

Senate File 2437

S-5200

1 Amend Senate File 2437 as follows:

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

4 <DIVISION I

5 DEPARTMENT OF VETERANS AFFAIRS — FY 2024-2025

6 Section 1. DEPARTMENT OF VETERANS AFFAIRS. There is
7 appropriated from the general fund of the state to the
8 department of veterans affairs for the fiscal year beginning
9 July 1, 2024, and ending June 30, 2025, the following amounts,
10 or so much thereof as is necessary, to be used for the purposes
11 designated:

12 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

| | | |
|----------|------|-----------|
| 16 | \$ | 1,369,205 |
| 17 | FTEs | 15.00 |

18 2. IOWA VETERANS HOME

19 For salaries, support, maintenance, and miscellaneous
20 purposes:

| | | |
|----------|----|-----------|
| 21 | \$ | 8,145,736 |
|----------|----|-----------|

22 a. The Iowa veterans home billings involving the department
23 of health and human services shall be submitted to the
24 department on at least a monthly basis.

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

27 3. HOME OWNERSHIP ASSISTANCE PROGRAM

28 For transfer to the Iowa finance authority for the
29 continuation of the home ownership assistance program for
30 persons who are or were eligible members of the armed forces of
31 the United States, pursuant to section 16.54:

| | | |
|----------|----|-----------|
| 32 | \$ | 2,200,000 |
|----------|----|-----------|

33 DIVISION II

34 AGING AND DISABILITY SERVICES — FY 2024-2025

35 Sec. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES — AGING

1 AND DISABILITY SERVICES. There is appropriated from the
2 general fund of the state to the department of health and human
3 services for the fiscal year beginning July 1, 2024, and ending
4 June 30, 2025, the following amount, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 For aging programs for the department of health and human
7 services and area agencies on aging to provide citizens of
8 Iowa who are 60 years of age and older with case management;
9 Iowa's aging and disabilities resource centers; for the
10 return to community program; for the purposes of chapter 231E,
11 to administer the prevention of elder abuse, neglect, and
12 exploitation program pursuant to section 231.56A, in accordance
13 with the requirements of the federal Older Americans Act of
14 1965, 42 U.S.C. §3001 et seq., as amended; for the reporting
15 and evaluation of cases of dependant adult abuse pursuant to
16 chapter 235B; and for other services which may include but are
17 not limited to adult day, respite care, chore, information
18 and assistance, and material aid, for information and options
19 counseling for persons with disabilities, and for salaries,
20 support, administration, maintenance, and miscellaneous
21 purposes:

22 \$ 19,088,714

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

31 2. Of the funds appropriated in this section, \$949,282
32 shall be used for the family support center component of the
33 comprehensive family support program under chapter 225C,
34 subchapter V.

35 3. Of the funds appropriated in this section, \$33,632 shall

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

5 DIVISION III

6 BEHAVIORAL HEALTH — FY 2024-2025

7 Sec. 3. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
8 BEHAVIORAL HEALTH. There is appropriated from the general fund
9 of the state to the department of health and human services for
10 the fiscal year beginning July 1, 2024, and ending June 30,
11 2025, the following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 For behavioral health prevention, treatment, and recovery
14 efforts to reduce the prevalence of the use of, provide
15 treatment for, and support recovery from tobacco and substance
16 use and misuse pursuant to the applicable policy, purpose,
17 and intent described in sections 125.1 and 142A.1, alcohol,
18 problem gambling, and other addictive behaviors. Activities
19 shall align with accepted best practice guidance standards for
20 behavioral health including those published by the centers for
21 disease control and prevention and the substance abuse and
22 mental health services administration of the United States
23 department of health and human services for health promotion;
24 universal, selective, and indicated prevention; treatment; and
25 recovery services and supports; and shall include a 24-hour
26 helpline, public information resources, professional training,
27 youth prevention, program evaluation, and efforts at the state
28 and local levels:

29 \$ 24,400,114

30 1. Of the funds appropriated in this section, \$300,000 shall
31 be used to support the work of the children's behavioral health
32 system including evidence-based behavioral health prevention,
33 treatment, and recovery services and supports for children and
34 their families pursuant to the intent specified in section
35 225C.6B, subsection 1.

1 2. Of the funds appropriated in this section, \$950,000
2 shall be used for an integrated substance use disorder managed
3 care system. The department shall maintain the level of mental
4 health and substance use disorder treatment services provided
5 by the managed care contractors. The department shall take the
6 steps necessary to continue the federal waivers as needed to
7 maintain the level of services.

8 Sec. 4. DEPARTMENT OF HEALTH AND HUMAN SERVICES — SPORTS
9 WAGERING RECEIPTS FUND. There is appropriated from the sports
10 wagering receipts fund created in section 8.57, subsection 6,
11 to the department of health and human services for the fiscal
12 year beginning July 1, 2024, and ending June 30, 2025, the
13 following amount, or so much thereof as is necessary, to be
14 used for behavioral health prevention, treatment, and recovery
15 efforts to reduce the prevalence of the use of, provide
16 treatment for, and support recovery from tobacco and substance
17 use and misuse pursuant to the applicable policy, purpose, and
18 intent described in sections 125.1 and 142A.1, alcohol, problem
19 gambling, and other addictive behaviors:

20 \$ 1,750,000

21 DIVISION IV

22 PUBLIC HEALTH — FY 2024-2025

23 Sec. 5. DEPARTMENT OF HEALTH AND HUMAN SERVICES — PUBLIC
24 HEALTH. There is appropriated from the general fund of the
25 state to the department of health and human services for the
26 fiscal year beginning July 1, 2024, and ending June 30, 2025,
27 the following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For programs that support health promotion, protect the
30 health and safety of the public, conduct disease surveillance
31 and investigation to reduce the incidence of morbidity and
32 mortality, serve individuals with chronic conditions including
33 but not limited to cancer, support the Iowa donor registry as
34 specified in section 142C.18, and strengthen the health care
35 delivery system and workforce to improve health outcomes for

1 all Iowans:

2 \$ 22,531,821

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

9 2. Of the funds appropriated in this section, the following
10 amounts are allocated to be used as follows to support the
11 goals of increased access, health system integration, and
12 engagement:

13 a. \$600,000 is allocated to the Iowa prescription
14 drug corporation for continuation of the pharmaceutical
15 infrastructure for safety net providers originally established
16 as described in 2007 Iowa Acts, chapter 218, section 108, and
17 for the prescription drug donation repository program created
18 in chapter 135M. Funds allocated under this paragraph shall
19 be distributed in their entirety for the purpose specified on
20 July 1, 2024.

21 b. \$374,000 is allocated to free clinics and free clinics
22 of Iowa for necessary infrastructure, statewide coordination,
23 provider recruitment, service delivery, and provision of
24 assistance to patients in securing a medical home inclusive
25 of oral health care. Of the funds allocated, \$40,000 shall
26 be used to cover fees associated with using an electronic
27 prescribing system. Funds allocated under this paragraph shall
28 be distributed in their entirety for the purpose specified on
29 July 1, 2024.

30 c. \$25,000 is allocated to the Iowa association of rural
31 health clinics for necessary infrastructure and service
32 delivery transformation. Funds allocated under this paragraph
33 shall be distributed in their entirety for the purpose
34 specified on July 1, 2024.

35 d. \$225,000 is allocated to the Polk county medical society

1 for continuation of the safety net provider patients access
2 to specialty care initiative as described in 2007 Iowa Acts,
3 chapter 218, section 109. Funds allocated under this paragraph
4 shall be distributed in their entirety for the purpose
5 specified on July 1, 2024.

6 3. Of the funds appropriated in this section, \$800,000
7 shall be used for rural psychiatric residencies to annually
8 fund eight psychiatric residents who will provide mental health
9 services in underserved areas of the state.

10 4. Of the funds appropriated in this section, \$560,000 shall
11 be deposited in the state-funded family medicine obstetrics
12 fellowship program fund to be used for the state-funded family
13 medicine obstetrics fellowship program, in accordance with
14 section 135.193.

15 5. The department shall work with the board established
16 in chapter 135D to develop plans for program enhancements
17 in the Iowa health information network for the purpose of
18 empowering Iowa patients to access and direct their health
19 information utilizing the Iowa health information network.
20 Program enhancements shall protect data privacy, facilitate the
21 interchange of health data for the purpose of improving public
22 health outcomes, and increase participation by health care
23 providers.

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

29 DIVISION V

30 COMMUNITY ACCESS AND ELIGIBILITY — FY 2024-2025

31 Sec. 6. DEPARTMENT OF HEALTH AND HUMAN SERVICES — COMMUNITY
32 ACCESS AND ELIGIBILITY. There is appropriated from the
33 general fund of the state to the department of health and human
34 services for the fiscal year beginning July 1, 2024, and ending
35 June 30, 2025, the following amount, or so much thereof as is

1 necessary, to be used for the purposes designated:
2 To be used for salaries, support, maintenance, and
3 miscellaneous purposes and for family investment program (FIP)
4 assistance in accordance with chapter 239B, and for other costs
5 associated with providing needs-based benefits or assistance
6 including but not limited to maternal and child health, oral
7 health, obesity prevention, the promoting independence and
8 self-sufficiency through employment, job opportunities and
9 basic skills (PROMISE JOBS) program, supplemental nutrition
10 assistance program (SNAP) employment and training, the FIP
11 diversion program, family planning, rent reimbursement,
12 and eligibility determinations for medical assistance, food
13 assistance, and the children's health insurance program:
14 \$ 68,043,944

15 1. Of the child support collections assigned under FIP,
16 the federal share of support collections shall be credited to
17 the child support services appropriation made in this division
18 of this Act. Of the remainder of the assigned child support
19 collections received by child support services, a portion
20 shall be credited to community access and eligibility, and
21 the remaining funds may be used to increase recoveries, to
22 sustain cash flow in the child support payments account, or for
23 technology needs. If child support collections assigned under
24 FIP are greater than estimated or are otherwise determined not
25 to be required for maintenance of effort, the state share of
26 either amount may be transferred to or retained in the child
27 support payments account.

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

1 shall include enhancing the scope of the initiative through
2 collaboration with the child health specialty clinics to
3 promote the use of developmental surveillance and screening to
4 support healthy child development through early identification
5 and response to both biomedical and social determinants of
6 healthy development by providing practitioner consultation
7 and continuous improvement through training and education,
8 particularly for children with behavioral conditions and
9 needs. The department shall also collaborate with the Medicaid
10 program and the child health specialty clinics to assist in
11 coordinating the activities of the first five initiative into
12 the establishment of patient-centered medical homes developed
13 to improve health quality and population health while reducing
14 health care costs. To the maximum extent possible, funding
15 allocated in this subsection shall be utilized as matching
16 funds for Medicaid program reimbursement.

17 3. Of the funds appropriated in this section, \$1,145,102
18 is allocated to the Iowa commission on volunteer service for
19 programs and grants.

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

25 CHILD SUPPORT SERVICES

26 Sec. 7. CHILD SUPPORT SERVICES. There is appropriated from
27 the general fund of the state to the department of health and
28 human services for the fiscal year beginning July 1, 2024, and
29 ending June 30, 2025, the following amount, or so much thereof
30 as is necessary, to be used for the purposes designated:

31 For child support services, including salaries, support,
32 maintenance, and miscellaneous purposes:

33 \$ 15,434,282

34 1. Federal access and visitation grant moneys shall be used
35 for services designed to increase compliance with the child

1 access provisions of court orders, including but not limited to
2 neutral visitation sites and mediation services.

