

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2014 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

APRIL 23, 2014

**HOUSE FILE 2445**

**H-8290**

1 Amend House File 2445 as follows:

2 1. Page 2, after line 1 by inserting:

3 <Sec. \_\_\_\_\_. Section 15E.44, Code 2014, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 5. Notwithstanding section 15E.43  
6 and this section, as amended by this Act, or any

7 other provision to the contrary, a tax credit received  
8 pursuant to this division for an equity investment in a  
9 qualifying business made between January 1, 2014, and  
10 December 31, 2015, shall not be redeemed during any tax  
11 year beginning prior to January 1, 2016.

12 Sec. \_\_\_\_\_. Section 15E.44, subsection 4, Code 2014,  
13 is amended to read as follows:

14 4. After verifying the eligibility of a qualifying  
15 business, the authority shall issue a tax credit  
16 certificate to be attached to the equity investor's tax  
17 return. The tax credit certificate shall contain the  
18 taxpayer's name, address, tax identification number,  
19 the amount of credit, the name of the qualifying  
20 business, and other information required by the  
21 department of revenue. The tax credit certificate,  
22 unless rescinded by the authority, shall be accepted by  
23 the department of revenue as payment for taxes imposed  
24 pursuant to chapter 422, divisions II, III, and V, and  
25 in chapter 432, and for the moneys and credits tax  
26 imposed in section 533.329, subject to any conditions  
27 or restrictions placed by the authority upon the face  
28 of the tax credit certificate and subject to the  
29 limitations of this section and section 15E.43.>

30 2. Page 2, line 21, by striking <This> and  
31 inserting <Except as otherwise provided in this  
32 division of this Act, this>

33 3. By renumbering as necessary.

**By** BALTIMORE of Boone

**H-8290** FILED APRIL 22, 2014

Senate Amendment to  
HOUSE FILE 2463

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1 Amend House File 2463, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 22, by striking <10,606,066> and  
4 inserting <11,531,066>  
5 2. Page 1, line 23, by striking <28.00> and  
6 inserting <28.00 31.00>  
7 3. Page 3, line 1, by striking <subsection> and  
8 inserting <subsection section>  
9 4. Page 3, after line 4 by inserting:  
10 <7. Of the funds appropriated in this section,  
11 \$325,000 shall be used to fund the initial  
12 reestablishment of the office of substitute decision  
13 maker pursuant to chapter 231E.  
14 8. Of the funds appropriated in this section,  
15 \$600,000 shall be distributed equally to the area  
16 agencies on aging to administer the prevention of elder  
17 abuse, neglect, and exploitation program pursuant to  
18 section 231.56A, in accordance with the requirements  
19 of the federal Older Americans Act of 1965, 42 U.S.C.  
20 {3001 et seq., as amended.  
21 9. The department on aging shall form a study  
22 committee to analyze the meal programs coordinated  
23 through the area agencies on aging.>  
24 5. Page 3, line 19, by striking <821,707> and  
25 inserting <1,078,707>  
26 6. Page 3, line 20, by striking <13.00> and  
27 inserting <13.00>  
28 7. Page 3, line 21, by striking <11.00>  
29 8. Page 3, after line 27 by inserting:  
30 <3. Of the funds appropriated in this section,  
31 \$257,000 shall be used to provide two additional local  
32 long-term care ombudsmen to continue moving toward the  
33 national recommendation of one full-time equivalent  
34 paid staff ombudsman position per 2,000 long-term care  
35 beds in the state.>  
36 9. Page 4, line 9, by striking <27,088,690> and  
37 inserting <27,588,690>  
38 10. Page 4, line 12, by striking <5,073,361> and  
39 inserting <5,573,361>  
40 11. Page 8, after line 16 by inserting:  
41 <f. The department of public health shall  
42 initiate a committee supported by departmental staff  
43 who work with substance-related disorder providers  
44 to review reimbursement provisions applicable to  
45 substance-related disorder providers. The committee  
46 membership shall include the department of human  
47 services staff who work with the managed care  
48 organization responsible for substance-related  
49 disorder treatment under the department and for  
50 mental health treatment under the Medicaid program, a

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1 representative of the managed care organization, at  
2 least three providers of substance-related disorders  
3 designated by the Iowa behavioral health association,  
4 and other interests. The committee shall consider  
5 the adequacy of the reimbursement provisions, whether  
6 it is appropriate to rebase reimbursement, equity  
7 of the reimbursement provisions as compared to the  
8 reimbursement methodologies used for providers of  
9 similar behavioral health services, the effect of  
10 health coverage expansion through the Iowa health and  
11 wellness plan on such providers, and other issues. The  
12 committee shall report to the general assembly with  
13 findings and recommendations on or before December 15,  
14 2014.>

15 12. Page 8, line 23, by striking <3,671,602> and  
16 inserting <4,346,602>

17 13. Page 9, line 5, by striking <1,327,887> and  
18 inserting <1,927,887>

19 14. Page 10, line 4, by striking <137,768> and  
20 inserting <162,768>

21 15. Page 10, after line 31 by inserting:

22 <j. In preparation for the completion of the  
23 youth and young adult suicide prevention program  
24 (Y-YASP) project funded through the federal Garrett Lee  
25 Smith youth suicide prevention grant awarded to the  
26 department of public health, the department of public  
27 health and the department of education shall submit  
28 recommendations based upon the foundation established  
29 by the project to establish a suicide prevention  
30 and trauma coordinator position in the department  
31 of education, to integrate suicide prevention and  
32 postvention and trauma-informed care model protocols  
33 into school district supports statewide, and to include  
34 evidence-based training on suicide prevention for  
35 appropriate school personnel, during the fiscal year  
36 beginning July 1, 2015. The departments shall submit  
37 their recommendations to the governor and the general  
38 assembly no later than December 15, 2014.

39 k. Of the funds appropriated in this subsection,  
40 \$50,000 shall be used to support the Iowa effort to  
41 address the survey of children who experience adverse  
42 childhood experiences known as ACEs.>

43 16. Page 11, line 2, by striking <5,040,692> and  
44 inserting <5,155,692>

45 17. Page 11, by striking lines 14 through 16 and  
46 inserting <basis. Of the amount allocated in this  
47 paragraph, ~~-\$47,500~~ \$95,000 shall be used to fund one  
48 full-time equivalent position to serve as the state  
49 brain injury ~~service~~ services program manager.>

50 18. Page 11, line 23, by striking < \$99,823> and

1 inserting < \$149,823>  
2 19. Page 11, line 27, after <families.> by  
3 inserting <The amount allocated in this paragraph in  
4 excess of \$100,000 shall be matched dollar for dollar  
5 by the organization specified.>

6 20. Page 12, line 32, by striking <175,263> and  
7 inserting <215,263>

8 21. Page 12, after line 35 by inserting:  
9 <1. Of the funds appropriated in this subsection,  
10 \$25,000 shall be used for implementation of chapter  
11 124D, the Medical Cannabidiol Act, or other provision  
12 authorizing the compassionate medical use of  
13 cannabidiol, if enacted by the 2014 regular session of  
14 the eighty-fifth general assembly.>

15 22. Page 13, line 6, by striking <9,284,436> and  
16 inserting <8,888,270>

17 23. Page 15, by striking lines 30 through 33 and  
18 inserting:

19 <(8) For continuation of the safety net provider  
20 patient access to a specialty health care initiative as  
21 described in 2007 Iowa Acts, chapter 218, section 109:

22 ..... \$ ~~189,237~~  
23 378,474>

24 24. Page 16, line 13, by striking <175,900> and  
25 inserting <288,580>

26 25. Page 16, line 19, by striking <178,875> and  
27 inserting <291,555>

28 26. Page 17, line 10, by striking <150,000> and  
29 inserting <250,000>

30 27. Page 17, line 34, by striking <p.> and  
31 inserting <p. (1)>

32 28. Page 18, after line 18 by inserting:

33 <(2) The department of human services shall work  
34 with the Iowa collaborative safety net provider network  
35 and the Iowa primary care association to develop  
36 a long-term sustainability plan for the statewide  
37 regionally based network to provide the integrated  
38 approach to health care delivery as described in this  
39 lettered paragraph. The department shall pursue any  
40 appropriate payment mechanisms available such as a  
41 Medicaid program state plan amendment, Medicaid program  
42 waiver, state innovation model funding, or other  
43 funding through the centers for Medicare and Medicaid  
44 services of the United States department of health  
45 and human services to provide options for long-term  
46 sustainability by incorporating funding of the network  
47 into any such appropriate payment mechanism.>

48 29. Page 18, line 20, by striking <3,000,000> and  
49 inserting <2,000,000>

50 30. Page 18, by striking lines 25 through 30 and

1 inserting <as specified in section 135.176.>  
 2 31. Page 19, by striking lines 3 through 10.  
 3 32. Page 20, line 4, by striking <3,420,027> and  
 4 inserting <3,387,127>  
 5 33. Page 20, line 7, by striking <454,700> and  
 6 inserting <554,700>  
 7 34. Page 20, by striking lines 33 and 34.  
 8 35. By striking page 21, line 14, through page 22,  
 9 line 13, and inserting:

10 <Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section  
 11 134, subsection 1, is amended to read as follows:

12 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION  
 13 For salaries, support, maintenance, and  
 14 miscellaneous purposes, and for not more than the  
 15 following full-time equivalent positions:

16 .....	\$	<del>546,754</del>
17 .....		<u>1,095,951</u>
18 .....	FTEs	<u>13.00</u>

19 IOWA VETERANS HOME

20 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section 134,  
 21 subsection 2, unnumbered paragraph 1, is amended to  
 22 read as follows:

23 For salaries, support, maintenance, and  
 24 miscellaneous purposes:

25 .....	\$	<del>3,762,857</del>
26 .....		<u>7,594,996</u>

27 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section 134,  
 28 subsection 2, is amended by adding the following new  
 29 paragraph:

30 NEW PARAGRAPH. e. The Iowa veterans home  
 31 expenditure report shall be submitted monthly to the  
 32 legislative services agency.

33 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section 134,  
 34 subsection 3, is amended to read as follows:>

35 36. By striking page 24, line 25, through page 25,  
 36 line 32.

37 37. Page 25, line 33, by striking <c.> and  
 38 inserting <b.>

39 38. Page 29, line 17, by striking <6,042,834> and  
 40 inserting <6,217,834>

41 39. Page 31, line 26, by striking <48,503,875> and  
 42 inserting <48,763,875>

43 40. Page 31, line 30, by striking <3,163,854> and  
 44 inserting <3,338,854>

45 41. Page 32, after line 31 by inserting:  
 46 <4A. Of the funds appropriated in this section,  
 47 \$10,000 shall be used by the organization specified in  
 48 subsection 4 to evaluate the need to assist low-income  
 49 Iowans in preparing tax returns for electronic filing.>

50 42. Page 32, line 33, by striking <40,000> and

1 inserting <115,000>  
2 43. Page 33, line 3, after <responsibility> by  
3 inserting <headquartered>  
4 44. Page 33, line 8, before <initiative> by  
5 inserting <multi-county>  
6 45. Page 35, line 7, by striking <1,248,320,932>  
7 and inserting <1,243,567,577>  
8 46. Page 36, line 10, by striking < \$5,151,477> and  
9 inserting < \$7,451,376>  
10 47. Page 36, by striking lines 12 through 14 and  
11 inserting <community-based services waivers.>  
12 48. Page 36, after line 27 by inserting:  
13 <NEW SUBSECTION. 24. If authorized by the centers  
14 for Medicare and Medicaid services of the United States  
15 department of health and human services, the department  
16 of human services shall expand hospital presumptive  
17 eligibility as authorized under 42 C.F.R {435.1110, to  
18 include other provider types as qualified entities,  
19 including but not limited to federally qualified health  
20 centers, upon a center's or other entity's request.  
21 NEW SUBSECTION. 25. The department of human  
22 services shall adopt rules pursuant to chapter 17A to  
23 require or provide for all of the following relating  
24 to qualifications for disproportionate share hospital  
25 payments:  
26 a. That only hospitals, including those defined as  
27 a children's hospital, located in the state may qualify  
28 for disproportionate share hospital payments.  
29 b. That, if a hospital is defined as a children's  
30 hospital, the children's hospital may qualify for  
31 disproportionate share hospital payments if among  
32 other criteria the hospital is a member of, but is  
33 not required to be a voting member of, the children's  
34 hospital association.>  
35 49. Page 39, by striking lines 21 through 29.  
36 50. Page 40, line 4, by striking <45,622,828> and  
37 inserting <48,641,331>  
38 51. Page 40, line 6, by striking <37,903,401> and  
39 inserting <40,921,904>  
40 52. Page 42, after line 26 by inserting:  
41 <12. Of the funds appropriated in this section,  
42 \$100,000 is transferred to the department of public  
43 health to be used for a program to assist parents in  
44 this state with costs resulting from the death of a  
45 child in accordance with this subsection. If it is  
46 less costly than administering the program directly,  
47 the department shall issue a request for proposals  
48 and issue a grant to an appropriate organization to  
49 administer the program.  
50 a. The program funding shall be used to assist

1 parents who reside in this state with costs incurred  
2 for a funeral, burial or cremation, cemetery costs, or  
3 grave marker costs associated with the unintended death  
4 of a child of the parent or a child under the care of a  
5 guardian or custodian. The department shall consider  
6 the following eligibility factors in developing program  
7 requirements:

8 (1) The child was a stillborn infant or was less  
9 than age eighteen at the time of death.

10 (2) The request for assistance was approved by  
11 the local board or department of health or the county  
12 general assistance director and may have been referred  
13 by a local funeral home.

14 (3) To be eligible, the parent, guardian, or  
15 custodian must have an annual household income that  
16 is less than 145 percent of the federal poverty level  
17 based on the number of people in the applicant's  
18 household as defined by the most recently revised  
19 poverty income guidelines published by the United  
20 States department of health and human services.

21 (4) The maximum amount of grant assistance provided  
22 to a parent, guardian, or custodian associated with the  
23 death of a child is \$2,000. If the death is a multiple  
24 death and the infants or children are being cremated,  
25 or buried together, the same limitation applies.

26 (5) To the extent the overall amount of assistance  
27 received by a recipient for the costs addressed under  
28 this subsection does not exceed the overall total of  
29 the costs, the recipient may receive other public or  
30 private assistance in addition to grant assistance  
31 under this section.

32 b. Notwithstanding section 8.33, moneys transferred  
33 by this subsection that remain unencumbered or  
34 unobligated at the close of the fiscal year shall not  
35 revert but shall remain available for expenditure for  
36 the purposes designated until expended.>

37 53. By striking page 42, line 27, through page 45,  
38 line 4, and inserting:

39 <Sec. \_\_\_\_. 2013 Iowa Acts, chapter 138, section  
40 147, is amended to read as follows:

41 SEC. 147. JUVENILE INSTITUTIONS. There is  
42 appropriated from the general fund of the state to  
43 the department of human services for the fiscal year  
44 beginning July 1, 2014, and ending June 30, 2015, the  
45 following amounts, or so much thereof as is necessary,  
46 to be used for the purposes designated:

47 1. For operation of the ~~Iowa juvenile home state~~  
48 training school for female juvenile delinquents at  
49 Toledo as enacted by this 2014 Iowa Act, to operate  
50 with a capacity of at least 20 beds and for salaries,

1 support, maintenance, and miscellaneous purposes, and  
2 for not more than the following full-time equivalent  
3 positions:

4 .....	\$	<u>4,429,678</u>
5		<u>7,087,766</u>
6 .....	FTEs	<u>114.00</u>
7		<u>54.00</u>

8 a. Of the funds appropriated in this subsection,  
9 up to \$2,000,000 may be used by the department for the  
10 placement costs of females and males adjudicated as a  
11 child in need of assistance that under prior law would  
12 have been placed at the Iowa juvenile home.

