



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 15, 2009

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 440, an Act relating to prescription drug coverage for health care facility residents eligible for federal veterans affairs benefits.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", with a long, sweeping flourish extending to the right.

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 440

AN ACT

RELATING TO PRESCRIPTION DRUG COVERAGE FOR HEALTH CARE FACILITY
RESIDENTS ELIGIBLE FOR FEDERAL VETERANS AFFAIRS BENEFITS.

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

Section 1. Section 135C.31A, Code 2009, is amended to read
as follows:

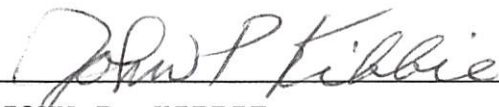
135C.31A ASSESSMENT OF RESIDENTS -- PROGRAM ELIGIBILITY --
PRESCRIPTION DRUG COVERAGE.

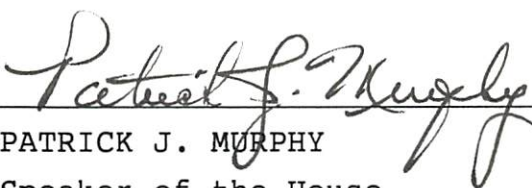
1. A health care facility ~~receiving-reimbursement-through
the-medical-assistance-program-under-chapter-249A~~ shall assist
the Iowa department of veterans affairs in identifying, upon
admission of a resident, the resident's eligibility for
benefits through the United States department of veterans
affairs. The department of inspections and appeals, in
cooperation with the department of human services, shall adopt
rules to administer this section, including a provision that
ensures that if a resident is eligible for benefits through
the United States department of veterans affairs or other
third-party payor, the payor of last resort for reimbursement
to the health care facility is the medical assistance program.
The rules shall also require the health care facility to
request information from a resident or resident's personal
representative regarding the resident's veteran status and to
report to the Iowa department of veterans affairs only the
names of residents identified as potential veterans along with
the names of their spouses and any dependents. Information
reported by the health care facility shall be verified by the
Iowa department of veterans affairs. This section shall not
apply to the admission of an individual to a state mental

health institute for acute psychiatric care or to the admission of an individual to the Iowa veterans home.


2. a. If a resident is identified, upon admission to a health care facility, as eligible for benefits through the United States department of veterans affairs pursuant to subsection 1 or through other means, the health care facility shall allow the resident to access any prescription drug benefit included in such benefits for which the resident is also eligible. The health care facility shall also assist the Iowa department of veterans affairs in identifying individuals residing in such health care facilities on July 1, 2009, who are eligible for the prescription drug benefit.

b. The department of inspections and appeals, the department of veterans affairs, and the department of human services shall identify any barriers to residents in accessing such prescription drug benefits and shall assist health care facilities in adjusting their procedures for medication administration to comply with this subsection.

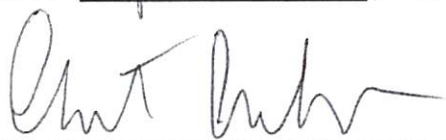

JOHN P. KIBBIE
President of the Senate


PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 440, Eighty-third General Assembly.


MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 15th, 2009


CHESTER J. CULVER
Governor