3 2. The appropriation made to the department for child
4 support services may be used throughout the fiscal year in the
5 manner necessary for purposes of cash flow management, and for
6 cash flow management purposes the department may temporarily
7 draw more than the amount appropriated, provided the amount
8 appropriated is not exceeded at the close of the fiscal year.

9 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT

10 Sec. 8. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
11 GRANT. There is appropriated from the special fund created in
12 section 8.41 to the department of health and human services
13 for the fiscal year beginning July 1, 2024, and ending June
14 30, 2025, from moneys received under the federal temporary
15 assistance for needy families (TANF) block grant pursuant
16 to the federal Personal Responsibility and Work Opportunity
17 Reconciliation Act of 1996, Pub. L. No. 104-193, and successor
18 legislation, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:

20 1. For community access and eligibility, FIP, the PROMISE
21 JOBS program, implementing family investment agreements in
22 accordance with chapter 239B, and for continuation of the
23 program promoting awareness of the benefits of a healthy
24 marriage:

25 \$ 12,988,627

26 2. For community access and eligibility to provide
27 pregnancy prevention grants on the condition that family
28 planning services are funded:

29 \$ 1,913,203

30 Pregnancy prevention grants shall be awarded to programs
31 in existence on or before July 1, 2024, if the programs have
32 demonstrated positive outcomes. Grants shall be awarded to
33 pregnancy prevention programs which are developed after July
34 1, 2024, if the programs are based on existing models that
35 have demonstrated positive outcomes. Grants shall comply with

1 the requirements provided in 1997 Iowa Acts, chapter 208,
2 section 14, subsections 1 and 2, including the requirement that
3 grant programs must emphasize sexual abstinence. Priority in
4 the awarding of grants shall be given to programs that serve
5 areas of the state which demonstrate the highest percentage of
6 unplanned pregnancies of females of childbearing age within the
7 geographic area to be served by the grant.

8 3. For community access and eligibility to meet one of the
9 four core purposes of TANF as specified in 45 C.F.R. §260.20,
10 including by modernizing the program to promote economic
11 mobility and self-sufficiency, ensuring that families are able
12 to overcome benefit cliffs, encouraging healthy families, and
13 streamlining service delivery to reduce duplication:
14 \$ 5,000,000

15 4. For technology needs related to child support
16 modernization of the Iowa collections and reporting (ICAR)
17 system and for a closed loop referral system for the thrive
18 Iowa program:
19 \$ 5,000,000

20 5. For early intervention and supports for the family
21 development and self-sufficiency (FaDSS) grant program in
22 accordance with section 216A.107:
23 \$ 2,888,980

24 Of the funds allocated for the FaDSS grant program in this
25 subsection, not more than 5 percent of the funds shall be used
26 for administrative purposes.

27 6. For early intervention and supports for child abuse
28 prevention grants:
29 \$ 125,000

30 7. For accountability, compliance, program integrity,
31 technology needs, and other resources necessary to meet federal
32 and state reporting, tracking, and case management requirements
33 and other departmental needs:
34 \$ 3,533,647

35 8. For state child care assistance:

1 \$ 47,166,826
 2 9. For child protective services:
 3 \$ 62,364,100
 4 10. For child protective services for the kinship stipend
 5 program:
 6 \$ 3,000,000

7 DIVISION VI

8 MEDICAL ASSISTANCE — STATE SUPPLEMENTARY ASSISTANCE — HEALTHY
 9 AND WELL KIDS IN IOWA PROGRAM AND OTHER HEALTH-RELATED PROGRAMS
 10 — FY 2024-2025

11 Sec. 9. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 12 ASSISTANCE, AND HEALTHY AND WELL KIDS IN IOWA PROGRAM. There
 13 is appropriated from the general fund of the state to the
 14 department of health and human services for the fiscal year
 15 beginning July 1, 2024, and ending June 30, 2025, the following
 16 amount, or so much thereof as is necessary, to be used for the
 17 purposes designated:

18 For medical assistance program reimbursement and associated
 19 costs as specifically provided in the reimbursement
 20 methodologies in effect on June 30, 2024, except as otherwise
 21 expressly authorized by law, consistent with options under
 22 federal law and regulations, and contingent upon receipt of
 23 approval from the office of the governor of reimbursement
 24 for each abortion performed under the program; for the state
 25 supplementary assistance program; for the health insurance
 26 premium payment program; and for maintenance of the healthy and
 27 well kids in Iowa (Hawki) program pursuant to chapter 514I,
 28 including supplemental dental services, for receipt of federal
 29 financial participation under Tit. XXI of the federal Social
 30 Security Act, which creates the children's health insurance
 31 program; and for other specified health-related programs:

32 \$ 1,650,866,536

33 1. Of the funds appropriated in this section,
 34 \$1,605,063,804 is allocated for medical assistance program
 35 reimbursement and associated costs.

1 a. Of the funds allocated in this subsection, \$800,000 shall
2 be used for the renovation and construction of certain nursing
3 facilities, consistent with the provisions of chapter 249K.

4 b. Of the funds allocated in this subsection, \$3,383,880
5 shall be used for program administration, outreach, and
6 enrollment activities of the state family planning services
7 program pursuant to section 217.41B, and of this amount, the
8 department may use \$200,000 for administrative expenses.

9 c. Of the funds allocated in this subsection,
10 \$1,700,000 shall be used to provide for additional home and
11 community-based services waiver slots for individuals with an
12 intellectual disability.

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

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

20 4. Of the funds appropriated in this section, \$4,479,762 is
21 allocated for the state supplementary assistance program.

22 5. Of the funds appropriated in this section, \$41,322,970
23 is allocated for maintenance of the Hawki program pursuant
24 to chapter 514I, including supplemental dental services, for
25 receipt of federal financial participation under Tit. XXI of
26 the federal Social Security Act, which creates the children's
27 health insurance program.

28 HEALTH PROGRAM OPERATIONS

29 Sec. 10. HEALTH PROGRAM OPERATIONS. There is appropriated
30 from the general fund of the state to the department of health
31 and human services for the fiscal year beginning July 1,
32 2024, and ending June 30, 2025, the following amount, or so
33 much thereof as is necessary, to be used for the purposes
34 designated:

35 For health program operations and the autism support

1 program:

2 \$ 39,597,231

3 1. The department of inspections, appeals, and licensing
4 shall provide all state matching funds for survey and
5 certification activities performed by the department of
6 inspections, appeals, and licensing. The department of health
7 and human services is solely responsible for distributing the
8 federal matching funds for such activities.

9 2. Of the funds appropriated in this section, a sufficient
10 amount shall be used for the administration of the health
11 insurance premium payment program, including salaries, support,
12 maintenance, and miscellaneous purposes.

13 3. Of the funds appropriated in this section, \$750,000 shall
14 be used for the state poison control center. Pursuant to the
15 directive under 2014 Iowa Acts, chapter 1140, section 102, the
16 federal matching funds available to the state poison control
17 center from the department under the federal Children's Health
18 Insurance Program Reauthorization Act of 2009 allotment shall
19 be subject to the federal administrative cap rule of 10 percent
20 applicable to funding provided under Tit. XXI of the federal
21 Social Security Act and included within the department's
22 calculations of the cap.

23 4. Unless otherwise provided, annual increases for services
24 provided through contracts funded under this section shall
25 not exceed the amount by which the consumer price index for
26 all urban consumers increased during the most recently ended
27 calendar year.

28 HEALTH CARE ACCOUNTS AND FUNDS

29 Sec. 11. PHARMACEUTICAL SETTLEMENT ACCOUNT — DEPARTMENT
30 OF HEALTH AND HUMAN SERVICES. There is appropriated from the
31 pharmaceutical settlement account created in section 249A.33 to
32 the department of health and human services for the fiscal year
33 beginning July 1, 2024, and ending June 30, 2025, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purposes designated:

1 Notwithstanding any provision of law to the contrary, to
2 supplement the appropriation made in this Act for health
3 program operations under the medical assistance program for the
4 same fiscal year:

5 \$ 234,193

6 Sec. 12. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
7 HEALTH AND HUMAN SERVICES. Notwithstanding any provision to
8 the contrary and subject to the availability of funds, there is
9 appropriated from the quality assurance trust fund created in
10 section 249L.4 to the department of health and human services
11 for the fiscal year beginning July 1, 2024, and ending June 30,
12 2025, the following amount, or so much thereof as is necessary,
13 for the purposes designated:

14 To supplement the appropriation made in this Act from the
15 general fund of the state to the department of health and human
16 services for medical assistance for the same fiscal year:

17 \$111,216,205

18 Sec. 13. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
19 DEPARTMENT OF HEALTH AND HUMAN SERVICES. Notwithstanding any
20 provision to the contrary and subject to the availability of
21 funds, there is appropriated from the hospital health care
22 access trust fund created in section 249M.4 to the department
23 of health and human services for the fiscal year beginning July
24 1, 2024, and ending June 30, 2025, the following amount, or so
25 much thereof as is necessary, for the purposes designated:

26 To supplement the appropriation made in this Act from the
27 general fund of the state to the department of health and human
28 services for medical assistance for the same fiscal year:

29 \$ 33,920,554

30 REIMBURSEMENT RATES

31 Sec. 14. REIMBURSEMENT RATES.

32 1. Reimbursement for medical assistance, state
33 supplementary assistance, and social service providers and
34 services reimbursed under the purview of the department of
35 health and human services shall remain at the reimbursement

1 rate or shall be determined pursuant to the reimbursement
2 methodology in effect on June 30, 2024, with the exception of
3 the following:

4 a. If reimbursement is otherwise negotiated by contract or
5 pursuant to an updated fee schedule.

6 b. As otherwise provided in this section.

7 2. a. Notwithstanding any provision of law to the contrary,
8 for the fiscal year beginning July 1, 2024, and ending June
9 30, 2025, the department of health and human services shall
10 reimburse case-mix nursing facility rates at the amounts in
11 effect on June 30, 2024.

12 b. The department of health and human services shall
13 calculate each nursing facility's case-mix index for the period
14 beginning July 1, 2023, using weighting based on the current
15 patient driven payment model (PDPM) schedule. Rosters shall be
16 made to show a separate calculation to determine the average
17 case-mix index for a nursing-facility-wide case mix index, and
18 a case-mix index for the residents of a nursing facility who
19 are Medicaid recipients using all minimum data set reports by
20 the nursing facility for the previous semi-annual period using
21 a day weighted calculation.

22 3. For the fiscal year beginning July 1, 2024, Medicaid
23 provider rates shall be adjusted to 85 percent of the benchmark
24 rates based on the department's 2023 Medicaid rate review for
25 all of the following Medicaid providers:

26 a. Medical supply providers.

27 b. Physician assistants.

28 c. Physical therapists.

29 d. Occupational therapists.

30 e. Certified nurse midwives.

31 4. For the fiscal year beginning July 1, 2024, reimbursement
32 rates for home and community-based services providers shall be
33 increased compared to the rates in effect on June 30, 2024, to
34 the extent possible within the state funding, including the
35 \$14,600,000 provided for this purpose.

1 5. For the fiscal year beginning July 1, 2024, reimbursement
2 rates for community mental health centers shall be increased
3 compared to the rates in effect on June 30, 2024, to the extent
4 possible within the state funding, including the \$276,947
5 provided for this purpose.