13 b. By January 1, 2015, the department shall  
14 provide a report to the governor and the legislative  
15 services agency that includes a description of the  
16 status of juvenile delinquent girls in out-of-home  
17 placements during the period beginning December 1,  
18 2013, and ending December 1, 2014; identifies their  
19 placement histories; provides the reason for placement;  
20 provides a status report on educational services and  
21 treatment of youth at department facilities; and makes  
22 appropriate recommendations for legislation deemed  
23 necessary.

24 c. Of the funds appropriated in this subsection,  
25 \$1,100,000 shall be used for follow-up services to  
26 support children who were placed at a state training  
27 school and remain under the jurisdiction of the state  
28 court and for expansion of the preparation for adult  
29 living program in accordance with section 234.46, in  
30 accordance with this 2014 Act.

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

35 .....	\$	<u>5,628,485</u>
36		<u>11,590,098</u>
37 .....	FTEs	<u>164.30</u>
38		<u>165.30</u>

39 Of the funds appropriated in this subsection,  
40 ~~-\$45,575~~ \$91,150 shall be used for distribution  
41 to licensed classroom teachers at this and other  
42 institutions under the control of the department of  
43 human services based upon the average student yearly  
44 enrollment at each institution as determined by  
45 the department. Of the funds appropriated in this  
46 subsection, \$90,000 shall be used for the costs of  
47 implementing the youth council approach, known as  
48 achieving maximum potential, of providing a support  
49 network to males placed at the training school at  
50 Eldora and to females placed at the state training

1 school at Toledo.

2 3. A portion of the moneys appropriated in this  
3 section shall be used by the state training ~~school~~  
4 ~~and by the Iowa juvenile home schools~~ for grants for  
5 adolescent pregnancy prevention activities at the  
6 institutions in the fiscal year beginning July 1,  
7 2014.>

8 54. Page 45, line 15, by striking <95,535,703> and  
9 inserting <93,571,220>

10 55. Page 45, line 32, by striking <36,967,216> and  
11 inserting <34,383,853>

12 56. Page 49, line 23, by striking <520,150> and  
13 inserting <570,150>

14 57. Page 49, line 30, by striking <62,708> and  
15 inserting <68,737>

16 58. Page 49, line 33, by striking <125,682> and  
17 inserting <137,761>

18 59. Page 50, line 1, by striking <195,892> and  
19 inserting <214,722>

20 60. Page 50, line 4, by striking <67,934> and  
21 inserting <74,465>

22 61. Page 50, line 7, by striking <67,934> and  
23 inserting <74,465>

24 62. Page 51, line 32, by striking <110,000> and  
25 inserting <135,000>

26 63. Page 52, line 6, by striking <\$160,000> and  
27 inserting <\$110,000>

28 64. Page 52, after line 16 by inserting:

29 <28. The department shall perform a review of the  
30 feasibility of and benefits associated with expanding  
31 foster care, kinship guardianships, and subsidized  
32 adoptions to be available on a voluntary basis to young  
33 adults who become age 18 while receiving child welfare  
34 services. The purpose of the review is to determine  
35 the extent to which the expansion is covered under the  
36 federal Fostering Connections to Success and Increasing  
37 Adoptions Act of 2008, Pub. L. No. 110-351, and would  
38 draw additional federal support under the Title IV-E  
39 of the federal Social Security Act, allow the state  
40 to expand the preparation for adult living program to  
41 additional young adults, and enhance the services and  
42 supports available under the program. The department  
43 shall engage national and state experts in structuring  
44 such programs under the federal fostering connections  
45 Act in addition to young persons with experience in the  
46 state's foster care system in performing the review.  
47 If the department determines the expansion can be  
48 implemented within existing state appropriations and  
49 produces additional benefits for the young adults who  
50 would be served under the expansion, the department may

1 implement changes to expand the availability of foster  
2 care, kinship guardianships, and subsidized adoptions  
3 for eligible young adults who become age 21.

4 29. Of the funds appropriated in this section,  
5 \$25,000 shall be used for the purposes of this  
6 subsection. The department shall staff and support  
7 a panel of Iowa child welfare experts and advocates  
8 to guide and oversee development of the publications  
9 enumerated in this subsection. The membership  
10 of the panel shall include but is not limited to  
11 representatives designated by the Middleton center for  
12 children's right at the Drake university legal clinic,  
13 disability rights Iowa, the foster care youth council  
14 program known as achieving maximum potential or AMP,  
15 the department's parent partners pilot program, the  
16 Iowa foster and adoptive parent association, the child  
17 and family policy center, youth & shelter services,  
18 inc., and the youth policy institute of Iowa. The  
19 panel shall seek additional support from national  
20 experts and technical assistance resources with  
21 experience in state efforts to improve child welfare  
22 systems with the types of approaches described by this  
23 subsection. The panel shall provide a preliminary  
24 report on or before October 1, 2014, to the general  
25 assembly and the governor, and a final report at a  
26 later date. The panel shall produce for distribution  
27 through the department the following documents:

28 a. For general distribution to all families, a  
29 family rights guide to child protective services that  
30 describes what constitutes child abuse and neglect  
31 under Iowa law, the child abuse assessment process,  
32 the rights families have in that process to request  
33 services, and the rights and options such families  
34 have to make appeals and secure representation and  
35 support. At a minimum, the rights guide shall be  
36 translated into the four most common languages other  
37 than English spoken in Iowa by persons of limited  
38 English proficiency, and the department shall make  
39 available interpreters for persons of limited English  
40 proficiency in other languages to review the guide and  
41 its contents with families. Upon completion, the guide  
42 shall be provided to all families who are subject to a  
43 child abuse investigation.

44 b. For distribution to children and families  
45 engaged processes which may lead to an adjudication  
46 under chapter 232 and foster care placement, a child  
47 and youth rights guide to foster care that expands upon  
48 the bill of rights created by AMP youth. The initial  
49 guide shall be directed to older youth ages 12 through  
50 17 and shall describe the foster care process and the

1 rights children engaged in foster care processes have  
2 to services, representation, and support and to be  
3 heard in developing their permanency plans.>

4 65. Page 58, line 20, by striking <16,304,602> and  
5 inserting <16,422,302>

6 66. Page 58, line 26, by striking <\$132,300> and  
7 inserting <\$150,000>

8 67. Page 59, before line 6 by inserting:

9 <5B. Of the funds appropriated in this section,  
10 \$50,000 shall be used by the department of human  
11 services to contract with an independent researcher  
12 with expertise in both aging and disability population  
13 issues to evaluate the current provision of specialized  
14 services to individuals with a mental illness or an  
15 intellectual disability residing in nursing facilities  
16 in the state and develop a quality assurance model to  
17 ensure that nursing facility residents with a mental  
18 illness or an intellectual disability are receiving  
19 effective specialized services pursuant to the federal  
20 Nursing Home Reform Act. In evaluating the current  
21 provision of specialized services, the contractor  
22 shall select nursing facilities with higher than  
23 average numbers of residents with a mental illness  
24 or an intellectual disability. In evaluating the  
25 current specialized services the contractor shall  
26 determine whether the specialized services are  
27 individualized, provided in addition to basic nursing  
28 facility services, and appropriate to meet the needs  
29 of the individual to assist in transitioning to a  
30 less restrictive, more integrated environment. The  
31 contractor shall also determine whether the specialized  
32 services are included in the residents' plans of  
33 care; whether the specialized services were provided  
34 by a mental health or intellectual disabilities  
35 professional; the cost of and funding source for the  
36 specialized services; whether the specialized services  
37 were effective in treating or habilitating residents,  
38 improving the residents' level of functioning, and  
39 enhancing the residents' ability to live in the  
40 community with appropriate services and supports; how  
41 many residents for whom specialized services were  
42 provided were able to transition to a less restrictive  
43 placement; and the projected savings if residents  
44 received effective specialized services, avoided  
45 hospitalizations, and transitioned to living in less  
46 restrictive settings with appropriate services and  
47 supports. The department shall report the results  
48 of the evaluation and the proposed quality assurance  
49 model to the individuals designated by this Act for  
50 submission of reports by December 15, 2014.>

1 68. Page 59, by striking line 21 and inserting  
2 <exceed ~~-\$268,712,511~~ \$284,878,824. Of this amount, not  
3 more than \$2,000,000 shall be used for reimbursement  
4 of nursing facilities to supplement the shortfall  
5 attributable to the rebasing of nursing facility  
6 rates in accordance with this 2013 Act, section  
7 29, subsection 1, paragraph "a", subparagraph (2),  
8 beginning January 1, 2015.>

9 69. Page 59, after line 21 by inserting:  
10 <Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section  
11 159, subsection 1, paragraph a, is amended by adding  
12 the following new subparagraph:

13 NEW SUBPARAGRAPH. (4) The department of  
14 human services shall release all retroactive rate  
15 determinations and payments within 90 days of receipt  
16 of approval from the centers for Medicare and Medicaid  
17 services of the United States department of health  
18 and human services and no later than March 31 of the  
19 calendar year that falls within the current fiscal year  
20 of the appropriation addressed by this paragraph "a".>

21 70. Page 60, line 24, after <year> by inserting <as  
22 specified in subparagraph (5), as enacted in this 2014  
23 Act>

24 71. Page 60, line 28, by striking <October 1, 2015>  
25 and inserting <January 1, 2015>

26 72. Page 60, line 31, after <year> by inserting <as  
27 specified in subparagraph (5), as enacted by this 2014  
28 Act>

29 73. Page 60, after line 31 by inserting:  
30 <Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section  
31 159, subsection 1, paragraph c, is amended by adding  
32 the following new subparagraph:

33 NEW SUBPARAGRAPH. (5) Of the amount appropriated  
34 for the medical assistance program for the fiscal  
35 year, not more than \$3,000,000 shall be used for  
36 reimbursement of inpatient and outpatient hospital  
37 services attributable to rebasing as provided in  
38 subparagraphs (1) and (2).>

39 74. Page 61, line 13, by striking <October 1, 2014>  
40 and inserting <2014 January 1, 2015>

41 75. Page 61, after line 31 by inserting:  
42 <Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section  
43 159, subsection 1, paragraph q, is amended to read as  
44 follows:

45 q. For the fiscal year beginning July 1, 2014,  
46 the reimbursement rate for emergency medical service  
47 providers shall be increased by 10 percent over the  
48 ~~rate~~ rates in effect on June 30, 2014.

49 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section 159,  
50 subsection 1, is amended by adding the following new

1 paragraph:

2 NEW PARAGRAPH. r. For the fiscal year  
3 beginning July 1, 2014, the reimbursement rate for  
4 ophthalmologists shall be increased by five percent  
5 over the rates in effect on June 30, 2014.>

6 76. Page 62, line 13, after <subsection.> by  
7 inserting <Through December 31, 2014, the combined  
8 reimbursement rate shall remain at the rate in effect  
9 on June 30, 2014, and on January 1, 2015, shall be  
10 changed as provided in paragraph "b".>

11 77. Page 62, lines 14 and 15, by striking <June 30>  
12 and inserting <December 31>

13 78. Page 62, lines 18 and 19, by striking <for  
14 the fiscal year beginning July 1, 2014> and inserting  
15 <effective January 1, 2015>>

16 79. Page 66, line 6, after <APPROPRIATIONS> by  
17 inserting <AND OTHER PRIOR PROVISIONS>

18 80. Page 66, after line 6 by inserting:

19 <SAFETY NET ---- CARE COORDINATION

20 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section  
21 3, subsection 4, paragraph p, is amended to read as  
22 follows:

23 p. Of the funds appropriated in this section,  
24 \$1,158,150 is allocated to the Iowa collaborative  
25 safety net provider network established pursuant  
26 to section 135.153 to be used for the development  
27 and implementation of a statewide regionally based  
28 network to provide an integrated approach to health  
29 care delivery through care coordination that supports  
30 primary care providers and links patients with  
31 community resources necessary to empower patients in  
32 addressing biomedical and social determinants of health  
33 to improve health outcomes. The Iowa collaborative  
34 safety net provider network shall work in conjunction  
35 with the department of human services to align the  
36 integrated network with the health care delivery  
37 system model developed under the state innovation  
38 models initiative grant. The Iowa collaborative  
39 safety net provider network shall submit a progress  
40 report to the individuals designated in this Act for  
41 submission of reports by December 31, 2013, including  
42 progress in developing and implementing the network,  
43 how the funds were distributed and used in developing  
44 and implementing the network, and the remaining  
45 needs in developing and implementing the network.  
46 Notwithstanding section 8.33, moneys allocated in this  
47 paragraph that remain unencumbered or unobligated at  
48 the close of the fiscal year shall not revert but shall  
49 remain available for expenditure for the purposes  
50 designated until the close of the succeeding fiscal

1 year.>  
2 81. Page 66, by striking lines 7 through 21.  
3 82. Page 69, line 15, after <this section> by  
4 inserting <, and subject to the Medicaid offset  
5 amendments in section 426B.3, subsection 5, as amended  
6 by this division of this 2014 Act>  
7 83. Page 70, line 27, after <section> by inserting  
8 <, and subject to the Medicaid offset amendments  
9 in section 426B.3, subsection 5, as amended by this  
10 division of this 2014 Act>  
11 84. Page 71, line 7, after <division.> by inserting  
12 <The protocols and program models shall not include  
13 provisions that would interfere with the ability  
14 of any mental health and disability services region  
15 approved under section 331.389 operating as an  
16 employment network for the federal social security  
17 administration's ticket to work program for persons  
18 with disabilities to collect any milestone or outcome  
19 payments.>  
20 85. Page 71, after line 13 by inserting:  
21 <Sec. \_\_\_\_\_. PROVISIONAL REGIONALIZATION  
22 AUTHORIZATION.  
23 1. During the time period beginning on the  
24 effective date of this section and ending June 30,  
25 2015, upon receiving an application from Mahaska and  
26 Marion counties, the director of human services may  
27 authorize the counties to form and operate a mental  
28 health and disability services region on a provisional  
29 basis for up to 12 months in accordance with this  
30 section.  
31 2. Unless the director grants an exception to  
32 policy allowing the counties and their region,  
33 during the provisional operation time period, to  
34 meet a requirement through an alternative means, the  
35 counties and their region shall comply with all of  
36 the requirements applicable to a mental health and  
37 disability services region under chapter 331 and other  
38 law applicable to regions including but not limited to  
39 the exemption provisions in [441 IAC 25.91](#).  
40 3. Prior to the end of the provisional operation  
41 time period, the director may reauthorize on a one-time  
42 basis the region to operate provisionally for an  
43 additional time period of up to 12 months.  
44 4. If the director determines the two counties  
45 and their region are not in compliance with the  
46 requirements under subsection 2 during any provisional  
47 operation time period and that compliance will not be  
48 achieved through a corrective action plan, the director  
49 may assign each county to a region contiguous to the  
50 county. The region assigned shall amend its chapter

1 28E agreement and other operating requirements and  
2 policies to accept the assigned county.>

3 86. By striking page 71, line 14, through page 72,  
4 line 2.

5 87. Page 72, by striking lines 3 through 22.

6 88. Page 72, before line 23 by inserting:

7 <Sec. \_\_\_\_\_. Section 230.1, subsection 1, Code 2014,  
8 is amended to read as follows:

9 1. The necessary and legal costs and expenses  
10 attending the taking into custody, care, investigation,  
11 admission, commitment, and support of a person with  
12 mental illness admitted or committed to a state  
13 hospital shall be paid by a county or by the state as  
14 follows:

15 a. If the person is eighteen years of age or older,  
16 as follows:

17 (1) The costs attributed to mental illness shall  
18 be paid by the regional administrator on behalf of the  
19 person's county of residence.

20 (2) The costs attributed to a substance-related  
21 disorder shall be paid by the person's county of  
22 residence.

23 (3) The costs attributable to a dual diagnosis of  
24 mental illness and a substance-related disorder may be  
25 split as provided in section 226.9C.

