

IOWA DEPARTMENT OF



**SUMMARY REPORT  
STATE FISCAL YEAR  
2016**

AUGUST 26, 2016

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## Message from Director Rod Roberts

For the past six years I have had the honor of serving as the Director of the Iowa Department of Inspections and Appeals. The work of the department can be summarized as primarily regulation, but the various functions of the divisions and units of DIA go well beyond just regulation.

At the core of the department and its work is a commitment to protecting the health and safety of Iowans. The collective work of the department touches the lives of Iowans in many different ways. As you read through this summary report I think that you will be impressed with the scope of work done by dedicated state employees within DIA.

I want to thank our employees for their good work on behalf of the people of Iowa. This report highlights not only their work, but the benefit that comes from their efforts. I am honored that I can be an advocate on their behalf with policymakers as well as the citizens of Iowa.

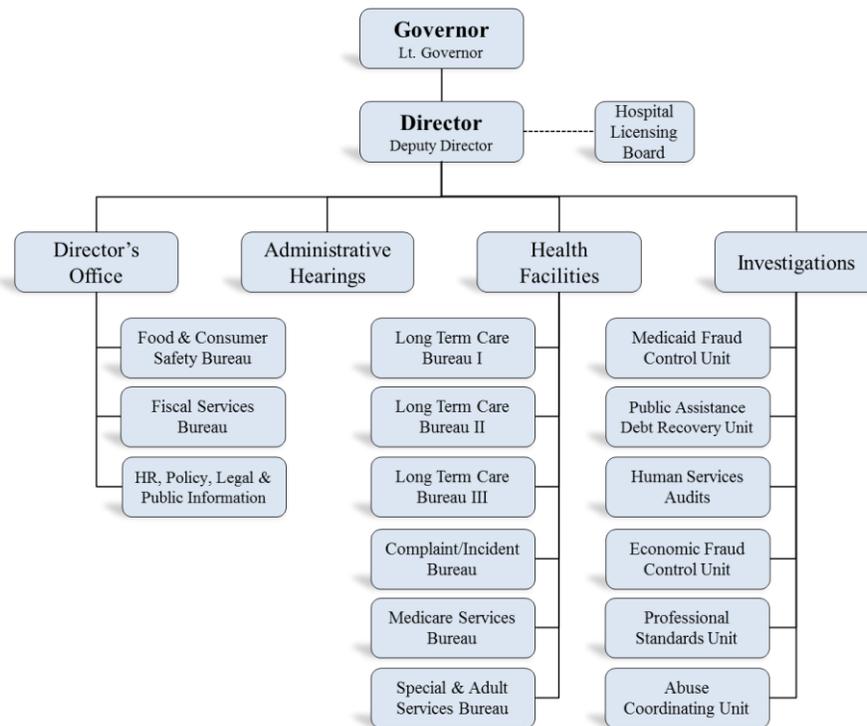


The mission of the Department of Inspections & Appeals is to investigate, regulate and adjudicate to ensure program integrity and to protect the health, safety and welfare of Iowans.

# Overview

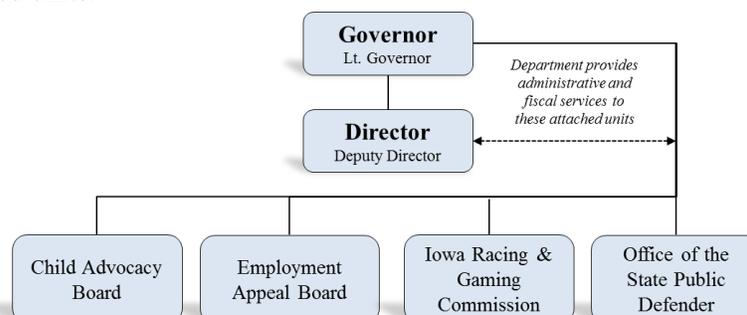
The Iowa Department of Inspections and Appeals (DIA) is a multifaceted regulatory agency charged with protecting the health, safety, and well-being of Iowans. The Department was created in 1986 ([Iowa Code Chapter 10A](#)) as part of state government reorganization. Its mission is to coordinate and conduct various audits, appeals, hearings, inspections, and investigations related to the operations of the Executive Branch of Iowa State Government.

Staff in the Department are responsible for inspecting and licensing or certifying health care providers and suppliers, restaurants and grocery stores, social and charitable gambling operations, and hotels and motels. In addition, DIA staff investigates alleged fraud in the State's public assistance programs and conducts contested case hearings to settle disputes between Iowans and various state government agencies.



DIA is organized into four major operational divisions: the Director's Office, the Administrative Hearings Division, the Health Facilities Division and the Investigations Division. Each division has its own Code-mandated duties and responsibilities.

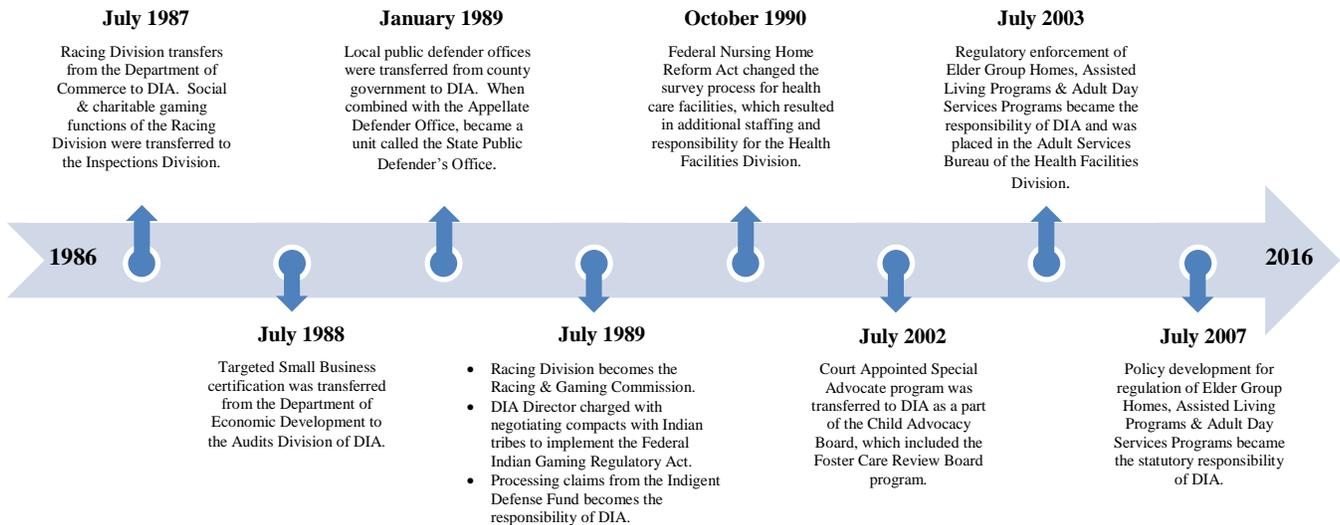
Also attached to the Department are four semi-autonomous units, including the Child Advocacy Board, the Employment Appeal Board, the Iowa Racing and Gaming Commission, and the Office of the State Public Defender. DIA provides fiscal management, human resource services, and performs related administrative functions for these attached units.



# History

DIA began operations in July of 1986 as a result of state government reorganization. The department was created to conduct inspections, audits, investigations and contested case hearings for most of state government. In addition, the Department provided administrative and fiscal services for three attached units: Appellate Defender, Foster Care Review Board, and Employment Appeal Board.

Since 1986, numerous organizational changes within the department have resulted in significant impacts on the day-to-day operations. A timeline of some of these major events follows:



## Director's Office

Essential, centralized support services for the Department are administered by and coordinated through the Director's Office. Staff in the Director's Office oversees all strategic planning, financial and budgeting, legislative affairs, administrative rulemaking, personnel, purchasing, and public information activities for the Department. The Office also supervises the activities of the Food and Consumer Safety Bureau, which include food safety inspections at restaurants, grocery stores, and food processing plants, as well as sanitation inspections performed at hotels and motels. The State's Social and Charitable Gambling and Targeted Small Business Certification programs also are located in the Food and Consumer Safety Bureau.

