

**NINETIETH GENERAL ASSEMBLY  
2024 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET  
February 20, 2024**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">HF 2136</a> .....	<a href="#">H-8025</a> .....	Filed	SRINIVAS of Polk
<a href="#">HF 2248</a> .....	<a href="#">H-8024</a> .....	Filed	P. THOMPSON of Boone
<a href="#">HF 2404</a> .....	<a href="#">H-8017</a> .....	Filed	LOHSE of Polk
<a href="#">HF 2423</a> .....	<a href="#">H-8016</a> .....	Filed	B. MEYER of Polk
<a href="#">HF 2464</a> .....	<a href="#">H-8018</a> .....	Filed	SORENSEN of Adair
<a href="#">HF 2464</a> .....	<a href="#">H-8020</a> .....	Filed	SORENSEN of Adair
<a href="#">HF 2483</a> .....	<a href="#">H-8019</a> .....	Filed	SEXTON of Calhoun
<a href="#">HF 2492</a> .....	<a href="#">H-8022</a> .....	Filed	LOHSE of Polk
<a href="#">HF 2584</a> .....	<a href="#">H-8021</a> .....	Filed	HAYES of Mahaska
<a href="#">HF 2584</a> .....	<a href="#">H-8023</a> .....	Filed	STOLTENBERG of Scott
<a href="#">HF 2584</a> .....	<a href="#">H-8026</a> .....	Filed	HAYES of Mahaska

**Fiscal Notes**

- [HF 2135](#) — [Medical Income Assistance Trusts, Fees](#) (LSB5430HV)
- [HF 2262](#) — [Uniform Money Transmission Modernization Act](#) (LSB5289HV)
- [HF 2399](#) — [Indoor Mold Public Awareness Campaign](#) (LSB5833HV)

[HF 2402](#) — [Psychiatric Medical Institutions for Children, Medicaid Rates](#)  
(LSB5260HV)

[HF 2423](#) — [Ignition Interlock Devices](#) (LSB5491HV)

HOUSE FILE 2136

H-8025

1 Amend House File 2136 as follows:

2 1. Page 1, line 13, after <drugs.> by inserting <A  
3 person who withdraws a specimen of blood in accordance with  
4 this subsection shall act reasonably, in good faith, and in  
5 accordance with standard medical procedures and applicable  
6 occupational safety and health standards while withdrawing the  
7 specimen of blood.>

8 2. Page 1, line 22, after <procedures> by inserting <and  
9 applicable occupational safety and health standards>

By SRINIVAS of Polk

H-8025 FILED FEBRUARY 19, 2024

HOUSE FILE 2248

H-8024

- 1 Amend House File 2248 as follows:
- 2 1. Page 1, after line 4 by inserting:
- 3 <Sec. \_\_\_\_ . NEW SECTION. 802.2G Robbery — second degree.
- 4 An information or indictment for robbery in the second
- 5 degree in violation of section 711.3 shall be found within five
- 6 years after the commission of the offense.>
- 7 2. Page 1, line 9, after <802.2F,> by inserting <802.2G,>
- 8 3. Page 1, line 23, after <first degree> by inserting <or
- 9 robbery in the second degree>
- 10 4. Page 1, line 26, after <section 802.2F> by inserting <or
- 11 802.2G>
- 12 5. Title page, by striking lines 1 and 2 and inserting <An
- 13 Act relating to robbery in the first degree, robbery in the
- 14 second degree, and the applicable statutes of limitations.>
- 15 6. By renumbering as necessary.