26 b. By the state as a state case if such person has  
27 no residence in this state, if the person's residence  
28 is unknown, or if the person is under eighteen years  
29 of age.>

30 89. Page 73, by striking lines 1 through 6 and  
31 inserting <anticipated, the regional administrator  
32 shall reserve an adequate amount for cash flow of  
33 expenditure obligations in the first quarter of the  
34 next fiscal year. Residual funding remaining after the  
35 cash>

36 90. Page 73, after line 10 by inserting:

37 <Sec. \_\_\_\_\_. Section 331.393, subsection 2, Code  
38 2014, is amended by adding the following new paragraph:

39 NEW PARAGRAPH. h. The financial eligibility  
40 requirements for service under the regional service  
41 system. A plan that otherwise incorporates the  
42 financial eligibility requirements of section 331.395  
43 but allows eligibility for persons with income above  
44 one hundred fifty percent of the federal poverty  
45 level as described in section 331.395, subsection 2,  
46 paragraph "b", or for persons with resources above  
47 the minimum resource limitations adopted pursuant to  
48 section 331.395, subsection 1, paragraph "c", shall  
49 be deemed by the department to be in compliance with  
50 financial eligibility requirements of section 331.395.>

1 91. Page 73, by striking lines 22 through 25 and  
2 inserting <county services fund to address cash flow  
3 of expenditure obligations in the first quarter of the  
4 next fiscal year. The cash>

5 92. Page 74, by striking lines 22 and 23 and  
6 inserting:

7 <Sec. \_\_\_\_\_. Section 426B.3, subsection 5, Code 2014,  
8 is amended to read as follows:><Sec. \_\_\_\_.

9 5. a. For the purposes of this  
10 subsection, "Medicaid offset amount" means the  
11 projected amount for a fiscal year that would have  
12 been paid from a county's services fund for those  
13 services for ~~persons~~ individuals eligible under the  
14 county's approved service management plan that would  
15 be non-Medicaid services, but due to the ~~persons~~  
16 individuals' enrollment in the Iowa health and wellness  
17 plan established under chapter 249N, those services are  
18 instead covered under chapter 249N.>

19 93. By striking page 74, line 24, through page 75,  
20 line 26, and inserting:

21 <b. For the fiscal year beginning July 1, ~~2013~~  
22 2014, and succeeding fiscal years, the department  
23 of human services shall calculate a Medicaid offset  
24 amount for each county for the fiscal year. The  
25 department shall adopt rules in consultation with  
26 the county finance committee and the Iowa state  
27 association of counties specifying the information to  
28 be used in calculating a Medicaid offset amount. The  
29 information used shall only include ~~but is not limited~~  
30 ~~to identification of specific services and supports~~  
31 ~~that would otherwise be payable by the county for~~  
32 ~~persons eligible under a county's approved service~~  
33 ~~management plan but are instead paid by the actual~~  
34 amounts expended from the county's services fund for  
35 services and supports provided to individuals who  
36 enrolled in the Iowa health and wellness plan during  
37 that fiscal year. For purposes of calculating the  
38 offset amount, it shall be assumed the expenditures  
39 for the same services and supports under the plan are  
40 no more than the amount expended by the county for  
41 those services and supports in that fiscal year. The  
42 initial offset amount calculated for a county shall be  
43 ~~subject to~~ submitted by October 15 for review, prior  
44 to its certification, by the auditor of that county or  
45 ~~subject to independent audit~~ state and by the fiscal  
46 agent for the region to which the county belongs.  
47 The results of the review shall be submitted to the  
48 department by December 1. The Medicaid offset amounts  
49 amount calculated by the department for a county for  
50 a fiscal year are is not official until certified by

1 the director of human services and submitted to the  
2 governor and general assembly by ~~October 15~~ immediately  
3 January 1 following the end of the fiscal year for  
4 which the offset amounts were calculated.

5 ~~e. The Medicaid offset amounts certified for each  
6 county by the director of human services for the fiscal  
7 year beginning July 1, 2013, shall be annualized by  
8 doubling the amounts. For the fiscal year beginning  
9 July 1, 2014, a county shall repay the state from any  
10 equalization payment due the county for the fiscal  
11 year, eighty percent of the county's annualized  
12 Medicaid offset amount for the fiscal year beginning  
13 July 1, 2013. To the extent a county's repayment  
14 obligation for the fiscal year beginning July 1, 2014,  
15 exceeds the amount of any equalization payment due the  
16 county for the fiscal year, the county shall, for the  
17 following fiscal year, reduce the dollar amount of  
18 the county's services fund levy by the amount of the  
19 excess.~~

20 ~~d.~~ c. For the fiscal year beginning July 1,  
21 2015, and succeeding fiscal years, a county shall  
22 repay the state from any equalization payment due  
23 the county for the fiscal year, eighty percent of  
24 the county's Medicaid offset amount certified for  
25 the previous fiscal year. To the extent a county's  
26 repayment obligation for a fiscal year exceeds the  
27 amount of any equalization payment due the county for  
28 that fiscal year, the county shall, for the following  
29 fiscal year, reduce the dollar amount of the county's  
30 services fund levy by the amount of the excess. A  
31 county's obligation for repayment of the offset amount  
32 calculated for the county shall be reduced as necessary  
33 to maintain, for the fiscal year of repayment or levy  
34 reduction, the county's cash flow amount under section  
35 331.424A and the amounts necessary for the county's  
36 share of services provided under the regional service  
37 system management plan approved for the fiscal year in  
38 accordance with section 331.393.

39 ~~e.~~ d. A county's repayment pursuant to this  
40 subsection shall be remitted on or before January  
41 February 1 of the fiscal year in which repayment is  
42 due and shall be credited to the property tax relief  
43 fund. Moneys credited to the property tax relief  
44 fund in accordance with this paragraph are subject to  
45 appropriation by the general assembly to support mental  
46 health and disability services administered by the  
47 regional system.>

48 94. Page 76, after line 15 by inserting:  
49 <Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. The following  
50 provisions of this division of this Act, being deemed

1 of immediate importance, take effect upon enactment:

2 1. The section providing a provisional  
3 regionalization authorization.

4 2. The section amending 2013 Iowa Acts, chapter  
5 136, section 11.>

6 95. Page 76, after line 21 by inserting:

7 <Sec. \_\_\_\_\_. Section 249A.4, subsection 10, Code  
8 2014, is amended by adding the following new paragraph:

9 NEW PARAGRAPH. c. (1) A nursing facility that  
10 utilizes the supplementation option and receives  
11 supplementation under this subsection during any  
12 calendar year, shall report to the department of  
13 human services, annually, by January 15, the following  
14 information for the preceding calendar year:

15 (a) The total number of nursing facility beds  
16 available at the nursing facility, the number of such  
17 beds available in private rooms, and the number of such  
18 beds available in other types of rooms.

19 (b) The average occupancy rate of the facility on  
20 a monthly basis.

21 (c) The total number of residents for which  
22 supplementation was utilized.

23 (d) The average private pay charge for a private  
24 room in the nursing facility.

25 (e) For each resident for whom supplementation  
26 was utilized, the total charge to the resident for  
27 the private room, the portion of the total charge  
28 reimbursed under the Medicaid program, and the total  
29 charge reimbursed through supplementation.

30 (2) The department shall compile the information  
31 received and shall submit the compilation to the  
32 general assembly, annually by February 15.>

33 96. Page 76, after line 23 by inserting:

34 <Sec. \_\_\_\_\_. NEW SECTION. 35D.7A Supplemental  
35 stipend.

36 In addition to any amount otherwise retained by or  
37 provided as a personal needs allowance to a member or  
38 a member's spouse under this chapter, a member and  
39 the member's spouse, if applicable, shall receive a  
40 supplemental stipend of thirty dollars per month. The  
41 supplemental stipend shall not be treated as income of  
42 the resident for purposes of medical assistance program  
43 eligibility or client participation.

44 97. Page 76, by striking lines 24 through 31.

45 98. Page 76, before line 32 by inserting:

46 Sec. \_\_\_\_\_. MEDICAID AND HAWK-I STATE PLAN AMENDMENTS  
47 AND WAIVERS -- NOTIFICATION. The department of human  
48 services shall notify the chairpersons and ranking  
49 members of the joint appropriations subcommittee on  
50 health and human services, the chairpersons and ranking

1 members of the committees on human resources of the  
2 senate and house of representatives, the legislative  
3 services agency, and the legislative caucus staffs  
4 prior to submission of any Medicaid or hawk-i program  
5 state plan amendment or waiver to the centers for  
6 Medicare and Medicaid services of the United States  
7 department of health and human services.

8 Sec. \_\_\_\_\_. FREE PARKING OPTIONS ---- CHILDREN WITH  
9 CHRONIC CONDITIONS. The university of Iowa hospitals  
10 and clinics shall develop and implement by October 1,  
11 2014, a free parking option for the use by families of  
12 children who are admitted to the hospital for extended  
13 periods of time or who visit the hospital routinely for  
14 treatment for cancer or other chronic conditions. The  
15 option may provide for assignment of one free visitor  
16 parking pass to the child for use by the family as  
17 the family deems appropriate, validation of parking  
18 tickets, provision of a reserved lot in close proximity  
19 to the hospital and easily accessible on foot, or  
20 issuance of parking passes valid in the hospital  
21 parking area.

22 Sec. \_\_\_\_\_. CHILD WELFARE SERVICES COMMISSION.

23 1. A child welfare services commission is created  
24 under the authority of the legislative council.

25 2. The commission membership shall include the  
26 following persons:

27 a. The director of human services or the director's  
28 designee.

29 b. The administrator of child welfare programs  
30 under the department of human services or the  
31 administrator's designee.

32 c. The administrator of the division of criminal  
33 and juvenile justice planning in the department of  
34 human rights or the administrator's designee.

35 d. The administrator of the child advocacy board  
36 in the department of inspections and appeals or the  
37 administrator's designee.

38 e. The chief justice of the supreme court or the  
39 chief justice's designee.

40 f. The director of the department of education or  
41 the director's designee.

42 g. The executive director of the Iowa foster and  
43 adoptive parent association or the executive director's  
44 designee.

45 h. The executive director of the coalition for  
46 family and children's services in Iowa or the executive  
47 director's designee.

48 i. The presiding officer of the Iowa juvenile  
49 court services association or the presiding officer's  
50 designee.

1 j. The director of the child health specialty  
2 clinics at the university of Iowa or the director's  
3 designee.

4 k. A youth member of the achieving maximum  
5 potential program designated by the program's director.

6 l. The director of the child and family policy  
7 center or the director's designee.

8 m. Members of the general assembly appointed by the  
9 legislative council.

10 n. Other persons designated by the legislative  
11 council.

12 3. In addition to the legislative services agency,  
13 the legislative council may employ or contract with a  
14 person or persons to assist the commission in carrying  
15 out its duties.

16 4. The commission shall perform the following  
17 duties:

18 a. Review the array of child welfare services in  
19 the state.

20 b. Identify options for improving the coordination  
21 and collaboration between the public and private  
22 entities involved with child welfare services.

23 c. Direct special attention to children's mental  
24 and behavioral health services.

25 d. Identify policies to support the growth and  
26 expansion of community-based pediatric integrated  
27 health homes.

28 e. Identify options to support continuous  
29 improvement of pediatric mental health services and  
30 innovation by service providers of such services at the  
31 state and community levels.

32 f. Consider proposals for creation of a center of  
33 collaborative children's mental and behavioral health  
34 services.

35 g. Evaluate the adequacy of the public funding of  
36 child welfare services and identify options to address  
37 shortfalls and for shifting resources.

38 5. Of the amount appropriated in this 2014 Iowa  
39 Act to the department of human services for general  
40 administration for the fiscal year beginning July  
41 1, 2014, and ending June 30, 2014, \$50,000 shall be  
42 transferred to the legislative services agency to  
43 be used for the child welfare services commission in  
44 accordance with this section.

45 6. The commission shall submit a final report  
46 with findings and recommendations to the governor and  
47 general assembly for action in the 2015 legislative  
48 session.>

49 99. By striking page 76, line 32, through page 77,  
50 line 21.

1 100. Page 78, line 14, after <limited> by inserting  
2 <to>

3 101. Page 78, after line 26 by inserting:  
4 <STATE CHILD CARE ASSISTANCE

5 Sec. \_\_\_\_\_. Section 237A.13, subsection 7, paragraphs  
6 a and c, Code 2014, are amended to read as follows:

7 a. Families with an income at or below one hundred  
8 percent of the federal poverty level whose members ~~are~~  
9 employed, for at least twenty-eight hours per week in  
10 the aggregate, are employed or are participating at a  
11 satisfactory level in an approved training program or  
12 educational program, and parents with a family income  
13 at or below one hundred percent of the federal poverty  
14 level who are under the age of twenty-one years and are  
15 participating in an educational program leading to a  
16 high school diploma or the equivalent.

17 c. Families with an income of more than one hundred  
18 percent but not more than one hundred forty-five  
19 percent of the federal poverty level whose members ~~are~~  
20 employed, for at least twenty-eight hours per week in  
21 the aggregate, are employed or are participating at a  
22 satisfactory level in an approved training program or  
23 educational program.

24 Sec. \_\_\_\_\_. Section 237A.13, subsection 8, Code 2014,  
25 is amended to read as follows:

26 8. Nothing in this section shall be construed  
27 as or is intended as, or shall imply, a grant of  
28 entitlement for services to persons who are eligible  
29 for assistance due to an income level or other  
30 eligibility circumstance addressed in this section.  
31 Any state obligation to provide services pursuant to  
32 this section is limited to the extent of the funds  
33 appropriated for the purposes of state child care  
34 assistance. The department shall not redetermine the  
35 eligibility of a program participant more frequently  
36 than every twelve months.

37 Sec. \_\_\_\_\_. STATE CHILD CARE ASSISTANCE APPLICATIONS  
38 ---- INFORMATION TECHNOLOGY.

39 1. The department of human services shall review  
40 the application form and other elements of the process  
41 used by applicants to apply for the state child care  
42 assistance program. The purpose of the review is to  
43 simplify the process by eliminating requirements to  
44 provide unneeded or redundant information and improving  
45 the wording of the application, and identifying other  
46 options for improvement. The department shall report  
47 the results of the review to the governor and general  
48 assembly on or before December 1, 2014.

49 2. The department shall implement an application  
50 process enhancement so that applicants for the state

1 child care assistance program may apply for the program  
2 using information technology devices.

3 Sec. \_\_\_\_\_. IMPLEMENTATION. The department of human  
4 services shall adopt rules and take other actions as  
5 necessary to implement, as state child care assistance  
6 program eligibility provisions, the amendments to  
7 section 237A.13 in this division of this Act, on July  
8 1, 2014.

9  
10 DIVISION \_\_\_\_\_  
11 STATE TRAINING SCHOOLS ---- EDUCATION

12 Sec. \_\_\_\_\_. LEGISLATIVE FINDINGS. The general  
13 assembly finds there is a need to improve the system  
14 to meet the needs of children who have committed  
15 a delinquent act, have been abused, neglected, or  
16 subjected to trauma, or have other significant needs  
17 that put the safety of the children or the public at  
18 risk. The areas for system improvement include but are  
19 not limited to all of the following:

20 1. Providing equity in the services available for  
21 both the male and female children involved in the  
22 system.

23 2. Providing appropriate safeguards to ensure  
24 children in placements are safe and getting their needs  
25 met.

26 3. Ensuring that education and training services  
27 meet state and federal requirements and prepare the  
28 children for long-term success.

29 4. Engaging children in services after an  
30 out-of-home placement to prevent the need for placement  
31 from reoccurring.

32 5. Providing an effective system to support  
33 children when they attain adulthood in order to prevent  
34 their engagement with the adult criminal justice  
35 system.

36 Sec. \_\_\_\_\_. IMPLEMENTATION.

37 1. As the level of service for juvenile delinquent  
38 females provided for in this Act does not currently  
39 exist in the state and represents a gap in the  
40 continuum of care for juvenile females, reopening, and  
41 making necessary changes in the facilities of the Iowa  
42 juvenile home of Toledo provides the best means of  
43 expeditiously fulfilling the duties outlined in section  
44 233B.1, as enacted by this Act.

