

JUN 3 1975

HOUSE FILE 895

APPROPRIATIONS CALENDAR *Pass 6/3*
Sen 6/5, Pass 6/9

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 6-5-75 (2160) Passed Senate, Date 6-11-75 (1917)
Vote: Ayes 87 Nays 4 Vote: Ayes 45 Nays 3
Approved 7-11

A BILL FOR

1 An Act making an appropriation to the department of social
2 services and divisions of the department for the purpose of
3 funding social service programs and providing for their
4 administration.

5 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 fiscal year beginning July 1, 1975 and
3 ending June 30, 1976 to the department of social services
4 and its divisions, the following amounts, or so much thereof
5 as may be necessary, to be used for the purposes designated:

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| | 1975-1976 |
| | <u>Fiscal Year</u> |

1. Local Service and Administration

a. For the administration of district
and local offices including salaries

and support\$7,356,163

b. The department of social services may use not to exceed
six hundred thousand (600,000) dollars of the appropriation
made by this subsection for additional child protection workers
in the county offices and may expend not exceeding two hundred
sixty-nine thousand nine hundred thirty (269,930) dollars
for additional temporary personnel in the county offices to
aid in administering the large caseload currently being
experienced.

2. General Administration

a. For salaries, support, maintenance and
miscellaneous purposes

\$3,703,630

b. For equipment to be allocated by the
commisioner of social services to agencies,
divisions, and institutions under the control
of the department on a need basis

\$ 269,930

c. For payment of the state's share of
unemployment benefit claims

\$ 342,000

d. For payment of institution patient
labor in compliance with the United States
Fair Labor Standards Act

\$ 750,000

3. Family and Children Services

For the operation of the following
institutions:

a. State juvenile home at Toledo\$1,447,716

b. Boy's training school at Eldora\$2,700,275

- 1 c. Girl's training school at Mitchellville\$ 924,573
- 2 d. Iowa veterans home at Marshalltown\$4,340,952
- 3 4. Adult Corrections Services--For community
- 4 based correctional programs and services:
- 5 a. To provide assistance in the establishment
- 6 and operation of community based correctional
- 7 programs and services\$ 625,000
- 8 b. It is the intent of the general assembly
- 9 in making the appropriation in paragraph a of
- 10 this subsection that community based programs
- 11 throughout the state should be locally controlled
- 12 and coordinated to generate community support and
- 13 resources for an effective program. As far as is
- 14 practicable, the department of social services
- 15 shall promote local community control of
- 16 programs within the guidelines of a contractual
- 17 relationship with the department of social services.
- 18 5. Adult Corrections Services--For personnel and
- 19 operation of the following institutions:
- 20 a. For the employment of correctional of-
- 21 ficers and for educational purposes to be used
- 22 by the commissioner of social services on a
- 23 need basis\$ 355,000
- 24 b. Luster Heights camp at McGregor\$ 142,241
- 25 c. Iowa state penitentiary at Fort Madison\$5,297,557
- 26 d. Men's reformatory at Anamosa\$4,065,665
- 27 e. Women's reformatory at Rockwell City\$ 608,919
- 28 f. Iowa security medical facility at Oakdale\$1,951,692
- 29 g. Riverview release center at Newton\$ 819,209
- 30 6. Income Maintenance and Contractual Services
- 31 a. For aid to the blind\$ 40,000
- 32 b. For aid to the dependent children\$38,280,000
- 33 c. For aid to Indians residing on a
- 34 settlement\$ 45,000
- 35 d. For medical assistance\$37,112,000

- 1 e. For contractual services-medical carrier\$ 800,000
- 2 f. For foster care and group homes\$7,000,000
- 3 g. For subsidized adoptions\$ 150,000
- 4 h. For work and training programs\$ 400,000
- 5 i. For adult and children services\$1,300,000
- 6 j. For homemaker services\$ 300,000
- 7 k. For state supplementary assistance\$5,000,000