6 6. For the fiscal year beginning July 1, 2024, enhanced
7 reimbursement shall be provided within the additional \$369,000
8 appropriated for this purpose for a psychiatric medical
9 institution for children that meets the selection criteria
10 specified in 2024 Iowa Acts, House File 2402, or successor
11 legislation, if enacted.

12 7. For the fiscal year beginning July 1, 2024, the pharmacy
13 dispensing fee shall be adjusted within the additional \$500,000
14 appropriated for this purpose.

15 8. For the fiscal year beginning July 1, 2024, the
16 reimbursement rates for mental health providers shall be
17 increased within the additional \$2,104,186 appropriated for
18 this purpose.

19 9. For the fiscal year beginning July 1, 2024,
20 residential-based supported community living provider
21 rates shall be increased within the additional \$1,352,750
22 appropriated for this purpose.

23 10. For the fiscal year beginning July 1, 2024,
24 reimbursement rates for home health agencies shall continue to
25 be based on the Medicare low utilization payment adjustment
26 (LUPA) methodology with state geographic wage adjustments and
27 shall be adjusted to increase the rates to the extent possible
28 within the state funding appropriated. The department shall
29 continue to update the rates every two years to reflect the
30 most recent Medicare LUPA rates.

31 11. For the fiscal year beginning July 1, 2024,
32 reimbursement rates for air medical services provided by an
33 entity that has over 40 years of experience and is the largest
34 community-based provider of air medical services shall be
35 increased within the additional \$250,000 appropriated for this

1 purpose.

2 DIVISION VII

3 FAMILY WELL-BEING AND PROTECTION — FY 2024-2025

4 STATE CHILD CARE ASSISTANCE

5 Sec. 15. STATE CHILD CARE ASSISTANCE. There is appropriated
6 from the general fund of the state to the department of health
7 and human services for the fiscal year beginning July 1,
8 2024, and ending June 30, 2025, the following amount, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 For state child care assistance in accordance with section
12 237A.13:

13 \$ 34,966,931

14 1. If the appropriations made for purposes of the state
15 child care assistance program for the fiscal year are
16 determined to be insufficient, it is the intent of the general
17 assembly to appropriate sufficient funding for the fiscal year
18 in order to avoid establishment of waiting list requirements.

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

24 EARLY INTERVENTION AND SUPPORTS

25 Sec. 16. EARLY INTERVENTION AND SUPPORTS. There is
26 appropriated from the general fund of the state to the
27 department of health and human services for the fiscal year
28 beginning July 1, 2024, and ending June 30, 2025, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purposes designated:

31 For promoting the optimum health status for children
32 and adolescents from birth through 21 years of age, and for
33 families:

34 \$ 35,277,739

35 1. Of the funds appropriated in this section, not more

1 than \$734,000 shall be used for the healthy opportunities for
2 parents to experience success (HOPES)-healthy families Iowa
3 (HFI) program established pursuant to section 135.106.

4 2. Of the funds appropriated in this section, \$4,313,854 is
5 allocated for the FaDSS grant program. Of the funds allocated
6 for the FaDSS grant program in this subsection, not more than 5
7 percent of the funds shall be used for administration of the
8 grant program.

9 3. Of the funds appropriated in this section, \$29,256,799
10 shall be used for the purposes of the early childhood Iowa fund
11 created in section 256I.11.

12 4. Of the funds appropriated in this section, \$1,000,000
13 shall be used for the purposes of program administration and
14 provision of pregnancy support services through the more
15 options for maternal support program in accordance with section
16 217.41C.

17 CHILD PROTECTIVE SERVICES

18 Sec. 17. CHILD PROTECTIVE SERVICES. There is appropriated
19 from the general fund of the state to the department of health
20 and human services for the fiscal year beginning July 1,
21 2024, and ending June 30, 2025, the following amount, or so
22 much thereof as is necessary, to be used for the purposes
23 designated:

24 For child, family, and adoption services, and for salaries,
25 support, maintenance, and miscellaneous purposes:
26 \$166,101,034

27 1. Of the funds appropriated in this section, \$1,717,000
28 is allocated specifically for expenditure for fiscal year
29 2024-2025 through the decategorization services funding pools
30 and governance boards established pursuant to section 232.188.

31 2. A portion of the funds appropriated in this section
32 may be used to provide other resources based on client need
33 required to support family preservation, emergency client need,
34 or family reunification efforts.

35 3. Of the funds appropriated in this section, a sufficient

1 amount is allocated for foster family care, group foster care
2 maintenance and services, shelter care, child welfare emergency
3 services, and supervised apartment living contracts.

4 4. Federal funds received by the state during the fiscal
5 year beginning July 1, 2024, as the result of the expenditure
6 of state funds appropriated during a previous state fiscal
7 year for a service or activity funded under this section, are
8 appropriated to the department to be used as additional funding
9 for services and purposes provided for under this section.
10 Notwithstanding section 8.33, moneys received in accordance
11 with this subsection that remain unencumbered or unobligated at
12 the close of the fiscal year shall not revert to any fund but
13 shall remain available for the purposes designated until the
14 close of the succeeding fiscal year.

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

20 b. Notwithstanding chapter 232 or any other provision of
21 law to the contrary, a district or juvenile court shall not
22 order any service which is a charge upon the state pursuant
23 to section 232.141 if the court-ordered services distribution
24 amount is insufficient to pay for the service.

25 6. Of the funds appropriated in this section, \$1,658,000
26 shall be used for the child protection center grant program for
27 child protection centers located in Iowa in accordance with
28 section 135.118. The grant amounts under the program shall be
29 equalized so that each center receives a uniform base amount of
30 \$245,000, and so that the remaining funds are awarded through
31 a funding formula based upon the volume of children served.
32 To increase access to child protection center services for
33 children in rural areas, the funding formula for the awarding
34 of the remaining funds shall provide for the awarding of an
35 enhanced amount to eligible grantees to develop and maintain

1 satellite centers in underserved regions of the state.

2 7. Of the funds appropriated in this section, \$4,359,500 is
3 allocated for the preparation for adult living program pursuant
4 to section 234.46.

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

13 9. Of the funds appropriated in this section, a portion may
14 be used for family-centered services for purposes of complying
15 with the federal Family First Prevention Services Act of 2018,
16 Pub. L. No. 115-123, and successor legislation.

17 10. a. Of the funds appropriated in this section, a
18 sufficient amount is allocated for adoption subsidy payments
19 and related costs.

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

29 c. Of the funds appropriated in this section, \$148,232
30 shall be used to increase the adoption subsidy paid to a person
31 pursuant to section 600.17 who adopts a child after July 1,
32 2024, by five percent over the rates in effect on June 30,
33 2024.

34 11. Of the funds appropriated in this section, a sufficient
35 amount is allocated to support training needs for child welfare

1 providers and to address disproportionality within the child
2 welfare system.

3 12. Of the funds appropriated in this section, \$308,765
4 shall be used to increase the foster care reimbursement rates
5 paid pursuant to section 234.38, by five percent over the rates
6 in effect on June 30, 2024.

7 13. Of the funds appropriated in this section, \$1,000,000 is
8 allocated for enhanced training for child protective services
9 workers and for additional social worker supervisors to
10 appropriately manage caseloads.

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

15 DIVISION VIII

16 STATE SPECIALTY CARE — FY 2024-2025

17 Sec. 18. STATE SPECIALTY CARE. There is appropriated from
18 the general fund of the state to the department of health and
19 human services for the fiscal year beginning July 1, 2024, and
20 ending June 30, 2025, the following amount, or so much thereof
21 as is necessary, to be used for the purposes designated:

22 For salaries, support, maintenance, and miscellaneous
23 purposes at institutions under the jurisdiction of the
24 department of health and human services:

25 \$100,006,128

26 1. The department shall utilize the funds appropriated in
27 this section as necessary to maximize bed capacity and to most
28 effectively meet the needs of the individuals served.

29 2. Of the amount appropriated in this section, the following
30 amounts are allocated to each institution as follows:

31 a. For the state mental health institute at Cherokee:
32 \$ 19,439,086

33 b. For the state mental health institute at Independence:
34 \$ 23,916,279

35 c. For the civil commitment unit for sexual offenders at

1 Cherokee:
 2 \$ 17,755,397
 3 d. For the state resource center at Woodward:
 4 \$ 14,018,717
 5 e. For the state resource center at Glenwood:
 6 \$ 5,255,132
 7 f. For the state training school at Eldora:
 8 \$ 19,621,517

9 DIVISION IX

10 ADMINISTRATION AND COMPLIANCE — FY 2024-2025

11 Sec. 19. ACCOUNTABILITY, COMPLIANCE, AND PROGRAM

12 INTEGRITY. There is appropriated from the general fund of the
 13 state to the department of health and human services for the
 14 fiscal year beginning July 1, 2024, and ending June 30, 2025,
 15 the following amount, or so much thereof as is necessary, to be
 16 used for the purposes designated:

17 For accountability, compliance, and program integrity,
 18 including salaries, support, maintenance, and miscellaneous
 19 purposes:

20 \$ 22,356,598

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

26 2. Of the funds appropriated in this section, \$2,602,312
 27 shall be used for foster care review and the court appointed
 28 special advocate program, including for salaries, support,
 29 maintenance, and miscellaneous purposes.

30 3. Of the funds appropriated in this section, \$1,148,959
 31 shall be used for the office of long-term care ombudsman
 32 for salaries, support, administration, maintenance, and
 33 miscellaneous purposes.

34 4. For the fiscal year beginning July 1, 2024, and ending
 35 June 30, 2025, the department of health and human services

1 may utilize the funds appropriated from the general fund of
2 the state to the department under this Act for up to 4,156.00
3 full-time equivalent positions. The department shall report to
4 the general assembly by December 15, 2024, the distribution of
5 the approved number of full-time equivalent positions across
6 the organizational divisions of the department.

7 DIVISION X

8 AUTISM SUPPORT FUND

9 Sec. 20. AUTISM SUPPORT FUND — APPROPRIATION.

10 Notwithstanding any provision to the contrary under section
11 225D.2, there is appropriated from the autism support fund
12 created in section 225D.2 to the department of health and human
13 services for the fiscal year beginning July 1, 2024, and ending
14 June 30, 2025, the following amount, or so much thereof as is
15 necessary, for the purposes designated:

16 For allocation to a nonprofit agency that provides expert
17 care for children with medical complexity as infrastructure
18 funding to expand its facilities to provide behavioral analysis
19 treatment for eligible individuals:

20 \$ 750,000

21 DIVISION XI

22 DEPARTMENT OF HEALTH AND HUMAN SERVICES TRANSFERS, CASHFLOW,
23 AND NONREVERSIONS

24 Sec. 21. DEPARTMENT OF HEALTH AND HUMAN SERVICES TRANSFERS
25 AND CASHFLOW.

26 1. The department of health and human services may transfer
27 funds appropriated in this Act to support continuing alignment
28 efforts, to maximize federal support in accordance with the
29 department's federal costs allocation plan, and for resources
30 necessary to implement and administer the services for which
31 funds are provided. The department shall report any transfers
32 made pursuant to this subsection to the general assembly.

33 2. If the savings to the appropriations made for the
34 Medicaid program from ongoing cost management efforts exceed
35 the associated costs for the fiscal year, the department may

1 transfer any savings generated for the fiscal year due to cost
2 management efforts to the appropriations made in this Act for
3 health program operations or for accountability, compliance,
4 and program integrity to defray the costs associated with
5 implementation of the cost management efforts.