45 2. In reopening the facility at Toledo as the  
46 state training school for juvenile delinquent females  
47 in accordance with this division of this Act, the  
48 department of human services shall phase in the  
49 following provisions as follows:

50 a. The department of human services shall begin  
51 implementation of the requirements for the two state

1 training schools to be accredited as secure juvenile  
2 correctional facilities and to comply with other  
3 regulatory requirements in accordance with section  
4 233A.1, subsection 7, and section 233B.1, subsection  
5 7, upon enactment of this Act and shall complete the  
6 correctional association accreditation by June 30,  
7 2017. The department shall propose a schedule to the  
8 governor and general assembly on or before December  
9 15, 2014, for compliance with the other regulatory  
10 requirements.

11 b. Education services in accordance with section  
12 282.33, as amended by this division of this Act, shall  
13 be developed by the close of the fiscal year beginning  
14 July 1, 2014, in conjunction with the department of  
15 education, affected area education agencies, affected  
16 school districts, and other stakeholders.

17 Sec. \_\_\_\_\_. Section 232.2, subsection 22, paragraph  
18 b, subparagraph (3), Code 2014, is amended to read as  
19 follows:

20 (3) Visiting the home, residence, or both home and  
21 residence of the child and any prospective home or  
22 residence of the child, including each time placement  
23 is changed. A child in a placement other than with  
24 the child's parent shall be visited at the placement  
25 at least quarterly.

26 Sec. \_\_\_\_\_. Section 232.2, Code 2014, is amended by  
27 adding the following new subsection:

28 NEW SUBSECTION. 54A. "State training school"  
29 means the state training school for female juvenile  
30 delinquents at Toledo maintained in accordance with  
31 chapter 233B or the state training school for male  
32 juvenile delinquents at Eldora maintained in accordance  
33 with chapter 233A.

34 Sec. \_\_\_\_\_. Section 232.49, subsection 2, Code 2014,  
35 is amended to read as follows:

36 2. When possible an examination shall be conducted  
37 on an outpatient basis, but the court may, if it deems  
38 necessary, commit the child to a state training school  
39 or to a suitable hospital, facility, or institution for  
40 the purpose of examination. Commitment for examination  
41 shall not exceed thirty days and the civil commitment  
42 provisions of chapter 229 shall not apply.

43 Sec. \_\_\_\_\_. Section 232.49, subsection 3, paragraph  
44 b, Code 2014, is amended to read as follows:

45 b. An examination shall be conducted on an  
46 outpatient basis unless the court, the child's counsel,  
47 and the parent, guardian, or custodian agree that  
48 it is necessary the child be committed to a state  
49 training school or to a suitable hospital, facility, or  
50 institution for the purpose of examination. Commitment

1 for examination shall not exceed thirty days and the  
2 civil commitment provisions of chapter 229 shall not  
3 apply.

4 Sec. \_\_\_\_\_. Section 232.52, subsection 7, Code 2014,  
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. 0b. When the court orders the  
7 transfer of legal custody of a child pursuant to  
8 subsection 2, paragraph "d", "e", or "f", the child's  
9 attorney shall visit the child at the child's placement  
10 at least quarterly.

11 Sec. \_\_\_\_\_. Section 232.102, subsections 3 and 4,  
12 Code 2014, are amended by striking the subsections.

13 Sec. \_\_\_\_\_. Section 232.103, subsection 7, Code 2014,  
14 is amended by striking the subsection.

15 Sec. \_\_\_\_\_. Section 233A.1, Code 2014, is amended to  
16 read as follows:

17 ~~233A.1 State training school ——— Eldora and Toledo.~~

18 1. For the purposes of this chapter, unless the  
19 context otherwise requires:

20 a. "Department" means the department of human  
21 services.

22 b. "Director" means the director of human services.

23 c. "State training school" means the state training  
24 school for male juvenile delinquents at Eldora.

25 d. "Superintendent" means the superintendent of the  
26 state training school for male juvenile delinquents.

27 ~~1- 2. Effective January 1, 1992, a A diagnosis~~  
28 ~~and evaluation center and other units are established~~  
29 ~~at Eldora and shall be operated, maintained, and~~  
30 ~~staffed by the department to provide to male juvenile~~  
31 ~~delinquents a program which focuses upon appropriate~~  
32 ~~developmental skills, treatment, placements, and~~  
33 ~~rehabilitation.~~

34 ~~2. The diagnosis and evaluation center which is~~  
35 ~~used to identify appropriate treatment and placement~~  
36 ~~alternatives for juveniles and any other units for~~  
37 ~~juvenile delinquents which are located at Eldora and~~  
38 ~~the unit for juvenile delinquents at Toledo shall~~  
39 ~~together be known as the "state training school".~~  
40 ~~For the purposes of this chapter "director" means the~~  
41 ~~director of human services and "superintendent" means~~  
42 ~~the administrator in charge of the diagnosis and~~  
43 ~~evaluation center for juvenile delinquents and other~~  
44 ~~units at Eldora and the unit for juvenile delinquents~~  
45 ~~at Toledo.~~

46 3. The number of children present at any one time  
47 at the state training school at Eldora shall not exceed  
48 the population guidelines established under 1990  
49 Iowa Acts, chapter 1239, section 21, as adjusted for  
50 subsequent changes in the capacity at the training

1 school.

2     4. Each child placed at the state training school  
3 and any other child receiving an examination at the  
4 state training school by order of the court shall  
5 receive a written plan for services. The plan for  
6 services provided by the state training school to  
7 a child shall identify any physical, emotional,  
8 intellectual, behavioral, or mental health disorder or  
9 condition affecting the child and recommend treatment  
10 to address the disorder or condition, identify  
11 any substance-related disorder of the child or the  
12 child's family and recommend treatment to address the  
13 disorder, and assess the child's educational status and  
14 recommend action to address any identified educational  
15 deficiency, and for follow-up services, identify  
16 specific public and private service providers with the  
17 capacity to meet the child's needs. A copy of the plan  
18 for services and any subsequent amendment to the plan  
19 shall be submitted to the child, the child's attorney,  
20 and the juvenile court.

21     5. The state training school shall facilitate  
22 the provision of follow-up services to children, who  
23 received placement services at the state training  
24 school and who remain under the jurisdiction of the  
25 juvenile court, as necessary to meet the long-term  
26 needs of the children as they age into adulthood. The  
27 plan for follow-up services shall be developed with  
28 the child in conjunction with juvenile court services  
29 and the child's attorney. The provision of follow-up  
30 services for children who remain under the jurisdiction  
31 of the juvenile court is subject to approval by the  
32 juvenile court. Follow-up services shall be provided  
33 to support children who are discharged from the state  
34 training school during the period beginning twelve  
35 months prior to the children becoming age eighteen and  
36 ending on the day prior to the children becoming age  
37 eighteen who do not remain under the jurisdiction of  
38 the juvenile court. In addition, follow-up services  
39 shall be made available to children discharged from the  
40 school at any age upon or after the children become age  
41 eighteen and continuing until at least age twenty-one.

42     6. For any child placed at the state training  
43 school, the school shall provide a written plan  
44 regarding the placement status of the child on or about  
45 the time the child becomes age eighteen. The plan  
46 shall, while giving consideration to the treatment  
47 needs of the child, also give consideration to the  
48 long-term needs of the child upon becoming age eighteen  
49 including needs for vocational training or higher  
50 education. Given these considerations, the plan shall

1 identify placement options to meet the child's needs  
2 that will not negatively affect the child's adult  
3 eligibility for assistance provided with federal  
4 financial participation. The assistance addressed  
5 shall include but is not limited to the preparation  
6 for adult living program under section 234.46, the  
7 medical assistance program, the Iowa aftercare services  
8 network, the federal educational and training vouchers  
9 program for youths aging out of foster care, and the  
10 federal job corps program.

11 7. The department shall cause the state training  
12 school to be accredited as a secure juvenile  
13 correctional facility by the American correctional  
14 association, to meet the standards adopted by the  
15 department for approval of a juvenile detention home,  
16 and to meet applicable standards for programs providing  
17 residential services for children paid for by a managed  
18 care or prepaid services contract under the medical  
19 assistance program. The standards applied in addition  
20 to the American correctional association accreditation  
21 requirements shall include but are not limited to the  
22 minimum qualifications of staff. The standards and  
23 sanctions for noncompliance shall be identified in  
24 conjunction with the department of inspections and  
25 appeals and experts who are not employed by or under  
26 contract with the department. A regular assessment  
27 of compliance with the standards shall be performed  
28 by the department of inspections and appeals and that  
29 department shall submit a report on each assessment to  
30 the governor and general assembly.

31 8. The director and the superintendent for the  
32 state training school shall provide on an ongoing  
33 basis for the school's programs, facilities, and  
34 services, and for the training of staff in order to  
35 apply evidence-based practices and other recognized  
36 contemporary approaches to ensure that the care  
37 for the children served by the school is of high  
38 quality. The director's and superintendent's efforts  
39 and recommendations to comply with this requirement  
40 shall be documented in the annual budget and financial  
41 reporting submitted to the governor and the general  
42 assembly.

43 Sec. \_\_\_\_. Section 233A.4, Code 2014, is amended to  
44 read as follows:

45 233A.4 Education and training.

46 The state training school shall provide a positive  
47 living experience for older juveniles who require  
48 secure custody and who live at the state training  
49 school for an extended period of time. The education  
50 and training programs provided to the juveniles shall

1 reflect the age level and extended period of stay by  
2 focusing upon appropriate developmental skills to  
3 prepare the juveniles for productive living. The  
4 education services provided to the children placed  
5 at the state training school shall be provided in  
6 accordance with section 282.33.

7 Sec. \_\_\_\_ . Section 233B.1, Code 2014, is amended to  
8 read as follows:

9 233B.1 Definitions ---- purpose ---- services ----  
10 population limit.

11 1. For the purpose of this chapter, unless the  
12 context otherwise requires:

13 a. "Department" means the department of human  
14 services.

15 ~~a.~~ b. "Administrator" or "director" "Director"  
16 means the director of the department of human services.

17 ~~b.~~ c. "Home" "State training school" means the Iowa  
18 juvenile home state training school for female juvenile  
19 delinquents at Toledo maintained in accordance with  
20 this chapter.

21 ~~e.~~ d. "Superintendent" means the superintendent of  
22 the Iowa juvenile home state training school for female  
23 juvenile delinquents.

24 2. ~~The Iowa juvenile home state training school~~  
25 for female juvenile delinquents shall be operated,  
26 maintained for the purpose of providing care, custody,  
27 and education of the children committed to the  
28 home. The children shall be wards of the state. The  
29 children's education shall embrace instruction in  
30 the common school branches and in such other higher  
31 branches as may be practical and will enable the  
32 children to gain useful and self sustaining employment.  
33 The administrator and the superintendent of the home  
34 shall assist all discharged children in securing  
35 suitable homes and proper employment., and staffed  
36 by the department of human services to do all of the  
37 following for female residents of this state:

38 ~~3.~~ The number of children present at any one  
39 time at the Iowa juvenile home shall not exceed the  
40 population guidelines established under 1990 Iowa Acts,  
41 chapter 1239, section 21, as adjusted for subsequent  
42 changes in the capacity at the home.

43 a. Provide gender-responsive services to female  
44 children less than age eighteen who have been  
45 adjudicated under chapter 232 as delinquent and placed  
46 at the state training school in accordance with a court  
47 order.

48 b. If provided for by the children's education  
49 plans, allow for continued placement at the state  
50 training school for female children who were placed

1 at the state training school under paragraph "a"  
2 upon the children becoming adults. The purpose of  
3 continued placement is for completion of high school  
4 education requirements identified in the education  
5 plans developed by the provider of educational services  
6 for the children.

7 c. Facilitate the provision of follow-up services  
8 to children who received placement services at  
9 the state training school and who remain under the  
10 jurisdiction of the juvenile court, as necessary  
11 to meet the long-term needs of the children as they  
12 age into adulthood. The plan for follow-up services  
13 shall be developed with the child in conjunction with  
14 juvenile court services and the child's attorney.  
15 The provision of follow-up services for children who  
16 remain under the jurisdiction of the juvenile court is  
17 subject to approval by the juvenile court. Follow-up  
18 services shall be provided to support children who are  
19 discharged from the state training school during the  
20 period beginning twelve months prior to the children  
21 becoming age eighteen and ending on the day prior to  
22 the children becoming age eighteen who do not remain  
23 under the jurisdiction of the juvenile court. In  
24 addition, follow-up services shall be made available to  
25 children discharged from the state training school at  
26 any age upon or after the children become age eighteen  
27 and continuing until at least age twenty-one.

28 3. Each child placed at the state training school  
29 and any other child receiving an examination at the  
30 state training school by order of the court shall  
31 receive a written plan for services. The plan for  
32 services provided by the state training school to  
33 a child shall identify any physical, emotional,  
34 intellectual, behavioral, or mental health disorder or  
35 condition affecting the child and recommend treatment  
36 to address the disorder or condition, identify  
37 any substance-related disorder of the child or the  
38 child's family and recommend treatment to address the  
39 disorder, and assess the child's educational status and  
40 recommend action to address any identified educational  
41 deficiency, and for follow-up services, identify  
42 specific public and private service providers with the  
43 capacity to meet the child's needs. A copy of the plan  
44 for services and any subsequent amendment to the plan  
45 shall be submitted to the child, the child's attorney,  
46 and the juvenile court.

47 4. For any child placed at the state training  
48 school, the state training school shall provide a  
49 written plan regarding the placement status of the  
50 child on or about the time the child becomes age

1 eighteen. The plan shall, while giving consideration  
2 to the treatment needs of the child, also give  
3 consideration to the long-term needs of the child  
4 upon becoming age eighteen, including needs for  
5 vocational training or higher education. Given these  
6 considerations, the plan shall identify placement  
7 options to meet the child's needs that will not  
8 negatively affect the child's eligibility as an adult  
9 for assistance provided through federal financial  
10 participation. The assistance addressed shall include  
11 but is not limited to the preparation for adult living  
12 program under section 234.46, the medical assistance  
13 program, the Iowa aftercare services network, the  
14 federal educational and training vouchers program for  
15 youths aging out of foster care, and the federal job  
16 corps program.

17 5. The department of human services and the  
18 representatives of juvenile court services shall  
19 annually recommend a desired capacity for the state  
20 training school in the succeeding fiscal year to the  
21 governor and general assembly no later than December  
22 15. The capacity of the state training school for a  
23 fiscal year shall be specified in the appropriations  
24 for the school.

25 6. The education services provided to the children  
26 placed at the state training school shall be provided  
27 in accordance with section 282.33.

28 7. The department shall cause the state training  
29 school to be accredited as a secure juvenile  
30 correctional facility by the American correctional  
31 association, to meet the standards adopted by the  
32 department for approval of a juvenile detention  
33 home, and to meet applicable standards for programs  
34 providing residential services for children paid for  
35 by a managed care or prepaid services contract under  
36 the medical assistance program. The standards applied  
37 in addition to the American correctional association  
38 accreditation requirements shall include but are not  
39 limited to the minimum qualifications of staff and  
40 provision of gender-responsive services. The standards  
41 and sanctions for noncompliance shall be identified  
42 in conjunction with the department of inspections and  
43 appeals and experts who are not employed by or under  
44 contract with the department. A regular assessment  
45 of compliance with the standards shall be performed  
46 by the department of inspections and appeals and that  
47 department shall submit a report on each assessment to  
48 the governor and general assembly.

49 8. The director and the superintendent for the  
50 state training school shall provide on an ongoing basis

1 for the state training school's programs, facilities,  
2 and services, and for the training of staff in order  
3 to apply evidence-based practices and other recognized  
4 contemporary approaches to ensure that the care for the  
5 children served by the state training school is of high  
6 quality. The director's and superintendent's efforts  
7 and recommendations to comply with this requirement  
8 shall be documented in the annual budget and financial  
9 reporting submitted to the governor and the general  
10 assembly.