8 It is the intent of the general assembly in making the
 9 appropriation by this paragraph for state supplementary
 10 assistance that the department of social services shall
 11 implement as soon as possible a cost related system for
 12 financial supplementation to individuals who need custodial
 13 care and who have insufficient resources to purchase the care
 14 needed. The department of social services shall report to
 15 the subcommittee on human resources of the committees on
 16 appropriations by January 15, 1976 in regard to the progress
 17 achieved in implementing this cost related system. In addition
 18 it is the intent of the general assembly that eleven dollars
 19 per day shall be the maximum reimbursement of allowable cost
 20 for custodial care.

- 21 l. For state supplementary assistance for
- 22 the blind\$ 260,000
- 23 m. For assistance to child care centers\$ 500,000
- 24 n. For child support recoveries\$ 134,000
- 25 o. For the governor's youth opportunity
- 26 program\$ 750,000

27 Sec. 2. There is appropriated from the general fund of
 28 the state for the fiscal year beginning July 1, 1975 and
 29 ending June 30, 1976 to the department of social services
 30 for the following named institutions and hospital schools,
 31 the following amounts, or so much thereof as may be necessary:

- 32 a. For the mental health institute at Cherokee ..\$4,995,801
- 33 b. For the mental health institute at Clarinda ..\$4,233,735
- 34 c. For the mental health institute at
- 35 Independence\$5,036,360

1 d. For the mental health institute at Mount
2 Pleasant\$4,040,176

3 e. For the Glenwood state hospital school\$7,925,705

4 f. For the Woodward state hospital school\$7,987,092

5 2. The state mental health institutes daily per diem as
6 determined pursuant to section two hundred thirty point twenty
7 (230.20) of the Code shall be billed at eighty percent for
8 the fiscal year.

9 3. The state hospital schools' per-patient-per-day cost
10 as determined pursuant to section two hundred twenty-two point
11 seventy-three (222.73) of the Code shall be billed at eighty
12 percent for the fiscal year. Where more than twenty percent
13 of the cost of a patient's care has been paid from any source
14 other than state-appropriated funds, the patient's county
15 of legal settlement shall be billed only for the portion of
16 the cost of the patient's care which has been paid from state
17 appropriated funds.

18 Sec. 3.

19 1. All institutional receipts of the department of social
20 services shall be deposited in the general fund except rentals
21 charged to employees or others for room, apartment, or house
22 and meals, which shall be available to the institutions, and
23 except for receipts from farm products which shall be used
24 for necessary farm expenses and repair.

25 2. If approved by the commissioner of social services,
26 the department may use appropriated funds for the granting
27 of education leave.

28 Sec. 4. Each hospital-school shall, upon receipt of any
29 payment made under chapter two hundred forty-nine A (249A)
30 of the Code for the care of any patient, segregate in a special
31 account an amount equal to that portion of the payment which
32 is required by law to be made from nonfederal funds. The
33 money segregated in the special account shall be deposited
34 in the medical assistance fund of the department of social
35 services at the end of each calendar quarter of the fiscal

1 year.

2 Sec. 5. Chapter two hundred seventeen (217), Code 1975,
3 is amended by adding the following new section:

4 NEW SECTION. LEGAL SERVICES. The commissioner of social
5 services pursuant to a state plan funded in part by the federal
6 government may provide services for eligible persons by
7 contract with nonprofit legal aid organizations.

8 Sec. 6. Section two hundred twenty-two point seventy-three
9 (222.73), Code 1975, is amended by adding the following new
10 unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. After computing the charge to
12 the county on behalf of each patient, the hospital-school
13 shall reduce the charge by the amount of any money which has
14 been received for that patient's care from any source other
15 than state-appropriated funds and has not previously been
16 credited against charges made to the patient's county of legal
17 settlement.

