older shall
be $19.35. For youth ages 18 to 23 who have exited foster
care, the preparation for adult living program maintenance
rate shall be up to $602.70 per month as calculated based on
the age of the participant. The maximum payment for adoption
subsidy nonrecurring expenses shall be limited to $500 and the
disallowance of additional amounts for court costs and other
related legal expenses implemented pursuant to 2010 Iowa Acts,
chapter 1031, section 408, shall be continued.

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

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

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

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

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

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

b. For the fiscal year beginning July 1, 2022, the combined service and maintenance components of the per day reimbursement rate paid for shelter care services shall be based on the financial and statistical report submitted to the department.

The maximum per day reimbursement rate shall be the maximum per day reimbursement rate in effect on June 30, 2022, as increased within the $649,029 appropriated for this purpose. The department shall reimburse a shelter care provider at the provider’s actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

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

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

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

Sec. 32. EMERGENCY RULES.

1. If necessary to comply with federal requirements 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
of the reports or information.

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

The provision relating to section 232.141 and directing the state court administrator and the division administrator of the department of human services division of child and family services to make the determination, by June 15, 2022, of the distribution of funds allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state.

DIVISION VI

HEALTH CARE ACCOUNTS AND FUNDS — FY 2022-2023

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

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

$234,193

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

To supplement the appropriation made in this Act from the general fund of the state to the department of human services 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
27 DIVISION VII
28  DECATEGORIZATION CARRYOVER FUNDING
29  Sec. 39. DECATEGORIZATION CARRYOVER FUNDING FY 2020 —
30 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
31 subsection 5, paragraph "b", any state-appropriated moneys in
32 the funding pool that remained unencumbered or unobligated
33 at the close of the fiscal year beginning July 1, 2019, and
34 were deemed carryover funding to remain available for the two
35 succeeding fiscal years that still remain unencumbered or
36 unobligated at the close of the fiscal year beginning July 1,
2021, shall not revert but shall be transferred to the medical assistance program for the fiscal year beginning July 1, 2022.

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

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

DIVISION VIII
TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE

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

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

DIVISION IX
PRIOR APPROPRIATIONS AND OTHER PROVISIONS

FAMILY INVESTMENT PROGRAM GENERAL FUND

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

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

CHILD AND FAMILY SERVICES

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

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

ADOPTION SUBSIDY
 Sec. 46. 2021 Iowa Acts, chapter 182, section 20, is amended
by adding the following new subsection:
 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
appropriated in this section that remain unencumbered or
unobligated at the close of the fiscal year shall not revert
but shall remain available for the purposes designated until
the close of the succeeding fiscal year.

FIELD OPERATIONS
 Sec. 47. 2021 Iowa Acts, chapter 182, section 27, is amended
by adding the following new subsection:
 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
appropriated in this section that remain unencumbered or
unobligated at the close of the fiscal year shall not revert
but shall remain available for one-time expenditure purposes
until the close of the succeeding fiscal year.

GENERAL ADMINISTRATION
 Sec. 48. 2021 Iowa Acts, chapter 182, section 28, is amended
by adding the following new subsection:
 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
appropriated in this section that remain unencumbered or
unobligated at the close of the fiscal year shall not revert
but shall remain available for one-time expenditure purposes
until the close of the succeeding fiscal year.

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

DIVISION X

PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS
 Sec. 50. COVID-19 FEDERAL REGULATIONS. For the time
period beginning on the effective date of this division of
this Act, and ending June 30, 2023, notwithstanding state
administrative rules to the contrary, to the extent federal
regulations relating to the COVID-19 pandemic differ from state
administrative rules, including applicable federal waivers, the federal regulations are controlling during the pendency of the federally declared state of emergency and for such period of time following the end of the federally declared state of emergency applicable to the respective federal regulations.