11 Sec. \_\_\_\_\_. Section 233B.2, Code 2014, is amended to  
12 read as follows:

13 233B.2 Salary.

14 The salary of the superintendent of the home  
15 state training school shall be determined by the  
16 ~~administrator~~ director in accordance with the state  
17 requirements for similar positions.

18 Sec. \_\_\_\_\_. Section 233B.3, Code 2014, is amended to  
19 read as follows:

20 233B.3 ~~Admissions~~ Commitments and placements.

21 ~~Admission to the home shall be granted to resident~~  
22 ~~children of the state under seventeen years of age, as~~  
23 ~~follows, giving preference in the order named:~~

24 1. ~~Neglected or dependent children committed by~~  
25 ~~the juvenile court~~ Commitments to and placements at  
26 the state training school shall be limited to the  
27 commitments and placements specified in section 233B.1.

28 2. ~~Other destitute children.~~

29 Sec. \_\_\_\_\_. Section 233B.4, Code 2014, is amended to  
30 read as follows:

31 233B.4 Procedure.

32 The procedure for commitment to and placement at the  
33 ~~home is~~ state training school shall be as provided by  
34 chapter 232 and section 233B.3.

35 Sec. \_\_\_\_\_. Section 233B.5, Code 2014, is amended to  
36 read as follows:

37 233B.5 Transfers.

38 The ~~administrator~~ director may propose the transfer  
39 to the home state training school of minor wards of the  
40 state from any institution under the administrator's  
41 director's charge or under the charge of any other  
42 ~~administrator of the department of human services,~~  
43 ~~but no person shall be so transferred who is a person~~  
44 ~~with mental illness or an intellectual disability,~~  
45 ~~or who is incorrigible, or has any vicious habits,~~  
46 ~~or whose presence in the home would be inimical to~~  
47 ~~the moral or physical welfare of the other children~~  
48 ~~within the home, and any such child in the home may be~~  
49 ~~transferred to the proper state institution. However,~~  
50 the superintendent shall only approve the transfer of

1 minor wards who meet the disposition criteria specified  
2 in section 232.52, subsection 2, paragraph "e".

3 Sec. \_\_\_\_\_. Section 233B.6, Code 2014, is amended to  
4 read as follows:

5 233B.6 Profits and earnings.

6 Any money earned by or accrued to the benefit of a  
7 child who is transferred to, admitted to, or placed in  
8 foster care from the home state training school shall  
9 be used, held, or otherwise applied for the exclusive  
10 benefit of that child, in accordance with section  
11 234.37.

12 Sec. \_\_\_\_\_. Section 233B.7, Code 2014, is amended to  
13 read as follows:

14 233B.7 Rules.

15 ~~All children admitted or committed to the home shall~~  
16 ~~be wards of the state and subject to the rules of the~~  
17 ~~home. Subject to the approval of the administrator,~~  
18 ~~any child received under voluntary application may be~~  
19 ~~expelled by the superintendent for disobedience and~~  
20 ~~refusal to submit to proper discipline. Children shall~~  
21 ~~be discharged upon arriving at the age of eighteen~~  
22 ~~years, or sooner if possessed of sufficient means to~~  
23 ~~provide for themselves. The department shall adopt~~  
24 rules to administer and operate the state training  
25 school in the best interests of the children placed at  
26 the state training school.

27 Sec. \_\_\_\_\_. Section 234.6, Code 2014, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 11. Provide upon request  
30 assessment and consultation services to public and  
31 private providers of child welfare services to address  
32 the needs of children who have challenging behaviors.

33 Sec. \_\_\_\_\_. Section 234.46, subsection 1, paragraph  
34 c, Code 2014, is amended to read as follows:

35 c. At the time the person became age eighteen, the  
36 person received foster care services that were paid for  
37 by the state under section 234.35, services at a state  
38 training school, services at a juvenile shelter care  
39 home, or services at a juvenile detention home and the  
40 person is no longer receiving such services.

41 Sec. \_\_\_\_\_. Section 234.46, subsection 2, unnumbered  
42 paragraph 1, Code 2014, is amended to read as follows:

43 The division shall establish a preparation for  
44 adult living program directed to young adults. The  
45 purpose of the program is to assist persons who are  
46 leaving foster care and other court-ordered services  
47 at age eighteen or older in making the transition  
48 to self-sufficiency. The department shall adopt  
49 rules necessary for administration of the program,  
50 including but not limited to eligibility criteria for

1 young adult participation and the services and other  
2 support available under the program. The rules shall  
3 provide for participation of each person who meets the  
4 definition of young adult on the same basis, regardless  
5 of whether federal financial participation is provided.  
6 The services and other support available under the  
7 program may include but are not limited to any of the  
8 following:

9 Sec. \_\_\_\_ . Section 282.33, Code 2014, is amended by  
10 striking the section and inserting in lieu thereof the  
11 following:

12 282.33 Funding for children residing in state mental  
13 health institutes or training schools.

14 1. An area education agency shall provide or make  
15 provision for an appropriate educational program  
16 for each child who lives in one of the following  
17 institutions for children under the jurisdiction of the  
18 director of human services:

- 19 a. Mental health institute, Cherokee, Iowa.
- 20 b. Mental health institute, Independence, Iowa.
- 21 c. State training school for male juvenile  
22 delinquents, Eldora, Iowa, under chapter 233A.
- 23 d. State training school for female juvenile  
24 delinquents, Toledo, Iowa, under chapter 233B.

25 2. The area education agency shall provide the  
26 educational program by any one of but not limited to  
27 the following:

28 a. Providing for the enrollment of the child in  
29 the district of residence of the child, subject to the  
30 approval of the district in which the child is living.

31 b. Cooperating with the district of residence  
32 of the child and obtaining the course of study and  
33 textbooks of the child for use in the special facility  
34 into which the child has been placed.

35 c. Providing for the enrollment of the child in the  
36 district in which the child is living, subject to the  
37 approval of the district in which the child is living.

38 3. The area education agency shall submit a  
39 proposed program and budget to the department of  
40 education by January 1 for the next succeeding school  
41 year for each institution. The department of education  
42 shall review and approve or modify the program and  
43 proposed budget and shall notify the department  
44 of administrative services and the area education  
45 agency of its action by February 1. The department  
46 of administrative services shall pay the approved  
47 budget amount for an area education agency in monthly  
48 installments beginning September 15 and ending June 15  
49 of the next succeeding school year. The installments  
50 shall be as nearly equal as possible as determined by

1 the department of management, taking into consideration  
2 the relative budget and cash position of the state's  
3 resources. The department of administrative services  
4 shall transfer the approved budget amount for an  
5 area education agency from the moneys appropriated  
6 under section 257.16 and make the payment to the area  
7 education agency. The area education agency shall  
8 submit an accounting for the actual cost of the program  
9 to the department of education by August 1 of the  
10 following school year. The department shall review  
11 and approve or modify all expenditures incurred in  
12 compliance with the guidelines pursuant to section  
13 256.7, subsection 10, and shall notify the department  
14 of administrative services of the approved accounting  
15 amount. The approved accounting amount shall be  
16 compared with any amounts paid by the department of  
17 administrative services to the area education agency  
18 and any differences added to or subtracted from the  
19 October payment made under this subsection for the next  
20 school year. Any amount paid by the department of  
21 administrative services shall be deducted monthly from  
22 the state foundation aid paid under section 257.16 to  
23 all school districts in the state during the subsequent  
24 fiscal year. The portion of the total amount of the  
25 approved budget that shall be deducted from the state  
26 aid of a school district shall be the same as the ratio  
27 that the budget enrollment for the budget year of the  
28 school district bears to the total budget enrollment in  
29 the state for that budget year in which the deduction  
30 is made.

31 4. For purposes of this section, "district of  
32 residence" means the school district in which the  
33 parent or legal guardian of the child resides or the  
34 district in which the district court is located if the  
35 district court is the guardian of the child.

36 5. Programs may be provided throughout the calendar  
37 year and shall be funded under this section if the  
38 school district or area education agency determines a  
39 valid educational reason to do so.

40 Sec. \_\_\_\_\_. REPEAL. Sections 233B.10, 233B.11,  
41 233B.12, 233B.13, and 233B.14, Code 2014, are repealed.

42 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
43 of this Act, being deemed of immediate importance,  
44 takes effect upon enactment.

45 DIVISION \_\_\_\_\_  
46 STATE TRAINING SCHOOLS ---- CONFORMING AMENDMENTS

47 Sec. \_\_\_\_\_. Section 137F.1, subsection 7, unnumbered  
48 paragraph 1, Code 2014, is amended to read as follows:  
49 "Food establishment" means an operation that stores,  
50 prepares, packages, serves, vends, or otherwise

1 provides food for human consumption and includes a  
2 food service operation in a salvage or distressed food  
3 operation, school, summer camp, residential service  
4 substance abuse treatment facility, halfway house  
5 substance abuse treatment facility, correctional  
6 facility operated by the department of corrections, ~~the~~  
7 ~~or state training school, or the Iowa juvenile home.~~

8 "Food establishment" does not include the following:

9 Sec. \_\_\_\_\_. Section 218.1, subsections 7 and 8, Code  
10 2014, are amended to read as follows:

11 7. State training school for male juvenile  
12 delinquents, Eldora, Iowa, under chapter 233A.

13 ~~8. Iowa juvenile home~~ State training school for  
14 female juvenile delinquents, Toledo, Iowa, under  
15 chapter 233B.

16 Sec. \_\_\_\_\_. Section 218.6, subsection 3, Code 2014,  
17 is amended to read as follows:

18 3. The state juvenile institutions consisting of  
19 the state training school for male juvenile delinquents  
20 at Eldora and the ~~Iowa juvenile home~~ state training  
21 school for female juvenile delinquents at Toledo.

22 Sec. \_\_\_\_\_. Section 259A.6, Code 2014, is amended to  
23 read as follows:

24 259A.6 Residents of juvenile institutions and  
25 juvenile probationers.

26 Notwithstanding the provisions of section 259A.2 a  
27 minor who is a resident of a state training school ~~or~~  
28 ~~the Iowa juvenile home~~ or a minor who is placed under  
29 the supervision of a juvenile probation office may make  
30 application for a high school equivalency diploma and  
31 upon successful completion of the program receive a  
32 high school equivalency diploma.

33 Sec. \_\_\_\_\_. Section 261.6, subsection 2, paragraph b,  
34 Code 2014, is amended to read as follows:

35 b. Is age seventeen and has been placed in ~~the~~  
36 ~~a~~ state training school ~~or the Iowa juvenile home~~  
37 pursuant to a court order entered under chapter 232  
38 under the care and custody of the department of human  
39 services.

40 Sec. \_\_\_\_\_. Section 261.6, subsection 2, paragraph  
41 c, subparagraph (4), Code 2014, is amended to read as  
42 follows:

43 (4) On the date the person reached age eighteen or  
44 during the thirty calendar days preceding or succeeding  
45 that date, the person was placed in ~~the~~ a state  
46 training school ~~or the Iowa juvenile home~~ pursuant to  
47 a court order entered under chapter 232 under the care  
48 and custody of the department of human services.

49 Sec. \_\_\_\_\_. Section 331.424, subsection 1, paragraph  
50 a, subparagraph (1), subparagraph division (b), Code

1 2014, is amended by striking the subparagraph division.  
2 Sec. \_\_\_\_\_. Section 331.756, subsection 51, Code  
3 2014, is amended by striking the subsection.

4 Sec. \_\_\_\_\_. Section 331.802, subsection 3, paragraph  
5 k, Code 2014, is amended to read as follows:

6 k. Death of a person ~~committed or~~ admitted to,  
7 committed to, or placed at a state mental health  
8 institute, a state resource center, ~~the or a state~~  
9 training school, ~~or the Iowa juvenile home.~~

10 Sec. \_\_\_\_\_. Section 357H.1, subsection 1, Code 2014,  
11 is amended to read as follows:

12 1. The board of supervisors of a county with  
13 less than twenty thousand residents, not counting  
14 persons admitted ~~or to,~~ committed to, or placed at an  
15 institution enumerated in section 218.1 or 904.102,  
16 based upon the 2000 certified federal census, and with  
17 a private lake development shall designate an area  
18 surrounding the lake, if it is an unincorporated area  
19 of the county, a rural improvement zone upon receipt  
20 of a petition pursuant to section 357H.2, and upon  
21 the board's determination that the area is in need of  
22 improvements.

23 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
24 of this Act, being deemed of immediate importance,  
25 takes effect upon enactment.>

26 102. By striking page 87, line 10, through page  
27 90, line 2, and inserting:

28 <DIVISION \_\_\_\_  
29 PRIOR AUTHORIZATION

30 Sec. \_\_\_\_\_. NEW SECTION. 505.26 Prior authorization  
31 for prescription drug benefits ---- standard process and  
32 form.

33 1. As used in this section:

34 a. "Facility", "health benefit plan", "health care  
35 professional", "health care provider", "health care  
36 services", and "health carrier" mean the same as defined  
37 in section 514J.102.

38 b. "Pharmacy benefits manager" means the same as  
39 defined in section 510B.1.

40 2. The commissioner shall develop, by rule, a  
41 process for use by each health carrier and pharmacy  
42 benefits manager that requires prior authorization  
43 for prescription drug benefits pursuant to a health  
44 benefit plan, to submit, on or before January 1, 2015,  
45 a single prior authorization form for approval by the  
46 commissioner, that each health carrier or pharmacy  
47 benefits manager shall be required to use beginning  
48 on July 1, 2015. The process shall provide that if a  
49 prior authorization form submitted to the commissioner  
50 by a health carrier or pharmacy benefits manager is not

1 approved or disapproved within thirty days after its  
2 receipt by the commissioner, the form shall be deemed  
3 approved.

4 3. The commissioner shall develop, by rule, a  
5 standard prior authorization process which meets all of  
6 the following requirements:

7 a. Health carriers and pharmacy benefits managers  
8 shall allow health care providers to submit a prior  
9 authorization request electronically.

10 b. Health carriers and pharmacy benefits managers  
11 shall provide that approval of a prior authorization  
12 request shall be valid for a minimum length of time  
13 in accordance with the rules adopted under this  
14 section. In adopting the rules, the commissioner may  
15 consult with health care professionals who seek prior  
16 authorization for particular types of drugs, and as the  
17 commissioner determines to be appropriate, negotiate  
18 standards for such minimum time periods with individual  
19 health carriers and pharmacy benefits managers.

20 c. Health carriers and pharmacy benefits managers  
21 shall make the following available and accessible on  
22 their internet sites:

23 (1) Prior authorization requirements and  
24 restrictions, including a list of drugs that require  
25 prior authorization.

26 (2) Clinical criteria that are easily  
27 understandable to health care providers, including  
28 clinical criteria for reauthorization of a previously  
29 approved drug after the prior authorization period has  
30 expired.

31 (3) Standards for submitting and considering  
32 requests, including evidence-based guidelines,  
33 when possible, for making prior authorization  
34 determinations.

35 d. Health carriers shall provide a process for  
36 health care providers to appeal a prior authorization  
37 determination as provided in chapter 514J. Pharmacy  
38 benefits managers shall provide a process for health  
39 care providers to appeal a prior authorization  
40 determination that is consistent with the process  
41 provided in chapter 514J.

42 4. In adopting a standard prior authorization  
43 process, the commissioner shall consider national  
44 standards pertaining to electronic prior authorization,  
45 such as those developed by the national council for  
46 prescription drug programs.

47 5. A prior authorization form approved by  
48 the commissioner shall meet all of the following  
49 requirements:

50 a. Not exceed two pages in length, except that

1 a prior authorization form may exceed that length as  
2 determined to be appropriate by the commissioner.