18 Sec. 7. Section two hundred twenty-two point eighty-five
19 (222.85), Code 1975, is amended by adding the following new
20 unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. Money paid to a hospital-school
22 from any source other than state-appropriated funds and
23 intended to pay all or a portion of the cost of care of a
24 patient, which cost would otherwise be paid from state or
25 county funds or from the patient's own funds, shall not be
26 deemed money belonging to the patient for the purposes of
27 this section.

28 Sec. 8. Section two hundred forty-nine A point three
29 (249A.3), subsection two (2), Code 1975, is amended by adding
30 the following new unlettered paragraph:

31 NEW UNLETTERED PARAGRAPH. Notwithstanding the provisions
32 of this subsection establishing priorities for individuals
33 and families to receive medical assistance, the department
34 may determine within the priorities listed in this subsection
35 which persons shall receive medical assistance based on income

1 levels established by the department, subject to the
2 limitations provided in subsection four (4) of this section.

3 Sec. 9. LEGISLATIVE INTENT.

4 1. It is the intent of the general assembly that the
5 department of social services shall increase the maximum
6 reimbursement for intermediate care facilities to nineteen
7 dollars per day.

8 2. It is the intent of the general assembly that if it
9 is determined there is sufficient funds within the limits
10 of the funds appropriated for medical assistance, the
11 department of social services shall expand the medical
12 assistance program to offer only the six basic services to
13 all or a portion of those individuals who would otherwise
14 qualify for categorical assistance except for income.

15 3. It is the intent of the general assembly in making
16 appropriations to the Glenwood state hospital school and the
17 Woodward state hospital school that the department of social
18 services will move towards the development of the two hospital
19 schools as intermediate care facilities for the mentally
20 retarded. It is also the intent of the general assembly to
21 direct the department of social services to amend Iowa's Title
22 nineteen (XIX) medicaid state plan to include mentally retarded
23 individuals who reside in intermediate care facilities for
24 the mentally retarded.

25 Sec. 10. All federal grants to and the federal receipts
26 of the agencies appropriated funds under this Act are
27 appropriated for the purposes set forth in such federal grants
28 or receipts.

29 Sec. 11. Funds appropriated by this Act shall not be used
30 for capital improvements, except funds appropriated in section
31 one (1), subsection six (6), paragraph m of this Act.

32 EXPLANATION

33 This bill appropriates funds to the department of social
34 services for the operation of its programs during the fiscal
35 year 1975-1976 with special provisions as outlined in various
36 intent sections in the bill.

H-4053

1 Amend House File 895 as follows:

2 1. Page 4, line 8, by inserting after the period
3 the words "This subsection shall be of no force and
4 effect if House File one hundred eighty-seven (187)
5 of the Sixty-sixth General Assembly becomes law prior
6 to or during the period for which this Act is in
7 effect."

8 2. Page 4, by striking lines 9 through 17 and
9 inserting in lieu thereof the following:

10 "3. Hospital-school charges to counties.

11 a. The state hospital-schools' per-patient-per-
12 day cost as determined pursuant to section two hundred
13 twenty-two point seventy-three (222.73) of the Code
14 shall be billed at eighty percent for the fiscal year,
15 except as otherwise provided by paragraph b of this
16 subsection.

17 b. If more than twenty percent of the cost of
18 a patient's care is initially paid from any source
19 other than state-appropriated funds, the amount so
20 paid shall be subtracted from the per-patient-per-
21 day cost of that patient's care computed pursuant
22 to section two hundred twenty-two point seventy-three
23 (222.73) of the Code and the patient's county of legal
24 settlement shall be billed for the full balance of
25 the cost so computed.

26 c. If House File one hundred eighty-seven (187)
27 of the Sixty-sixth General Assembly becomes law prior
28 to or during the period for which this Act is in
29 effect, paragraph a of this subsection shall be of
30 no force and effect but the provisions of paragraph
31 b shall take precedence over any conflicting provision
32 of House File one hundred eighty-seven (187)."

