

JUN 20 1973

Appropriations *Calendar*
Sen 6/21, Pass 6/22

HOUSE FILE 802

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 6-21-73 (2184)

Passed Senate, Date 6-22-73 (2014)

Vote: Ayes 85 Nays 7

Vote: Ayes 47 Nays 0

Approved 7-21-73 *Item Veto (see letter)*

Passed House per Senate amendment
6-23-73 (2313)
83-4

A BILL FOR

1 An Act making an appropriation to the department of social
2 services and divisions thereof, for area services and
3 for administration.

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

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1 Section 1. There is appropriated from the general fund
2 of the state for the biennium beginning July 1, 1973 and end-
3 ing June 30, 1975 to the department of social services, the
4 following amounts, or so much thereof as may be necessary,
5 to be used in the manner designated:

6	1973-74	1974-75
7	<u>Fiscal Year</u>	<u>Fiscal Year</u>

8 1. Area service and ad-
9 ministration

10 For the administration of
11 area offices and for county
12 services including salaries
13 and support for a total of
14 not to exceed one thousand
15 six hundred sixty-five
16 authorized full-time posi-
17 tions of which not more
18 than one thousand five
19 hundred sixty are to be
20 filled at any one time:

\$5,510,700	\$5,723,100
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21 2. General administration
22 and departmental operations

23 For the administration of the office of the commission
24 of social services including the council of social services,
25 the office of the deputy commissioner, the office of the
26 bureau of family and children services, the office of the
27 bureau of adult corrections services, the office of the bureau
28 of medical services, the office of the bureau of mental health
29 services, the office of the bureau of mental retardation ser-
30 vices, the office of planning and budgeting, the office of
31 administrative services, the office of personnel and staff
32 development, the office of public information, the office
33 of architectural and engineering services, the departmental
34 dietary training school at Woodward, the operation of the
35 central warehouse at Woodward and all divisions thereof:

1 For salaries, support,
 2 maintenance and miscellaneous
 3 purposes for a total of not
 4 to exceed five hundred twenty-
 5 four authorized full-time
 6 positions of which not more
 7 than four hundred eighty-one
 8 are to be filled at one time: \$3,213,300 \$3,456,800

9 3. State unemployment
 10 benefits

11 For the payment of the
 12 state's share of unemploy-
 13 ment claims for employees
 14 of the department: \$ 588,100 \$ 588,100

15 Sec. 2. A variance of one percent above the number of
 16 filled positions specified in subsections one (1) and two
 17 (2) of section one (1) of this Act is considered to be
 18 reasonable.

19 Sec. 3. The department may use appropriated funds for
 20 the granting of educational leave upon approval of the com-
 21 missioner.

22 Sec. 4. No funds appropriated by this Act shall be used
 23 for capital improvements.

24 Sec. 5. Notwithstanding the provisions of section eight
 25 point thirty-three (8.33) of the Code, all unencumbered or
 26 unobligated balances of appropriations made by this Act for
 27 the first fiscal year of the biennium commencing July 1, 1973,
 28 shall, on August 31, 1974, revert to the state treasury and
 29 to the credit of the fund from which appropriated. In all
 30 other respects, the provisions of section eight point thirty-
 31 three (8.33) of the Code shall apply to appropriations made
 32 for the first fiscal year of such biennium. Unencumbered
 33 or unobligated balances of appropriations made for the second
 34 fiscal year of such biennium shall be subject to section eight
 35 point thirty-three (8.33) of the Code.

1 Sec. 6. All federal grants to and the federal receipts
2 of the agencies receiving funds under this Act are appropriated
3 for the purpose set forth in the federal grants or receipts.

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(House File 802)
Department of Social Services
Area Service and Administration

The committee recommendation is for a budget of \$15,185,200 for 1973-1974 and \$15,775,370 for 1974-1975. This budget includes a state appropriation of \$5,510,700 for 1973-1974 and \$5,723,100 for 1974-1975. The balance of the budget is made up of federal funds of \$8,936,700 for 1973-1974 and \$9,286,800 for 1974-1975 and also reimbursement by governmental subdivisions for personnel on the state payroll administrating county programs of \$737,800 for 1973-1974 and \$765,470 for 1974-1975.

From this budget total, \$14,236,500 for 1973-1974 and \$14,792,800 for 1974-1975 is budgeted for salaries and wages. This is intended to fund 1,529 permanent full time positions for each year of the biennium.