6 3. The department may transfer funds appropriated for
7 child protective services to pay the nonfederal share costs of
8 services reimbursed under the medical assistance program, state
9 child care assistance program, or the family investment program
10 which are provided to children who would otherwise receive
11 services paid under the appropriation for child protective
12 services.

13 4. The department may transfer funds from the temporary
14 assistance for needy families block grant to the federal social
15 services block grant appropriation, and to the child care and
16 development block grant appropriation, in accordance with
17 federal law.

18 5. To the extent the department determines that moneys
19 appropriated under this Act or allocated for a specific purpose
20 under the Act will remain unencumbered or unobligated at the
21 close of the fiscal year, such unencumbered or unobligated
22 moneys may be used in the same fiscal year for any other
23 purpose for which the moneys appropriated may be used, or for
24 any other allocation within the same appropriation.

25 6. To the extent the department determines that moneys
26 appropriated under this Act will remain unencumbered or
27 unobligated at the close of the fiscal year or that services
28 will not be impacted, the department may utilize up to
29 \$3,000,000 of such unencumbered or unobligated moneys
30 appropriated to develop and support the thrive Iowa program,
31 a closed-loop referral system utilizing a navigator model,
32 that acts as the connection point to link Iowans on an
33 individualized path to prosperity and self-sufficiency to
34 available resources in all sectors of the community.

35 Sec. 22. DEPARTMENT OF HEALTH AND HUMAN SERVICES

1 NONREVERSIONS.

2 1. Notwithstanding section 8.33, moneys appropriated from
3 the general fund of the state and the temporary assistance for
4 needy families block grant to the department of health and
5 human services for the fiscal year beginning July 1, 2024,
6 and ending June 30, 2025, for the purposes of the FaDSS grant
7 program that remain unencumbered or unobligated at the close of
8 the fiscal year shall not revert, but shall remain available
9 for expenditure for the purposes designated until the close of
10 the succeeding fiscal year.

11 2. Notwithstanding section 8.33, of the moneys appropriated
12 from the general fund of the state, the quality assurance trust
13 fund, and the hospital health care access trust fund to the
14 department of health and human services for the fiscal year
15 beginning July 1, 2024, and ending June 30, 2025, for the
16 purposes of the medical assistance program, the amount that is
17 in excess of actual expenditures for the medical assistance
18 program that remains unencumbered or unobligated at the close
19 of the fiscal year shall not revert, but shall remain available
20 for expenditure for the medical assistance program until the
21 close of the succeeding fiscal year.

22 3. Notwithstanding section 8.33, and notwithstanding the
23 nonreversion amount limitation specified in section 222.92,
24 moneys appropriated from the general fund of the state to the
25 department of health and human services for the fiscal year
26 beginning July 1, 2024, and ending June 30, 2025, for the
27 purposes of state specialty care that remain unencumbered or
28 unobligated at the close of the fiscal year shall not revert,
29 but shall remain available for expenditure for the purposes
30 designated for subsequent fiscal years.

31 4. Notwithstanding section 8.33, moneys appropriated from
32 the general fund of the state to the department of health and
33 human services for the fiscal year beginning July 1, 2024,
34 and ending June 30, 2025, for the commission on volunteer
35 service for purposes of the Iowa state commission grant program

1 that remain unencumbered or unobligated at the close of the
2 fiscal year shall not revert, but shall remain available for
3 expenditure for the purposes designated for subsequent fiscal
4 years.

5 5. Notwithstanding section 8.33, moneys appropriated from
6 the general fund of the state to the department of health and
7 human services for the fiscal year beginning July 1, 2024,
8 and ending June 30, 2025, and allocated for rural psychiatric
9 residencies to annually fund eight psychiatric residents who
10 will provide mental health services to underserved areas of the
11 state that remain unencumbered or unobligated at the close of
12 the fiscal year shall not revert, but shall remain available
13 for expenditure for the purposes designated until the close of
14 the succeeding fiscal year.

15 6. Notwithstanding section 8.33, moneys appropriated from
16 the general fund of the state to the department of health and
17 human services for the fiscal year beginning July 1, 2024,
18 and ending June 30, 2025, and allocated for adoption subsidy
19 payments and related costs or for post-adoption services
20 and related allowable purposes that remain unencumbered or
21 unobligated at the close of the fiscal year shall not revert,
22 but shall remain available for expenditure for the purposes
23 designated until the close of the succeeding fiscal year.

24 DIVISION XII

25 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER

26 PROVISIONS — FY 2022-2023

27 RURAL PSYCHIATRIC RESIDENCIES

28 Sec. 23. 2022 Iowa Acts, chapter 1131, section 3, subsection
29 4, paragraph j, is amended to read as follows:

30 j. Of the funds appropriated in this subsection, \$800,000
31 shall be used for rural psychiatric residencies to support the
32 annual creation and training of ~~six~~ eight psychiatric residents
33 who will provide mental health services in underserved areas of
34 the state. Notwithstanding [section 8.33](#), moneys that remain
35 unencumbered or unobligated at the close of the fiscal year

1 shall not revert but shall remain available for expenditure for
2 the purposes designated for subsequent fiscal years.

3 FAMILY INVESTMENT PROGRAM

4 Sec. 24. 2022 Iowa Acts, chapter 1131, section 9, subsection
5 7, as enacted by 2023 Iowa Acts, chapter 112, section 41, is
6 amended to read as follows:

7 7. Notwithstanding [section 8.33](#), moneys appropriated in
8 this section that remain unencumbered or unobligated at the
9 close of the fiscal year shall not revert but shall remain
10 available for the purposes designated, or may be transferred to
11 other appropriations in this division of this Act or used as
12 necessary to enhance agency accountability, program integrity,
13 compliance, and efficiency, until the close of the succeeding
14 fiscal year.

15 Sec. 25. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. 26. RETROACTIVE APPLICABILITY. This division of this
18 Act applies retroactively to July 1, 2022.

19 DIVISION XIII

20 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER
21 PROVISIONS — FY 2023-2024
22 OFFICE OF PUBLIC GUARDIAN

23 Sec. 27. 2023 Iowa Acts, chapter 112, section 3, is amended
24 by adding the following new subsection:

25 NEW SUBSECTION. 7. Notwithstanding section 8.33,
26 moneys appropriated in this section for the state office of
27 public guardian established under chapter 231E that remain
28 unencumbered or unobligated at the close of the fiscal year
29 shall not revert but shall remain available for the purposes
30 designated until the close of the succeeding fiscal year.

31 AUDIOLOGICAL SERVICES

32 Sec. 28. 2023 Iowa Acts, chapter 112, section 5, subsection
33 2, paragraph e, is amended to read as follows:

34 e. Of the funds appropriated in this subsection, \$156,000
35 shall be used to provide audiological services and hearing aids

1 for children. Notwithstanding section 8.33, moneys allocated
2 in this paragraph that remain unencumbered or unobligated at
3 the close of the fiscal year shall not revert but shall remain
4 available for the purposes designated until the close of the
5 succeeding fiscal year.

6 RURAL PSYCHIATRIC RESIDENCIES

7 Sec. 29. 2023 Iowa Acts, chapter 112, section 5, subsection
8 4, paragraph j, is amended to read as follows:

9 j. Of the funds appropriated in this subsection, \$800,000
10 shall be used for rural psychiatric residencies to annually
11 fund ~~six~~ eight psychiatric residents who will provide
12 mental health services in underserved areas of the state.
13 Notwithstanding [section 8.33](#), moneys that remain unencumbered
14 or unobligated at the close of the fiscal year shall not revert
15 but shall remain available for expenditure for the purposes
16 designated for subsequent fiscal years.

17 CHILD AND FAMILY SERVICES — CHILD PROTECTIVE SERVICES

18 Sec. 30. 2023 Iowa Acts, chapter 112, section 7, subsection
19 7, is amended to read as follows:

20 7. For child ~~and family~~ protective services:

21 \$ ~~32,380,654~~
22 35,380,654

23 Of the funds appropriated in this subsection, up to
24 \$3,000,000 shall be used for the kinship caregiver stipend
25 program.

26 FAMILY INVESTMENT PROGRAM

27 Sec. 31. 2023 Iowa Acts, chapter 112, section 9, is amended
28 by adding the following new subsection:

29 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
30 appropriated in this section that remain unencumbered or
31 unobligated at the close of the fiscal year shall not revert
32 but shall remain available for the purposes designated, or may
33 be transferred to other appropriations in this division of this
34 Act or used as necessary to enhance agency accountability,
35 program integrity, compliance, and efficiency, until the close

1 of the succeeding fiscal year.

2 CHILD CARE ASSISTANCE

3 Sec. 32. 2023 Iowa Acts, chapter 112, section 17, subsection
4 8, is amended to read as follows:

5 8. Notwithstanding [section 8.33](#), moneys ~~advanced for~~
6 ~~purposes of the programs developed by early childhood Iowa~~
7 ~~areas, advanced for purposes of wraparound child care, or~~
8 ~~received from the federal appropriations made for the purposes~~
9 of appropriated in this section that remain unencumbered or
10 unobligated at the close of the fiscal year shall not revert
11 to any fund but shall remain available for expenditure for the
12 purposes designated until the close of the succeeding fiscal
13 year.

14 CHILD AND FAMILY SERVICES

15 Sec. 33. 2023 Iowa Acts, chapter 112, section 19, is amended
16 by adding the following new subsection:

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

22 ADOPTION SUBSIDY — QUALIFIED RESIDENTIAL TREATMENT PROVIDERS
23 — PMIC PROVIDER

24 Sec. 34. 2023 Iowa Acts, chapter 112, section 20, subsection
25 4, is amended to read as follows:

26 4. Notwithstanding [section 8.33](#), moneys appropriated in
27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for the purposes designated; and may be used for
30 child protective services qualified residential treatment
31 provider rates and security enhancements; and up to \$3,000,000
32 may be used by the department, notwithstanding any provision
33 of law to the contrary regarding competitive bidding, to enter
34 into a sole source contract with a nonprofit provider founded
35 in 1912, with centers in 11 states that provide a comprehensive

1 behavioral health network of clinical, therapeutic, education,
2 and employment programs and services, for renovation or
3 purchase of a facility for use as a psychiatric medical
4 institution for children, until the close of the succeeding
5 fiscal year.

6 FIELD OPERATIONS

7 Sec. 35. 2023 Iowa Acts, chapter 112, section 26, is amended
8 by adding the following new subsection:

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

14 GENERAL ADMINISTRATION — MORE OPTIONS FOR MATERNAL SUPPORT
15 PROGRAM

16 Sec. 36. 2023 Iowa Acts, chapter 112, section 27, subsection
17 8, is amended to read as follows:

18 8. Of the funds appropriated under this section, \$1,000,000
19 shall be used for the purposes of program administration and
20 provision of pregnancy support services through the more
21 options for maternal support program in accordance with section
22 217.41C. Notwithstanding section 8.33, moneys allocated in
23 this subsection that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for the purposes designated until the close of the
26 succeeding fiscal year.

27 LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM ADMINISTRATIVE
28 ALLOCATION — FEDERAL BLOCK GRANT

29 Sec. 37. 2023 Iowa Acts, chapter 161, section 10, subsection
30 3, is amended to read as follows:

31 3. After subtracting the allocation in subsection 2, ~~up to~~
32 ~~10~~ no less than 8.4 percent of the remaining moneys for each
33 federal fiscal year are allocated for administrative expenses
34 of low-income home energy assistance program contractors and
35 up to 1.6 percent of the remaining moneys for each fiscal year

1 are allocated for the administrative expenses of the department
2 of health and human services under the low-income home energy
3 assistance program of which \$377,000 is allocated each federal
4 fiscal year for administrative expenses of the department of
5 health and human services. The costs of auditing the use and
6 administration of the portion of the appropriation in this
7 section that is retained by the state shall be paid from the
8 amount allocated in this subsection each federal fiscal year to
9 the department of health and human services. The auditor of
10 state shall bill the department of health and human services
11 for the audit costs.