In addition to duties as the Department's Chief Administrative Officer, the Director is authorized to enter into and implement agreements or compacts between the State of Iowa and Native American tribes to operate Indian gaming establishments. Currently, three casinos in Iowa are operated by Native American tribes: Blackbird Bend Casino in Onawa – operated by the Omaha Tribe of Nebraska; Meskwaki Bingo and Casino in Tama – operated by the Sac and Fox Tribe of the Mississippi in Iowa; and WinnaVegas in Sloan – operated by the Winnebago Tribe of Nebraska.

State fiscal year (SFY) 2016 was a year of significant personnel turnover within the Director's Office. Following several departures, retirements, and promotions, the Office welcomed new faces in several key positions, including:

- Chief Financial Officer
- Human Resource Manager
- Legal Counsel
- Deputy Director

## Fiscal Services Bureau

The Fiscal Services Bureau provides centralized accounting, claim processing, and budgeting functions for the Department, the State Public Defender’s Office, the Iowa Racing and Gaming Commission, the Child Advocacy Board and the Employment Appeal Board.

During SFY16, the Department received \$10,168,637 in General Fund appropriations, representing the third year of status quo funding (the Department also received \$1,623,897 from the Road Use Tax Fund). The chart below illustrates the five-year trend of general fund appropriation levels.

Area	SFY12	SFY13	SFY14	SFY15	SFY16
Administration	\$ 1,527,740	\$ 248,409	\$ 545,242	\$ 545,242	\$ 545,242
Administrative Hearings	\$ 528,753	\$ 528,753	\$ 678,942	\$ 678,942	\$ 678,942
Investigations	\$ 1,168,639	\$ 1,168,639	\$ 2,573,089	\$ 2,573,089	\$ 2,573,089
Health Facilities	\$ 3,555,328	\$ 3,917,666	\$ 5,092,033	\$ 5,092,033	\$ 5,092,033
Food & Consumer Safety	n/a	\$ 1,279,331	\$ 1,279,331	\$ 1,279,331	\$ 1,279,331
<b>Total</b>	<b>\$ 6,780,460</b>	<b>\$ 7,142,798</b>	<b>\$ 10,168,637</b>	<b>\$ 10,168,637</b>	<b>\$ 10,168,637</b>

During SFY16, the Bureau:

- Processed approximately 38,000 claim warrants and electronic fund transfers.
- Participated in a Lean Event with the Department of Administrative Services (DAS) and other state agencies, the goal of which was to create the process to electronically submit travel claims.
- Processed approximately 5,000 individual travel payments.

## Human Resources

Human Resources (HR) provides comprehensive personnel services to approximately 600 State of Iowa employees across the operational Divisions and semi-autonomous units within the Department, as well as to employees of the Department of Human Rights via a Memorandum of Understanding.

As illustrated to the right, the Department (including all semi-autonomous units), started SFY16 with approximately 575 filled Full-Time Equivalents (FTEs), and concluded the fiscal year with approximately 561 FTEs. Full-Time Equivalents include permanent full-time and part-time, statutory, and temporary employees.

Area	Begin	End	Change
DIA, CAB, EAB	289.98	282.97	(7.01)
State Public Defender	221.00	223.00	2.00
Racing & Gaming	64.49	55.23	(9.26)
<b>Total</b>	<b>575.47</b>	<b>561.20</b>	<b>(14.27)</b>

Area	New Hire	Term	Promotion	Total
DIA, CAB, EAB	21	23	11	55
State Public Defender	19	11	7	37
Racing & Gaming	1	11	2	14
Dept. of Human Rights	4	3	4	11
<b>Total</b>	<b>45</b>	<b>48</b>	<b>24</b>	<b>117</b>

Throughout SFY16, Human Resources managed 117 individual personnel transactions as illustrated to the left. The “New Hire” category includes new hires, transfers-in, reinstatements, reemployments and recalls. “Term” includes terminations, transfers-out, retirements and layoffs. “Promotion” includes promotions and reclassifications.

The Department is committed to the principles of Equal Employment Opportunity and Affirmative Action (EEO/AA) in the application of all HR rules, policies, and practices. The Department’s EEO/AA policy statement is as follows:

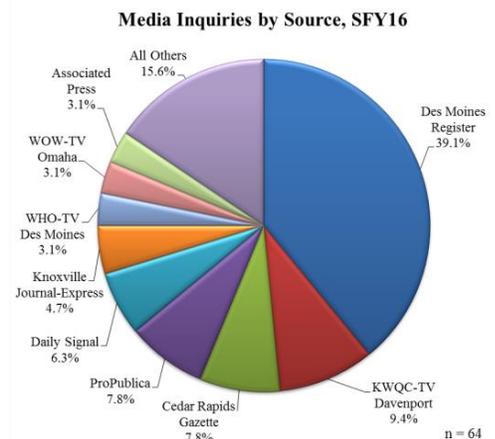
*The Department of Inspections and Appeals and attached units prohibits discrimination in its employment policies and practices on the basis of race, creed, color, religion, national origin, sex, age, mental or physical disability, sexual orientation, or gender identity, consistent with applicable state and federal policies and regulations.*

*It is also the policy of the executive branch of state government in the State of Iowa to apply affirmative action measures to correct the underutilization of females, minorities, and persons with disabilities in the state employment system whenever remedial measures are appropriate. The agency is an equal employment opportunity and affirmative action employer.*

## Public Information

The Public Information Office is responsible for developing and implementing an overall, comprehensive public affairs program for the benefit of the Department, including a communications strategy that promotes a positive public image for DIA. The Office researches, writes, designs, develops and produces newsletters, brochures, educational materials and special projects and exhibits, as well as maintains the Department’s website (<https://dia.iowa.gov>). Additionally, the Office responds to inquiries from media outlets and the general public, as well as inquiries made through the DIA website.

During SFY16, the Department responded to 64 initial inquiries from state and national media. The majority of the inquiries came from The Des Moines Register (39.1%) and most dealt with the Department’s enforcement actions at long-term care facilities. A breakdown of the media inquiries by source is illustrated in the chart to the right.



## Legal Counsel

The general counsel for the Department provides legal advice and counsel to the Director, all divisions, and attached units. Additionally, the general counsel advises the Director on Indian gaming law and issues, and assists in the negotiation of compacts with the Native American tribes. Counsel further represents the Health Facilities Division and Food and Consumer Safety Bureau in all aspects of contested case litigation, and responds to petitions for declaratory order presented to the Department. The general counsel also monitors, analyzes, drafts and makes recommendations concerning the Department’s proposed legislation and administrative rules.

## Policy & Administrative Rules

The Administrative Rules process is the method by which laws and policies are translated into enforceable regulations governing licensed or certified entities, programs, and businesses overseen by the Department. The process often begins with a thorough review of new legislation followed by draft regulations outlining the various requirements affecting the regulated entities. When major rewrites occur, the Department routinely seeks input from its stakeholders prior to filing the Notice of Intended Action.

Additionally, rules are reviewed on a routine basis to eliminate outdated references, and remove obsolete or duplicative requirements.

During SFY16, the Department filed 13 sets of administrative rules, of which eight sets dealt with changes to the regulation of health care facilities and programs. Significant among these rule changes was the rewrite of the chapters dealing with assisted living programs and adult day service providers. Rules also were adopted that rewrote the chapter dealing with the regulation of Iowa hospitals. This particular rewrite was done in concert with the Iowa Hospital Licensing Board, which advises the Department on matters affecting the regulation of hospitals.