By P. THOMPSON of Boone

H-8024 FILED FEBRUARY 19, 2024

HOUSE FILE 2404

H-8017

- 1 Amend House File 2404 as follows:
- 2 1. Page 2, line 28, by striking <department upon the
- 3 department's request,> and inserting <department,>

By LOHSE of Polk

H-8017 FILED FEBRUARY 19, 2024

HOUSE FILE 2423

H-8016

- 1 Amend the amendment, H-8015, to House File 2423, as follows:
- 2 1. Page 1, by striking lines 4 through 6.
- 3 2. Page 1, by striking lines 8 through 10.
- 4 3. Page 1, by striking lines 17 through 20 and inserting:
- 5 <\_\_. Page 5, lines 22 and 23, by striking <second
- 6 ~~or subsequent~~ revocation under ~~section 321J.4, 321J.9,~~
- 7 ~~or 321J.12~~ this chapter. The> and inserting <second or
- 8 subsequent revocation under ~~section 321J.4, 321J.9, or~~
- 9 321J.12 this chapter, or a conviction for violating section
- 10 321J.21 following a first revocation under this chapter. The
- 11 department shall not require certification of installation of
- 12 an ignition interlock device by a person seeking reinstatement
- 13 following the person's first revocation under this chapter
- 14 unless the person is convicted for violating section 321J.21.>>
- 15 4. By renumbering as necessary.

By B. MEYER of Polk

H-8016 FILED FEBRUARY 19, 2024

HOUSE FILE 2464

H-8018

1 Amend House File 2464 as follows:

2 1. Page 2, by striking line 19 and inserting <criminal  
3 investigation, a criminal prosecution, any court case, or as  
4 otherwise>

By SORENSEN of Adair

H-8018 FILED FEBRUARY 19, 2024

HOUSE FILE 2464

H-8020

1 Amend House File 2464 as follows:

2 1. Page 2, line 26, by striking <use> and inserting  
3 <assignment>

4 2. Page 3, by striking lines 11 and 12 and inserting  
5 <institution's actions related to dispute processing, fraud or  
6 compliance management, protection from illegal or suspicious  
7 activities, breach, cyber>

By SORENSEN of Adair

H-8020 FILED FEBRUARY 19, 2024



HOUSE FILE 2483

H-8019

- 1 Amend House File 2483 as follows:
- 2 1. Page 2, after line 32 by inserting:
- 3 <Sec. \_\_\_\_ . NEW SECTION. 9I.9A Hotline.
- 4 The attorney general shall establish and maintain a
- 5 toll-free telephone number available for persons to report
- 6 suspected violations of this chapter.>
- 7 2. By renumbering as necessary.

By **SEXTON** of Calhoun

H-8019 FILED FEBRUARY 19, 2024

HOUSE FILE 2492

H-8022

1 Amend House File 2492 as follows:

2 1. Page 1, by striking lines 14 through 17 and inserting:

3 <c. "*Clinical utility*" means the test result provides  
4 information that is used in the formulation of a treatment  
5 or monitoring strategy that informs a patient's outcome and  
6 impacts the clinical decision.>

7 2. Page 2, line 8, by striking <costs> and inserting <risks>

By LOHSE of Polk

H-8022 FILED FEBRUARY 19, 2024

HOUSE FILE 2584

H-8021

- 1 Amend House File 2584 as follows:
- 2 1. Page 1, by striking lines 1 through 3 and inserting:
- 3 <Sec. \_\_\_\_ . NEW SECTION. 155A.49 Pharmacist dispensing of
- 4 self-administered hormonal contraceptives — standing order —
- 5 requirements.
- 6 2. Page 3, by striking lines 24 through 34.
- 7 3. Page 3, line 35, by striking <7.> and inserting <6.>
- 8 4. Page 4, line 5, by striking <8.> and inserting <7.>
- 9 5. By renumbering as necessary.