12 Sec. 38. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.

14 Sec. 39. RETROACTIVE APPLICABILITY. This division of this
15 Act applies retroactively to July 1, 2023.

16 DIVISION XIV

17 REPORT ON NONREVERSION OF FUNDS

18 Sec. 40. REPORT ON NONREVERSION OF FUNDS. The department
19 of health and human services shall report the expenditure of
20 any moneys for which nonreversion authorization was provided
21 for the fiscal year beginning July 1, 2023, and ending June 30,
22 2024, to the general assembly on a quarterly basis beginning
23 October 1, 2024.

24 DIVISION XV

25 EMERGENCY RULES AND REPORTS

26 Sec. 41. EMERGENCY RULES.

27 1. If necessary to comply with federal requirements
28 including time frames, or if specifically authorized by a
29 provision of this Act, the department of health and human
30 services or the mental health and disability services
31 commission shall adopt administrative rules under section
32 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
33 "b", to implement the applicable provisions of this Act. The
34 rules shall be effective immediately upon filing unless a
35 later date is specified in the rules. Any rules adopted in

1 accordance with this section shall also be published as a
2 notice of intended action as provided in section 17A.4.

3 2. If during a fiscal year, the department of health and
4 human services is adopting rules in accordance with this
5 section or as otherwise directed or authorized by state
6 law, and the rules will result in an expenditure increase
7 beyond the amount anticipated in the budget process or if the
8 expenditure was not addressed in the budget process for the
9 fiscal year, the department shall notify the general assembly
10 and the department of management concerning the rules and the
11 expenditure increase. The notification shall be provided at
12 least thirty calendar days prior to the date notice of the
13 rules is submitted to the administrative rules coordinator and
14 the administrative code editor.

15 Sec. 42. REPORTS. Unless otherwise provided, any reports or
16 other information required to be compiled and submitted under
17 this Act during the fiscal year beginning July 1, 2024, shall
18 be submitted on or before the date specified for submission of
19 the reports or information.

20 DIVISION XVI

21 CODIFIED PROVISIONS

22 PERSONAL NEEDS ALLOWANCE FOR FACILITIES UNDER MEDICAID

23 Sec. 43. Section 249A.30A, Code 2024, is amended to read as
24 follows:

25 **249A.30A Medical assistance — personal needs allowance.**

26 1. The personal needs allowance under the medical
27 assistance program, which may be retained by a person who is a
28 resident of a nursing facility, an intermediate care facility
29 for persons with an intellectual disability, or an intermediate
30 care facility for persons with mental illness, as defined in
31 section 135C.1, or a person who is a resident of a psychiatric
32 medical institution for children as defined in [section 135H.1](#),
33 shall be fifty dollars per month.

34 2. A resident who has income of less than fifty dollars
35 per month shall receive a supplement from the state in the

1 taxpayer or credited against any replacement tax due, or to
2 become due, from the taxpayer that would be ~~subject to deposit~~
3 ~~in the property tax relief fund~~ appropriated to the department
4 of health and human services under this paragraph.

5 Sec. 45. Section 437A.15, subsection 3, paragraph f, Code
6 2024, is amended to read as follows:

7 f. Notwithstanding the provisions of **this section**, if
8 a taxpayer is a municipal utility or a municipal owner of
9 an electric power facility financed under the provisions
10 of **chapter 28F** or **476A**, the assessed value, other than the
11 local amount, of a new electric power generating plant shall
12 be allocated to each taxing district in which the municipal
13 utility or municipal owner is serving customers and has
14 electric meters in operation in the ratio that the number of
15 operating electric meters of the municipal utility or municipal
16 owner located in the taxing district bears to the total number
17 of operating electric meters of the municipal utility or
18 municipal owner in the state as of January 1 of the tax year.
19 If the municipal utility or municipal owner of an electric
20 power facility financed under the provisions of **chapter 28F**
21 or **476A** has a new electric power generating plant but the
22 municipal utility or municipal owner has no operating electric
23 meters in this state, the municipal utility or municipal owner
24 shall pay the replacement generation tax associated with the
25 new electric power generating plant allocation of the local
26 amount to the county treasurer of the county in which the local
27 amount is located and shall remit the remaining replacement
28 generation tax, if any, to the director at the times contained
29 in **section 437A.8, subsection 4**, for remittance of the tax to
30 the county treasurers. All remaining replacement generation
31 tax revenues received by the director shall be ~~deposited in~~
32 ~~the property tax relief fund created in~~ **section 426B.1**, and
33 ~~shall be distributed as provided in~~ **section 426B.2** appropriated
34 annually to the department of health and human services to
35 supplement any appropriation made for medical assistance.

1 PERSONAL NEEDS ALLOWANCE FOR STATE SUPPLEMENTARY ASSISTANCE

2 Sec. 46. NEW SECTION. 249.9A Personal needs allowance.

3 1. The department shall increase the personal needs
4 allowance for residents of residential care facilities by the
5 same percentage and at the same time as federal supplemental
6 security income and federal social security benefits are
7 increased due to a recognized increase in the cost of living.

8 2. If during a fiscal year, the department projects that
9 state supplementary assistance expenditures for a calendar year
10 will not meet the federal pass-through requirement specified
11 in Tit. XVI of the federal Social Security Act, section 1618,
12 as codified in 42 U.S.C. §1382g, the department may take
13 actions including but not limited to increasing the personal
14 needs allowance for residential care facility residents
15 and making programmatic adjustments or upward adjustments
16 of the residential care facility or in-home health-related
17 care reimbursement rates to ensure compliance with federal
18 requirements. In addition, the department may make other
19 programmatic and rate adjustments necessary to remain within
20 the funds appropriated for a fiscal year while ensuring
21 compliance with federal requirements.

22 3. The department may adopt emergency rules under section
23 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
24 "b", to implement the provisions of this section and the rules
25 shall be effective immediately upon filing unless a later date
26 is specified in the rules. Any rules adopted in accordance
27 with this section shall also be published as a notice of
28 intended action as provided in section 17A.4.

29 MEDICAID FRAUD FUND AND HEALTH CARE TRUST FUND

30 Sec. 47. Section 249A.50, subsection 3, Code 2024, is
31 amended to read as follows:

32 3. a. A Medicaid fraud fund is created in the state
33 treasury under the authority of the department of inspections,
34 appeals, and licensing. Moneys from penalties, investigative
35 costs recouped by the Medicaid fraud control unit, and other

1 amounts received as a result of prosecutions involving
2 the department of inspections, appeals, and licensing
3 investigations and audits to ensure compliance with the medical
4 assistance program that are not credited to the program shall
5 be credited to the fund.

6 *b.* Notwithstanding [section 8.33](#), moneys credited to the
7 fund from any other account or fund shall not revert to the
8 other account or fund. Moneys in the fund shall only be used as
9 provided in appropriations from the fund and shall be used in
10 accordance with applicable laws, regulations, and the policies
11 of the office of inspector general of the United States
12 department of health and human services.

13 *c.* Any funds remaining in the Medicaid fraud fund at the
14 close of a fiscal year are appropriated to the department of
15 health and human services to supplement any medical assistance
16 program appropriation for the same fiscal year to be used
17 for medical assistance reimbursement and associated costs,
18 including program administration and costs associated with
19 program implementation.

20 ~~*e.*~~ *d.* For the purposes of [this subsection](#), “*investigative*
21 *costs*” means the reasonable value of a Medicaid fraud control
22 unit investigator’s, auditor’s or employee’s time, any moneys
23 expended by the Medicaid fraud control unit, and the reasonable
24 fair market value of resources used or expended by the Medicaid
25 fraud control unit in a case resulting in a criminal conviction
26 of a provider under [this chapter](#) or [chapter 714](#) or [715A](#).

27 Sec. 48. Section 453A.35A, Code 2024, is amended to read as
28 follows:

29 **453A.35A Health care trust fund — appropriation to Medicaid**
30 **program.**

31 1. A health care trust fund is created in the office of
32 the treasurer of state. The fund consists of the revenues
33 generated from the tax on cigarettes pursuant to section
34 453A.6, subsection 1, and from the tax on tobacco products
35 as specified in [section 453A.43, subsections 1, 2, 3, and 4,](#)

1 that are credited to the health care trust fund, annually,
2 pursuant to [section 453A.35](#). Moneys in the fund shall be
3 separate from the general fund of the state and shall not be
4 considered part of the general fund of the state. However, the
5 fund shall be considered a special account for the purposes
6 of [section 8.53](#) relating to generally accepted accounting
7 principles. Moneys in the fund shall be used only as specified
8 in [this section](#) and shall be appropriated only for the uses
9 specified. Moneys in the fund are not subject to [section 8.33](#)
10 and shall not be transferred, used, obligated, appropriated,
11 or otherwise encumbered, except as provided in [this section](#).
12 Notwithstanding [section 12C.7, subsection 2](#), interest or
13 earnings on moneys deposited in the fund shall be credited to
14 the fund.

15 2. Moneys in the fund shall be used only for purposes
16 related to health care, substance use disorder treatment and
17 prevention, and tobacco use prevention, cessation, and control.

18 3. Any funds remaining in the health care trust fund at the
19 close of a fiscal year are appropriated to the department of
20 health and human services to supplement any medical assistance
21 program appropriation for the same fiscal year to be used
22 for medical assistance reimbursement and associated costs,
23 including program administration and costs associated with
24 program implementation.

25 MENTAL HEALTH INSTITUTES — RETAINING OF REVENUE

26 Sec. 49. NEW SECTION. 218.97 Retaining of revenue by mental
27 health institutes.

28 Notwithstanding sections 218.78 and 249A.11, any revenue
29 received from the state mental health institute at Cherokee or
30 the state mental health institute at Independence pursuant to
31 42 C.F.R. §438.6(e) may be retained and expended by the mental
32 health institute.

33 RESIDENTS OF MENTAL HEALTH INSTITUTES — RETAINING MEDICAID
34 ELIGIBILITY

35 Sec. 50. NEW SECTION. 249A.38A Residents of mental health

1 institutes — retaining of Medicaid eligibility.

2 Notwithstanding any provision of law to the contrary,
3 a Medicaid recipient residing at the state mental health
4 institute at Cherokee or the state mental health institute
5 at Independence shall retain Medicaid eligibility during the
6 period of the Medicaid recipient's stay for which federal
7 financial participation is available.

8 STATE RESOURCE CENTERS — SCOPE OF SERVICES

9 Sec. 51. NEW SECTION. 218.97A State resource centers —
10 scope of services approach — time-limited assessment and respite
11 services.

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

19 2. The state resource centers may expand the time-limited
20 assessment and respite services during a fiscal year.

21 JUVENILE DETENTION HOME FUND — APPROPRIATION

22 Sec. 52. Section 232.142, Code 2024, is amended to read as
23 follows:

24 232.142 Maintenance and cost of juvenile homes — fund —
25 appropriation of moneys in fund.

26 1. County boards of supervisors which singly or in
27 conjunction with one or more other counties provide and
28 maintain juvenile detention and juvenile shelter care homes are
29 subject to [this section](#).