DIVISION XI
HEALTH AND HUMAN SERVICES REALIGNMENT
Sec. 51. TRANSITION OF DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF PUBLIC HEALTH INTO DEPARTMENT OF HEALTH AND HUMAN SERVICES.
1. Definitions. For the purposes of this section:
   a. “Department of health and human services” or “department” means the department of health and human services created under this section.
   b. “Transition department” means the department of human services or the department of public health.
   c. “Transition departments” means the department of human services and the department of public health.
   d. “Transition period” means the period beginning July 1, 2022, and ending June 30, 2023.
2. Creation of department of health and human services — transition period — powers and duties. Notwithstanding any conflicting provision of law to the contrary, there is created a department of health and human services. During the transition period, the department of health and human services shall have and may exercise all of the policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities of the department of human services and the department of public health as prescribed by law or rule in effect on July 1, 2022, including but not limited to those relating to:
   a. All obligations and contracts of a transition department, including obligations and contracts related to a grant program.
   b. All property and records in the custody of a transition department.
c. All funds appropriated to a transition department by the general assembly and all state, federal, and other funds for which expenditure by a transition department is authorized.

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

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

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

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

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

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

h. Departmental structure.

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

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

3. Transition period leadership. During the transition
period, the director of human services shall continue to act
as the director of human services, shall assume the duties
of the director of public health, shall act as the director
of the department of health and human services, and may
thereby exercise any policymaking functions, regulatory and
enforcement powers, rights, duties, and responsibilities of the
director of human services and the director of public health
including those duties prescribed by law for the department
of human services or the department of public health in
effect on July 1, 2022. Notwithstanding any provision to the
contrary, the director of the department of health and human
services shall also be vested with administrative authority
to direct transition department employees with regard to the
implementation of statutory directives for the transition
departments or the boards, commissions, or other bodies
administratively supported by the transition departments,
including boards administering the requirements of chapter 272C.

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

5. Initial written transition plan.
   a. On or before September 30, 2022, the transition departments or department shall publish on their respective internet sites an initial written transition plan for merging the functions of the transition departments into the department of health and human services effective July 1, 2023, in order to do all of the following:
   (1) More efficiently and effectively manage health and human services programs that are the responsibility of the state.
   (2) Establish a health and human services policy for the state.
   (3) Promote health and the quality of life in the health and human services field.

   b. The transition plan shall describe, at a minimum, all of the following:
   (1) The tasks that require completion before July 1, 2023, including a description of how the transition departments shall solicit comment from stakeholders, including employees of the transition departments, clients and partners of the transition departments, members of the public, and members of the general assembly.
   (2) The proposed organizational structure of the department, at a minimum, including the division level of the table of organization. Any personnel in the state merit
system of employment who are mandatorily transferred due to the
transition shall be so transferred without any loss in salary,
benefits, or accrued years of service.
(3) Proposed changes to any transition department boards,
commissions, committees, councils, or other bodies and their
functions.
(4) Office space and infrastructure requirements related
to the transition.
(5) Any work site location changes for transitioning
employees.
(6) The transition of service delivery sites.
(7) Procedures for the transfer and reconciliation of
budgeting and funding between the transition departments and
the department.
(8) The transition of technology services of the transition
departments to the department.
(9) Any additional known tasks that may require completion
after the transition on July 1, 2023.
c. The written transition plan published under paragraph
"b" shall:
(1) Include a detailed timeline for the completion of the
tasks described.
(2) Be updated quarterly during the remainder of the
transition period.
(3) Describe how information will be provided to clients
of the transition departments and the department regarding any
changes in service delivery.
(4) Describe how the transition to the department will be
funded, including how expenses associated with the transition
will be managed; how funding for services provided by the
transition departments will be managed to ensure provision
of services by the transition departments and the department
without interruption; and how federal funds will be used by
or transferred between the transition departments and the
department to ensure provision of services by the transition
departments and the department without interruption.

   a. Legislative changes required to implement the transition. Additional legislation is necessary to fully implement the transition. The director of the department of health and human services shall, in compliance with section 2.16, prepare draft legislation for submission to the legislative services agency, as necessary, for consideration by the general assembly during the 2023 legislative session, to implement the transition effective July 1, 2023. Notwithstanding any provision to the contrary in section 2.16, the draft legislation shall be submitted to the legislative services agency by October 1, 2022.

   b. Update of administrative code required by the transition. In updating references and the format in the Iowa administrative code, in order to correspond to the transferring of duties of the transition departments, the administrative rules coordinator and the administrative rules review committee, in consultation with the administrative code editor, shall collectively develop a schedule for the necessary updating of the Iowa administrative code.