3 b. Be available in electronic format.

4 c. Be transmissible in an electronic format or a  
5 fax transmission.

6 6. Beginning on July 1, 2015, each health carrier  
7 and pharmacy benefits manager shall use and accept  
8 the prior authorization form that was submitted by  
9 that health carrier or pharmacy benefits manager and  
10 approved for the use of that health carrier or pharmacy  
11 benefits manager by the commissioner pursuant to this  
12 section. Beginning on July 1, 2015, health care  
13 providers shall use and submit the prior authorization  
14 form that has been approved for the use of a health  
15 carrier or pharmacy benefits manager, when prior  
16 authorization is required by a health benefit plan.

17 7. a. If a health carrier or pharmacy benefits  
18 manager fails to use or accept the prior authorization  
19 form that has been approved for use by the health  
20 carrier or pharmacy benefits manager pursuant to this  
21 section, or to respond to a health care provider's  
22 request for prior authorization of prescription drug  
23 benefits within seventy-two hours of the health care  
24 provider's submission of the form, the request for  
25 prior authorization shall be considered to be approved.

26 b. However, if the prior authorization request is  
27 incomplete or additional information is required, the  
28 health carrier or pharmacy benefits manager may request  
29 the additional information within the seventy-two-hour  
30 period and once the additional information is submitted  
31 the provisions of paragraph "a" shall again apply.

32 c. Notwithstanding paragraphs "a" and "b", the  
33 commissioner may develop, by rule, minimum time periods  
34 for a health carrier or pharmacy benefits manager to  
35 respond to a health care provider's request for prior  
36 authorization of prescription drug benefits or for  
37 additional information, that are less than, but in no  
38 case exceed seventy-two hours, as the commissioner  
39 deems appropriate under the circumstances.

40 Sec. \_\_\_\_\_. Section 510B.3, subsection 2, Code 2014,  
41 is amended by adding the following new paragraph:

42 NEW PARAGRAPH. c. A process for the submission of  
43 forms.

44 Sec. \_\_\_\_\_. NEW SECTION. 510B.9 Submission,  
45 approval, and use of prior authorization form.

46 A pharmacy benefits manager shall file with and  
47 have approved by the commissioner a single prior  
48 authorization form as provided in section 505.26. A  
49 pharmacy benefits manager shall use the single prior  
50 authorization form as provided in section 505.26.

1 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. This division  
2 of this Act, being deemed of immediate importance,  
3 takes effect upon enactment.>

4 103. Page 90, before line 3 by inserting:

5 <DIVISION \_\_\_\_  
6 POISON CONTROL CENTER

7 Sec. \_\_\_\_ . POISON CONTROL CENTER ---- FEDERAL  
8 APPROVAL. The department of human services shall  
9 request approval from the centers for Medicare and  
10 Medicaid services of the United States department of  
11 health and human services to utilize administrative  
12 funding under the federal Children's Health Insurance  
13 Program Reauthorization Act of 2009, Pub. L. No. 111-3,  
14 to provide the maximum federal matching funds available  
15 to implement a new health services initiative as  
16 provided under section 2105(a)(1)(D)(ii) of the federal  
17 Social Security Act, to fund the state poison control  
18 center.

19 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. This division  
20 of this Act, being deemed of immediate importance,  
21 takes effect upon enactment.

22 DIVISION \_\_\_\_  
23 AGING AND LONG-TERM CARE DELIVERY INTERIM COMMITTEE

24 Sec. \_\_\_\_ . INTERIM COMMITTEE ON AGING AND LONG-TERM  
25 CARE DELIVERY.

26 1. The legislative council is requested to  
27 establish a study committee for the 2014 interim to  
28 examine issues relating to aging Iowans and long-term  
29 care. The interim committee shall comprehensively  
30 review the existing long-term care delivery system  
31 and make recommendations to create a sustainable,  
32 person-centered approach that increases health and life  
33 outcomes; supports maximum independence by providing  
34 the appropriate level of care and services through a  
35 balance of facility-based and home and community-based  
36 options; addresses medical and social needs in a  
37 coordinated, integrated manner; provides for sufficient  
38 resources including a stable, well-qualified workforce;  
39 and is fiscally accountable.

40 2. The interim committee shall provide a forum  
41 for open and constructive dialogue among stakeholders  
42 representing individuals involved in the delivery and  
43 financing of long-term care services and supports,  
44 consumers and families of consumers in need of such  
45 services and supports, legislators, and representatives  
46 of agencies responsible for oversight, funding, and  
47 regulation of such services and supports.

48 3. The interim committee shall specifically  
49 address the cost and financing of long-term care and  
50 services, the coordination of services among providers,

1 the availability of and access to a well-qualified  
2 workforce including both the compensated workforce  
3 and family and other uncompensated caregivers, and  
4 the balance between facility-based and home and  
5 community-based care and services. In addition, the  
6 interim committee shall consider methods to educate  
7 consumers and enhance engagement of consumers in the  
8 broader conversation regarding long-term care issues,  
9 including their experiences with, concerns about, and  
10 expectations and recommendations for action regarding  
11 the long-term care delivery system in the state.

12 4. Members of the interim committee shall include  
13 all of the following:

14 a. Five members of the senate and five members of  
15 the house of representatives including the following:

16 (1) The chairpersons and ranking members of the  
17 committees on human resources of the senate and house  
18 of representatives, or a member of the committee  
19 designated by the chairperson or ranking member.

20 (2) The co-chairpersons and ranking members of the  
21 joint appropriations subcommittee on health and human  
22 services of the senate and house of representatives,  
23 or a member of the subcommittee designated by the  
24 chairperson or ranking member.

25 b. Five members of the general public who are  
26 individual consumers or a member of a consumer's  
27 family, one each to be selected by the following:

28 (1) The older Iowans legislature.

29 (2) The Iowa alliance of retired Americans.

30 (3) The Iowa association of area agencies on aging.

31 (4) The Iowa caregivers association.

32 (5) AARP Iowa.

33 c. The director of the department on aging, or the  
34 director's designee.

35 d. The state long-term care ombudsman, or the  
36 ombudsman's designee.

37 e. Five members who represent those involved in the  
38 delivery of long-term care services.

39 5. The interim committee may request from state  
40 agencies including the department of human services,  
41 the department of public health, the department on  
42 aging, the office of long-term care ombudsman, the  
43 department of inspections and appeals, the insurance  
44 division of the department of commerce, and the  
45 department of workforce development, information and  
46 assistance as needed to complete its work.

47 6. The interim committee shall submit its findings  
48 and recommendations to the general assembly for  
49 consideration during the 2015 legislative session.

HEALTHIEST CHILDREN INITIATIVE

1  
2 Sec. \_\_\_\_ . NEW SECTION. 135.181 Iowa healthiest  
3 children initiative.

4 1. The Iowa healthiest children initiative is  
5 established in the department. The purpose of the  
6 initiative is to develop and implement a plan for  
7 Iowa children to become the healthiest children in  
8 the nation by January 1, 2020. The areas of focus  
9 addressed by the initiative shall include improvement  
10 of physical, dental, emotional, behavioral, and mental  
11 health and wellness; access to basic needs such as  
12 food security, appropriate nutrition, safe and quality  
13 child care settings, and safe and stable housing,  
14 neighborhoods, and home environments; and promotion  
15 of healthy, active lifestyles by addressing adverse  
16 childhood events, reducing exposures to environmental  
17 toxins, decreasing exposures to violence, advancing  
18 tobacco-free and drug abuse-free living, increasing  
19 immunization rates, and improving family well-being.

20 2. The department shall create a task force,  
21 including members who are child health experts external  
22 to the department, to develop an implementation  
23 plan to achieve the purpose of the initiative.  
24 The implementation plan, including findings,  
25 recommendations, performance benchmarks, data  
26 collection provisions, budget needs, and other  
27 implementation provisions shall be submitted to the  
28 governor and general assembly on or before December 15,  
29 2014.

30 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.

33 DIVISION \_\_\_\_

34 MEDICAID STATE PLAN AMENDMENT ---- ELDERS

35 Sec. \_\_\_\_ . MEDICAID ---- STATE PLAN AMENDMENT ----  
36 HOME AND COMMUNITY-BASED SERVICES FOR ELDERS. The  
37 department of human services shall convene a workgroup  
38 of stakeholders with interest or expertise in issues  
39 relating to elders to develop a medical assistance  
40 program state plan amendment in accordance with section  
41 2402 of the federal Patient Protection and Affordable  
42 Care Act to cover home and community-based services  
43 for eligible elders 65 years of age or older. The  
44 workgroup shall make recommendations on or before  
45 September 1, 2014, relating to financial eligibility;  
46 benefits, including whether individuals receiving such  
47 Medicaid services should be eligible for full Medicaid  
48 benefits; available services; and the needs-based level  
49 of care criteria for determination of eligibility  
50 under the state plan amendment. The recommendations

1 of the workgroup shall be incorporated into a state  
2 plan amendment and submitted by the department of human  
3 services to the centers for Medicare and Medicaid  
4 services of the United States department of health and  
5 human services for approval.

6 DIVISION \_\_\_\_\_

7 IOWA HEALTH AND WELLNESS PLAN

8 Sec. \_\_\_\_\_. Section 249A.3, subsection 1, paragraph  
9 v, Code 2014, is amended to read as follows:

10 v. (1) Beginning January 1, 2014, in accordance  
11 with section 1902(a)(10)(A)(i)(VIII) of the federal  
12 Social Security Act, as codified in 42 U.S.C. {  
13 1396a(a)(10)(A)(i)(VIII), is an individual who is  
14 nineteen years of age or older and under sixty-five  
15 years of age; is not pregnant; is not entitled to  
16 or enrolled for Medicare benefits under part A, or  
17 ~~enrolled for Medicare benefits under part B,~~ of Tit.  
18 XVIII of the federal Social Security Act; is not  
19 otherwise described in section 1902(a)(10)(A)(i) of the  
20 federal Social Security Act; is not exempt pursuant  
21 to section 1902(k)(3), as codified in 42 U.S.C. {  
22 1396a(k)(3), and whose income as determined under  
23 1902(e)(14) of the federal Social Security Act, as  
24 codified in 42 U.S.C. { 1396a(e)(14), does not exceed  
25 one hundred thirty-three percent of the poverty line  
26 as defined in section 2110(c)(5) of the federal Social  
27 Security Act, as codified in 42 U.S.C. { 1397jj(c)(5)  
28 for the applicable family size.

29 (2) Notwithstanding any provision to the contrary,  
30 individuals eligible for medical assistance under this  
31 paragraph "v" shall receive coverage for benefits as  
32 specified in this subparagraph (2), which shall be  
33 administered in accordance with this subparagraph (2).

34 (a) Individuals whose income is at or below one  
35 hundred percent of the poverty line as specified in  
36 subparagraph (1) shall receive coverage for benefits  
37 pursuant to 42 U.S.C. { 1396u-7(b)(1)(B); adjusted as  
38 necessary to provide the essential health benefits  
39 as required pursuant to section 1302 of the federal  
40 Patient Protection and Affordable Care Act, Pub. L. No.  
41 111-148; adjusted to provide prescription drugs and  
42 dental services consistent with the medical assistance  
43 state plan benefits package for individuals otherwise  
44 eligible under this subsection; and adjusted to provide  
45 habilitation services consistent with the state medical  
46 assistance program section 1915(i) waiver dental  
47 services equivalent to the medical assistance state  
48 plan benefits for individuals otherwise eligible under  
49 this subsection. Benefits under this subparagraph  
50 division (a) shall be administered consistent with

1 program administration otherwise provided under this  
2 subsection, with the exception of dental services which  
3 may be administered as otherwise provided under this  
4 subsection or, in whole or in part, through a managed  
5 care provider.

6  ~~(3) (a) For individuals whose income as determined~~  
7  ~~under this paragraph "v" is at or below one hundred~~  
8  ~~percent of the federal poverty level, covered benefits~~  
9  ~~under subparagraph (2) shall be administered consistent~~  
10  ~~with program administration under this subsection.~~

11 (b) For individuals Individuals whose income  
12 as determined under this paragraph "v" is above one  
13 hundred percent but not in excess of one hundred  
14 thirty-three percent of the federal poverty level,  
15 covered line as specified in subparagraph (1), shall  
16 receive coverage for benefits shall be which are  
17 those provided by a qualified health plan administered  
18 through provision of premium assistance for the  
19 purchase of covered benefits qualified coverage  
20 which includes benefits at least equivalent to those  
21 specified in 42 U.S.C. {1396u-7(b) (1) (B) through the  
22 American health benefits exchange created pursuant to  
23 the Affordable Care Act, as defined in section 249N.2.  
24 In addition, covered benefits shall include dental  
25 services equivalent to the medical assistance state  
26 plan benefits for individuals otherwise eligible under  
27 this subsection, which may be administered as otherwise  
28 provided under this subsection or, in whole or in part,  
29 through a managed care provider.

30 (c) Notwithstanding any provision to the contrary  
31 under subparagraph division (b) or this subparagraph  
32 division (c), individuals eligible for medical  
33 assistance under this paragraph "v" who are determined  
34 by the department to be exempt from mandatory  
35 enrollment in benchmark or benchmark-equivalent  
36 coverage pursuant to 42 C.F.R. {440.315, may select  
37 either of the following:

38 (i) The medical assistance state plan benefits  
39 package for individuals otherwise eligible under this  
40 subsection administered as otherwise provided under  
41 this subsection.

42 (ii) The benefits specified under subparagraph  
43 division (a) administered as otherwise provided under  
44 this subsection.

45 Sec. \_\_\_\_ . Section 249N.2, subsections 7, 12, and  
46 13, Code 2014, are amended by striking the subsections.

47 Sec. \_\_\_\_ . Section 249N.2, subsection 17, Code 2014,  
48 is amended to read as follows:

49 17. "Participating accountable care organization"  
50 means an accountable care organization approved by the

1 department to participate ~~in~~ as a provider under the  
2 Iowa health and wellness plan ~~provider network~~.

3 Sec. \_\_\_\_\_. Section 249N.4, Code 2014, is amended to  
4 read as follows:

5 249N.4 Iowa health and wellness plan ---- eligibility.

6 1. Except as otherwise provided in this chapter,  
7 an individual may participate in the Iowa health  
8 and wellness plan if the individual meets all of the  
9 following criteria:

10 a. Is an eligible individual.

11 b. Meets the citizenship or alienage requirements  
12 of the medical assistance program, and is a resident  
13 of Iowa, ~~and provides a social security number upon~~  
14 ~~application for the plan.~~

15 c. Fulfills all other conditions of participation  
16 in the Iowa health and wellness plan, including member  
17 financial participation pursuant to section 249N.7.

18 2. ~~An individual who has access to affordable~~  
19 ~~employer sponsored health care coverage, as defined~~  
20 ~~by rule of the department to align with regulations~~  
21 ~~adopted by the federal internal revenue service under~~  
22 ~~the Affordable Care Act, shall not be eligible for~~  
23 ~~participation in the Iowa health and wellness plan.~~

24 ~~3.~~ a. The department may elect to pay the cost of  
25 health insurance premiums under the health insurance  
26 premium payment program pursuant to section 249A.3,  
27 subsection 10, for individuals with access to such  
28 health insurance coverage, if the department determines  
29 such payment to be cost-effective. Each applicant for  
30 the Iowa health and wellness plan shall provide to the  
31 department all insurance information required by the  
32 health insurance premium payment program in accordance  
33 with rules adopted by the department.

34 ~~a. The department may elect to pay the~~  
35 ~~cost of premiums for applicants with access~~  
36 ~~to employer sponsored health care coverage if~~  
37 ~~the department determines such payment to be~~  
38 ~~cost effective.~~

39 b. If health insurance premium payment is provided  
40 under this subsection, the department shall supplement  
41 coverage as necessary to provide covered benefits  
42 specified under section 249A.3, subsection 1, paragraph  
43 "v", subparagraph (2), subparagraph division (a) or  
44 (c), as applicable.