30 2. For the purpose of providing and maintaining a county
31 or multicounty home, the board of supervisors of any county
32 may issue general county purpose bonds in accordance with
33 sections 331.441 through 331.449. Expenses for providing and
34 maintaining a multicounty home shall be paid by the counties
35 participating in a manner to be determined by the boards of

1 supervisors.

2 3. A county or multicounty juvenile detention home approved
3 pursuant to [this section](#) shall receive financial aid from the
4 state in a manner approved by the director. Aid paid by the
5 state shall be at least ten percent and not more than fifty
6 percent of the total cost of the establishment, improvements,
7 operation, and maintenance of the home.

8 4. The director shall adopt minimal rules and standards for
9 the establishment, maintenance, and operation of such homes as
10 shall be necessary to effect the purposes of [this chapter](#). The
11 rules shall apply the requirements of [section 237.8](#), concerning
12 employment and evaluation of persons with direct responsibility
13 for a child or with access to a child when the child is
14 alone and persons residing in a child foster care facility,
15 to persons employed by, residing in, or volunteering for a
16 home approved under [this section](#). The director shall, upon
17 request, give guidance and consultation in the establishment
18 and administration of the homes and programs for the homes.

19 5. The director shall approve annually all such homes
20 established and maintained under the provisions of this
21 chapter. A home shall not be approved unless it complies with
22 minimal rules and standards adopted by the director and has
23 been inspected by the department of inspections, appeals, and
24 licensing. The statewide number of beds in the homes approved
25 by the director shall not exceed two hundred seventy-two beds
26 beginning July 1, 2017.

27 6. a. A juvenile detention home fund is created in the
28 state treasury under the authority of the department. The
29 fund shall consist of moneys deposited in the fund pursuant to
30 section 602.8108. The moneys in the fund shall be used for
31 the costs of the establishment, improvement, operation, and
32 maintenance of county or multicounty juvenile detention homes
33 in accordance with ~~annual appropriations made by the general~~
34 ~~assembly from the fund for these purposes~~ this subsection.

35 b. (1) Moneys deposited in the juvenile detention home

1 fund during a fiscal year are appropriated to the department
2 for the same fiscal year for distribution of an amount equal to
3 a percentage of the costs of the establishment, improvement,
4 operation, and maintenance of county or multicounty juvenile
5 detention homes in the prior fiscal year. Such percentage
6 shall be determined by the department based on the amount
7 available for distribution from the fund.

8 (2) Moneys appropriated for distribution in accordance with
9 this subsection shall be allocated among eligible detention
10 homes, prorated on the basis of an eligible detention home's
11 proportion of the costs of all eligible detention homes in the
12 prior fiscal year.

13 FAMILY INVESTMENT PROGRAM ACCOUNT ELIMINATION

14 Sec. 53. Section 239B.11, Code 2024, is amended to read as
15 follows:

16 **239B.11 Family investment program account — diversion**
17 **program subaccount — diversion program.**

18 ~~1. An account is established in the state treasury to~~
19 ~~be known as the family investment program account under~~
20 ~~control of the department to which shall be credited all funds~~
21 ~~appropriated by the state for the payment of assistance and~~
22 ~~JOBS program expenditures. All other moneys received at any~~
23 ~~time for these purposes, including child support revenues,~~
24 ~~shall be deposited into the account as provided by law. All~~
25 ~~assistance and JOBS program expenditures under this chapter~~
26 ~~shall be paid from the account.~~

27 ~~2. a. A diversion program subaccount is created within~~
28 ~~the family investment program account. The subaccount may be~~
29 ~~used to provide incentives to divert a family's participation~~
30 ~~in the family investment program if the family meets the~~
31 ~~department's income eligibility requirements for the diversion~~
32 ~~program. Incentives may be provided in the form of payment or~~
33 ~~services to help a family to obtain or retain employment. The~~
34 ~~diversion program subaccount may also be used for payments to~~
35 ~~participants as necessary to cover the expenses of removing~~

1 ~~barriers to employment and to assist in stabilizing employment.~~
2 ~~In addition, the diversion program subaccount may be used for~~
3 ~~funding of services and payments for persons whose family~~
4 ~~investment program eligibility has ended, in order to help the~~
5 ~~persons to stabilize or improve their employment status.~~

6 ~~b.~~ The A diversion program is created under the family
7 investment program. The program shall provide incentives
8 to divert a family's participation in or transition of
9 a family from the family investment program by helping a
10 participant obtain or retain employment, by removing barriers
11 to employment, by stabilizing a participant's employment, or
12 by improving a participant's employment status. The program
13 shall be implemented statewide in a manner that preserves local
14 flexibility in program design. The department shall assess and
15 screen individuals who would most likely benefit from diversion
16 program assistance. The department ~~may~~ shall adopt income
17 eligibility requirements and additional eligibility criteria
18 for the diversion program as necessary for compliance with
19 federal law and for screening those families ~~who would be~~ most
20 likely to become eligible for the family investment program if
21 diversion program incentives ~~would~~ were not be provided ~~to the~~
22 ~~families.~~

23 Sec. 54. Section 239B.14, subsection 2, Code 2024, is
24 amended to read as follows:

25 2. An individual who commits a fraudulent practice under
26 this section is personally liable for the amount of assistance
27 or other benefits fraudulently obtained. The amount of the
28 assistance or other benefits may be recovered from the offender
29 or the offender's estate in an action brought or by claim
30 filed in the name of the state and the recovered funds shall
31 ~~be deposited in the family investment program account~~ credited
32 to the appropriation to the department for community access
33 and eligibility to be used for the purposes of the family
34 investment program. The action or claim filed in the name of
35 the state shall not be considered an election of remedies to

1 the exclusion of other remedies.

2 Sec. 55. Section 252B.27, subsection 1, Code 2024, is
3 amended to read as follows:

4 1. The director, within the limitations of the amount
5 appropriated for child support services, or moneys transferred
6 for this purpose from the ~~family investment program account~~
7 ~~created in section 239B.11~~ appropriation to the department for
8 community access and eligibility, may establish new positions
9 and add employees to child support services if the director
10 determines that both the current and additional employees
11 together can reasonably be expected to maintain or increase net
12 state revenue at or beyond the budgeted level for the fiscal
13 year.

14 Sec. 56. TRANSITION PROVISION. All unencumbered and
15 unobligated moneys remaining on June 30, 2024, in the family
16 investment program account created in section 239B.11, are
17 appropriated to the department of health and human services for
18 community access and eligibility.

19 CHILD SUPPORT COLLECTION SERVICES CENTER REFUND ACCOUNT

20 Sec. 57. Section 252B.13A, Code 2024, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 3. Support payments received by the
23 collection services center shall be deposited in the collection
24 services center refund account. The account shall be separate
25 from the general fund of the state and shall not be considered
26 part of the general fund of the state. The moneys deposited
27 in the account are not subject to section 8.33 and shall not
28 be transferred, used, obligated, appropriated, or otherwise
29 encumbered except as provided for the purposes of this chapter.
30 Notwithstanding section 12C.7, subsection 2, interest or
31 earnings on moneys deposited in the account shall be credited
32 to the account.

33 QUALITY ASSURANCE ASSESSMENT — PAYMENT PERIOD BASIS

34 Sec. 58. Section 249L.3, subsection 2, Code 2024, is amended
35 to read as follows:

1 2. The quality assurance assessment shall be paid by each
2 nursing facility to the department on a quarterly basis, or
3 other schedule as determined by the department due to a nursing
4 facility's noncompliance or based on an indication of a nursing
5 facility's financial instability, after the nursing facility's
6 medical assistance payment rates are adjusted to include
7 funds appropriated from the quality assurance trust fund for
8 that purpose. The department shall prepare and distribute a
9 form upon which nursing facilities shall calculate and report
10 the quality assurance assessment. A nursing facility shall
11 submit the completed form with the assessment amount no later
12 than thirty days following the end of each ~~calendar quarter~~
13 assessment period.

14 CENTERS OF EXCELLENCE GRANT PROGRAM

15 Sec. 59. NEW SECTION. 135.194 Centers of excellence grant
16 program.

17 1. The department shall administer a centers of excellence
18 grant program to encourage innovation and collaboration among
19 regional health care providers in rural areas, based upon the
20 results of a regional community needs assessment, in order
21 to transform health care delivery that provides quality,
22 sustainable care in meeting the needs of the local community.

23 2. There is appropriated from the general fund of the
24 state to the department, beginning July 1, 2024, and for each
25 subsequent fiscal year, the sum of four hundred twenty-five
26 thousand dollars to award two program grants.

27 3. An applicant for a grant shall specify how the grant will
28 be expended to accomplish the goals of the program and shall
29 provide a detailed five-year sustainability plan prior to being
30 awarded the grant.

31 4. Following receipt of a grant, a recipient shall submit
32 periodic reports as specified by the department to the governor
33 and the general assembly regarding the recipient's expenditure
34 of the grant and progress in accomplishing the program's goals.

35 ASSISTED LIVING PROGRAM — REVISED PAYMENT MODEL STUDY

1 Sec. 60. ASSISTED LIVING PROGRAM — REVISED PAYMENT
2 MODEL STUDY. The department of health and human services,
3 in consultation with Medicaid provider associations and
4 stakeholders, shall explore options for a revised payment model
5 for reimbursement of assisted living programs that provide
6 services to Medicaid recipients. The study shall include
7 consideration of all sources of funding utilized by residents
8 of assisted living programs. The department of health and
9 human services shall report all options identified to the
10 general assembly by December 1, 2024.

11 COUNTY COMMISSIONS OF VETERAN AFFAIRS — APPROPRIATION

12 Sec. 61. Section 35A.16, subsection 1, paragraph b, Code
13 2024, is amended to read as follows:

14 **b.** There is appropriated from the general fund of the state
15 to the department, for the fiscal year beginning July 1, 2009,
16 and for each subsequent fiscal year, the sum of ~~one million~~
17 nine hundred ninety thousand dollars to be credited to the
18 county commissions of veteran affairs fund.

19 FOSTER CARE — RELATIVE OR FICTIVE KIN

20 Sec. 62. Section 234.39, subsection 2, Code 2024, is amended
21 to read as follows:

22 2. a. A person entitled to periodic support payments
23 pursuant to an order or judgment entered in any action for
24 support, who also is or has a child receiving foster care
25 services, is deemed to have assigned to the department
26 current and accruing support payments attributable to the
27 child effective as of the date the child enters foster care
28 placement, to the extent of expenditure of foster care funds.
29 The department shall notify the clerk of the district court
30 when a child entitled to support payments is receiving foster
31 care services pursuant to [chapter 234](#). Upon notification
32 by the department that a child entitled to periodic support
33 payments is receiving foster care services, the clerk of
34 the district court shall make a notation of the automatic
35 assignment in the judgment docket and lien index. The notation

1 constitutes constructive notice of assignment. The clerk of
2 court shall furnish the department with copies of all orders
3 and decrees awarding support when the child is receiving
4 foster care services. At the time the child ceases to receive
5 foster care services, the assignment of support shall be
6 automatically terminated. Unpaid support accrued under the
7 assignment of support rights during the time that the child was
8 in foster care remains due to the department up to the amount
9 of unreimbursed foster care funds expended. The department
10 shall notify the clerk of court of the automatic termination
11 of the assignment. Unless otherwise specified in the support
12 order, an equal and proportionate share of any child support
13 awarded shall be presumed to be payable on behalf of each child
14 subject to the order or judgment for purposes of an assignment
15 under [this section](#).