DIVISION XII
NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE RATE ADD-ON PROGRAM

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

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

8. "Nursing facility" means a licensed nursing facility as defined in section 135C.1 that is a freestanding facility or a nursing facility operated by a hospital licensed pursuant to chapter 135B, but does not include a distinct-part skilled nursing unit or a swing-bed unit operated by a hospital, or a nursing facility owned by the state or federal government or other governmental unit. "Nursing facility" includes a
non-state government-owned nursing facility if the nursing facility participates in the non-state government-owned nursing facility quality of care rate add-on program.

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

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

DIVISION XIII

HEARING AIDS AND AUDIOLOGIC SERVICES FUNDING PROGRAM — FY 2021-2022 NONREVERSION

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

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

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

DIVISION XIV

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

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

  9A. "Intellectual disability" means a diagnosis of intellectual disability or intellectual developmental disorder, global developmental delay, or unspecified intellectual disability or intellectual developmental disorder which diagnosis shall be made only when the onset of the person's condition was during the developmental period and based on an
assessment of the person's intellectual functioning and level of adaptive skills. A diagnosis of intellectual disability shall be made by a licensed psychologist or psychiatrist who is professionally trained to administer the tests required to assess intellectual functioning and to evaluate a person's adaptive skills and shall be made in accordance with the criteria provided in the current version of the diagnostic and statistical manual of mental disorders published by the American psychiatric association.

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

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

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

   a. If all of the following requirements are met:
      (1) The person has been determined by the state mental health institute to meet admission criteria for inpatient psychiatric care.
      (2) The state mental health institute has determined the person will benefit from psychiatric treatment or from some other specific program available at the state mental health institute to which it is proposed to admit or transfer the person.
      (3) There is sufficient capacity available at the state mental health institute to support the needs of the person.

   b. If determined appropriate for the person at the sole discretion of the director of human services, the administrator, or the director's or administrator's designee.
2. Charges for the care of any person with a diagnosis of an intellectual disability admitted to a state mental health institute shall be made by the institute in the manner provided by chapter 230, but the liability of any other person to any county mental health and disability services region for the cost of care of such person with a diagnosis of an intellectual disability shall be as prescribed by section 222.78.

DIVISION XV
HEALTH-RELATED DATA

Sec. 60. Section 11.41, subsection 3, Code 2022, is amended to read as follows:

3. If the information, records, instrumentalities, and properties sought by the auditor of state are required by law to be kept confidential, the auditor of state shall have access to the information, records, instrumentalities, and properties, but shall maintain the confidentiality of all such information and is subject to the same penalties as the lawful custodian of the information for dissemination of the information. However, the auditor of state shall not have access to the income tax returns of individuals or to an individual’s name or residential address from a reportable disease report under section 139A.3.

Sec. 61. Section 135.166, subsection 2, Code 2022, is amended to read as follows:

2. Unless otherwise authorized or required by state or federal law, data collected under this section shall not include the social security number or name of the individual subject of the data.

Sec. 62. Section 139A.3, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. A state or local agency employee or agent shall not have access to personally identifiable information included in a reportable disease report provided to or maintained by the department, a local board, or a local department, unless the employee or agent has completed data
Sec. 63. NEW SECTION. 505.34 Medical assistance and hawk-i programs — applicability of subtitle.

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

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

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

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

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

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

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

b. A managed care organization acting pursuant to a contract
with the department of human services to administer the hawk-i program.

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

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

DIVISION XVII
MORE OPTIONS FOR MATERNAL SUPPORT PROGRAM — MEDICAID
POSTPARTUM COVERAGE REPORT

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

1. a. The department of human services shall create the more options for maternal support program, a statewide program to promote healthy pregnancies and childbirth through nonprofit organizations that provide pregnancy support services.

b. The more options for maternal support program is designed to do all of the following:

1) Provide an approach and personalized support to pregnant women to provide stabilization to families.

2) Promote improved pregnancy outcomes, including reducing abortions, by helping women practice sound health-related behaviors and improve prenatal nutrition.

3) Improve child health and development by helping parents provide responsible and competent care for their children.