H-4053 FILED - *Adopted 6/5 (2160)*
JUNE 4, 1975

BY COMMITTEE ON APPROPRIATIONS
DUNTON of Keokuk, Chairman

H-4054

1 Amend House File 895 as follows: Page 2,
2 line 32, by striking the figures "\$38,280,000"
3 and inserting in lieu thereof the figures
4 "\$39,280,000".

H-4054 FILED - *Lost 6/5 (2156)*
JUNE 4, 1975

BY BRANDT of Black Hawk
O'HALLORAN of Black Hawk
MONROE of Des Moines

H-4055

1 Amend House File 895 as follows:
2 Page 2, line 32, by striking the figure
3 "\$38,280,000" and inserting in lieu thereof the
4 figure "\$37,280,000".

H-4055 FILED - *Lost 6/5 (2159)*
JUNE 4, 1975

BY DEN HERDER of Sioux

HOUSE FILE 895

S-4139

1 Amend House File 895 as amended and passed by the
2 House, page 3, by inserting after line 26 the
3 following:

4 "7. The attorney general shall have supervisory
5 power over the child support recovery program and
6 the funds appropriated therefor in the foregoing
7 subsections, including the power to appoint assistant
8 attorneys general who shall be paid from those funds.
9 The attorney general shall enforce all laws for the
10 recovery of child support from responsible relatives,
11 and shall have the power to file and prosecute:
12 a. Contempt of court proceedings to enforce any
13 court order pertaining to child support.
14 b. Cases under the Uniform Reciprocal Enforcement
15 of Support Act.
16 c. An information charging desertion under the
17 provisions of chapter seven hundred thirty-one (731)
18 of the Code.
19 d. Any other appropriate action which will
20 accomplish collection of support for minor children.
21 For the purposes of this subsection, the attorney
22 general shall have power to commence, file and
23 prosecute in the proper jurisdiction any action or
24 information which the county attorney could file or
25 prosecute in that jurisdiction."

S-4139 FILED
JUNE 11, 1975
RULED NOT GERMANE (19/5)

BY JOHN N. NYSTROM
RICHARD R. RAMSEY
HILARIUS L. HEYING
CLIFTON C. LAMBORN
RICHARD J. NORPEL, SR.

S-4089

1 Amend House File 895 as amended and passed by the
2 House, page 2, line 32, by inserting after the word
3 "children" the words ", which shall be paid at a rate
4 not less than eighty-five percent of the 1975 standard
5 of need during the fiscal year for which this
6 appropriation is made."

S-4089 FILED - *Lost 6-11 (1914)* BY WILLIAM E. GLUBA
JUNE 9, 1975 JOHN S. MURRAY
MINNETTE F. DODERER

S-4090

1 Amend House File 895 as amended and passed by the
2 House, page 2, line 32, by striking the figure
3 "\$38,280,000" and inserting in lieu thereof the figure
4 "\$46,894,000".

S-4090 FILED - *Withdrawn 6/11 (1914)* BY WILLIAM E. GLUBA
JUNE 9, 1975

S-4091

1 Amend House File 895 as amended and passed by the
2 House, page 6, line 6, by striking the word "nineteen"
3 and inserting in lieu thereof the word "twenty-one".

S-4091 FILED - *Lost 6/11 (1917)* BY WILLIAM E. GLUBA
JUNE 9, 1975

S-4099

1 Amend House File 895 as amended and passed by
2 the House by striking on page 3, line 5, the figure
3 "1,300,000" and inserting in lieu thereof the figure
4 "1,000,000".

S-4099 FILED - *Withdrawn 6/11 (1914)* BY RICHARD J. NORPEL, SR.
JUNE 9, 1975

S-4092

1 Amend House File 895 as amended and passed by the
2 House, page 2, line 32, by striking the figure
3 "\$38,280,000" and inserting in lieu thereof the figure
4 "\$42,086,000".

