



CHESTER J. CULVER  
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE  
LT. GOVERNOR

May 26, 2009

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 488**, an Act relating to assistive or service animals including provisions relating to persons controlling the assistive animal and including the maintenance of service animals as an eligible service reimbursable under the home and community-based services waivers.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver  
Governor

CJC:bdj

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 488

AN ACT

RELATING TO ASSISTIVE OR SERVICE ANIMALS INCLUDING PROVISIONS RELATING TO PERSONS CONTROLLING THE ASSISTIVE ANIMAL AND INCLUDING THE MAINTENANCE OF SERVICE ANIMALS AS AN ELIGIBLE SERVICE REIMBURSABLE UNDER THE HOME AND COMMUNITY-BASED SERVICES WAIVERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 216C.11, subsection 2, Code 2009, is amended to read as follows:

2. A person with a disability ~~or~~, a person assisting a person with a disability by controlling an assistive animal, or a person training an assistive animal has the right to be accompanied by a service dog or an assistive animal, under control, in any of the places listed in sections 216C.3 and 216C.4 without being required to make additional payment for the service dog or assistive animal. A landlord shall waive lease restrictions on the keeping of animals for the service dog or assistive animal of a person with a disability. The person is liable for damage done to any premises or facility by a service dog or assistive animal.

Sec. 2. SERVICE ANIMALS -- ELIGIBLE SERVICE UNDER MEDICAL ASSISTANCE HOME AND COMMUNITY-BASED SERVICES WAIVERS.

1. The department of human services shall submit an amendment to the centers for Medicare and Medicaid services of the United States department of health and human services to add the maintenance of a service animal as an eligible service reimbursable under the medical assistance home and community-based services waivers.

2. For the purposes of this section:

a. "Maintenance of a service animal" means the provision of ancillary care for a service animal if specifically related to the health and maintenance of the service animal.


b. "Service animal" means an animal professionally trained and certified by a recognized certification entity to assist a person with a disability in meeting specific personal care needs or engaging in daily activities.

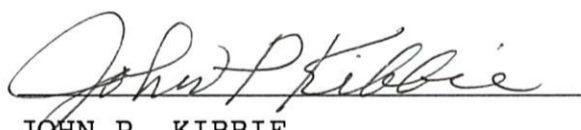
3. If the amendment is approved, the department shall adopt rules pursuant to chapter 17A to implement this section. The rules shall provide all of the following:

a. Reimbursement of the costs of maintenance of a service animal may be subject to prior authorization.


b. Reimbursement of the costs of maintenance of a service animal shall be limited to no more than five hundred dollars per year for an individual waiver recipient.

c. The process for receiving reimbursement for the maintenance of a service animal.

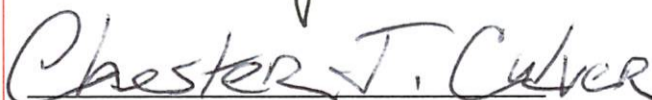
  
PATRICK J. MURPHY  
Speaker of the House

  
JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 488, Eighty-third General Assembly.

  
MARK BRANDSGARD  
Chief Clerk of the House

Approved May 26<sup>th</sup>, 2009

  
CHESTER J. CULVER  
Governor