The other rules put forth by the Department dealt with updates to the regulations governing food establishments, adding businesses owned or operated by service-disabled veterans to the list of businesses eligible for certification as a Targeted Small Business, and clarifications dealing with subpoenas used in contested case hearings. The chart below illustrates the administrative rules promulgated by the Department during SFY16<sup>1</sup>.

Administrative Rules Promulgated, SFY16											
Chapter/Area	Proposed Rule Subject Matter	Notice Published	ARC #	Rules Review Committee	Public Hearing	Comment Period	Rules Adopted	Rules Published	ARC #	Rules Review Committee	Effective Date
Chapter 67	ASB Contested Case Hearings	07/22/15	2067C	08/11/15	n/a	08/11/15	08/26/15	09/16/15	2142C	10/13/15	10/21/15
Chapter 51	Hospital Construction Rules	08/05/15	2080C	09/08/15	n/a	08/25/15	09/09/15	09/30/15	2157C	10/13/15	11/04/15
Chapter 56	HFD Contested Case Hearings	08/05/15	2081C	09/08/15	n/a	08/25/15	09/09/15	09/30/15	2158C	10/13/15	11/04/15
Chapter 25	TSB Service-Disabled Veterans	09/02/15	2122C	09/08/15	n/a	09/22/15	10/07/15	10/28/15	2221C	11/10/15	12/02/15
Chapter 57	Qualified Personnel	09/30/15	2162C	10/13/15	n/a	10/20/15	11/12/15	12/09/15	2273C	01/01/16	01/13/16
Chapter 31	CFR Reference Updates	09/30/15	2171C	10/13/15	n/a	10/20/15	11/04/15	11/25/15	2257C	12/08/15	12/30/15
Chapters 67, 69, & 70	Adult Services Updates	10/14/15	2200C	11/10/15	n/a	11/03/15	02/26/16	03/16/16	2463C	04/08/16	04/20/16
489—3	Local Foster Care Review Boards	10/28/15	2223C	11/10/15	n/a	11/17/15	12/02/15	12/23/15	2322C	01/08/16	01/27/16
Chapter 58	Food & Nutritional Services	12/09/15	2303C	01/08/16	n/a	12/29/15	05/13/16	06/08/16	2560C	07/12/16	07/13/16
Chapter 51	Rewrite of Hospital Rules	12/09/15	2302C	01/08/16	n/a	12/29/15	03/09/16	03/30/16	2472C	04/08/16	05/04/16
Chapter 10	Admin Hearings Subpoenas	12/23/15	2321C	01/08/16	n/a	01/12/16	01/28/16	02/17/16	2404C	03/04/16	03/23/16
CMA Rule Changes	RCF employees & Certified Med Aide	02/03/16	2395C	03/04/16	n/a	02/23/16	07/13/16	08/03/16	2643C	08/01/16	09/07/16
486—6	Peace Officer & Capitol Security Appeals	06/08/16	2578C	07/12/16	n/a	06/28/16	07/13/16	08/03/16	2642C	08/01/16	09/07/16

## Legislation

During SFY16, the Department introduced [SF 2162](#), which allows the Administrative Hearings Division to promulgate rules regarding how documents will be filed with their new electronic filing system and those rules will supersede other state agency rules. The Senate passed the bill 49-0, and the bill was amended and passed by the House 95-0 (the amendment states that DIA's rules must include paper filing of documents). The Senate concurred and passed the bill 50-0, and the Governor signed the bill on April 06, 2016.

The Department also asked to amend language in [SF 2273](#), which raised the gross annual sales of a home bakery from \$20k to \$35k. The bill passed the Senate 49-0, and the bill was amended and passed by the

<sup>1</sup> The implementation date for ARC 2643C was delayed for 70 days by the Administrative Rules Review Committee on August 05. The new implementation date is November 16.

House 96-0 (the amendment changed the name of Home Food Establishments to Home Bakeries). The Senate concurred and passed the bill 50-0, and the Governor signed the bill on April 13, 2016.

The Department continued to pay close attention to the Administration and Regulation Appropriation bill ([SF 2314](#)) and the Justice System Appropriation bill ([HF 2458](#)), both of which were signed by the Governor on May 27, 2016. SF 2314 contained an across-the-board decrease of approximately 0.05% for all areas funded through the Administration & Regulation budget bill; the impact on core DIA operations is illustrated to the right.

Area	Appropriation	Reduction
Administration	\$ 542,434	\$ 2,808
Administrative Hearings	\$ 675,455	\$ 3,497
Food and Consumer Safety	\$ 593,411	\$ 6,589
Health Facilities	\$ 5,065,809	\$ 26,224
Investigations	\$ 2,559,838	\$ 13,251
<b>Total</b>	<b>\$ 9,436,947.00</b>	<b>\$ 52,369.00</b>

## Food & Consumer Safety Bureau

The Food and Consumer Safety Bureau (FCS) is responsible for administering and enforcing the Iowa Food Code ([Iowa Code chapter 137F](#)) by conducting food safety inspections at food establishments (grocery stores, restaurants, and convenience stores) and food processing plants.

The purpose of the Iowa Food Code is to "safeguard the public health and provide to consumers, food that is safe, unadulterated and honestly prepared." The Food Code is based upon food safety recommendations developed by the Food and Drug Administration (FDA), in consultation with representatives from the food industry and regulators, and focuses on public health and the prevention of foodborne illness.

The Food and Consumer Safety Bureau maintains a [Restaurant Inspection Web Site](#) through which visitors can view or download inspection reports for Iowa-licensed establishments, including restaurants, grocery stores, and convenience stores.

The Bureau also has a mobile application that includes the most recent inspections from all food and lodging establishments, and permits searching by either establishment name or the user's location. The mobile food application is:

- Available for Android on the Google Store, iOS (Apple) for iPhone or iPad.
- Similar to public inspection website.
- Sortable based on distance from user or number of risk factor violations.



In September 2015, food inspection and licensing contracts were ended with the City of Muscatine, the City of Ottumwa (including Wapello, Jefferson, and Keokuk counties), and the City of Council Bluffs.

The Bureau is now directly responsible for inspections in 54 counties, identified on the map to the left as those counties in blue. The remaining 45 counties have inspections completed by local contracting agencies.

During SFY16, the Bureau completed 9,342 food inspections, an increase of 8.0% from SFY15's level. The Bureau's workload varies from month-to-month, with the highest concentration of inspections typically occurring during the summer months with the increase in fairs, mobile vendors, etc. The monthly variation from SFY15 to SFY16 is illustrated to the right.

Month	SFY15	SFY16	Change
July	1,001	1,123	122
August	761	874	113
September	719	732	13
October	681	571	(110)
November	534	519	(15)
December	564	584	20
January	732	578	(154)
February	638	735	97
March	730	825	95
April	708	815	107
May	762	960	198
June	817	1,026	209
<b>Total</b>	<b>8,647</b>	<b>9,342</b>	<b>695</b>

### Cooperative Agreements

The Department was awarded a three-year Rapid Response Team (RRT) cooperative agreement with the FDA worth a total of \$1,125,000. This grant is a cooperative effort between DIA, the Iowa Department of Public Health (IDPH), the Iowa Department of Agriculture and Land Stewardship (IDALS), the State Hygienic Laboratory (SHL) at the University of Iowa, and the FDA.

The grant included a special research component in conjunction with the SHL related to the parasites of cryptosporidium and cyclospora. Major projects completed as part of this grants during SFY16 include:

- Held a session for all state and local food safety specialists on food microbiology and sampling developed in conjunction with Iowa State University.
- Developed a public information campaign and outreach plan related to the roll-out of a statewide foodborne illness reporting telephone line.
- Developed protocols related to a sampling and research project related to listeria monocytogenes at retail delicatessens which will begin in SFY17.
- Enrolled in the Centers for Disease Control & Prevention's (CDC) National Environmental Assessment Reporting System (NEARS), and developed specifications for incorporating NEARS into the Bureau's system. Additionally, all Bureau personnel were trained on the NEARS method of foodborne illness investigation, and it is anticipated that full implementation will be completed in SFY18, following onsite training by the CDC in October 2017.