4) Improve family economic self-sufficiency by linking parents to services that address individual economic and social needs.

c. For the purposes of this section, "pregnancy support services" means those nonmedical services that promote childbirth by providing information, counseling, and support services that assist pregnant women or women who believe they may be pregnant to choose childbirth and to make informed
decisions regarding the choice of adoption or parenting with respect to their children.

2. The program may provide and support all of the following pregnancy support services:
   a. Nutritional services and education.
   b. Housing, education, and employment assistance during pregnancy and up to one year following a birth.
   c. Adoption education, planning, and services.
   d. Child care assistance if necessary for a pregnant woman to receive pregnancy support services.
   e. Parenting education and support services for up to one year following a child's birth.
   f. Material items which are supportive of pregnancy and childbirth including but not limited to cribs, car seats, clothing, diapers, formula, or other safety devices.
   g. Information regarding health care benefits, including but not limited to available Medicaid coverage for pregnancy care and health care coverage for a child following birth.
   h. A call center for information or to schedule appointments.
   i. Medical information and referrals for medical care, including but not limited to pregnancy tests, sexually transmitted infection tests, other health screenings, ultrasound services, prenatal care, and birth classes and planning.
   j. Counseling, mentoring, educational information, and classes relating to pregnancy, parenting, adoption, life skills, and employment readiness.

3. The department of human services shall issue a request for proposals to select a program administrator for the program. A program administrator shall meet all of the following requirements:
   a. Be a nonprofit entity incorporated in this state with a tax-exempt status pursuant to section 501(c)(3) of the Internal Revenue Code.
b. Have systems and processes in place that have been used for at least three years to successfully manage a statewide network of subcontractors providing pregnancy support services.

c. Have a commitment to promoting healthy pregnancies and childbirth instead of abortion as a fundamental part of the program administrator’s mission.

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

e. Maintain records for each subcontractor.

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

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

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

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

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

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

e. Have a board that hires and supervises a director who manages the organization’s operations.

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

g. Provide confidential and free pregnancy support and other program services.

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

i. Ensure that program funds are not used to provide
or refer pregnant women for terminations of pregnancy, or
to encourage or affirmatively counsel a pregnant woman to
terminate a pregnancy unless the pregnant woman's attending
physician confirms the termination of pregnancy is medically
necessary to prevent the pregnant woman's death.

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

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

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

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

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

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

c. Total program expenditures.

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

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

Sec. 68. MEDICAID POSTPARTUM COVERAGE — REPORT. The
department of human services shall review data regarding
the postpartum coverage available to recipients of
pregnancy-related Medicaid coverage and shall submit a report
to the general assembly by December 15, 2022, that includes
the number of recipients of postpartum services, the services utilized, and the costs of such services for the period beginning January 1, 2020, through June 30, 2022, as well as information regarding the number of states that have expanded Medicaid postpartum coverage beyond sixty days, such states' postpartum coverage expansion period, the amount of cost savings realized by the states that expanded coverage to twelve months postpartum, and whether a state expanded coverage pursuant to a Medicaid waiver or a state plan amendment.

DIVISION XVIII
MENTAL HEALTH AND DISABILITY SERVICES REGIONS
Sec. 69. Section 331.389, Code 2022, is amended to read as follows:
331.389 Mental health and disability services regions — criteria.
1. a. Local access to mental health and disability services for adults shall be provided either by counties organized into a regional service system or by individual counties that are exempted as provided by this subsection. The department of human services shall encourage counties to enter into a regional system when the regional approach is likely to increase the availability of services to residents of the state who need the services comprised of mental health and disability services regions approved by the director of the department. It is the intent of the general assembly that the adult residents of this state should have access to needed mental health and disability services regardless of the location of their residence.

b. If a county has been exempted prior to July 1, 2014, from the requirement to enter into a regional service system, the county and the county's board of supervisors shall fulfill all requirements and be eligible as a region under this chapter and chapters 222, 225, 225C, 226, 227, 229, and 230 for a regional service system, regional service system management plan, regional governing board, and regional administrator, and any
other provisions applicable to a region of counties providing local mental health and disability services. Additionally, a county exempted under this subsection shall be considered a region for purposes of chapter 426B.