By HAYES of Mahaska

H-8021 FILED FEBRUARY 19, 2024

HOUSE FILE 2584

H-8023

1 Amend House File 2584 as follows:

2 1. Page 1, line 18, by striking <twelve-month> and inserting  
3 <four-month>

4 2. Page 3, line 10, by striking <twenty-seven> and inserting  
5 <seven>

6 3. Page 3, line 14, by striking <twenty-seven> and inserting  
7 <seven>

8 4. Page 5, line 7, by striking <twelve-month> and inserting  
9 <four-month>

By STOLTENBERG of Scott

H-8023 FILED FEBRUARY 19, 2024

HOUSE FILE 2584

H-8026

- 1 Amend House File 2584 as follows:
- 2 1. Page 1, line 6, by striking <patient> and inserting  
3 <woman>
- 4 2. Page 1, line 10, by striking <patient> and inserting  
5 <woman>
- 6 3. Page 1, line 24, by striking <patient> and inserting  
7 <woman>
- 8 4. Page 1, line 31, by striking <patient> and inserting  
9 <woman>
- 10 5. Page 2, line 10, by striking <patient> and inserting  
11 <woman>
- 12 6. Page 2, line 11, by striking <patient> and inserting  
13 <woman>
- 14 7. Page 2, line 12, by striking <patient> and inserting  
15 <woman>
- 16 8. Page 2, line 13, by striking <patient> and inserting  
17 <woman>
- 18 9. Page 2, line 14, by striking <patient> and inserting  
19 <woman>
- 20 10. Page 2, line 17, by striking <patient's> and inserting  
21 <woman's>
- 22 11. Page 2, line 24, by striking <patient> and inserting  
23 <woman>
- 24 12. Page 2, line 25, by striking <patient's> and inserting  
25 <woman's>
- 26 13. Page 2, line 28, by striking <Patient counseling> and  
27 inserting <Counseling>
- 28 14. Page 3, line 6, by striking <patient> and inserting  
29 <woman>
- 30 15. Page 3, line 10, by striking <patient> and inserting  
31 <woman>
- 32 16. Page 3, line 12, by striking <the patient, if the  
33 patient> and inserting <the woman, if the woman>
- 34 17. Page 3, line 15, by striking <patient> and inserting  
35 <woman>

H-8026 (Continued)

1 18. Page 3, line 18, by striking <patient> and inserting  
2 <woman>

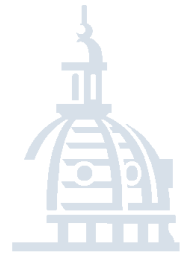
3 19. Page 3, line 19, by striking <patient> and inserting  
4 <woman>

5 20. Page 3, line 21, by striking <patient> and inserting  
6 <woman>

7 21. Page 3, line 22, by striking <patient> and inserting  
8 <woman>

By HAYES of Mahaska

[H-8026](#) FILED FEBRUARY 19, 2024



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[HF 2135](#) – Medical Income Assistance Trusts, Fees (LSB5430HV)  
Staff Contact: Eric Richardson (515.281.6767) [eric.richardson@legis.iowa.gov](mailto:eric.richardson@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

[House File 2135](#) increases the amount to be paid or set aside each month for administration of a Medical Income Assistance Trust, from no more than \$10 per month to no more than \$50 per month without court approval.

**Background**

Iowa Code section [633C.3](#) currently allows for a maximum of \$10 per month to be set aside for the expenses of a Medical Income Assistance Trust for Medicaid beneficiaries. A Medical Income Assistance Trust, or Miller Trust, allows a beneficiary to qualify for Medicaid who would otherwise have too much in assets or income to qualify for Medicaid, provided that a certain amount of pension or Social Security income is placed into the Trust. A spouse may be eligible to receive funds from the Trust. If the beneficiary does not have a spouse, the balance of the Trust, beyond a monthly allowance for the beneficiary and the cost of administering the Trust, is paid to a nursing facility to cover the costs of nursing care. Any payments to nursing facilities to cover the cost of care for a beneficiary decrease the amount of State and federal dollars paid by Medicaid.

**Assumptions**

- Any decreases in the amount of income available from a qualified beneficiary for the cost of nursing care are costs borne by Medicaid.
- According to the Iowa Department of Health and Human Services (HHS), the Bill affects 1,642 beneficiaries annually.
- An increase of \$40 monthly due to increasing the maximum allowable administrative cost in the Bill will increase annual Medicaid costs for nursing facilities by approximately \$788,000 beginning in FY 2025.
- The State will pay 36.75% of Medicaid costs for nursing facilities, while the federal government will pay 63.25%, the same as Iowa's FY 2025 Federal Medicaid Assistance Percentage (FMAP). The FMAP rate in FY 2026 is assumed to equal the FY 2025 rate.
- According to the HHS, a one-time information technology (IT) implementation will be necessary at a cost of \$310,000 in FY 2025. The State will pay 25.0% of costs for IT implementation, while the federal government will pay 75.0%.
- Any increase in State costs is expected to be funded from the HHS's General Fund Medicaid appropriation.