S-4092 FILED - *Withdrawn 6/11 (1914)* BY WILLIAM E. GLUBA
JUNE 9, 1975

S-4100

1 Amend House File 895 as amended and passed by
2 the House by striking on page 2, line 32, the figure
3 "38,280,000" and inserting in lieu thereof the figure
4 "35,280,000".

S-4100 FILED - *Withdrawn 6/11 (1974)* BY RICHARD J. NORPEL, SR.
JUNE 9, 1975

S-4101

1 Amend House File 895 as amended and passed by
2 the House by striking on page 3, line 2, the figure
3 "7,000,000" and inserting in lieu thereof the figure
4 "6,300,000".

S-4101 FILED - *Withdrawn 6/11 (1974)* BY RICHARD J. NORPEL, SR.
JUNE 9, 1975

S-4102

1 Amend House File 895 as amended and passed by
2 the House by striking on page 1, line 10, the figure
3 "7,356,163" and inserting in lieu thereof the figure
4 "6,856,163".

S-4102 FILED - *Last 6-11 (1973)* BY RICHARD J. NORPEL, SR.
JUNE 9, 1975

S-4138

1 Amend House File 895, as amended and passed by
2 the House, as follows:

- 3 1. Page 5, line 3, by striking the word "section"
4 and inserting in lieu thereof the word "sections".
- 5 2. Page 5, by inserting after line 7 the following:
6 "NEW SECTION. CERTAIN FRAUDS AS FELONIES. Any
7 person who violates section two hundred thirty-four
8 point eleven (234.11), unnumbered paragraph two (2),
9 two hundred thirty-nine point fourteen (239.14), two
10 hundred forty-nine point eleven (249.11), or two
11 hundred forty-nine A point seven (249A.7) of the Code
12 and thereby obtains or aids or abets another person
13 in wrongfully obtaining federal commodities or food
14 stamps, aid to dependent children payments, state
15 supplementary assistance payments or medical assistance
16 having a value of one hundred fifty dollars or more,
17 within a period of six months or less, is guilty of
18 a felony, notwithstanding the provisions of those
19 respective sections which define violations as
20 misdemeanors. A person convicted of an offense defined
21 by this section as a felony shall be punished by
22 imprisonment in the penitentiary for not more than
23 five years, a fine of not more than one thousand
24 dollars, or both such imprisonment or fine."
- 25 3. Page 5, by inserting after line 27 the
26 following:
27 "Sec. Section two hundred thirty-four point
28 eleven (234.11), unnumbered paragraph two (2), Code
29 1975, is amended to read as follows:
30 Each county shall participate in federal commodity
31 or food stamp program. *Any person who obtains federal
32 commodities or food stamps by misrepresentation or
33 by failure with fraudulent intent to bring forth all
34 facts required by state or federal laws or rules,
35 or who knowingly makes false statements concerning
36 any other person's eligibility for federal commodities
37 or food stamps, is guilty of a misdemeanor.*"
- 38 4. By renumbering the succeeding sections of the
39 bill accordingly.
- 40 5. Title page, line 4, by inserting after the
41 word "administration" the words ", defining certain
42 violations of laws administered by the department
43 as felonies and prescribing penalties".

(P. 1915)

Senator Rodgers raised the point of order that amendment S-4138 was not germane to the bill.

6/11/75

The Chair ruled the point well taken and amendment S-4138 out of order.

HOUSE FILE 895

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF SOCIAL SERVICES AND DIVISIONS OF THE DEPARTMENT FOR THE PURPOSE OF FUNDING SOCIAL SERVICE PROGRAMS AND PROVIDING FOR THEIR ADMINISTRATION.

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

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975 and ending June 30, 1976 to the department of social services and its divisions, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1975-1976

Fiscal Year

1. Local Service and Administration

a. For the administration of district and local offices including salaries and support\$ 7,356,163

b. The department of social services may use not to exceed six hundred thousand (600,000) dollars of the appropriation made by this subsection for additional child protection workers in the county offices and may expend not exceeding two hundred sixty-nine thousand nine hundred thirty (269,930) dollars for additional temporary personnel in the county offices to aid in administering the large caseload currently being experienced.