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

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

a. The counties comprising the multicounty region are contiguous.

b. The multicounty region has at least three counties.

c. The region has the capacity to provide required core services and perform all other required functions.

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

e. A hospital with an inpatient psychiatric unit or a state mental health institute is located in or within reasonably close proximity to the region, has the capability to provide inpatient services for the region, and is either under contract with the region or has provided documentation of intent to contract with the region to provide the services.
f. The regional administrator structure proposed for or utilized by the region has demonstrates clear lines of accountability and the regional administrator functions as a lead agency utilizing shared county staff or other appropriate means of limiting administrative costs.

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

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

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

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

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

b. Upon the department’s determination that a region is in compliance with the provisions of paragraph “a” requirements of subsection 3, the participating counties are region shall be eligible for technical assistance provided by the department.

c. The department shall work with any county that has not agreed to be part of a region in accordance with paragraph “a” and with the regions forming around the county to resolve issues preventing the county from joining a region. In addition to the regional governance agreement requirements in section 331.392, the department may compel the county and region to engage in mediation for resolution of a dispute. The costs incurred for mediation shall be paid by the county and the region in dispute according to their governance agreement. A county that has not agreed to be part of a
region in accordance with paragraph “a” shall be assigned by
the department to a region, unless exempted prior to July 1,
2014. A county assigned by the department to a region shall
be included in that region’s amended governance agreement
pursuant to this section as of an effective date designated by
the department. The assigned county and region shall operate
according to the region’s existing governance agreement until
the regional governance agreement is amended.

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

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

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

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

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

(2) The duly authorized representatives of all the counties
participating in the a multicounty region have signed the
chapter 28E agreement that is in compliance with section 331.390.
(3) The county board of supervisors’ or supervisors’
designee members and other members of the region’s governing
board have been appointed in accordance with section 331.390.
(4) Executive staff for the region’s regional administrator
have been identified or engaged.
(5) An initial draft of a regional service management
transition plan has been developed which identifies the steps
to be taken by the region to do all of the following:
(a) Designate local local access points for the disability
services administered by the region.
(b) Designate the region’s targeted case manager
providers funded by the medical assistance program.
(c) Identify the service provider network for the
region.
(d) Define the service access and service authorization
process to be utilized for by the region.
(e) Identify the information technology and data
management capacity to be employed to support regional
functions.
(f) Establish business business functions, funds accounting
procedures, and other administrative processes.
(g) Comply with data Data reporting and other information
technology requirements identified by the department.
(6) The department has approved the region’s chapter 28E
agreement and the initial draft of the regional management
transition plan unless the county was exempted from the
requirements of subparagraph (1) prior to July 1, 2014.
(7) The department has approved the region’s regional
management plan.
If the department, in consultation with the state
commission, determines that a region is in substantial
compliance with the implementation criteria in paragraph “e”
and has sufficient operating capacity to begin operations, the
region may commence partial or full operations prior to July 2014.

5. a. If the department determines that a region or an exempted county is not adequately fulfilling the requirements under this chapter for a regional service system, the department shall address the region or county in the following order:

   (1) Require compliance with a corrective action plan.
   (2) Reduce the amount of the annual state funding provided for the regional service system or exempted county, including amounts received under section 225C.7A, not to exceed fifteen percent of the amount.
   (3) Withdraw approval for the region or the county exemption, as applicable.

b. The department shall rely on all information available, including annual audits submitted under section 331.391, regional governance agreements submitted under section 331.392, and annual service and budget plans submitted under section 331.393 in determining whether a region or an exempted county is adequately fulfilling the requirements for a regional service system. The department may request and review financial documents, contracts, and other audits, and may perform on-site reviews and interviews to gather information.

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

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

b. A region exempted from the requirement to enter into a chapter 28E agreement prior to July 1, 2014, shall submit written documents demonstrating that the region has formed a regional administrator under the control of a governing board to function on behalf of that region and otherwise comply with the requirements of this section.
Sec. 71. Section 331.391, subsection 1, Code 2022, is amended to read as follows:

1. The funding under the control of the governing board shall be maintained in a combined account. A county exempted under section 331.389, subsection 1 from joining a multicounty region prior to July 1, 2014, shall maintain a county mental health and disability services fund for the deposit of funding received under section 225C.7A and appropriations specifically authorized to be made from the county mental health and disability services fund shall not be made from any other fund of the county. A county mental health and disability services fund established by an exempt county, to the extent feasible, shall be considered to be the same as a region combined account and shall be subject to the same requirements as a region’s combined account.