**Fiscal Impact**

House File 2135 is estimated to increase costs to the State by approximately \$365,000 in FY 2025 and \$290,000 annually beginning in FY 2026.

**Figure 1 — Estimated Cost of Increasing Medical Assistance Trust Fees**

Expense Category	FY 2025		FY 2026	
	Total	State	Total	State
Nursing Facilities	\$ 788,000	\$288,000	\$788,000	\$290,000
Information Technology (IT)	310,000	77,000	0	0
<b>Total Costs</b>	<b>\$1,098,000</b>	<b>\$365,000</b>	<b>\$788,000</b>	<b>\$290,000</b>

**Sources**

Department of Health and Human Services  
LSA analysis

/s/ Jennifer Acton

February 16, 2024

Doc ID 1445142

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2262](#) – Uniform Money Transmission Modernization Act (LSB5289HV)  
Staff Contact: Xavier Leonard (515.725.0509) [xavier.leonard@legis.iowa.gov](mailto:xavier.leonard@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

[House File 2262](#) relates to money transmission services, provides penalties, and does the following:

- Adds to the exempted persons list for Iowa Code chapter [533C](#) (Uniform Money Transmission Modernization Act).
- Permits the superintendent of banking (superintendent) to suspend and revoke licenses or the designation of a delegate, place licensees in receiverships, or require a licensee to revoke the designation of an authorized delegate if conditions are met.
- Establishes the procedure for the issuance of orders to cease and desist by the superintendent.
- Permits the superintendent to enter into consent orders to resolve matters arising under Iowa Code chapter 533C.
- Permits the Attorney General or a county attorney to investigate violations of Iowa Code chapter 533C.
- Permits the superintendent to assess a civil penalty of up to \$1,000 per day, plus the State's costs and expenses for the investigation and prosecution of the matter. Fees are paid to the Financial Services Licensing Fund established by the Bill. These civil remedies do not preclude any other provision of law.
- Prohibits the superintendent from taking action against a licensee without providing notice and allowing a hearing, in accordance with chapter 17A, when requested by the affected licensee.

The Bill takes effect upon enactment. Except for the section of the Bill amending Iowa Code section [533C.103](#), the Bill applies retroactively to July 1, 2023.

A person who is not licensed under Iowa Code chapter 533C who knowingly engages in an activity for which a license is required commits an aggravated misdemeanor. The Bill also establishes the following criminal acts with penalties: a person who knowingly provides false, misleading, or incomplete information with respect to reports required under Iowa Code chapter 533C commits a Class C felony. A person who intentionally makes a false certification in a record required by Iowa Code chapter 533C commits a Class D felony.

**Background**

According to the Iowa Division of Banking (IDOB), Department of Insurance and Financial Services (DIFS), there has been one settlement agreement and consent order in the past 15 years. The IDOB joined with 45 other State regulators to reach a settlement agreement and consent order, which assessed a fine of \$216,000 per state for a payment processing company over erroneous withdrawals.

2023 Iowa Acts, [House File 675](#) (Money Transmission Modernization Act), repealed multiple Iowa Code sections, some of which are reestablished by this Bill, including the sections referring to uniformity of application and construction, the Financial Services Licensing Fund, and chapter applicability.

A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,375 but no more than \$13,660. A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but no more than \$10,245.

**Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

**Correctional Impact**

House File 2262 creates new criminal offenses, and the correctional impact cannot be estimated for the Bill due to a lack of existing conviction data. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class C felonies, Class D felonies, and aggravated misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