2. General Administration

a. For salaries, support, maintenance and miscellaneous purposes\$ 3,703,630

b. For equipment to be allocated by the commissioner of social services to agencies,

divisions, and institutions under the control of the department on a need basis\$ 269,930

c. For payment of the state's share of unemployment benefit claims\$ 342,000

d. For payment of institution patient labor in compliance with the United States Fair Labor Standards Act\$ 750,000

3. Family and Children Services
For the operation of the following institutions:

a. State juvenile home at Toledo\$ 1,447,716

b. Boy's training school at Eldora\$ 2,700,275

c. Girl's training school at Mitchellville\$ 924,573

d. Iowa veterans home at Marshalltown\$ 4,340,952

4. Adult Corrections Services--For community based correctional programs and services:

a. To provide assistance in the establishment and operation of community based correctional programs and services\$ 625,000

b. It is the intent of the general assembly in making the appropriation in paragraph a of this subsection that community based programs throughout the state should be locally controlled and coordinated to generate community support and resources for an effective program. As far as is practicable, the department of social services shall promote local community control of programs within the guidelines of a contractual relationship with the department of social services.

5. Adult Corrections Services--For personnel and operation of the following institutions:

a. For the employment of correctional officers and for educational purposes to be used by the commissioner of social services on a need basis\$ 355,000

b. Luster Heights camp at McGregor\$ 142,241

c. Iowa state penitentiary at Fort Madison\$ 5,297,557

- d. Men's reformatory at Anamosa\$ 4,065,665
- e. Women's reformatory at Rockwell City\$ 602,919
- f. Iowa security medical facility at Oakdale ..\$ 1,951,692
- g. Riverview release center at Newton\$ 819,209
- 6. Income Maintenance and Contractual Services
 - a. For aid to the blind\$ 40,000
 - b. For aid to the dependent children\$38,280,000
 - c. For aid to Indians residing on a settlement\$ 45,000
 - d. For medical assistance\$37,112,000
 - e. For contractual services-medical carrier ...\$ 800,000
 - f. For foster care and group homes\$ 7,000,000
 - g. For subsidized adoptions\$ 150,000
 - h. For work and training programs\$ 400,000
 - i. For adult and children services\$ 1,300,000
 - j. For homemaker services\$ 300,000
 - k. For state supplementary assistance\$ 5,000,000

It is the intent of the general assembly in making the appropriation by this paragraph for state supplementary assistance that the department of social services shall implement as soon as possible a cost related system for financial supplementation to individuals who need custodial care and who have insufficient resources to purchase the care needed. The department of social services shall report to the subcommittee on human resources of the committees on appropriations by January 15, 1976 in regard to the progress achieved in implementing this cost related system. In addition it is the intent of the general assembly that eleven dollars per day shall be the maximum reimbursement of allowable cost for custodial care.

- 1. For state supplementary assistance for the blind\$ 260,000
- m. For assistance to child care centers\$ 500,000
- n. For child support recoveries\$ 134,000
- o. For the governor's youth opportunity program\$ 750,000

Sec. 2. There is appropriated from the general fund of

the state for the fiscal year beginning July 1, 1975 and ending June 30, 1976 to the department of social services for the following named institutions and hospital schools, the following amounts, or so much thereof as may be necessary:

- a. For the mental health institute at Cherokee \$ 4,995,001
- b. For the mental health institute at Clarinda \$ 4,233,725
- c. For the mental health institute at Independence\$ 5,036,360
- d. For the mental health institute at Mount Pleasant\$ 4,040,176
- e. For the Glenwood state hospital-school\$ 7,925,705
- f. For the Woodward state hospital-school\$ 7,987,092

2. The state mental health institutes daily per diem as determined pursuant to section two hundred thirty point twenty (230.20) of the Code shall be billed at eighty percent for the fiscal year. This subsection shall be of no force and effect if House File one hundred eighty-seven (187) of the Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect.