The Department was continued funding for an additional \$300,000 for year four of a five-year cooperative agreement related to manufactured food regulatory program standards. The Bureau is on target to meet all 10 program standards by January 2017. Under the terms of the agreement, the Bureau accomplished the following during SFY16:

- Continued development of policies, procedures and quality assurance methods to fully implement program standards.
- Funded an additional manufactured foods inspector.
- Funded training of an additional manufactured foods inspector.
- Funded development of mobile application for upload of inspection photos and reports.
- Developed a calendar-based work planning tool for inspectors in the inspections and licensing systems.

The Department currently has two \$70,000 per year, five-year agreements (one in its 1<sup>st</sup> year, and one in its 4<sup>th</sup> year) related to retail program standards. As part of the agreement, the Bureau accomplished the following during SFY16:

- Produced a training video on bare hand contact. The video was produced in English, Spanish, and Chinese, and will be available in the near future online at [ia.foodprotectiontaskforce.com](http://ia.foodprotectiontaskforce.com).
- Further enhanced the inspections and licensing application to streamline functionality.
- Updated guidance documents which are implemented into the inspections and licensing application.

- Developed intuitive licensing questioning to be implemented into the licensing and inspections system and online licensing in SFY17.
- Developed a calendar-based work planning tool for inspectors in the inspections and licensing system.
- Completed a self-assessment and verification audit of five retail program standards.

The Iowa Food Safety and Defense Task Force includes DIA, industry, and regulators. This initiative is funded with a \$10,000 per year cooperative agreement with FDA, which expires on August 31, 2016. During SFY16, the Task Force held multiple meetings and provided training sessions for food manufacturers on the Food Safety Modernization Act, and for law enforcement on investigating intentional food contamination events.

### *Accomplishments*

The Bureau is the proud recipient of the 2016 Elliot O. Grosvenor Food Safety Award. Established in 2010, the Elliot O. Grosvenor Food Safety Award recognizes outstanding achievements made by food safety programs within State Departments of Agriculture, Natural Resource Agencies, Public Health Departments or Environmental Conservation Departments in the United States and Canada. The award is presented to the program that best showcases improvement, innovation, or sustained high performance within a food safety program.



*L to R – Sherri Sigwarth, Terri Duden, Mark Speltz, Scott Duden, Steven Mandernach, Joe Beal, Thao Nguyen, Jenny Pierquet*

The International Food Protection Training Institute’s (IFPTI) Applied Science, Law, and Policy Fellowship in Food Protection program provides food protection professionals from federal, state, local, tribal and territorial regulatory agencies with knowledge, skills and abilities to work effectively within the framework of food regulatory science, law, and policy. Environmental Specialist Sherri Sigwarth was selected as a Fellow in Food Protection for 2016-17. Sherri is based out of Balltown, and conducts inspections in the northeast corner of the state. Sherri is one of 17 individuals nationally selected for 2016-17, and represents the 3<sup>rd</sup> Iowan (2<sup>nd</sup> DIA employee) selected for the fellowship.

### *Publications*

Bureau Chief Steven Mandernach was the lead author for the *Prevailing Statutes, Regulations, and Ordinances* chapter of the International Food Protection Training Institute’s textbook “[Regulatory Foundations for the Food Protection Professional](#)”, which was published by Springer Publishing in August 2015. Mandernach also was quoted in and co-authored the cover article for Food Safety Magazine’s April/May 2016 issue titled “[Integrating the Nation’s Food Safety System: What You Need to Know.](#)”, and further participated in a panel discussion on the same topic at the Food Safety Summit in Rosemount, IL in May 2016.

Iowa’s Food and Feed Rapid Response Team was featured in an article in the October/November 2015 issue of Food Safety Magazine, titled “[Where the Rubber Meets the Road: RRTs in Action](#)”. Program Planner Jennifer Pierquet co-authored this article.

### Social & Charitable Gambling Program

The Social and Charitable Gambling program administers [Iowa Code Chapter 99B](#), which regulates games of skill or chance, raffles, bingo, social gambling and amusement devices. Qualified organizations may obtain a social or charitable gambling license to conduct fund-raising activities benefiting educational, civic, public, charitable, patriotic or religious purposes.

During SFY16, the program:

- Rewrote Iowa Code Chapter 99B (effective on July 1, 2016), which included streamlining the licensing process, and updating and reorganizing the chapter.
- Issued 5,895 amusement device registrations (up 13.8% from SFY15), and collected \$472,975 in registration fees (up 2.8% from SFY15). A breakdown of the types of registrations issued is provided to the right.
- Incorporated amusement device tracking into the food licensing and inspections system, effective January 1, 2016. This transition allowed for the elimination of a stand-alone application that had exceeded its useful life.
- Issued 2,739 licenses (down 2.8% from SFY15) and collected \$221,955 in licensing fees (up 5.2% from SFY15). Individual license fees range from \$15 per license (14-day Qualified Organization) to \$1,000 per license (One-Year Bingo Manufacturer).
- Began the process for migrating the social and charitable gambling licensing and reporting system into the food licensing and inspection system by January 1, 2017. As part of the migration, an intuitive licensing process was developed to assist applicants in determining which license(s) are needed for desired activities.

Type	#	Fee per Registration	Total Fees
Manufacturers	10	\$ 2,500	\$ 25,000
Distributors	55	\$ 5,000	\$ 275,000
Owners	11	\$ 2,500	\$ 27,500
Registration Tags	5,819	\$ 25	\$ 145,475
<b>Total</b>	<b>5,895</b>		<b>\$ 472,975</b>

### Targeted Small Business Certification Program

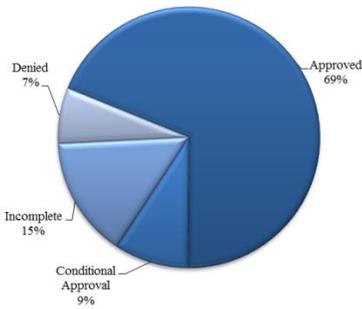
The Targeted Small Business (TSB) Certification Program certifies businesses that are owned, operated and actively managed by women, minority group members, persons with disabilities, or service-disabled veterans. Certified TSBs are eligible to apply for low-interest loans through the Iowa Center for Economic Success. State purchasing officers also consider TSBs when seeking bids for state-purchased goods and services.



The Department's TSB certification program is administered under the provision of [Iowa Administrative Code Chapter 481—25](#). The rules detail the certification process, eligibility standards, special considerations, the request for a bond waiver and other aspects of the program. In order to qualify as a TSB, the business must meet the following minimum requirements:

- Be located in the State of Iowa.
- Be operating for a profit.
- Have an annual gross income of less than \$4 million computed as an average of the three preceding fiscal years.
- Be 51% or more owned, operated and actively managed by women, minorities, persons with a disability, or service-disabled veterans.
- Be TSB-certified by the Iowa Department of Inspections and Appeals.

TSB Application Resolution, SFY16



During SFY16, the program processed 87 new TSB applications with the resolution of the applications illustrated to the left. SFY16’s level of processed applications represents a 7.5% increase above the previous fiscal year’s level.

During SFY16, two LEAN events were held related to the TSB program. The result of these events was a decision to transition the certification program to the Iowa Economic Development Authority (IEDA). It is anticipated that the transition will occur in the early fall of 2016.

## Administrative Hearings Division

The Administrative Hearings Division (AHD) conducts contested case administrative proceedings for nearly all state agencies and some local government agencies. Administrative Law Judges (ALJs) preside over telephone or in-person hearings, rule on motions or objections, decide cases fairly and impartially, and write proposed agency decisions in cases ranging from driver’s license revocation proceedings before the Department of Transportation (DOT) and child abuse assessment proceedings before the Department of Human Services (DHS) to professional discipline proceedings before the Board of Medicine and other professional licensing boards.