**Figure 1 — Sentencing Estimate and Length of Stay (LOS)**

Conviction Offense Class	Percent Ordered to State Prison	FY23 Avg. LOS in Prison (All Releases)	Marginal Prison Cost Per Day	Percent Ordered to Probation	FY23 Field Avg. LOS on Probation	Avg. Cost Per Day Probation	Percent Sentenced to CBC Residential Facility	Marginal CBC Cost Per Day	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg. LOS on Parole	Marginal Cost Per Day Parole
C Felony Non-Persons	86.0%	19.4	\$24.94	64.2%	42.2	\$ 7.67	13.0%	\$ 20.00	34.0%	\$ 50.00	21.3	\$ 7.67
D Felony Non-Persons	84.4%	13.0	\$24.94	69.8%	39.5	\$ 7.67	14.5%	\$ 20.00	32.2%	\$ 50.00	15.7	\$ 7.67
Agg Misd Non-Persons	30.4%	7.5	\$24.94	45.0%	25.1	\$ 7.67	3.6%	\$ 20.00	71.7%	\$ 50.00	11.9	\$ 7.67

**Minority Impact**

House File 2262 establishes new criminal offenses. As a result, Criminal and Juvenile Justice Planning (CJJP) of the Department of Management (DOM) cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

**Fiscal Impact**

House File 2262 establishes new criminal offenses, and the fiscal impact cannot be estimated due to a lack of existing conviction data. **Figure 2** shows the average State cost per offense for a Class C felony, Class D felony, and an aggravated misdemeanor. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision.

**Figure 2 — Average State Cost Per Offense**

<b>Offense Class</b>	<b>Average Cost</b>
Class C Felony	\$14,300 to \$27,500
Class D Felony	\$12,600 to \$18,200
Aggravated Misdemeanor	\$7,500 to \$10,800

**Sources**

Iowa Division of Banking, Department of Insurance and Financial Services  
Criminal and Juvenile Justice Planning, Department of Management  
Department of Corrections  
Legislative Services Agency

\_\_\_\_\_  
/s/ Jennifer Acton

February 16, 2024

Doc ID 1446760

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2399](#) – Indoor Mold Public Awareness Campaign (LSB5833HV)  
Staff Contact: Louie Hoehle (515.281.6561) [louie.hoehle@legis.iowa.gov](mailto:louie.hoehle@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

[House File 2399](#) requires the Department of Health and Human Services (HHS) to establish an Indoor Mold Public Information and Awareness Program to assist the public in understanding the threat of mold in indoor environments and the importance of the proper removal of indoor mold. As part of the Program, the HHS is required to:

- Beginning July 1, 2024, review the adverse effects to humans from exposure to indoor mold in damp and water-damaged indoor environments by consulting with medical research institutions and organizations with expertise in the adverse effects of such exposure and submit a report including findings and recommendations to the General Assembly by June 30, 2025.
- Every five years, beginning July 1, 2025, review technology or treatment techniques for indoor mold identification and remediation that provide additional protections to public health and safety and submit a report to the General Assembly following completion of each review.
- Establish a public information and awareness campaign on the dangers of indoor mold and damp or water-damaged indoor environments to educate the public on the health effects of indoor mold and the methods of identifying and remediating indoor mold, and provide contact information for sources to assist the public with concerns regarding indoor mold.
- Adopt administrative rules for the Program.

**Assumptions**

- According to the Department of Management, the starting salary and benefits for an environmental engineer is approximately \$79,000 and for a community health consultant is approximately \$77,000.
- The HHS anticipates that candidates with indoor air quality expertise will need to be hired above the base pay level. As a result, the initial cost is estimated to be approximately \$95,000 for an environmental engineer and approximately \$92,000 for a community health consultant. The HHS also estimates that FTE costs may increase approximately 5.0% per year for each position.
- One-time, support costs (phone, equipment, etc.) for a new FTE position are approximately \$5,000.
- The HHS will need to leverage existing epidemiological and clinical staff for the five-year review of new scientific evidence.
- The cost of the public awareness campaign is based on the cost of other campaigns coordinated by the HHS.

**Fiscal Impact**

House File 2399 is estimated to cost the HHS \$297,000 in FY 2025 and \$296,000 in FY 2026, as shown in **Figure 1**.