45 ~~b.~~ 3. Eligibility for the Iowa health and wellness  
46 plan is a qualifying event under the federal Health  
47 Insurance Portability and Accountability Act of 1996,  
48 Pub. L. No. 104-191.

49 ~~e. If premium payment is provided under this~~  
50 ~~subsection for employer sponsored health care coverage,~~

~~1 the Iowa health and wellness plan shall supplement such  
2 coverage as necessary to provide the covered benefits  
3 specified under section 249N.5.~~

4 4. The department shall implement the Iowa health  
5 and wellness plan in a manner that ensures that the  
6 Iowa health and wellness plan is the payor of last  
7 resort.

8 ~~5. A member is eligible for coverage effective  
9 the first day of the month following the month of  
10 application for enrollment.~~

11 ~~6-~~ 5. Following initial enrollment, a member  
12 is eligible for covered benefits for twelve months,  
13 subject to program termination and other limitations  
14 otherwise specified in this chapter. The department  
15 shall review the member's eligibility on at least an  
16 annual basis.

17 Sec. \_\_\_\_\_. Section 249N.5, subsection 2, Code 2014,  
18 is amended to read as follows:

19 2. a. For members whose household income is at  
20 or below one hundred percent of the federal poverty  
21 level or who have been determined by the department  
22 to be exempt from mandatory enrollment in benchmark  
23 or benchmark-equivalent coverage pursuant to 42  
24 C.F.R. {440.315, the plan shall be administered by  
25 the Iowa Medicaid enterprise consistent with program  
26 administration applicable to individuals under section  
27 249A.3, subsection 1, with the exception of dental  
28 services which may be administered, in whole or in  
29 part, through a managed care provider.

30 b. For members whose household income is above  
31 one hundred percent but not in excess of one hundred  
32 thirty-three percent of the federal poverty level  
33 and who have not been determined by the department to  
34 be exempt from mandatory enrollment in benchmark or  
35 benchmark-equivalent coverage pursuant to 42 C.F.R.  
36 {440.315, the plan shall be administered through  
37 provision of premium assistance for the purchase of  
38 the covered benefits qualified coverage through the  
39 American health benefits exchange created pursuant  
40 to the Affordable Care Act. The department may pay  
41 premiums and supplemental cost-sharing subsidies  
42 directly to qualified health plans participating in the  
43 American health benefits exchange created pursuant to  
44 the Affordable Care Act on behalf of the member.

45 Sec. \_\_\_\_\_. Section 249N.6, Code 2014, is amended to  
46 read as follows:

47 249N.6 ~~Iowa health and wellness plan provider~~  
48 ~~network~~ Provider networks.

49 1. ~~The Iowa health and wellness plan provider~~  
50 ~~network~~ for members receiving benefits pursuant

1 to section 249N.5, subsection 2, paragraph "a",  
2 shall include all providers enrolled in the medical  
3 assistance program and all participating accountable  
4 care organizations. Reimbursement under this ~~chapter~~  
5 subsection shall only be made to such ~~Iowa health and~~  
6 ~~wellness plan~~ providers for covered benefits.

7 ~~2.~~ a. Upon enrollment, a member shall choose a  
8 primary medical provider and, to the extent feasible,  
9 shall also choose a medical home within the ~~Iowa health~~  
10 ~~and wellness plan~~ provider network.

11 b. If the member does not choose a primary medical  
12 provider or a medical home, the department shall assign  
13 the member to a primary medical provider or a medical  
14 home in accordance with the Medicaid managed health  
15 care, mandatory enrollment provisions specified in  
16 rules adopted by the department pursuant to chapter  
17 249A and in accordance with quality data available to  
18 the department.

19 c. The department shall develop a mechanism  
20 for primary medical providers, medical homes, and  
21 participating accountable care organizations to  
22 jointly facilitate member care coordination of both  
23 clinical services and nonclinical community and social  
24 supports that address social determinants of health.  
25 ~~The Iowa health and wellness plan shall provide for~~  
26 ~~reimbursement of care~~ Such care coordination services  
27 provided under the plan consistent with the shall  
28 be reimbursed in accordance with a reimbursement  
29 methodology developed ~~pursuant to section 135.159 by~~  
30 rule of the department in accordance with chapter 17A.

31 ~~3.~~ ~~a.~~ d. The department shall provide procedures  
32 for accountable care organizations that emerge through  
33 local markets to participate in the ~~Iowa health and~~  
34 ~~wellness plan~~ provider network. Such accountable  
35 care organizations shall incorporate the medical home  
36 as defined and specified in chapter 135, division  
37 XXII, as a foundation and shall emphasize whole-person  
38 orientation and coordination and integration of both  
39 clinical services and nonclinical community and social  
40 supports that address social determinants of health.  
41 A participating accountable care organization shall  
42 enter into a contract with the department to ensure the  
43 coordination and management of the health of attributed  
44 members, to produce quality health care outcomes, and  
45 to control overall cost.

46 ~~b.~~ (1) The department shall establish by rule  
47 in accordance with chapter 17A the qualifications,  
48 contracting processes, and contract terms for a  
49 participating accountable care organization. The rules  
50 shall also establish a methodology for attribution

1 of a member to a participating accountable care  
2 organization.

3 ~~e.~~ (2) A participating accountable care  
4 organization contract shall establish accountability  
5 based on quality performance and total cost-of-care  
6 metrics for the attributed population. In developing  
7 quality performance standards, the department shall  
8 consider those utilized by state accountable care  
9 organization models including but not limited to the  
10 quality index score and the Medicare shared savings  
11 program quality reporting metrics. The payment models  
12 shall include but are not limited to risk sharing,  
13 including both shared savings and shared costs,  
14 between the state and the participating accountable  
15 care organization, and bonus payments for improved  
16 quality. The contract terms shall require that a  
17 participating accountable care organization is subject  
18 to shared savings ~~beginning with the initial year of~~  
19 ~~the contract~~, must have quality metrics in place within  
20 three years of the initial year of the contract, and  
21 must participate in risk sharing within five years of  
22 the initial year of the contract.

23 ~~4.~~ e. To the greatest extent possible, members  
24 shall have a choice of providers within the ~~Iowa health~~  
25 ~~and wellness plan~~ provider network to facilitate access  
26 to locally-based health care providers and services.  
27 However, member choice may be limited by the results of  
28 attribution under this section and by the participating  
29 accountable care organization, with prior approval  
30 of the department, if the member's health condition  
31 would benefit from limiting the member's choice of ~~an~~  
32 ~~Iowa health and wellness plan~~ a provider to ensure  
33 coordination of services, or due to overutilization of  
34 covered benefits. The participating accountable care  
35 organization shall provide thirty days' notice to the  
36 member prior to limitation of such choice.

37 ~~5.~~ a. f. ~~An Iowa health and wellness plan A~~  
38 provider shall be reimbursed for covered benefits  
39 ~~under the Iowa health and wellness plan~~ utilizing the  
40 same reimbursement methodology as that applicable to  
41 individuals eligible for medical assistance under  
42 section 249A.3, subsection 1. Additionally, care  
43 coordination services shall be reimbursed in accordance  
44 with the reimbursement methodology developed by rule of  
45 the department.

46 ~~b.~~ g. Notwithstanding paragraph ~~"a"~~ "f", a  
47 participating accountable care organization under  
48 contract with the department shall be reimbursed  
49 utilizing a value-based reimbursement methodology.

50 ~~6.~~ a. h. ~~Iowa health and wellness plan providers~~

1 Providers shall exchange member health information  
2 as provided by rule to facilitate coordination and  
3 management of members' health, quality health care  
4 outcomes, and containment of and reduction in costs.

5 ~~b.~~ i. The department shall provide the health  
6 care claims data of attributed members to a member's  
7 participating accountable care organization on a  
8 timeframe established by rule of the department.

9 2. The provider network for members receiving  
10 benefits pursuant to section 249N.5, subsection 2,  
11 paragraph "b", shall include all providers under the  
12 member's qualified health plan in the American health  
13 benefits exchange.

14 DIVISION \_\_\_\_\_

15 DENTAL COVERAGE ---- ASSIGNMENT OF BENEFITS

16 Sec. \_\_\_\_\_. NEW SECTION. 514C.3C Dental coverage ----  
17 assignment of health insurance benefits.

18 A person who is the owner of any rights or benefits  
19 under a policy or contract of insurance which provides  
20 for coverage of dental care services shall be permitted  
21 to assign all or any part of that person's rights and  
22 privileges under the policy or contract, including but  
23 not limited to the right to designate a beneficiary  
24 and to have an individual policy or contract issued in  
25 accordance with the terms of the policy or contract.  
26 Such assignment shall be without prejudice to the  
27 insurer on account of any payment the insurer makes or  
28 individual policy or contract the insurer issues before  
29 receiving notice of the assignment, provided that the  
30 insurer was acting in good faith. If written proof of  
31 an assignment of benefits is presented to an insurer,  
32 health maintenance organization, managed care plan,  
33 health care plan, preferred provider organization, or  
34 other third-party payor, then payment shall be made  
35 directly to the health care professional or health care  
36 facility providing the dental services. Nothing in  
37 this section shall be construed to prevent any persons  
38 from reconciling duplicate payments.

39 Sec. \_\_\_\_\_. Section 514J.103, subsection 1, Code  
40 2014, is amended to read as follows:

41 1. Except as provided in subsection 2, this chapter  
42 shall apply to all health carriers, including health  
43 carriers issuing a policy or certificate that provides  
44 coverage for dental care.

45 Sec. \_\_\_\_\_. Section 514J.103, subsection 2, paragraph  
46 a, Code 2014, is amended to read as follows:

47 a. A policy or certificate that provides coverage  
48 only for a specified disease, specified accident or  
49 accident-only, credit, disability income, hospital  
50 indemnity, long-term care, ~~dental care,~~ vision care, or

1 any other limited supplemental benefit.

2 DIVISION \_\_\_\_\_

3 FAMILY PLANNING ---- STATE PLAN AMENDMENT

4 Sec. \_\_\_\_\_. Section 249A.3, subsection 2, paragraph  
5 a, subparagraph (9), Code 2014, is amended to read as  
6 follows:

7 (9) Individuals eligible for family planning  
8 services under a federally approved demonstration  
9 waiver or state plan.

10 Sec. \_\_\_\_\_. MEDICAID STATE PLAN AMENDMENT ---- FAMILY  
11 PLANNING. The department of human services shall amend  
12 the medical assistance state plan to include, effective  
13 no later than January 1, 2015, the eligibility  
14 provisions of the Iowa family planning network section  
15 1115 demonstration waiver in effect on January 1,  
16 2013, as the criteria are amended to be applicable  
17 to individuals who are uninsured or who have health  
18 insurance coverage subject to the medical assistance  
19 program being the payer of last resort. The department  
20 shall implement the state plan amendment upon receipt  
21 of approval by the centers for Medicare and Medicaid  
22 services of the United States department of health and  
23 human services.

24 Sec. \_\_\_\_\_. 2010 Iowa Acts, chapter 1192, section  
25 11, subsection 24, paragraph a, subparagraph (1),  
26 subparagraph division (a), is amended to read as  
27 follows:

28 (a) Are uninsured or have health insurance coverage  
29 that does not include coverage for benefits provided  
30 under the Iowa family planning network subject to the  
31 medical assistance program being the payor of last  
32 resort.

33 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT AND CONTINGENT  
34 IMPLEMENTATION. The sections of this division of this  
35 Act relating to the family planning waiver and state  
36 plan amendment, being deemed of immediate importance,  
37 take effect upon enactment. However, the department  
38 of human services shall only implement those sections  
39 to the extent the department receives federal approval  
40 of the requests relating to the waiver and the medical  
41 assistance state plan amendment necessary to implement  
42 those sections.

43 DIVISION \_\_\_\_\_

44 PROVISIONALLY LICENSED PSYCHOLOGISTS ---- MEDICAID  
45 REIMBURSEMENT

46 Sec. \_\_\_\_\_. Section 249A.15, Code 2014, is amended to  
47 read as follows:

48 249A.15 Licensed psychologists eligible for payment.

49 The department shall adopt rules pursuant to  
50 chapter 17A entitling psychologists who are licensed

1 in the state where the services are provided and have  
2 a doctorate degree in psychology, have had at least  
3 two years of clinical experience in a recognized  
4 health setting, or have met the standards of a  
5 national register of health service providers in  
6 psychology, or who are licensed in accordance with  
7 section 154B.6, subsection 3, to payment for services  
8 provided to recipients of medical assistance, subject  
9 to limitations and exclusions the department finds  
10 necessary on the basis of federal laws and regulations  
11 and of funds available for the medical assistance  
12 program.

13 Sec. \_\_\_\_ . MEDICAL ASSISTANCE STATE PLAN --  
14 PSYCHOLOGIST ---- PROVISIONAL LICENSEE. The department  
15 of human services shall amend the medical assistance  
16 state plan to allow psychologists who hold a  
17 provisional license in accordance with section 154B.6,  
18 subsection 3, as enacted by 2014 Iowa Acts, House File  
19 2378, to be participating psychologists under the  
20 medical assistance program.>

21 104. By renumbering as necessary.

RECEIVED FROM THE SENATE

HOUSE FILE 2473

H-8291

1 Amend House File 2473 as follows:

2 1. Page 15, after line 12 by inserting:

3 <DIVISION \_\_\_\_\_

4 CARRYING AND POSSESSION OF WEAPONS

5 Sec. \_\_\_\_\_. Section 232.52, subsection 2, paragraph  
6 a, subparagraph (4), subparagraph division (a),  
7 subparagraph subdivision (viii), Code 2014, is amended  
8 to read as follows:

9 (viii) Section 724.4, if the child ~~carried the~~  
10 ~~dangerous weapon~~ used the knife in the commission of  
11 a crime on school grounds.

12 Sec. \_\_\_\_\_. Section 708.8, Code 2014, is amended to  
13 read as follows:

14 708.8 Going armed with intent.

15 A person who goes armed with any dangerous weapon  
16 with the intent to use without justification such  
17 weapon against the person of another commits a class  
18 "D" felony. The intent required for a violation  
19 of this section shall not be inferred from the mere  
20 carrying or concealment of any dangerous weapon itself,  
21 including the carrying of a loaded firearm, whether in  
22 a vehicle or on or about a person's body.

23 Sec. \_\_\_\_\_. Section 724.4, Code 2014, is amended by  
24 striking the section and inserting in lieu thereof the  
25 following:

26 724.4 Use of a knife in the commission of a crime.

27 A person who goes armed with a knife on or about the  
28 person, if the person uses the knife in the commission  
29 of a crime, commits an aggravated misdemeanor.

30 Sec. \_\_\_\_\_. Section 724.4B, Code 2014, is amended by  
31 striking the section and inserting in lieu thereof the  
32 following:

33 724.4B Carrying weapons on school grounds ---- penalty  
34 ---- exceptions.

35 1. A person who goes armed with, carries, or  
36 transports a firearm of any kind, whether concealed or  
37 not, on the grounds of a school commits a class "D"  
38 felony. For the purposes of this section, "school"  
39 means a public or nonpublic school as defined in  
40 section 280.2.

41 2. Subsection 1 does not apply to the following:

42 a. A person who has been specifically authorized  
43 by the school to go armed with, carry, or transport a  
44 firearm on the school grounds for any lawful purpose.

45 b. A peace officer, when the officer's duties  
46 require the person to carry such weapons.

47 c. A member of the armed forces of the United  
48 States or of the national guard or person in the  
49 service of the United States, when the weapons are  
50 carried in connection with the person's duties as such.

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1 d. A correctional officer, when the officer's  
2 duties require, serving under the authority of the Iowa  
3 department of corrections.

4 e. A person who for any lawful purpose carries an  
5 unloaded pistol, revolver, or other dangerous weapon  
6 inside a closed and fastened container or securely  
7 wrapped package which is too large to be concealed on  
8 the person.