The Division is authorized in [Iowa Code §10A.801](#), and is governed by the Iowa Administrative Procedures Act ([Iowa Code Chapter 17A](#)), the Division's [administrative rules](#), and the [relevant statutes and rules](#) of the agency for which the Division is conducting a particular contested case proceeding.



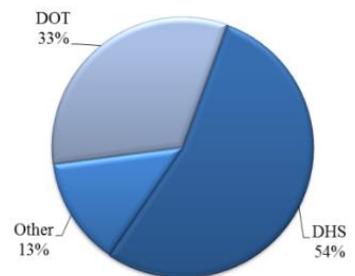
The Administrative Hearings Division conducts administrative proceedings for nearly all state agencies and some local government agencies. While the Division is required to conduct certain contested case proceedings by statute or administrative rule, it is also authorized under Iowa Code section [10A.801\(5\)](#) to conduct any proceeding for any governmental entity on a contract basis.

All proceedings are conducted by qualified administrative law judges who are Iowa-licensed attorneys. Division ALJs have experience conducting hearings as the sole presiding officer, as a part of a panel of decision makers, or as an advisor and decision drafter for a board or commission.

During SFY16, the Division:

- Closed 12,635 cases for 45 state and local agencies, representing an increase of 94 cases above SFY15’s level. A breakdown of cases is illustrated to the right.
- Successfully completed one of the largest and most complex cases ever handled by the Division: the multi-party appeal challenging the DHS’ managed care procurement. ALJ Christie Scase presided over a five-day off-site hearing and numerous prehearing motions litigated by nearly 40 attorneys representing eight parties, and issued a 54-page proposed decision 20 days after the case was submitted and 82 days after the first appeal was filed.
- Proposed legislation ([SF 2162](#)), which was ultimately signed into law, as outlined on page 8.

AHD Closed Cases, SFY16



- Implemented a new a new web-based timekeeping, invoicing, and reporting service that replaced a previous manual paper and spreadsheet process. The new system improved the accuracy and efficiency of the entire process by streamlining the entering of time by administrative law judges and other employees, automating the preparation of invoices and reporting, and improving the content and format of the invoices.

## Health Facilities Division

The Health Facilities Division (HFD) is the designated state survey and certification agency, and is responsible for licensing or certifying Medicare and Medicaid Programs and other health care providers and suppliers operating in the State of Iowa. Entities subject to the Department's oversight and regulation include nursing facilities, skilled nursing facilities, residential care facilities, intermediate care facilities for the intellectually disabled, hospitals, hospices, home health agencies, programs and facilities caring for children, assisted living programs and elder group homes.



Survey teams from the Division conduct unannounced on-site inspections at health care facilities to assess the quality of care and services provided to clients, patients, residents and tenants. If problems are discovered during an inspection, the Division can require corrective action and/or implement enforcement remedies to assure a facility's compliance with state and federal rules. Health Facilities Division personnel also investigate complaints alleging improper care or treatment of patients, residents, and tenants in licensed and certified entities.

Additionally, personnel in the Health Facilities Division staff the Iowa Hospital Licensing Board, which advises the Department on issues impacting the administration of hospitals in the State of Iowa. Appointed by the Governor, the six-member Board consults with and advises HFD in matters of policy affecting hospital administration. In addition, the Board reviews and approves rules and standards prior to their approval by the State Board of Health and adoption by the department. The Board meets periodically throughout the year, pursuant to Iowa Code sections [135B.10](#) and [135B.11](#).

### Hospital Licensing Board

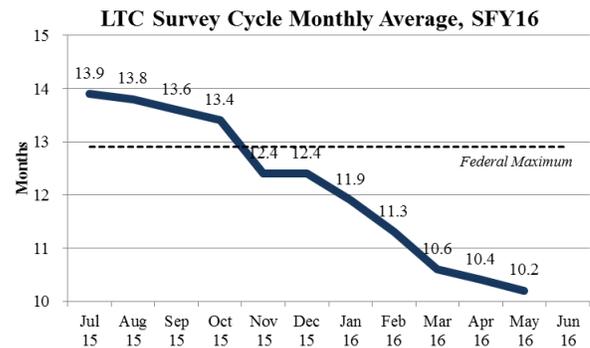
JoAn Headington  
 Frank Hermsen  
 Pat McDermott  
 Monte Neitzel  
 Kay Runge  
 Jim Tinker

In December 2015, Division personnel were joined by Department administration, former DIA General Counsel, and a representative from the Iowa Health Care Association for a weeklong Kaizen event. The event's goals included the development of a single method to track fining/citations and federal enforcement. A report out was held to share results of the event, and was attended by Division and Department personnel, as well as representatives of provider associations, the Department of Management, representatives from the Governor's office, and caucus staff members.

## Long-Term Care Bureaus

Three Bureaus within the Division are responsible for surveying 442 Nursing Facilities in the State. During SFY16, these Bureaus conducted 508 long-term care (LTC) surveys, averaging nearly ten surveys every week of the year.

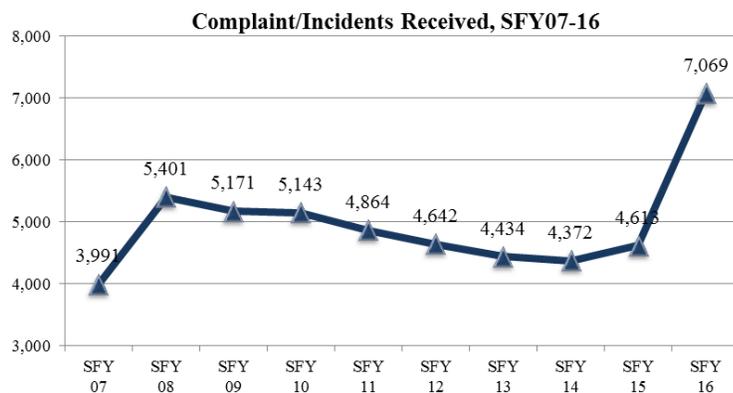
Federal standards require that the survey agency maintains a survey cycle average of 12.9 months for all nursing facilities. Additionally, the survey cycle cannot exceed 15.9 months between surveys for any individual facility. The Department's SFY16<sup>2</sup> performance in meeting the monthly survey cycle average is illustrated to the right.



## Complaint/Incident Bureau

The Complaint/Incident Bureau staff are responsible for the review and triage of intakes for all health care facilities and programs. This includes facility self-reported incidents as outlined by federal regulations and state rules, as well as complaints from residents/patients, family and friends, staff, and other health care providers.

During SFY16, the Bureau processed a total of 7,069 intakes, experiencing a significant increase during the second half of the fiscal year.



SFY16's intakes represent a 53.2% increase above the previous fiscal year's level. The 10-year trend of intakes received by the Bureau is illustrated to the left.

The Bureau also has surveyors in the field who investigate complaints and incidents in LTC facilities. During SFY16, Bureau surveyors investigated 1,811 LTC complaint/incident intakes, representing a 24.8% increase from SFY15.

## Medicare Services Bureau

The Medicare Bureau is responsible for the survey and certification of Medicare-certified facilities such as Hospitals, Home Health Agencies, Hospice Programs, End-Stage Renal Disease Units and Ambulatory Surgical Centers.

The Centers for Medicare & Medicaid Services (CMS) requires that each Home Health Agency be surveyed at a maximum of every 36.9 months. In SFY16, 100% of the 134 Home Health Agencies had been surveyed within the 36.9-month maximum interval.

Beginning in April 2015, CMS required that all Hospice programs be surveyed within a 36.9-month maximum interval and that the state achieve this maximum interval for all Hospice providers by 2018. In order to accomplish this objective, approximately 25 Hospice programs will be surveyed each federal fiscal year. During SFY16, 54.4% of the 79 Hospice programs have been surveyed within the 36.9-month maximum interval. By 2018, 100% of the Iowa Hospice programs will have been surveyed within the 36.9-month maximum interval.

