

House File 2585

H-8044

1 Amend House File 2585 as follows:

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

4 <Section 1. Section 135C.16, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. In addition to the inspections required by sections
7 135C.9 and 135C.38, the department shall make or cause to
8 be made such further unannounced inspections as it deems
9 necessary to adequately enforce **this chapter**. At least one
10 general unannounced inspection shall be conducted for each
11 health care facility, that is other than a nursing facility,
12 within a thirty-month period. On average, at least one general
13 unannounced inspection shall be conducted for each nursing
14 facility within a twelve-month period. The inspector shall
15 show identification to the person in charge of the facility
16 and state that an inspection is to be made before beginning
17 the inspection. An employee of the department who gives
18 unauthorized advance notice of an inspection made or planned
19 to be made under **this subsection** or **section 135C.38** shall be
20 disciplined as determined by the director, except that if the
21 employee is employed pursuant to the merit system provisions of
22 chapter 8A, subchapter IV, the discipline shall not exceed the
23 discipline authorized pursuant to that subchapter.

24 Sec. 2. NEW SECTION. 135C.35C **Nursing facilities — joint**
25 **training sessions.**

26 The department shall semiannually provide joint training
27 sessions for inspectors and nursing facilities to review at
28 least three of the ten most frequently issued federal citations
29 in the state during the immediately preceding calendar year.
30 The department shall develop a protocol to identify regional
31 citation patterns relating to complaints, standards, and
32 outcomes in the nursing facility inspection process. The
33 department shall include the state long-term care ombudsman,
34 or the state long-term care ombudsman's designee, and
35 representatives of each nursing facility provider association

1 in the state in the planning process for the joint training
2 sessions.

3 Sec. 3. Section 135C.38, subsection 1, paragraph a,
4 subparagraph (1), Code 2024, is amended to read as follows:

5 (1) For nursing facilities, an on-site inspection shall be
6 initiated as follows:

7 (a) Within ~~two~~ one working ~~days~~ day for a complaint
8 determined by the department to be an alleged immediate
9 jeopardy situation.

10 (b) Within ~~ten~~ five working days for a complaint determined
11 by the department to be an alleged high-level, nonimmediate
12 jeopardy situation.

13 (c) Within forty-five calendar days for a complaint
14 determined by the department to be an alleged nonimmediate
15 jeopardy situation, other than a high-level situation.

16 Sec. 4. 2023 Iowa Acts, chapter 108, section 7, subsection
17 4, is amended to read as follows:

18 4. HEALTH FACILITIES

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

22	\$	4,862,971
23		<u>6,262,971</u>
24	FTEs	115.00
25		<u>145.00</u>

26 b. The department shall make all of the following
27 information available to the public as part of the department's
28 development efforts to revise the department's internet site:

29 (1) The number of inspections of health facilities
30 conducted by the department annually by type of service
31 provider and type of inspection.

32 (2) The total annual operations budget for the department
33 that is associated with health facilities regulation, including
34 general fund appropriations and federal contract dollars
35 received by type of service provider inspected.

1 (3) The total number of full-time equivalent positions
2 in the department that are associated with health facilities
3 regulation, to include the number of full-time equivalent
4 positions serving in a supervisory capacity, and serving as
5 surveyors, inspectors, or monitors in the field by type of
6 service provider inspected.

7 (4) Identification of state and federal survey trends,
8 cited regulations, the scope and severity of deficiencies
9 identified, and federal and state fines assessed and collected
10 concerning nursing and assisted living facilities and programs.

11 c. It is the intent of the general assembly that the
12 department continuously solicit input from health facilities
13 regulated by the department to assess and improve the
14 department's level of collaboration and to identify new
15 opportunities for cooperation.

16 d. Of the funds appropriated in this subsection, \$2,400,000
17 shall be used to employ additional nursing facility inspectors
18 and assisted living program monitors to perform additional
19 safety inspections.

20 Sec. 5. EFFECTIVE DATE. The following, being deemed of
21 immediate importance, takes effect upon enactment:

22 The section of this Act amending 2023 Iowa Acts, chapter 108,
23 section 7, subsection 4, relating to health facilities.

24 Sec. 6. RETROACTIVE APPLICABILITY. The following applies
25 retroactively to July 1, 2023:

26 The section of this Act amending 2023 Iowa Acts, chapter 108,
27 section 7, subsection 4, relating to health facilities.>

28 2. Title page, by striking lines 2 through 4 and inserting
29 <training sessions and inspection requirements, making an
30 appropriation, and including effective date and retroactive
31 applicability provisions.>

SRINIVAS of Polk