**Figure 1 — Cost Per Year Under HF 2399**

	<u>FY 2025</u>	<u>FY 2026</u>
FTE Positions	\$ 187,000	\$ 196,000
Support Costs	10,000	0
Public Awareness Campaign	100,000	100,000
<b>Total</b>	<b>\$ 297,000</b>	<b>\$ 296,000</b>

**Sources**

Department of Health and Human Services  
Department of Management

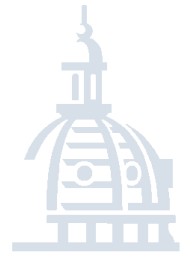
\_\_\_\_\_  
/s/ Jennifer Acton

February 19, 2024

Doc ID 1446136

\_\_\_\_\_  
The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[www.legis.iowa.gov](http://www.legis.iowa.gov)



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[HF 2402](#) – Psychiatric Medical Institutions for Children, Medicaid Rates (LSB5260HV)  
Staff Contact: Eric Richardson (515.281.6767) [eric.richardson@legis.iowa.gov](mailto:eric.richardson@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

[House File 2402](#) relates to Medicaid reimbursement for psychiatric medical care in institutions for children. **Section 1** of the Bill:

- Requires the Department of Health and Human Services (HHS), no later than January 1, 2025, to use a competitive bidding process to issue an invitation to bid to select one or more currently licensed psychiatric medical institutions for children (PMICs) with specialized needs.
- Requires the HHS to implement a Medicaid program enhanced reimbursement methodology for PMICs based on patient acuity.

**Section 2** of the Bill requires the HHS to review administrative rules regarding PMICs and to update the rules according to the findings of the Association of Children’s Residential Centers’ most recent nationwide survey and scan of psychiatric residential treatment facilities, and the recommendations of the Coalition for Family and Children’s Services in Iowa, to:

- Allow a physician assistant or advanced registered nurse practitioner to serve on a plan of care team and the team to complete the certification of need for PMIC placement services.
- Remove the reserve bed day limitations for hospitalizations and expand the number of other therapeutic absences beyond 30 days.
- Allow licensed professionals, based on competencies rather than license type, to order the use of restraints or seclusions.
- Require therapy and behavioral health intervention services for individuals and families to be included as required services provided during a placement at a PMIC.
- Provide reimbursement codes to cover services beyond those provided outside the PMIC care team.
- Standardize managed care organization (MCO) rules and authorizations for PMICs.
- Allow a previously licensed PMIC with capacity to increase its licensed capacity to include additional beds without further review including by the [Health Facilities Council](#).
- Allow for step-down PMIC placements or supervised apartment living for a child to utilize PMIC programs while living independently in a smaller residential setting without 24-hour supervision.

**Background**

Iowa Code chapter [135H](#) defines a PMIC as an institution providing more than 24 hours of continuous care involving long-term psychiatric services to 3 or more children in residence for expected periods of 14 or more days for diagnosis and evaluations or for expected periods of 90 days or more for treatment.

Enhanced reimbursement rates provide funding for services to Medicaid members based on the severity of the member’s needs. Reimbursement to providers is higher for members with more severe needs and lower for members with less severe needs, as documented by a reliable assessment. Currently, Iowa’s Medicaid program reimburses providers for each child in a PMIC with no differentiation for the severity of their needs.

Final federal fiscal year (FFY) 2025 Federal Medical Assistance Percentage (FMAP) rates are based on per capita personal incomes for calendar years 2020 through 2022. Iowa's FFY 2025 FMAP rate decreased by -0.88% to 63.25%, meaning for every dollar spent on the Medicaid program, the federal government will pay \$0.6325 and Iowa will pay \$0.3675, beginning on October 1, 2024.