Support and maintenance expenses, which include travel and other supplies and expense are budgeted at \$948,700 for 1973-1974 and \$982,570 for 1974-1975.

The committee's recommendations are based on the itemized figures contained in the Legislative Fiscal Director's worksheets and are on file in the office of the Legislative Fiscal Director.

General Administration

The committee recommendation is for a budget of \$6,207,400 for 1973-1974 and \$6,684,900 for 1974-1975. This budget includes a state appropriation of \$3,213,300 for 1973-1974 and \$3,456,800 for 1974-1975. The balance of the budget is made up of federal funds of \$2,929,700 for 1973-1974 and \$3,159,200 for 1974-1975 and also refunds and reimbursements of \$64,400 for 1973-1974 and \$68,900 for 1974-1975.

From this budget total, \$4,633,800 for 1973-1974 and \$5,061,900 for 1974-1975 is budgeted for salaries and wages. This is intended to fund 461 permanent full time positions for each year of the biennium.

The committee spent considerable time reviewing the Governor's recommendations for twenty utilization review teams made up of two people each. The committee decided to limit this to ten utilization review teams pending the results of a trial project in this area to be worked out by the Department of Social Services and the Department of Health. The appropriations committees are to review the progress of this project during the second session of the Sixty-fifth General Assembly.

The committee's recommendations are based on the itemized figures contained in the Legislative Fiscal Director's worksheets and are on file in the office of the Legislative Fiscal Director.

Unemployment Claims

The committee's recommendation for the state's share of unemployment claims for employees of the department is \$588,100 for 1973-1974 and \$588,100 for 1974-75. It is the intent of the committee that these funds be used for this purpose only.

H-864

1 Amend House File 802 as follows:
2 1. Page 3, after line 18 add the following:
3 "Sec. 3. The department of social services shall
4 not inspect health care facilities as defined in
5 chapter one hundred thirty-five C (135C) of the Code,
6 however, the department of social services may seek
7 information from the state department of health re-
8 lating to inspections performed by that agency."
9 2. Renumber the remaining sections.

H-864 Filed and adopted
as amended *by H-870*
June 21, 1973

By BRINCK of Lee

H-865

1 Amend House File 802 as follows:
2 Page 3 by inserting after line 14 the following:
3 "Notwithstanding the provisions of Section 8.39
4 Code of 1973, the amount appropriated by this sub-
5 section shall not be transferred and any amount not
6 expended for the payment of unemployment benefits
7 shall revert to the general fund."

H-865 Filed and adopted
June 21, 1973

By WELDEN of Hardin
FISCHER of Grundy
RINAS of Linn
WYCKOFF of Benton
NORPEL of Jackson
HUSAK of Tama

SENATE AMENDMENT TO HOUSE FILE 802

1 Amend House File 802, as amended and passed by the House,
2 page 3, by striking lines 25 through 30 and inserting in lieu
3 thereof the following:
4 "Sec. 3. A trial project shall be developed by the Iowa
5 department of social services in cooperation with the depart-
6 ment of health to use personnel from both departments to
7 accomplish in one visit to a health care facility the
8 responsibilities of the department of social services in
9 patient utilization review mandated by federal law under Title
10 nineteen (19) of the United States Social Security Act,
11 section one thousand nine hundred two (1902), (Title forty-
12 two (42), United States Code, section one thousand three
13 hundred ninety-six a (1396a)), as amended, and the respons-
14 ibilities of the department of health in licensing of
15 facilities under chapter one hundred thirty-five C (135C)
16 of the Code.
17 The department of social services shall, not later than
18 December 15, 1973, submit to the legislative council for
19 transmission to the appropriate subcommittees of the com-
20 mittees on appropriations of the general assembly a report
21 of its findings and recommendations."

Received from the Senate
June 22, 1973

House Concurred 6/23

H—870

1 Amend the Brinck amendment H-864 to House File
2 802, by striking lines 6 through 8 and inserting in
3 lieu thereof the following:
4 "except in the manner provided for in section
5 one hundred thirty-five C point seventeen (135C.17)
6 of the Code."