<sup>2</sup> June 2016 data was not available at the time of publication.

## Special Services & Adult Services Bureau

The Special Services Bureau is responsible for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/ID), Residential Care Facilities (RCF), and Children’s Services, which includes juvenile detention and shelter care, residential care facilities for children with intellectual disabilities, comprehensive residential care for children, group foster care, Psychiatric Medical Institutions for Children (PMIC), and child-placing agencies.

CMS requires ICF/IDs to be surveyed for re-certification on average of once every 12 months and at least once every 15 months. During SFY16, surveyors completed work associated with 413 total ICF/ID surveys. During that same time period, the average survey cycle was 10.5 months.

During SFY16, surveyors completed work associated with 220 total RCF surveys. State rules require RCF surveys to be conducted once every 30 months, and during the reporting period, the average survey for RCF surveys was 27 months. A breakdown of individual survey types for both ICF/ID and RCF survey work is located to the right.

Type	ICF/ID	RCF
Surveys	127	84
Investigations	188	119
Revisits	98	17
<b>Total</b>	<b>413</b>	<b>220</b>

During SFY16, surveyors completed work associated with 303 total Children’s Services surveys, comprised of license reviews (115), unannounced visits (73), office visits for child placing agencies (52), investigations (34), desk reviews (27), and revisits (2).

The Adult Services Bureau oversees Assisted Living Programs (ALP), Assisted Living Programs Dementia-Specific (ALP/D), Elder Group Homes (EGH) and Adult Day Services (ADS).

Type	ALP & ALP/D
Surveys	151
Investigations	179
Revisits	4
Initial Visits	8
<b>Total</b>	<b>342</b>

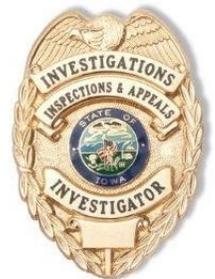
State rules require all programs certified by the Adult Services Bureau to undergo monitoring visits (surveys) for recertification at least once every 24 months. During SFY16, surveyors completed work associated with 342 total ALP and ALP/D surveys, comprised of individual survey types as illustrated to the left. Of the 151 surveys completed during the reporting period, 40.4% were completed within 24 months of the previous recertification visit.

During the same timeframe, one survey visit was completed at an EGH, and 11 surveys and one investigation was completed at ADS programs.

## **Investigations Division**

The Investigations Division’s mission is to ensure the protection of the health, safety, and welfare of Iowans by:

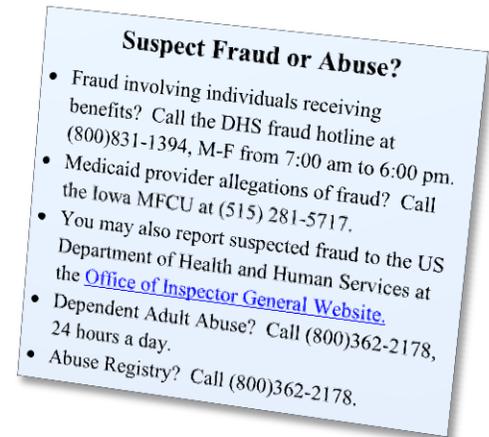
- Maintaining public assistance program integrity and accountability through the prevention, detection and investigation of public assistance fraud, waste and abuse by Medicaid providers and public assistance recipients.
- Auditing health care facilities and local DHS offices to ensure compliance with state and federal funding requirements.
- Initiating the recovery of any misallocated taxpayer funds.
- Detecting, investigating, and prosecuting dependent adult abuse that occurs in health care facilities.
- Investigating regulated professionals for various professional licensing boards.



The Division audits health care facilities and conducts criminal, civil, and administrative investigations of fraud and misconduct. Staff within the Division work closely with other state and local partners in identifying fraud, waste, and abuse, and when appropriate, forward cases to federal, state, and local officials for prosecution.

The Investigations Division is comprised of the following areas:

- Abuse Coordinating Unit
- Audits
- Economic Fraud Control Unit; including:
  - Program Integrity/Electronic Benefit Transfer Unit
  - Divestiture Unit
- Medicaid Fraud Control Unit
- Professional Standards Unit
- Public Assistance Debt Recovery Unit



## Abuse Coordinating Unit

The Abuse Coordinating Unit (ACU) is responsible for the detection, investigation, and prosecution of administrative dependent adult abuse in facilities and programs in Iowa. The Unit’s goal is to protect the health, safety, and welfare of the state’s most vulnerable citizens. During SFY16, a total of 778 complaints received by the Department contained the potential of dependent adult abuse. Outcomes of these complaints are as follows:

- 451 were classified as “incidents evaluated for dependent adult abuse<sup>3</sup>”.
- 327 required the completion of a comprehensive abuse memo.
- 234 were formally briefed.
- 148 resulted in a “founded” determination.
- 63 individuals placed on the Central Abuse Registry.

The 63 individuals placed on the central abuse registry in SFY16 represent an 18.2% decrease from SFY15; the five-year trend of registry placements is illustrated to the right.



## Audits

The Audit Unit performs expenditure audits of local DHS offices to determine eligibility for federal reimbursements and to ensure compliance with state and federal funding requirements. Audits also are performed at residential care facilities, nursing facilities, and residential and intermediate care facilities for the intellectually disabled to ensure that residents’ funds are being properly maintained. The audits are used to verify that Medicaid reimbursement procedures meet all applicable government requirements.

During SFY16, the unit:

- Completed 99 local DHS audits, and identified \$23,767 in exceptions (ineligible for Federal reimbursement). Targeted collection of 100% was completed with 45 days.

<sup>3</sup> When an abuse report is triaged as a complaint or incident with an “evaluate for abuse” designation on the intake, the surveyor is required to investigate the complaint/incident and report their fact finding to the ACU, which will determine if an abuse investigation/memo is warranted.

- Completed 288 care facility audits, comprised of:
  - 43 Residential Care Facilities
  - 50 Intermediate Care Facilities for Intellectual Disabilities
  - 195 Nursing Facilities
- Sent \$1,379,496 in actual cash collections to the Iowa Medicaid Enterprise (IME). An additional \$250,217 in vendor adjustments was processed to withhold audit balances due from future facility payments, resulting in a total collection amount of \$1,629,713.

## Economic Fraud Control Unit

The Economic Fraud Control Unit is comprised of two sub-units: the Program Integrity/Electronic Benefit Transfer (EBT) Unit and the Divestiture Unit.

### *Program Integrity/EBT Unit*

Investigators in the Unit review multiple-program applications for Food Assistance (SNAP), Medical Assistance, and the Family Investment Program (FIP), as well as many other programs for suspected fraud. Personnel verify the accuracy of information submitted to DHS by the applicants. When required, investigators work closely with county attorneys and local law enforcement to gather evidence that may be used to prosecute individuals accused of defrauding the state's public assistance programs. Investigations assist DHS to ensure benefits are distributed to eligible individuals.

During SFY16, this investigative unit, comprised of 19 field investigators strategically positioned across the state and one executive officer, conducted investigations for all 99 Iowa counties. The unit responded to 5,699 referrals<sup>4</sup>, and its investigations resulted in a calculated total savings to the state (cost avoidance) of \$11,799,656. This equated to an average state savings per investigative employee of \$621,035.

### *Divestiture Unit*

The Divestiture Unit identifies and recovers assets, which an individual has transferred in an attempt to improperly or illegally qualify for state public assistance, especially Medicaid benefits. This unique program, one of a few in the nation, recovers transferred assets from the individuals who received them rather than from the person who transferred them.