3. Hospital-school charges to counties.

a. The state hospital-schools' per-patient-per-day cost as determined pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code shall be billed at eight percent for the fiscal year, except as otherwise provided by paragraph b of this subsection.

b. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section two hundred twenty-two point seventy-three (222.73) of the Code and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

c. If House File one hundred eighty-seven (187) of the Sixty-sixth General Assembly becomes law prior to or during the period for which this Act is in effect, paragraph a of this subsection shall be of no force and effect but the

provisions of paragraph b shall take precedence over any conflicting provision of House File one hundred eighty-seven (187).

Sec. 3.

1. All institutional receipts of the department of social services shall be deposited in the general fund except rentals charged to employees or others for room, apartment, or house and meals, which shall be available to the institutions, and except for receipts from farm products which shall be used for necessary farm expenses and repair.

2. If approved by the commissioner of social services, the department may use appropriated funds for the granting of education leave.

Sec. 4. Each hospital-school shall, upon receipt of any payment made under chapter two hundred forty-nine A (249A) of the Code for the care of any patient, segregate in a special account an amount equal to that portion of the payment which is required by law to be made from nonfederal funds. The money segregated in the special account shall be deposited in the medical assistance fund of the department of social services at the end of each calendar quarter of the fiscal year.

Sec. 5. Chapter two hundred seventeen (217), Code 1975, is amended by adding the following new section:

NEW SECTION. LEGAL SERVICES. The commissioner of social services pursuant to a state plan funded in part by the federal government may provide services for eligible persons by contract with nonprofit legal aid organizations.

Sec. 6. Section two hundred twenty-two point seventy-three (222.73), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. After computing the charge to the county on behalf of each patient, the hospital-school shall reduce the charge by the amount of any money which has been received for that patient's care from any source other than state-appropriated funds and has not previously been credited against charges made to the patient's county of legal

settlement.

Sec. 7. Section two hundred twenty-two point eighty-five (222.85), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Money paid to a hospital-school from any source other than state-appropriated funds and intended to pay all or a portion of the cost of care of a patient, which cost would otherwise be paid from state or county funds or from the patient's own funds, shall not be deemed money belonging to the patient for the purposes of this section.

Sec. 8. Section two hundred forty-nine A point three (249A.3), subsection two (2), Code 1975, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Notwithstanding the provisions of this subsection establishing priorities for individuals and families to receive medical assistance, the department may determine within the priorities listed in this subsection which persons shall receive medical assistance based on income levels established by the department, subject to the limitations provided in subsection four (4) of this section.

Sec. 9. LEGISLATIVE INTENT.

1. It is the intent of the general assembly that the department of social services shall increase the maximum reimbursement for intermediate care facilities to nineteen dollars per day.

2. It is the intent of the general assembly that if it is determined there is sufficient funds within the limits of the funds appropriated for medical assistance, the department of social services shall expand the medical assistance program to offer only the six basic services to all or a portion of those individuals who would otherwise qualify for categorical assistance except for income.

3. It is the intent of the general assembly in making appropriations to the Glenwood state hospital-school and the Woodward state hospital-school that the department of social services will move towards the development of the two hospital-

schools as intermediate care facilities for the mentally retarded. It is also the intent of the general assembly to direct the department of social services to amend Iowa's Title nineteen (XIX) medicaid state plan to include mentally retarded individuals who reside in intermediate care facilities for the mentally retarded.

Sec. 10. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 11. Funds appropriated by this Act shall not be used for capital improvements, except funds appropriated in section one (1), subsection six (6), paragraph m of this Act.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 895, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 7/11, 1975

ROBERT D. RAY
Governor