9 f. A person who for any lawful purpose carries or  
10 transports an unloaded pistol or revolver in a vehicle  
11 inside a closed and fastened container or securely  
12 wrapped package which is too large to be concealed on  
13 the person or inside a cargo or luggage compartment  
14 where the pistol or revolver will not be readily  
15 accessible to any person riding in the vehicle or  
16 common carrier.

17 g. A law enforcement officer from another state  
18 when the officer's duties require the officer to carry  
19 the weapon and the officer is in this state for any of  
20 the following reasons:

21 (1) The extradition or other lawful removal of a  
22 prisoner from this state.

23 (2) Pursuit of a suspect in compliance with chapter  
24 806.

25 (3) Activities in the capacity of a law enforcement  
26 officer with the knowledge and consent of the chief  
27 of police of the city or the sheriff of the county in  
28 which the activities occur or of the commissioner of  
29 public safety.

30 Sec. \_\_\_\_\_. Section 724.4C, Code 2014, is amended to  
31 read as follows:

32 724.4C Possession or carrying of firearms while  
33 under the influence.

34 1. A permit issued under this chapter is invalid  
35 if the Except as provided in subsection 2, a person  
36 to whom the permit is issued is commits a serious  
37 misdemeanor if the person is intoxicated as provided  
38 under the conditions set out in section 321J.2,  
39 subsection 1-, and the person does any of the  
40 following:

41 a. Carries a dangerous weapon on or about the  
42 person.

43 b. Carries a weapon within the person's immediate  
44 access or reach while in a vehicle.

45 2. This section shall not apply to any of the  
46 following:

47 a. A person who carries or possesses a dangerous  
48 weapon while in the person's own dwelling, place of  
49 business, or on land owned or lawfully possessed by the  
50 person.

1 b. The transitory possession or use of a firearm  
2 during an act of justified self-defense or justified  
3 defense of another, provided that the possession lasts  
4 no longer than is immediately necessary to resolve the  
5 emergency.

6 Sec. \_\_\_\_\_. Section 724.5, Code 2014, is amended by  
7 striking the section and inserting in lieu thereof the  
8 following:

9 724.5 Availability of permit not to be construed as  
10 prohibition on unlicensed carrying of weapons.

11 The availability of a professional or  
12 nonprofessional permit to carry weapons under  
13 this chapter shall not be construed to impose a general  
14 prohibition on the unlicensed carrying, whether openly  
15 or concealed, of a deadly weapon, including a loaded  
16 firearm.>

17 2. Title page, line 3, after <atters> by inserting  
18 <and including penalties>

19 3. By renumbering as necessary.

**By** SHAW of Pocahontas

HOUSE FILE 2473

H-8292

1 Amend House File 2473 as follows:

2 1. Page 15, after line 12 by inserting:

3 <DIVISION \_\_\_\_\_  
4 DEFINITION OF PERSON

5 Sec. \_\_\_\_\_. Section 135.1, unnumbered paragraph 1,  
6 Code 2014, is amended to read as follows:

7 For the purposes of chapter 155 and Title IV,  
8 subtitle 2, ~~excluding chapter 146~~, unless otherwise  
9 defined:

10 Sec. \_\_\_\_\_. Section 135.11, subsections 10 and 12,  
11 Code 2014, are amended to read as follows:

12 10. Enforce the law relative to ~~chapter 146~~ and  
13 "Health-related Professions", Title IV, subtitle 3,  
14 excluding chapter 155.

15 12. Establish, publish, and enforce rules  
16 not inconsistent with law for the enforcement of  
17 the provisions of chapters 125 and 155, and Title  
18 IV, subtitle 2, ~~excluding chapter 146~~ and for the  
19 enforcement of the various laws, the administration and  
20 supervision of which are imposed upon the department.

21 Sec. \_\_\_\_\_. Section 144.29A, subsections 1 and 2,  
22 Code 2014, are amended to read as follows:

23 1. A health care provider who initially identifies  
24 and diagnoses a spontaneous termination of pregnancy  
25 ~~or who induces a termination of pregnancy~~ shall file  
26 with the department a report for each termination  
27 within thirty days of the occurrence. The health care  
28 provider shall make a good faith effort to obtain all  
29 of the following information that is available with  
30 respect to each termination:

31 a. The confidential health care provider code as  
32 assigned by the department.

33 b. The report tracking number.

34 c. The maternal health services region of the Iowa  
35 department of public health, as designated as of July  
36 1, 1997, in which the patient resides.

37 d. The race of the patient.

38 e. The age of the patient.

39 f. The marital status of the patient.

40 g. The educational level of the patient.

41 h. The number of previous pregnancies, live births,  
42 and spontaneous ~~or induced~~ terminations of pregnancies.

43 i. The month and year in which the termination  
44 occurred.

45 j. The number of weeks since the patient's last  
46 menstrual period and a clinical estimate of gestation.

47 ~~k. The method used for an induced termination,  
48 including whether mifepristone was used.~~

49 2. It is the intent of the general assembly that  
50 the information shall be collected, reproduced,

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1 released, and disclosed in a manner specified by  
2 rule of the department, adopted pursuant to chapter  
3 17A, which ensures the anonymity of the patient who  
4 experiences a termination of pregnancy, the health  
5 care provider who identifies and diagnoses ~~or induces~~  
6 a termination of pregnancy, and the hospital, clinic,  
7 or other health facility in which a termination of  
8 pregnancy is identified and diagnosed ~~or induced~~.

9 The department may share information with federal  
10 public health officials for the purposes of securing  
11 federal funding or conducting public health research.  
12 However, in sharing the information, the department  
13 shall not relinquish control of the information, and  
14 any agreement entered into by the department with  
15 federal public health officials to share information  
16 shall prohibit the use, reproduction, release, or  
17 disclosure of the information by federal public health  
18 officials in a manner which violates this section.

19 The department shall publish, annually, a demographic  
20 summary of the information obtained pursuant to  
21 this section, except that the department shall not  
22 reproduce, release, or disclose any information  
23 obtained pursuant to this section which reveals  
24 the identity of any patient, health care provider,  
25 hospital, clinic, or other health facility, and shall  
26 ensure anonymity in the following ways:

27 a. The department may use information concerning  
28 the report tracking number or concerning the identity  
29 of a reporting health care provider, hospital,  
30 clinic, or other health facility only for purposes  
31 of information collection. The department shall not  
32 reproduce, release, or disclose this information for  
33 any purpose other than for use in annually publishing  
34 the demographic summary under this section.

35 b. The department shall enter the information, from  
36 any report of termination submitted, within thirty  
37 days of receipt of the report, and shall immediately  
38 destroy the report following entry of the information.  
39 However, entry of the information from a report shall  
40 not include any health care provider, hospital, clinic,  
41 or other health facility identification information  
42 including, but not limited to, the confidential health  
43 care provider code, as assigned by the department.

44 c. To protect confidentiality, the department  
45 shall limit release of information to release in an  
46 aggregate form which prevents identification of any  
47 individual patient, health care provider, hospital,  
48 clinic, or other health facility. For the purposes of  
49 this paragraph, "aggregate form" means a compilation  
50 of the information received by the department on

1 termination of pregnancies for each information item  
2 listed, with the exceptions of the report tracking  
3 number, the health care provider code, and any set of  
4 information for which the amount is so small that the  
5 confidentiality of any person to whom the information  
6 relates may be compromised. The department shall  
7 establish a methodology to provide a statistically  
8 verifiable basis for any determination of the correct  
9 amount at which information may be released so that the  
10 confidentiality of any person is not compromised.

11 Sec. \_\_\_\_\_. Section 144.29A, subsection 8, Code 2014,  
12 is amended by striking the subsection.

13 Sec. \_\_\_\_\_. Section 216.6, subsection 2, paragraph c,  
14 Code 2014, is amended by striking the paragraph.

15 Sec. \_\_\_\_\_. Section 216.13, Code 2014, is amended to  
16 read as follows:

17 216.13 Exceptions for retirement plans, ~~abortion~~  
18 ~~coverage~~, life, disability, and health benefits.

19 The provisions of this chapter relating to  
20 discrimination because of age do not apply to a  
21 retirement plan or benefit system of an employer unless  
22 the plan or system is a mere subterfuge adopted for the  
23 purpose of evading this chapter.

24 1. However, a retirement plan or benefit system  
25 shall not require the involuntary retirement of  
26 a person under the age of seventy because of that  
27 person's age. This paragraph does not prohibit the  
28 following:

29 a. The involuntary retirement of a person who has  
30 attained the age of sixty-five and has for the two  
31 prior years been employed in a bona fide executive  
32 or high policymaking position and who is entitled  
33 to an immediate, nonforfeitable annual retirement  
34 benefit from a pension, profit-sharing, savings, or  
35 deferred compensation plan of the employer which equals  
36 twenty-seven thousand dollars. This retirement benefit  
37 test may be adjusted according to the regulations  
38 prescribed by the United States secretary of labor  
39 pursuant to Pub. L. No. 95-256, section 3.

40 b. The involuntary retirement of a person covered  
41 by a collective bargaining agreement which was entered  
42 into by a labor organization and was in effect on  
43 September 1, 1977. This exemption does not apply after  
44 the termination of that agreement or January 1, 1980,  
45 whichever first occurs.

46 ~~2. A health insurance program provided by an~~  
47 ~~employer may exclude coverage of abortion, except where~~  
48 ~~the life of the mother would be endangered if the fetus~~  
49 ~~were carried to term or where medical complications~~  
50 ~~have arisen from an abortion.~~

1 ~~3-~~ 2. An employee welfare plan may provide life,  
2 disability or health insurance benefits which vary by  
3 age based on actuarial differences if the employer  
4 contributes equally for all the participating employees  
5 or may provide for employer contributions differing by  
6 age if the benefits for all the participating employees  
7 do not vary by age.

8 Sec. \_\_\_\_\_. Section 602.8102, subsection 31, Code  
9 2014, is amended by striking the subsection.

10 Sec. \_\_\_\_\_. Section 707.1, Code 2014, is amended to  
11 read as follows:

12 707.1 Murder defined.

13 1. A person who kills another person with malice  
14 aforethought either express or implied commits murder.

15 2. "Person", when referring to the victim of a  
16 murder, means an individual human being, without regard  
17 to age of development, from the moment of conception,  
18 when a zygote is formed, until natural death.

19 3. Murder includes killing another person through  
20 any means that terminates the life of the other  
21 person including but not limited to the use of  
22 abortion-inducing drugs. For the purposes of this  
23 section, "abortion-inducing drug" means a medicine,  
24 drug, or any other substance prescribed or dispensed  
25 with the intent of terminating the clinically  
26 diagnosable pregnancy of a woman, with knowledge that  
27 the drug will with reasonable likelihood cause the  
28 termination of the pregnancy. "Abortion-inducing drug"  
29 includes the off-label use of drugs known to have  
30 abortion-inducing properties, which are prescribed  
31 specifically with the intent of causing an abortion,  
32 but does not include drugs that may be known to cause  
33 an abortion, but which are prescribed for other medical  
34 indications.

35 4. Murder does not include a fetal death as defined  
36 in section 144.1 or the spontaneous termination of  
37 pregnancy as defined in section 144.29A.

38 Sec. \_\_\_\_\_. REPEAL. Sections 232.5, 702.20, 707.7,  
39 707.8, 707.8A, 707.9, and 707.10, Code 2014, are  
40 repealed.

41 Sec. \_\_\_\_\_. REPEAL. Chapters 135L and 146, Code  
42 2014, are repealed.

43 Sec. \_\_\_\_\_. SEVERABILITY. If any provision of  
44 this division of this Act or the application of this  
45 division of this Act to any person or circumstances is  
46 held invalid, the invalidity shall not affect other  
47 provisions or applications of the division which can  
48 be given effect without the invalid provisions or  
49 application and, to this end, the provisions of this  
50 division of this Act are severable.

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Page 5

- 1 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. This division  
2 of this Act, being deemed of immediate importance,  
3 takes effect upon enactment.>  
4 2. Title page, line 3, after <atters> by inserting  
5 <and including penalties>  
6 3. By renumbering as necessary.

**By** SHAW of Pocahontas

**H-8292** FILED APRIL 22, 2014

**HOUSE FILE 2473**

**H-8293**

- 1 Amend House File 2473 as follows:  
2 1. Page 4, after line 34 by inserting:  
3 <Sec. \_\_\_\_ . Section 724.22, subsection 5, Code 2014,  
4 is amended to read as follows:  
5 5. A parent or guardian or spouse who is twenty-one  
6 years of age or older, of a person ~~fourteen years~~  
7 ~~of age but~~ who is less than twenty-one may allow  
8 the person to possess a pistol or revolver or the  
9 ammunition therefor for any lawful purpose while under  
10 the direct supervision of the parent or guardian or  
11 spouse who is twenty-one years of age or older, or  
12 while the person receives instruction in the proper use  
13 thereof from an instructor twenty-one years of age or  
14 older, with the consent of such parent, guardian, or  
15 spouse.>  
16 2. By renumbering as necessary.

**By** BAUDLER of Adair

**H-8293** FILED APRIL 22, 2014



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**HF 2471** – Hunger Income Tax Checkoff (LSB 5872HV)

Analyst: Jeff Robinson (Phone: (515) 281-4614) ([jeff.robinson@legis.iowa.gov](mailto:jeff.robinson@legis.iowa.gov))

Fiscal Note Version – New

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**Description**

**House File 2471** relates to voluntary checkoffs listed on the Iowa individual income tax form.

Division I provides for a new Iowa income tax checkoff. Individual income taxpayers will be allowed to contribute money through their income tax form to a new Iowa Checkoff Hunger Fund. The new Fund would be under the control of the Iowa Department on Aging. This Bill directs how the contributions will be utilized. The new checkoff is available only for tax year 2014 and is repealed January 1, 2015.

This Bill excludes the new checkoff from the four checkoff limit provided in [Iowa Code section 422.12E](#) and the new checkoff is not included in the provisions requiring the elimination every two years of the two lowest-generating tax checkoffs.

Divisions II and III relate to the current Iowa Election Campaign Checkoff. That checkoff allows taxpayers to direct \$1.50 of their income tax liability to election campaign finance. Current law does not include the election campaign checkoff in the four checkoff limit. This Bill ends the election campaign checkoff option after tax year 2013.

Division IV requests that the Legislative Council establish an Income Tax Checkoff Study Committee to meet during the 2014 interim and report to the General Assembly by January 1, 2015.

**Background**

Iowa currently allows no more than four voluntary contribution checkoffs, plus the election campaign checkoff, on the individual income tax form at any one time. There is a provision in place that provides that every two years the two existing checkoffs with the lowest contribution yield are repealed. For tax year 2013, the four checkoffs are:

- Fish and Wildlife
- State Fair
- Volunteer Firefighters/Veterans Trust Fund
- Child Abuse Prevention

The four voluntary checkoffs are contributions from the taxpayer and represent taxpayer donations of their own money. The election campaign checkoff is financed by the State General Fund at the discretion of the taxpayer. Iowans have directed approximately \$100,000 per year to the election campaign fund through the checkoff.

**Fiscal Impact**

The new income tax checkoff to support hunger programs is voluntary and the willingness of Iowa taxpayers to contribute to the programs using this method cannot be estimated. The money contributed on tax year 2014 tax returns will be transferred to the new Iowa Checkoff Hunger Fund in FY 2016.

Contribution totals for the four current checkoffs totaled \$327,000 for calendar year 2013, with the highest checkoff receiving \$134,000 and the lowest \$63,000. The introduction of a fifth checkoff could reduce the contributions received by any other checkoff on the tax form for that tax year.

Ending the election campaign checkoff will not change the tax liability of taxpayers, but it will eliminate an annual transfer from General Fund revenue to the election campaign fund. This will increase net General Fund revenue by \$95,000 per year, beginning in FY 2015.

**Source**

Department of Revenue

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April 22, 2014

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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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