16 b. This subsection shall not apply when a child is placed
17 with a relative or fictive kin as those terms are defined in
18 section 232.2, who is not licensed under chapter 237 to provide
19 child foster care.

20 DIVISION XVII

21 HEALTH CARE EMPLOYMENT AGENCIES AND HEALTH CARE TECHNOLOGY
22 PLATFORMS

23 Sec. 63. Section 135Q.1, Code 2024, is amended to read as
24 follows:

25 **135Q.1 Definitions.**

26 As used in [this chapter](#), unless the context otherwise
27 requires:

28 1. "Affiliate" means an entity that directly or indirectly
29 is controlled with or by, or is under the common control with,
30 a health care entity. For the purposes of this subsection,
31 "control" means the same as defined in section 423.3, subsection
32 92, paragraph "e".

33 ~~1.~~ 2. "Department" means the department of inspections,
34 appeals, and licensing.

35 ~~2.~~ 3. a. "Health care employment agency" or "agency"

1 means an agency that contracts with a health care entity
2 in this state to provide agency workers for temporary or
3 temporary-to-hire employee placements.

4 b. "Health care employment agency" does not include a health
5 care entity or an affiliate of a health care entity when acting
6 as a health care employment agency for the sole purpose of
7 providing agency workers to the health care entity itself or to
8 an affiliate of the health care entity.

9 c. "Health care employment agency" does not include a health
10 care technology platform.

11 ~~3.~~ 4. "Health care employment agency worker" or "agency
12 worker" means an individual who contracts with or is employed by
13 a health care employment agency to provide nursing services to
14 health care entity consumers.

15 ~~4.~~ 5. "Health care entity" means a facility, agency, or
16 program licensed or certified by the department or by the
17 centers for Medicare and Medicaid services of the United States
18 department of health and human services.

19 6. "Health care technology platform" or "platform" includes
20 an individual, a trust, a partnership, a corporation, a limited
21 liability partnership or company, or any other business entity
22 that develops and operates, offers, or maintains a system or
23 technology that provides an internet-based or application-based
24 marketplace through which an independent nursing services
25 professional bids on open shifts posted by a health care entity
26 to provide nursing services for the health care entity.

27 7. "Independent nursing services professional" means a person
28 engaged as an independent contractor through a health care
29 technology platform to provide nursing services for a health
30 care entity. An independent nursing services professional
31 shall be considered an independent contractor provided the
32 independent nursing services professional in the independent
33 nursing services professional's sole discretion bids on open
34 shifts and chooses where, when, and how often to work.

35 8. "Individual agency worker category" includes registered

1 nurses, licensed practical nurses, certified nurse aides,
2 certified medication aides, home health aides, medication
3 managers, and noncertified or nonlicensed staff providing
4 personal care as defined in section 231C.2 who are health care
5 employment agency workers.

6 ~~5.~~ 9. *“Managing entity”* means a business entity,
7 owner, ownership group, chief executive officer, program
8 administrator, director, or other decision maker whose
9 responsibilities include directing the management or policies
10 of a health care employment agency or a health care technology
11 platform. *“Managing entity”* includes an individual who,
12 directly or indirectly, holds a beneficial interest in a
13 corporation, partnership, or other business entity that
14 constitutes a managing entity.

15 ~~6.~~ 10. *“Nursing services”* means those services which may be
16 provided only by or under the supervision of a nurse. *“Nursing*
17 *services”* includes services performed by a registered nurse, a
18 licensed practical nurse, a certified nurse aide, a certified
19 medication aide, a home health aide, a medication manager, or
20 by noncertified or nonlicensed staff providing personal care
21 as defined in [section 231C.2](#). *“Nursing services”* does not
22 include the practice of nursing by an advanced registered nurse
23 practitioner or an advanced practice registered nurse licensed
24 under [chapter 152](#) or [152E](#).

25 11. *“Nursing services professionals”* includes registered
26 nurses, licensed practical nurses, certified nurse aides,
27 certified medication aides, home health aides, medication
28 managers, and noncertified or nonlicensed staff providing
29 personal care as defined in section 231C.2, who are not
30 health care employment agency workers but instead are employed
31 directly by or contract directly with a health care entity.

32 Sec. 64. Section 135Q.2, Code 2024, is amended to read as
33 follows:

34 **135Q.2 Health care employment agency requirements —**
35 **registration — liability — penalties.**

1 1. a. A health care employment agency operating in the
2 state shall register annually with the department. Each
3 separate location of a health care employment agency shall
4 register annually with and pay an annual registration fee of
5 five hundred dollars to the department. The department shall
6 issue each location a separate certification of registration
7 upon approval of registration and payment of the fee. The
8 annual registration fees shall be retained by the department as
9 repayment receipts as defined in [section 8.2](#).

10 b. A health care employment agency that fails to register
11 with the department as required under this subsection shall be
12 prohibited from contracting with any health care entity in this
13 state.

14 2. A health care employment agency shall do all of the
15 following:

16 a. Ensure that agency workers comply with all applicable
17 requirements relating to the health requirements and
18 qualifications of personnel in health care entity settings.

19 b. Document that each agency worker meets the minimum
20 licensing, certification, training, and health requirements
21 and the continuing education standards for the agency worker's
22 position in the health care entity setting.

23 c. Maintain records for each agency worker and report,
24 file, or otherwise provide any required documentation to
25 external parties or regulators which would otherwise be the
26 responsibility of the health care entity if the agency worker
27 was directly employed by the health care entity.

28 d. Maintain professional and general liability insurance
29 coverage with minimum per occurrence coverage of one million
30 dollars and aggregate coverage of three million dollars to
31 insure against loss, damage, or expense incident to a claim
32 arising out of the death or injury of any person as the result
33 of negligence or malpractice in the provision of services by
34 the agency or an agency worker.

35 3. a. A health care employment agency shall not do any of

1 the following:

2 (1) Restrict in any manner the employment opportunities
3 of an agency worker by including a noncompete clause in any
4 contract with an agency worker or health care entity.

5 (2) In any contract with an agency worker or health care
6 entity, require payment of liquidated damages, employment fees,
7 or other compensation if the agency worker is subsequently
8 hired as a permanent employee of the health care entity.

9 *b.* This subsection shall not apply to a contract between
10 a health care employment agency and an agency worker or a
11 health care entity if the contract meets all of the following
12 criteria:

13 (1) The contract is entered into for the purpose of placing
14 an agency worker the health care employment agency assisted in
15 obtaining authorization to work in the United States.

16 (2) The contract contains an initial duration term of
17 not less than twenty-four months and a total duration term,
18 including any renewals or extensions, of not more than
19 thirty-six months.

20 (3) The contract requires the agency worker to work for
21 a single health care entity for the entire duration of the
22 contract.

23 *c.* Any contract that violates this subsection shall be
24 unenforceable in court.

25 4. A health care employment agency shall submit a report to
26 the department on a quarterly basis for each health care entity
27 participating in Medicare or Medicaid with whom the agency
28 contracts that includes all of the following by provider type:

29 *a.* A detailed list of the average amount charged to the
30 health care entity for each individual agency worker category.

31 *b.* A detailed list of the average amount paid by the agency
32 to agency workers in each individual agency worker category.

33 ~~5. *a.* A health care employment agency that violates~~
34 ~~subsection 1 or subsection 2 is subject to denial or revocation~~
35 ~~of registration for a period of one year and a monetary penalty~~

1 ~~of five hundred dollars for a first offense and five thousand~~
2 ~~dollars for each offense thereafter.~~

3 ~~b. A health care employment agency that violates subsection~~
4 ~~3 or that knowingly provides an agency worker who has an~~
5 ~~illegally or fraudulently obtained or issued diploma,~~
6 ~~registration, license, certification, or background check to~~
7 ~~a health care entity is subject to immediate revocation of~~
8 ~~registration. The department shall notify the agency thirty~~
9 ~~days in advance of the date of such revocation.~~

10 ~~c. (1) The managing entity of an agency for which~~
11 ~~registration has been denied or revoked under this subsection~~
12 ~~shall not be eligible to apply for or be granted registration~~
13 ~~for another agency during the two-year period following the~~
14 ~~date of the denial or revocation.~~

15 ~~(2) The department shall not approve a new registration~~
16 ~~or renew an existing registration for any agency for which~~
17 ~~the managing entity is also the managing entity of an agency~~
18 ~~for which registration has been denied or revoked during the~~
19 ~~two-year period in which registration of the violating agency~~
20 ~~is denied or revoked.~~

21 ~~6.~~ 5. The department shall establish a system for members
22 of the public to report complaints against an agency or
23 agency worker. The department shall investigate any complaint
24 received and shall report the department's findings to the
25 complaining party and the agency involved.

26 Sec. 65. NEW SECTION. 135Q.3 Health care technology
27 platform requirements — registration — liability.

28 1. a. A health care technology platform operating in
29 the state shall register annually with the department and
30 pay an annual registration fee of five hundred dollars to
31 the department. The department shall issue each health
32 care technology platform a certificate of registration upon
33 approval of registration and payment of the fee. The annual
34 registration fees shall be retained by the department as
35 repayment receipts as defined in section 8.2.

1 *b.* A health care technology platform that fails to register
2 with the department as required under this subsection shall be
3 prohibited from contracting with any health care entity in this
4 state.

5 *c.* A health care technology platform that allows independent
6 nursing services professionals to utilize the platform to bid
7 on open shifts is an authorized agency for purposes of access
8 to the single contact repository. A health care technology
9 platform shall rerun background checks for an independent
10 nursing services professional following two consecutive years
11 of inactivity on the platform by the independent nursing
12 services professional.

13 2. A health care technology platform shall verify that
14 an independent nursing services professional utilizing the
15 platform does all of the following:

16 *a.* Supplies documentation demonstrating that the independent
17 nursing services professional meets all applicable state
18 requirements and qualifications of personnel in a health care
19 entity setting.

20 *b.* Meets all applicable minimum state licensing and
21 certification requirements.

22 *c.* Maintains professional liability insurance coverage with
23 the minimum per occurrence coverage of one million dollars and
24 aggregate coverage of three million dollars to insure against
25 loss, damage, or expense incident to a claim arising out of
26 the death or injury of any person as the result of negligence
27 or malpractice in the provision of services by the independent
28 nursing services professional.

29 3. *a.* A health care technology platform shall not do any
30 of the following:

31 (1) Restrict in any manner the employment opportunities of
32 an independent nursing services professional by including a
33 noncompete clause in any contract with an independent nursing
34 services professional or health care entity.

35 (2) In any contract with an independent nursing services

1 professional or health care entity, require payment of
2 liquidated damages, employment fees, or other compensation if
3 the independent nursing services professional is subsequently
4 hired as a permanent employee or is engaged directly as a
5 contractor of the health care entity.

6 *b.* Any contract that violates this subsection shall be
7 unenforceable in court.

8 4. The department shall establish a system for members
9 of the public to report complaints against a health care
10 technology platform or an independent nursing services
11 professional. The department shall investigate any complaint
12 received and shall report the department's findings to the
13 complaining party and the health care technology platform
14 involved.

15 Sec. 66. NEW SECTION. 135Q.4 Penalties — enforcement.

16 1. *a.* A health care employment agency that violates
17 section 135Q.2, subsection 1 or 4, is subject to an initial
18 monetary penalty of five thousand dollars and shall be provided
19 notification by the department and given a thirty-day grace
20 period in which to comply.