### **Assumptions**

- According to the HHS, there are currently eight PMIC providers, one of which operates with an enhanced fee. The average stay in a PMIC is approximately 120 days. The regular per diem rate for PMICs is \$465, with one provider receiving an enhanced per diem rate for higher acuity needs of \$763 (a \$298 increase), which is assumed as the enhanced rate for this ***Fiscal Note***.
- According to the HHS, based on FY 2022 data, it is estimated there will be an 8.7% increase in bed day services at the enhanced rate, from approximately 55,000 per year to 60,000 per year.
- The Program will begin on January 1, 2025, reducing the fiscal impact in FY 2025 by 50.0%.
- For State FY 2025, the State share for provider reimbursement is approximately 36.53%, which is a blended FMAP rate consisting of 25.0% of the FFY 2024 FMAP rate and 75.0% of the FFY 2025 FMAP rate. In FY 2025, the enhanced rate to providers is expected to cost \$777,000 total, with the State paying \$284,000 and the federal government paying \$493,000.
- For State FY 2026, the State share for provider reimbursement is approximately 36.75%, or the State share of FY 2025 Medicaid costs via the FMAP rate. Beginning in FY 2026 and continuing annually, the enhanced rate is expected to cost \$1.6 million total, with the State paying \$571,000 and the federal government paying \$983,000.
- According to the HHS, an actuarial services contract to analyze the development of provider rates is necessary to administer the Bill, costing \$100,000 in FY 2025 (split 50.0% each between the State and the federal government).
- According to the HHS, a Medicaid Management Information System (MMIS) contract amendment to properly identify claims and pay at enhanced rates is necessary to administer the Bill, costing \$141,000 in FY 2025 (1,370 programming hours at \$103 per hour), with the State paying 25.0% and the federal government paying 75.0%.
- An increase in the General Fund appropriation to the HHS for Medicaid will be necessary to pay for costs in the Bill.
- According to the HHS, review and update of the following rules is anticipated to have a fiscal impact that cannot be estimated due to a lack of data:
  - The rules to require therapy and behavioral health intervention services for individuals and families to be included as required services provided during a placement at a PMIC would allow a person to see the person's current therapist; allow the PMIC to receive a per diem; update detailed rates for therapists; and decrease the number of days stayed at a PMIC, an inpatient hospital, or out-of-state facilities (costing \$630 per day). These rules may have an offsetting cost to reduce the fiscal impact.
  - The rules to provide reimbursement codes to cover services beyond those provided outside the PMIC care team would decrease the number of days stayed in a PMIC, inpatient hospital, or out-of-state facility, while potentially increasing utilization. These rules may have an offsetting cost to reduce the fiscal impact.
  - The rules to standardize MCO rules and authorizations for PMICs would increase costs due to an increase in authorization days, prohibiting an MCO from denying PMIC authorizations, and requiring an MCO to offer support to families, a service that is currently available but not utilized.

- The rules to allow for step-down PMIC placements or supervised apartment living for a child to utilize PMIC programs while living independently in a smaller residential setting without 24-hour supervision would increase utilization of community-based services for the foster care populations ages 16 to 20 that would be impacted, as those members may currently be living in supervised apartments.

**Fiscal Impact**

**Section 1** of House File 2402 is estimated to increase costs to the State by approximately \$369,000 in FY 2025 and \$571,000 annually beginning in FY 2026.

**Figure 1 — Total Costs of Enhanced Rate to PMICs**

Expense Category	FY 2025		FY 2026	
	Total	State	Total	State
Actuarial Services Contract	\$ 100,000	\$ 50,000	\$ 0	\$ 0
MMIS Contract	141,000	35,000	0	0
Enhanced Rate to Providers	777,000	284,000	1,553,000	571,000
<b>Total Costs</b>	<b>\$1,018,000</b>	<b>\$369,000</b>	<b>\$1,553,000</b>	<b>\$571,000</b>

**Section 2** of the Bill is expected to have a fiscal impact that cannot be estimated due to a lack of data.

**Sources**

Department of Health and Human Services  
LSA analysis

\_\_\_\_\_  
/s/ Jennifer Acton

February 16, 2024

Doc ID 1446614

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2423](#) – Ignition Interlock Devices (LSB5491HV)  
Staff Contact: Garry Martin (515.281.4611) [garry.martin@legis.iowa.gov](mailto:garry.martin@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

[House File 2423](#) requires the installation of an ignition interlock device (IID) on every vehicle operated by a person whose driver’s license is revoked for operating while intoxicated (OWI) prior to the issuance of a temporary restricted license (TRL). This requirement applies regardless of whether or not the person has had previous convictions or revocations under Iowa Code chapter [321J](#).