H—870 Filed and adopted
June 21, 1973

By MONROE of Des Moines

Senate

S—987

1 Amend House File 802, as amended and passed by the House, page
2 3, by striking lines 25 through 30 and inserting in lieu
3 thereof the following:
4 "Sec. 3. A trial project shall be developed by the
5 Iowa department of social services in cooperation with the
6 department of health to use personnel from both departments
7 to accomplish in one visit to a health care facility the
8 responsibilities of the department of social services in
9 patient utilization review mandated by federal law under
10 Title nineteen (19) of the United States Social Security Act,
11 section one thousand nine hundred two (1902), (Title forty-
12 two (42), United States Code, section one thousand three
13 hundred ninety-six a (1396a)), as amended, and the responsibili-
14 ties of the department of health in licensing of facilities
15 under chapter one hundred thirty-five C (135C) of the Code.
16 The department of social services shall, not later than
17 December 15, 1973, submit to the legislative council for
18 transmission to the appropriate subcommittees of the committees
19 on appropriations of the general assembly a report of its
20 findings and recommendations."

S—987 Filed and adopted
June 22, 1973

By SCHWIEGER, DE KOSTER, COLEMAN,
TIEDEN and MURRAY

2/7. 802



Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

July 21, 1973

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
L O C A L

Dear Mr. Synhorst:

I hereby transmit House File 802, An Act making an Appropriation to the Department of Social Services and Divisions thereof, for Area Services and for Administration.

House File 802 is approved July 21, 1973, with the following exceptions which I hereby disapprove.

I am unable to approve that portion of Item 1 (1) designated in the Act as that portion of Section 1, subsection 1, second unnumbered paragraph which reads as follows:

"...for a total of not to exceed one thousand six hundred sixty-five authorized full-time positions of which not more than one thousand five hundred sixty are to be filled at any one time..."

I am unable to approve that portion of Item 1 (2) designated in the Act as that portion of Section 1, subsection 2, third unnumbered paragraph, which reads as follows:

"...for a total of not to exceed five hundred twenty-four authorized full-time positions of which not more than four hundred eighty-one are to be filled at one time..."

I am unable to approve Item 2 designated in the Act as Section 2 which reads as follows:

"Sec. 2. A Variance of one percent above the number of filled positions specified in subsections one (1) and two (2) of section one (1) of this Act is considered to be reasonable."

This limitation represents an infringement on executive prerogative to utilize appropriated funds most effectively in the administration of service programs approved by the legislature for the benefit of the people of Iowa.

The Honorable Melvin D. Synhorst
Secretary of State
July 21, 1973

Section 217.6, Code of Iowa, 1973 charges the Commissioner of Social Services to organize the Department in an efficient manner to carry out the intent of Chapter 217, and to revise the organization and program procedure when appropriate for the purpose of improvement. Since Department employees represent the primary avenue for delivery of services, it is essential that administration be permitted to use manpower with good judgment and flexibility, and not be tied to such a rigid structure that it is unable to respond to changes that might benefit our citizens. Congressional action often requires structural change to enable states to use federal funding for necessary services. An example is the requirement for the separate administration of assistance payments from services programs. Local needs also change and with the clarification of the state - county - employee situation the Department will be expected to respond promptly and effectively to verify requests for services.

Our institutional programs must be constantly evaluated in light of more humane and effective community services to the elderly, to children, families, adult offenders, mentally ill and mentally disabled. Although staffing needs will decrease in some programs, they will clearly increase in others.

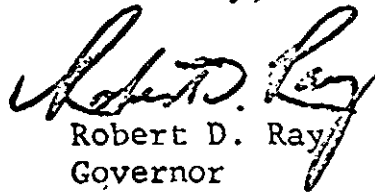
As one illustration, needs for homemakers will increase significantly if the Department meets its service responsibilities to recipients of Supplemental Security Income after January 1, 1974. A significant proportion of our homemakers work only part-time, yet a permanent full-time merit position is required for each. The Department expects to reduce the number of administrative positions currently carried in the field, and will need to use the funds saved for lower-paying direct service positions, but may need additional position slots to do so. In some cases, the funds for one administrator might be used for four part-time positions.

In a service agency such as the Department, the key to successful administration is manpower utilization. With the conversion of the adult categorical assistance programs to federal administration, the established tolerance limits for error in the Aid to Dependent Children program, comprehensive institutional planning, and additional phases anticipated in Department reorganization, it is essential that maximum flexibility in manpower utilization be provided.

The Honorable Melvin D. Synhorst
July 21, 1973
Page three

For these reasons, I disapprove these three items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 802 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

RDR/jn