21 *b.* A health care employment agency that fails to comply
22 following the notification and within the thirty-day grace
23 period under paragraph "a", shall be subject to a monetary
24 penalty of twenty-five thousand dollars.

25 *c.* If a health care employment agency fails to comply
26 with paragraph "b", the health care employment agency shall
27 be subject to an additional monetary penalty of twenty-five
28 thousand dollars, revocation of registration, and denial of
29 subsequent registration for up to three years.

30 2. *a.* A health care employment agency that violates section
31 135Q.2, subsection 2, or that knowingly provides an agency
32 worker who has an illegally or fraudulently obtained or issued
33 diploma, registration, license, certification, or background
34 check to a health care entity is subject to a monetary penalty
35 of five thousand dollars for each violation.

1 *b.* If a health care employment agency commits a second or
2 subsequent violation of section 135Q.2, subsection 2, within
3 any three-year period, the health care employment agency shall
4 be subject to immediate revocation of registration. The
5 department shall notify the agency thirty days in advance of
6 the date of such revocation.

7 3. A health care employment agency that violates section
8 135Q.2, subsection 3, is subject to a monetary penalty of
9 twenty-five thousand dollars for the first violation. If
10 a health care employment agency violates section 135Q.2,
11 subsection 3, a second or subsequent time, the health care
12 employment agency shall be subject to immediate revocation of
13 registration, and shall not be eligible to apply for or be
14 granted registration for the three-year period immediately
15 following the date of revocation.

16 4. *a.* (1) A health care technology platform that violates
17 section 135Q.3, subsection 1, is subject to an initial
18 monetary penalty of five thousand dollars and shall be provided
19 notification by the department and given a thirty-day grace
20 period in which to comply.

21 (2) A health care technology platform that fails to comply
22 with the notification and within the thirty-day grace period
23 under subparagraph (1) shall be subject to a monetary penalty
24 of twenty-five thousand dollars.

25 (3) If a health care technology platform knowingly fails
26 to comply with subparagraph (2), the health care technology
27 platform shall be subject to an additional monetary penalty of
28 twenty-five thousand dollars, revocation of registration, and
29 denial of subsequent registration for up to three years.

30 *b.* (1) A health care technology platform that violates
31 section 135Q.3, subsection 2, or that knowingly allows
32 an independent nursing services professional who has an
33 illegally obtained or issued diploma, registration, license,
34 certification, or background check to utilize the platform to
35 bid on a shift for a health care entity is subject to a monetary

1 penalty of five thousand dollars for each violation.

2 (2) If a health care technology platform commits a second or
3 subsequent violation of section 135Q.3, subsection 2, within
4 any three-year period, the health care technology platform
5 shall be subject to immediate revocation of registration. The
6 department shall notify the health care technology platform
7 thirty days in advance of the date of such revocation.

8 c. (1) A health care technology platform that violates
9 section 135Q.3, subsection 3, is subject to a monetary penalty
10 of twenty-five thousand dollars for the first violation.

11 (2) If a health care technology platform violates section
12 135Q.3, subsection 3, a second or subsequent time, the health
13 care technology platform shall be subject to immediate
14 revocation of registration, and shall not be eligible to apply
15 for or be granted registration for the three-year period
16 immediately following the date of revocation.

17 5. a. The managing entity of an agency for which
18 registration has been denied or revoked under this section
19 shall not be eligible to apply for or be granted registration
20 for another agency during the three-year period following the
21 date of the denial or revocation.

22 b. The department shall not approve a new registration
23 or renew an existing registration for any agency for which
24 the managing entity is also the managing entity of an agency
25 for which registration has been denied or revoked during the
26 three-year period in which registration of the violating agency
27 is denied or revoked.

28 6. a. The managing entity of a health care technology
29 platform for which registration has been denied or revoked
30 under this section shall not be eligible to apply for or
31 be granted registration for another health care technology
32 platform during the two-year period following the date of the
33 denial or revocation.

34 b. The department shall not approve a new registration or
35 renew an existing registration for any health care technology

1 platform for which the managing entity is also the managing
2 entity of a health care technology platform for which
3 registration has been denied or revoked during the two-year
4 period in which registration of the violating health care
5 technology platform is denied or revoked.

6 7. Any monetary penalties collected under this section
7 shall be retained by the department as repayment receipts as
8 defined in section 8.2.

9 8. The attorney general shall enforce this chapter.

10 Sec. 67. NEW SECTION. 135Q.5 **Department annual report.**

11 The department shall submit an annual report to the general
12 assembly by January 15, for the immediately preceding fiscal
13 year, that includes a summary of the number of registrations
14 issued and the amount of registration fees collected, the
15 violations of this chapter, the amount of monetary penalties
16 collected, the number of health care employment agencies,
17 health care technology platforms, and managing entities
18 for whom a registration was revoked or denied, and any
19 recommendations for changes to the chapter.

20 Sec. 68. EFFECTIVE DATE. This division of this Act, being
21 deemed of immediate importance, takes effect upon enactment.

22 **DIVISION XVIII**

23 **MEDICAL CANNABIDIOL REGISTRATION CARD — TELEMEDICINE —**
24 **PRACTITIONER REQUIREMENTS**

25 Sec. 69. Section 124E.3, Code 2024, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 4. A health care practitioner that
28 establishes or maintains a relationship with a patient through
29 the use of telemedicine shall comply with the requirements of
30 653 IAC 13.11(7).

31 **DIVISION XIX**

32 **NURSING FACILITY OVERSIGHT**

33 Sec. 70. NEW SECTION. 135C.35C **Nursing facilities — joint**
34 **training sessions.**

35 The department shall semiannually provide joint training

1 sessions for inspectors and nursing facilities to review at
2 least three of the ten most frequently issued federal citations
3 in the state during the immediately preceding calendar year.
4 The department shall develop a protocol to identify regional
5 citation patterns relating to complaints, standards, and
6 outcomes in the nursing facility inspection process. The
7 department shall include the state long-term care ombudsman,
8 or the state long-term care ombudsman's designee, and
9 representatives of each nursing facility provider association
10 in the state in the planning process for the joint training
11 sessions.

12 Sec. 71. Section 135C.40, subsection 1, Code 2024, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. *d.* (1) The department shall establish and
15 maintain a process to review each citation issued for immediate
16 jeopardy or substandard quality of care prior to issuance of
17 final findings under section 135C.40A. Representatives of the
18 nursing facility issued such a citation may participate in
19 the review to provide context and evidence for the department
20 to consider in determining if a final finding of immediate
21 jeopardy or substandard quality of care should be issued. The
22 review shall ensure consistent and accurate application of
23 federal and state inspection protocols and defined regulatory
24 standards.

25 (2) For the purposes of this paragraph:

26 (a) "*Immediate jeopardy*" means a situation in which the
27 provider's noncompliance with one or more requirements of
28 participation has caused, or is likely to cause, serious
29 injury, harm, impairment, or death to a resident.

30 (b) "*Likely*" means probable and reasonably to be expected,
31 and suggests a greater degree of probability than a mere risk,
32 potential, or possibility that a particular event will cause
33 serious injury, harm, impairment, or death to a resident.

34 (c) "*Substandard quality of care*" means the same as defined
35 in 42 C.F.R. §488.301.

DIVISION XX

STATE-FUNDED PSYCHIATRY RESIDENCY AND FELLOWSHIP POSITIONS

Sec. 72. Section 135.180, Code 2024, is amended to read as follows:

135.180 State-funded psychiatry residency and fellowship program positions — fund — appropriations.

1. *a.* The university of Iowa hospitals and clinics shall administer a state-funded psychiatry residency and fellowship program positions for up to ~~nine~~ seven residents and up to two fellows, annually. In addition, a county medical center, and a medical center operating for more than one hundred forty years, that are members of separate health systems, administer psychiatry residency programs, and are located in a county with a population over five hundred thousand shall each administer state-funded psychiatry residency positions for one resident, annually. The university of Iowa hospitals and clinics and the specified medical centers shall expand ~~the~~ their psychiatry residency ~~program~~ programs 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.

b. The university of Iowa hospitals and clinics and the specified medical centers shall cooperate 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 in administering ~~the program~~ the positions. Participating residents and fellows 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

1 medical and classification center at Oakdale, the residents of
2 ~~the psychiatry residency and fellowship program~~ awarded the
3 residency positions administered by the university of Iowa
4 hospitals and clinics may utilize clinical rotations at the
5 university of Iowa hospitals and clinics and its affiliates
6 across the state and the residents awarded the residency
7 positions administered by the specified medical centers may
8 utilize clinical rotations at affiliates of such medical
9 centers across the state.

10 2. The university of Iowa hospitals and clinics shall apply
11 to the accreditation council for graduate medical education
12 for approval of ~~nine~~ seven additional residency positions
13 for each class of residents and ~~the psychiatry residency and~~
14 ~~fellowship program~~ shall award the total number of residency
15 positions approved for each class of residents. The university
16 of Iowa hospitals and clinics shall approve and award up to
17 two fellowship positions annually. The specified medical
18 centers shall apply to the accreditation council for graduate
19 medical education for approval of one additional residency
20 position each for each class of residents and shall award the
21 total number of residency positions approved for each class
22 of residents. Preference in the awarding of residency and
23 fellowship positions shall be given to candidates who are
24 residents of Iowa, attended and earned an undergraduate degree
25 from an Iowa college or university, or attended and earned a
26 medical degree from a medical school in Iowa.

27 3. A psychiatry residency and fellowship ~~program~~ positions
28 fund is created in the state treasury consisting of the moneys
29 appropriated or credited to the fund by law. Notwithstanding
30 section 8.33, moneys in the fund at the end of each fiscal
31 year shall not revert to any other fund but shall remain in
32 the psychiatry residency and fellowship ~~program~~ positions fund
33 for use in subsequent fiscal years. Moneys in the fund are
34 appropriated to the university of Iowa hospitals and clinics
35 to be used for the purposes of ~~the program~~ this section. For

1 the fiscal years beginning on or after July 1, 2023, there
2 is appropriated from the general fund of the state to the
3 psychiatry residency and fellowship ~~program~~ positions fund one
4 hundred thousand dollars for each residency position approved
5 and awarded ~~under the program~~ and one hundred fifty thousand
6 dollars for each fellowship position approved and awarded under
7 ~~the program~~ this section. Of the amount appropriated annually
8 from the fund to the university of Iowa hospitals and clinics,
9 the university of Iowa hospitals and clinics shall distribute
10 one hundred thousand dollars to each of the specified medical
11 centers for each residency position approved and awarded.>

12 2. Title page, by striking line 3 and inserting <provisions
13 and appropriations including but not limited to the personal
14 needs allowance for certain persons under Medicaid and the
15 state supplementary assistance programs, replacement generation
16 tax revenues, the Medicaid fraud and health care trust
17 funds, the retention of certain revenues by the mental health
18 institutes, the retention of Medicaid eligibility by residents
19 of mental health institutes, the scope of services of the state
20 resource centers, the appropriation of moneys in the juvenile
21 detention home fund, the family investment program account
22 and diversion program, the child support collection services
23 center refund account, the quality assurance assessment payment
24 period, the centers of excellence grant program, an assisted
25 living program revised payment model study, funding for
26 county commissions of veteran affairs, foster care provisions
27 including those relating to a relative or fictive kin, health
28 care employment agencies and health care technology platforms,
29 medical cannabidiol practitioner requirements, nursing facility
30 oversight, and state-funded psychiatry residency and fellowship
31 positions, providing penalties, and including effective date>

MARK COSTELLO