The Bill also provides that as a condition of reinstatement of a driver’s license other than a TRL to a person whose driver’s license was revoked for OWI, the person must maintain an IID for 180 days if the person has no previous revocation under Iowa Code chapter 321J. This time period will be reduced by any time the person operated a vehicle with an IID with a TRL.

The Bill makes the following changes:

- Establishes the alcohol concentration beyond which an IID will not allow the operation of the motor vehicle at 0.04.
- Establishes compliance-based removal provisions that may extend the period of time a person is required to maintain an IID for multiple violations in a certain time period. The Bill establishes reporting requirements for IID providers.
- Amends an existing penalty for circumventing or tampering with an IID to include the removal of an IID. The penalty for this act is a serious misdemeanor.
- Requires the Department of Transportation (DOT) to establish procedures by administrative rule to waive IID requirements under Iowa Code chapter 321J for individuals with a verifiable medical condition.
- Prohibits an IID provider from imposing an early termination fee.

The Bill takes effect January 1, 2025, and is applicable to license revocations that occur after the effective date.

**Background**

Currently, a person whose driver’s license is revoked for operating while intoxicated is required to install an IID before being issued a TRL by the DOT. The IID must be installed on every vehicle owned or operated by the person, or every vehicle operated by the person if the person has had no previous conviction or revocation under Iowa Code chapter 321J.

The Department of Public Safety establishes by administrative rule the level of alcohol concentration beyond which an IID will not allow the operation of the motor vehicle. The current level is 0.025 under [661 IAC 158.6](#).

Currently, a person with a second or subsequent driver’s license revocation for OWI is required to install an IID for a minimum of one year after reinstatement of a full driver’s license (not a TRL). The one-year period will be reduced by any time a person had an IID installed on the Person’s vehicle while operating with a TRL.

Under current law, a person found guilty of violating Iowa Code chapter 321J commits a serious misdemeanor, which can result in a period of imprisonment in county jail of at least 48 hours but not more than one year and a fine of at least \$430 but not more than \$2,560. The person's driver's license is revoked for a period of 180 days unless the person is issued a TRL.

In FY 2023, there were five convictions under Iowa Code sections [321J.4\(8\)\(f\)](#) and [321J.20\(7\)](#) and for tampering with or circumventing an IID, two convictions for failure to install [321J.4\(8\)\(e\)](#), and 74 convictions under Iowa Code section [321J.4\(8\)\(c\)](#) for operating a vehicle without installing an IID.

**Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

**Correctional Impact**

Since House File 2423 amends an existing serious misdemeanor, it is unknown how many additional convictions would occur. As a result, the correctional impact of the Bill cannot be determined due to a lack of data. **Figure 1** provides estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS under those supervisions; and supervision marginal costs per day for all serious misdemeanor convictions. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

**Figure 1 — Sentencing Estimate and Length of Stay (LOS)**

Conviction Offense Class	Percent Ordered to State Prison	FY 23 Avg LOS in Prison (All Releases)	FY 23 Marginal Cost Per Day Prison	Percent Ordered to Probation	FY 23 Avg LOS on Probation in Months	FY 23 Avg Cost Per Day Probation	Percent Sentenced to CBC Residential Facility	FY 23 Marginal Cost Per Day CBC	Percent Ordered to County Jail	Avg Length of Stay in County Jail	Marginal Cost Per Day Jail	FY 23 Avg LOS on Parole in Months	FY 23 Marginal Cost Per Day Parole
Reckless Misdemeanor	1.7%	6.6	\$24.94	53.0%	19.2	\$7.67	1.2%	\$20.00	74.2%	N/A	\$50.00	N/A	\$7.67

**Minority Impact**

The minority impact cannot be determined due to a lack of data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

**Fiscal Impact**

The fiscal impact cannot be estimated due to a lack of data. The penalty for a serious misdemeanor is an average State cost of a minimum of \$400 and a maximum of \$6,859. The estimated cost to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision. In addition, the DOT estimates one-time information technology programming costs of approximately \$20,000 resulting from the Bill.

**Sources**

Criminal and Juvenile Justice Planning, Department of Management  
Department of Transportation

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/s/ Jennifer Acton

February 16, 2024

Doc ID 1446138

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.  
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