During SFY16, this specialized group - comprised of one investigator and one executive officer - were assigned 243 new cases, closed 303 existing and new cases, and was responsible for a calculated total savings to the state (cost avoidance) of \$197,647. Furthermore, the Unit was responsible for \$434,017 in recoupment through consent orders, \$27,705 through restitution orders, and collected an additional \$297,808 paid-in-full.

## Medicaid Fraud Control Unit

The Medicaid Fraud Control Unit's (MFCU) primary goal is to prevent abuse of taxpayer resources through the investigation of criminal activity. The Unit's staff includes experienced criminal investigators, auditors, and attorneys to achieve this goal. The MFCU investigates allegations of fraud committed by providers against the Medicaid program, as well as fraud in the administration of the Medicaid program. The MFCU also investigates abuse/neglect and other crimes committed against residents in care facilities that receive reimbursement from the Medicaid program.

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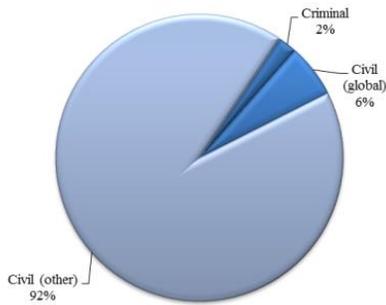
<sup>4</sup> Referrals are allegations of fraud or abuse related to a specific investigative unit within the Investigations Division.

Based on the most recent available data (SFY15), Iowa’s MFCU had 10 FTE positions. When compared to the national average of 38.9 FTEs per MFCU, Iowa is one of the lower-staffed units in the nation. Additionally, only eight MFCU’s receive fewer grant dollars than Iowa, and are identified in blue on the map to the right. Note that each of the eight states have significantly fewer Medicaid dollars for which they are responsible for policing.

State Medicaid Fraud Control Units Receiving Fewer Grant Dollars than Iowa, SFY15	State	Medicaid \$	FTE
	Wyoming	\$ 621,092,843	4
	South Dakota	\$ 860,846,154	5
	Vermont	\$ 1,666,066,978	7
	Maine	\$ 2,620,426,632	7
	Montana	\$ 1,208,709,907	7
	New Hampshire	\$ 1,840,725,765	8
	Nebraska	\$ 1,973,545,225	9
	Idaho	\$ 1,819,959,694	9
	Iowa	\$ 4,672,288,367	10

During the reporting period, Iowa’s MFCU conducted 291 investigations<sup>5</sup>, 92.8% of which were fraud-related, with the remaining 7.2% representing resident abuse or neglect investigations. Iowa’s MFCU averaged 29.1 investigations per FTE, representing a level 159% above the national average. Iowa’s average number of investigations per FTE (caseload) is the 3<sup>rd</sup> highest in the nation.

Source of Recoveries, SFY15



In total, Iowa recovered \$10,799,278 from both criminal and civil convictions during SFY15. Civil recoveries include both civil and global recoveries. Global recoveries are civil settlements or judgments involving the U.S. Department of Justice and a group of State MFCU’s, and are facilitated by the [National Association of Medicaid Fraud Control Units](#). The breakdown of recovery sources during the reporting period was predominately due to civil actions, as illustrated to the left.

The responsibility placed on individual MFCU’s is perhaps best illustrated by identifying the sheer volume of the overall Medicaid footprint. Nationally, total Medicaid expenditures during SFY15 amounted to more than \$548 *billion*, whereas total expenditures to operate all 50 MFCU’s amounted to less than \$251 *million*, or 0.046% of what was spent on Medicaid. In Iowa, Medicaid expenditures represented \$4.672 *billion* during SFY15, whereas expenditures to operate the Iowa MFCU during that same time period totaled just over \$1 *million* (\$1,074,819), or 0.023% of the total Medicaid expenditures. Comparatively, Iowa spends approximately 50% less to operate its MFCU than the national average.

## Public Assistance Debt Recovery Unit

The Public Assistance Debt Recover Unit (PADRU) initiates collections of overpayment debts owed to DHS as a result of payments made to recipients from the State’s public assistance programs, including the Medicaid program, FIP, SNAP, Promise Jobs, HAWK-I, IowaCare and Child Care Assistance.

During SFY16:

- PADRU collected \$3,688,605 in overpayments for benefits that were issued to DHS recipients in error. The SFY16 level represents a 13.5% increase above SFY15’s level of collections.
- The total debt owed to the state at the conclusion of SFY16 was \$42,757,508, which is an increase of \$902,977 from the previous fiscal year.

<sup>5</sup> Investigations are defined as the total number of open investigations at the end of the fiscal year.

- 7,402 new claims were entered into DHS’ Web-Based Overpayment Recovery system. DIA investigators can collect on these newly established debts through a variety of methods, including repayment agreements, judgments, wage garnishment and income tax offsets.

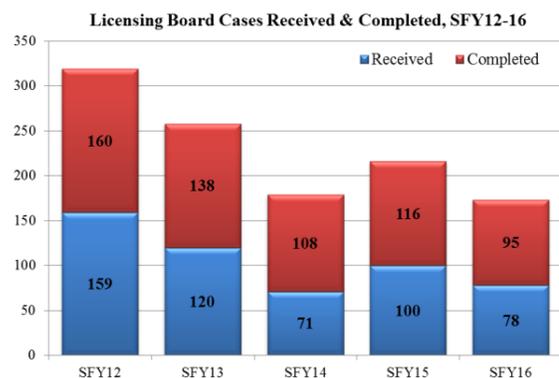
## Professional Standards Unit

Investigators in the Division’s Professional Standards Unit conduct professional practice investigations on behalf of the professional licensing boards under the jurisdiction of the Iowa Department of Public Health (IDPH). The boards for which investigations are conducted, include:

State Licensing Boards under IDPH Jurisdiction, SFY16		
Athletic Training	Hearing Aid Specialists	Physicians Assistants
Barbering	Impaired Practitioner Review Committee	Podiatry
Behavioral Science	Massage Therapy	Psychology
Chiropractic	Mortuary Science	Respiratory Care & Polysomnography
Cosmetology	Nursing Home Administrators	Sign Language Interpreters & Transliterators
Dietetics	Optometry	Social Work
Emergency Medical Services	Physical & Occupational Therapy	Speech Pathology & Audiology

During SFY16, the Professional Standards Unit received a total of 78 new cases from IDPH, which represents a decrease of 22.0% from SFY15.

The Unit completed 95 investigations for IDPH’s professional licensing boards during SFY16 (including previous cases), which represents a decrease of 18.1% from SFY15’s level. The five-year trend of both cases received and completed for the boards is illustrated to the right.



## Child Advocacy Board

The Child Advocacy Board (CAB) ensures that the foster care system is working to place each Iowa foster child in a safe, permanent home. The nine-member Board – appointed by the Governor - works to ensure that Iowa's foster children are well cared for, and that the system designed to meet their needs is doing so in the most effective manner possible. The Board oversees a variety of programs, including local foster care review boards and the Foster Care Registry. In addition, CAB administers the State's Court Appointed Special Advocate (CASA) Program, which is designed to protect the rights of Iowa’s foster children in all court-related activities.

### Child Advocacy Board Members

Mark Hargrafen, Grimes  
 Judge Gerald Magee, Charles City  
 Beth Myers, Garner  
 Elaine Sanders, Sioux City  
 Wayne Schellhammer, Urbandale  
 Jeanne Sorensen, Lake View  
 Michael R. Steele, Mount Pleasant  
 Shannon Unternahrer, Washington  
 (vacant)

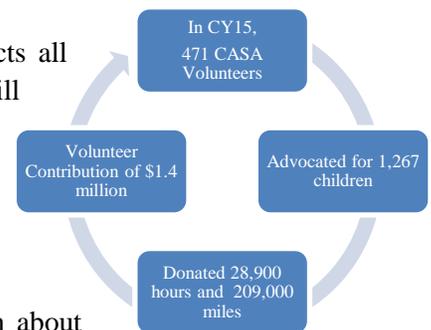
The Board is responsible for making recommendations annually to the Governor, the General Assembly, the Supreme Court and Chief Judge of each judicial district, DHS and child-placing agencies on ways to improve the delivery of foster care services. Members submit recommendations on how to remove barriers that prevent the delivery of top quality foster care.