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

1. a. In addition to compliance with the applicable provisions of chapter 28E, the chapter 28E agreement entered into by the counties comprising a mental health and disability services region in forming the regional administrator to function on behalf of the counties shall comply with the requirements of this section.

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

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

1. a. The mental health and disability services provided by counties operating as a region shall be delivered in accordance with a regional service system management plan approved by the region’s governing board and implemented by the regional administrator in accordance with this section. The
requirements for a regional service system management plan and
plan format shall be specified in rule adopted by the state
commission pursuant to a recommendation made by the department.
A regional management plan shall include an annual service and
budget plan, a policies and procedures manual, and an annual
report. Each region’s initial plan shall be submitted to the
department by April 1, 2014.
  b. A region, regardless of whether the region is a
single county or multicounty region, shall comply with all
requirements of this section.
Sec. 74. Section 331.393, subsection 6, Code 2022, is
amended by striking the subsection.
Sec. 75. Section 331.910, subsection 2, paragraph d, Code
2022, is amended to read as follows:
  d. “Region” means a mental health and disability services
region formed in accordance with section 331.389 or a county
that has been exempted by the director of human services from
being required to be a part of a mental health and disability
services region in accordance with section 331.389.
DIVISION XIX
HEALTH CARRIERS — TELEHEALTH
Sec. 76. Section 514C.34, subsection 3, Code 2022, is
amended to read as follows:
  3. a. Health care services that are delivered by telehealth
must be appropriate and delivered in accordance with applicable
law and generally accepted health care practices and standards
prevailing at the time the health care services are provided,
including all rules adopted by the appropriate professional
licensing board, pursuant to chapter 147, having oversight
of the health care professional providing the health care
services.
  b. A health carrier shall not exclude a health care
professional who provides services for mental health
conditions, illnesses, injuries, or diseases and who is
physically located out-of-state from participating as a
provider, via telehealth, under a policy, plan, or contract offered by the health carrier in the state if all of the following requirements are met:

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

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

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

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

DIVISION XX

NURSING FACILITY CONSTRUCTION OR EXPANSION RELIEF

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

4. "Major renovations" means construction or facility improvements to a nursing facility in which the total amount expended exceeds one million five hundred thousand dollars.

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

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

Sec. 81. ADMINISTRATIVE RULES — ADOPTION AND
AMENDMENT. The department of human services shall adopt or amend rules pursuant to chapter 17A to administer this division of this Act. Specifically, the department shall amend rules relating to nursing facility additional requirements for all requests for the capital cost per diem instant relief add-on and enhanced nondirect care rate component limit to provide that with regard to the additional requirements a nursing facility must meet, the facility has Medicaid utilization at or above forty percent for the two-month period before the request for additional reimbursement is submitted. Medicaid utilization for this purpose is calculated as total nursing facility Medicaid patient days divided by total in-house patient days as reported on the facility's most current financial and statistical report.

DIVISION XXI

PSYCHIATRY RESIDENCY PROGRAM

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

1. The university of Iowa hospitals and clinics shall administer a state-funded psychiatry residency program in cooperation with the state mental health institutes at Independence and Cherokee, the state resource center at Woodward, the state training school at Eldora, and the Iowa medical and classification center at Oakdale. The university of Iowa hospitals and clinics shall expand the psychiatry residency program to provide additional residency positions by providing financial support for residency positions which are in excess of the federal residency cap established by the federal Balanced Budget Act of 1997, Pub. L. No. 105-33. Participating residents shall complete a portion of their psychiatry training at one of the state mental health institutes, the state resource center, the state training school, or the Iowa medical and classification center at Oakdale. For accreditation-required clinical experiences not available at the state mental health institutes, the state
resource center, the state training school, or the Iowa medical
and classification center at Oakdale, the psychiatry residency
program and its residents may utilize clinical rotations at the
university of Iowa hospitals and clinics and its affiliates
across the state.

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

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

______________________________
MARK COSTELLO