## Court Appointed Special Advocate Program

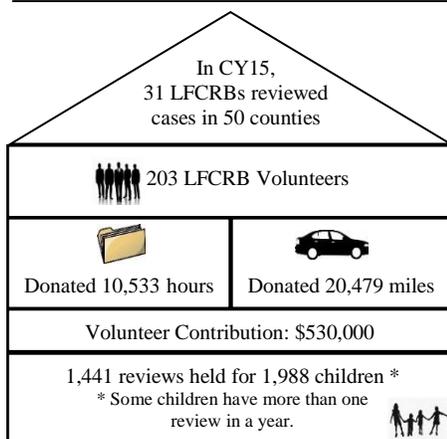
The Iowa Court Appointed Special Advocate (CASA) program recruits, trains, and supports concerned community volunteers who advocate for and promote the best interest of the children who are victims of abuse and/or neglect. Many of the children have been removed from their parental home due to safety issues.

The advocate regularly meets with his or her assigned child and contacts all other parties involved in that child's case to advocate for services that will lead the child to legal and relational permanency in a safe, stable home. The advocate acts as a liaison between the child and the court, and represents the child's voice, wishes, and needs to ensure Judges have all information needed to make informed decisions.

Iowa CASA advocates receive 30 hours of pre-service training to learn about child welfare-related issues and the duties of advocacy, and 12 hours of in-service training each year to enhance their advocacy skills and further their knowledge on case issues. Over the course of SFY16, the CASA program has provided advocacy for a cumulative total of 1,331 children.



## Foster Care Review Board Program



CAB has established a network of Local Foster Care Review Boards (LFCRB) to review children receiving foster care to determine whether satisfactory progress is being made toward legal and relational permanency.

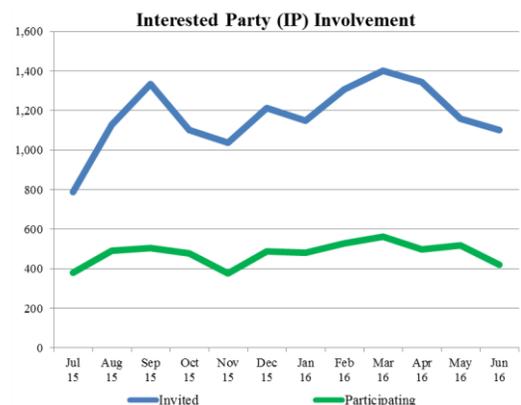
Under an agreement between DIA and DHS, the Child Advocacy Board receives federal funds to reimburse a portion of the cost of the reviews.

LFCRB volunteers serve on local community boards that meet regularly to review case plans, hear from interested parties, and provide the Court and DHS with findings and recommendations about the safety, well-being and permanency of children from their communities in foster care.

## Participation of Interested Parties at Local Reviews

Participation of Interested Parties (IP) is essential for an effective foster care review in order for board members to be well-informed about the case and what is happening in the life of the child before making recommendations to the court and interested parties. Youth who are 14 years of age or older are invited to attend their foster care review but unfortunately they are often not able to attend in person.

The chart to the right illustrates the number of IPs who participated in reviews each month compared to the number of IPs invited to participate. During SFY16, the average rate of IP participation in reviews was 41%.



This data indicates a need to evaluate and develop strategies to increase participation and attendance of interested parties for foster care reviews. Recommendations made by LFCRBs are based on case file documentation and information presented during the review process. Improved participation will enhance the quality of the reviews by having a more comprehensive overview of the child’s case and efforts being made toward achievement of the permanency plan goal for the child.

## Barriers to Permanency

In July 2015, LFCRB members began identifying barriers to permanency for children reviewed by the boards using a standard list of potential barriers related to case planning and implementation, child and parent behaviors or needs, and issues related to case management, service coordination, legal provisions and service provider availability.

Review of the data collected reveals systemic issues that often prevent timely achievement of permanency outcomes for children.

LFCRB’s identified approximately 1,800 barriers in cases reviewed in the first half of SFY16.

<b>Top 5 Barriers to Permanency</b>	
<b>Barrier</b>	<b>Times Reported</b>
Parent: Chronic physical or mental health issues, substance abuse	302
Parent: Lack of insight into problems	240
Parent: Family economic problems (housing, transportation, etc)	172
Child: Chronic physical or mental health issues, substance abuse	154
Parent: Resistant/Uncooperative to service intervention or visitation	148

## **Employment Appeal Board**

The three-member Employment Appeal Board (EAB) is appointed by the Governor and serves as the final administrative law forum for state and federal unemployment benefit appeals. The Board also hears appeals of rulings of the Occupational Safety and Health Administration (OSHA) and the Iowa Public Employees Retirement System (IPERS). The Board members are appointed to represent employers, employees, and the general public, respectively. In addition to unemployment cases, the Board hears appeals involving peace officer issues and contractor registration requirements.

The Board receives 96% of its funding from the federal government, which is based on the number of appeals heard and the time taken to render a decision.

<b>Employment Appeal Board Members</b>
Kim D. Schmett, Board Chair, Employer Representative
Ashley Koopmans, Board Member, Public Member
James Strohmman, Board Member, Employee Representative

## **Iowa Racing & Gaming Commission**



The Iowa Racing & Gaming Commission (IRGC) regulates the pari-mutuel dog and horse racing and riverboat gambling industries in Iowa. The Commission, whose members are appointed by the Governor, seeks to preserve the integrity of these industries and to maintain confidence in the industries by protecting the public.

In performing its duties, the Commission investigates the eligibility of applicants for a license and selects from among those the one who can best serve the citizens of Iowa.

The Commission adopts standards for the licensing of racing industry occupations, as well as standards for the operation of all race meetings and facilities. The Commission also adopts standards for the operation and licensing of excursion gambling boats. The Commission has a revolving fund which is funded through regulatory and occupational license fees. The amount that can be spent from the revolving fund is set by the legislature.

During SFY16, the Commission:

- Opened two new gambling structures, as two facilities converted their license from an excursion gambling boat that does not cruise to a gambling structure, including:
  - The Riverboat Development Authority in Davenport (doing business as Rhythm City Casino), which opened its land-based facility for business on June 16, 2016.
  - The Scott County Regional Authority in Bettendorf (doing business as Isle of Capri Bettendorf), which opened its land-based facility for business on June 24, 2016.
- Developed rules for the implementation of the greyhound cessation fund and is currently distributing the one-time payments.
- Continued to streamline rules and procedures to allow for more efficiency in the racing and gaming industry.

**IRGC Commission**

**Members**

Richard Arnold

Carl Heinrich

Kristine Kramer

Jeff Lamberti

Dolores Mertz

## Office of the State Public Defender

The State Public Defender's Office (SPD) is responsible for coordinating Iowa's Indigent Defense System. The Office's mission is to ensure that all indigent persons in Iowa are provided high-quality legal representation in criminal, juvenile, and other eligible proceedings in the most efficient and fiscally responsible manner.



The Office is led by the State Public Defender, who is appointed by the Governor. More than two hundred employees in eighteen Local Public Defender Offices and the Appellate Defender's Office provide representation for indigent persons primarily in criminal and juvenile cases at the trial and appellate levels in all of Iowa's 99 counties. The State Public Defender also contracts with approximately 1,000 private attorneys and several nonprofit organizations throughout Iowa to provide court-appointed representation in cases that public defender offices are unable to handle. These contract attorneys, as well as other indigent defense providers, such as investigators, court reporters, interpreters and expert witnesses are paid from the Indigent Defense Fund, which is administered by the State Public Defender.