

Reprinted 2/77

MAR 24 1977

Budget Calendar

HOUSE FILE 464

By COMMITTEE ON BUDGET

Passed House, Date 3-30-77 (4/11/77) Passed Senate, Date _____
Vote: Ayes 81 Nays 15 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act making an appropriation to the department of social
2 services to fund current programs under the jurisdiction
3 of the department of social services.

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

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464

1 Section 1. There is appropriated from the general fund of
2 the state for the fiscal year beginning July 1, 1977 and
3 ending June 30, 1978 to the department of social services,
4 the following amounts, or so much thereof as may be necessary,
5 to be used for the purposes designated:

6 1977-1978
7 Fiscal Year

8 1. District Administration

9 For the administration of district
10 and local offices including salaries
11 and support \$ 10,250,000

12 The provisions of subsection nine (9) of section nineteen
13 A point nine (19A.9) of the Code which restricts employment
14 of intermittent employees to not more than a specified number
15 of calendar days in any twelve-month period without
16 examination, shall not apply during the period beginning on
17 July 1, 1977 and ending June 30, 1978 for forty-six
18 intermittent employees who are employed in field offices by
19 the department of social services. It is the intent of the
20 general assembly to authorize the continued employment during
21 the 1977-1978 fiscal year of persons employed to assist in
22 meeting the current high demand for income maintenance and
23 related services and to permit the department to avoid the
24 cost of training new employees.

25 2. State Administration

26 For salaries, support, maintenance
27 and miscellaneous purposes \$ 4,400,000

28 Included in this appropriation for state administration is
29 twenty-five thousand (25,000) dollars for one additional prosecutor
30 for the fraud unit.

31 3. Medicaid management information
32 system (MMIS)

33 For development and implementation of
34 medicaid management information system \$ 140,000

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

1 the state for the fiscal year beginning July 1, 1977 and
2 ending June 30, 1978 to the department of social services,
3 the following amounts, or so much thereof as may be necessary,
4 to be used for the purposes designated:

5
6 1977-1978
Fiscal Year

7 FAMILY AND CHILDREN SERVICES:

8 For the operation of the following
9 institutions:

- 10 1. State juvenile home at Toledo \$ 1,275,000
- 11 2. Boy's training school at Eldora \$ 3,100,000
- 12 3. Girl's training school at Mitchellville \$ 1,000,000
- 13 4. Iowa veterans home at Marshalltown \$ 7,520,000

14 The department shall consult with the advisory commission
15 on corrections and prepare and submit to the house and senate
16 budget subcommittees on social services recommendations
17 concerning the three juvenile institutions at Eldora,
18 Mitchellville and Toledo with a long term recommendation on
19 the care and treatment of juveniles at not more than two
20 institutions. These recommendations shall be submitted on
21 or before December 15, 1977. Members of the budget
22 subcommittees on social services shall visit the three
23 institutions during the 1977 interim.

24 Sec. 3. Acts of the Sixty-sixth General Assembly, chapter
25 one thousand one hundred thirty-two (1132), section two (2),
26 subsection six (6), paragraph a, is amended to read as follows:

- 27 a. For contracting with local public or private nonprofit
28 organizations for community based juvenile corrections programs
29 and juvenile interim detention facilities and shelter care
30 facilities 160,000

31 Notwithstanding section eight point thirty-three (8.33) of
32 the Code, unencumbered or unobligated funds appropriated by
33 this paragraph shall not revert to the general fund until
34 June 30, 1978. The state youth coordinator shall submit
35 during the 1978 session of the general assembly to the budget

1 committees of the house and senate a report detailing the
2 manner in which funds appropriated by this paragraph have
3 been expended. In addition the report shall contain such
4 information as will be useful in determining the value of
5 the community-based juvenile correction program.

6 Sec. 4. There is appropriated from the general fund of
7 the state for the fiscal year beginning July 1, 1977 and
8 ending June 30, 1978 to the department of social services,
9 the following amounts, or so much thereof as may be necessary,
10 to be used for the purposes designated:

11		1977-1978
12		<u>Fiscal Year</u>
13	MENTAL HEALTH SERVICES:	
14	1. For the mental health institute at Cherokee .	\$ 6,025,000
15	2. For the mental health institute at Clarinda .	\$ 4,975,000
16	3. For the mental health institute at	
17	Independence	\$ 6,100,000
18	4. For the mental health institute at Mount	
19	Pleasant	\$ 4,850,000

20 The state mental health institutes daily per diem as
21 determined pursuant to section two hundred thirty point twenty
22 (230.20) of the Code shall be billed at eighty percent for
23 the fiscal year.

24 5. The department of social services with the approval
25 of the governor and the state comptroller may transfer funds
26 appropriated by this section from any subsection of this
27 section for a purpose specified by any other subsection of
28 this section.

29 Sec. 5. There is appropriated from the general fund of
30 the state for the fiscal year beginning July 1, 1977 and
31 ending June 30, 1978 to the department of social services,
32 the following amounts, or so much thereof as may be necessary,
33 to be used for the purposes designated:

34		1977-1978
35		<u>Fiscal Year</u>

1 MENTAL RETARDATION SERVICES:

2 1. For the Glenwood state hospital-school \$ 9,800,000
 3 2. For the Woodward state hospital-school \$ 10,100,000

4 3. Hospital-school charges to counties.

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

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

18 Sec. 6. There is appropriated from the general fund of
 19 the state for the fiscal year beginning July 1, 1977 and
 20 ending June 30, 1978 to the department of social services,
 21 the following amounts, or so much thereof as may be necessary,
 22 to be used for the purposes designated:

	1977-1978
	<u>Fiscal Year</u>
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25 SPECIAL PROGRAMS DIVISION:	
26 1. For aid to the blind	\$ 20,000
27 2. For aid to the dependent children	\$ 47,535,000
28 3. For aid to Indians residing on a	
29 settlement	\$ 48,000
30 4. For medical assistance	\$ 74,000,000
31 5. For contractual services-medical carrier	\$ 950,000
32 6. For foster care	\$ 7,800,000
33 7. For subsidized adoptions	\$ 240,000
34 8. For work and training programs	\$ 360,000
35 9. For adult and children services	\$ 1,280,000

- 1 10. For homemaker services \$ 480,000
- 2 11. For state supplementary assistance \$ 3,800,000
- 3 12. For state supplementary assistance for
- 4 the blind \$ 275,000
- 5 13. For the governor's youth opportunity
- 6 program \$ 750,000
- 7 14. For child support recoveries \$ 283,000
- 8 15. Assistance to child care
- 9 centers for nonprofit centers only \$ 250,000
- 10 Real property shall not be purchased with funds appropriated by this
- 11 subsection.
- 12 16. State supplementation to title XX \$ 750,000
- 13 The special needs program will continue operating at present
- 14 level.
- 15 17. It is the intent that the department of social services
- 16 shall increase the maximum reimbursement for intermediate
- 17 care facility services under medicaid from nineteen dollars
- 18 to nineteen dollars and fifty cents and that the department
- 19 shall increase the fee paid to pharmacists under medicaid
- 20 from two dollars and fifteen cents to two dollars and fifty-
- 21 five cents.
- 22 18. It is the intent that the department of social services
- 23 shall resist the implementation of the federal government
- 24 spouse income regulation which would allow spouse income under
- 25 certain circumstances to be excluded from the determination
- 26 of income for intermediate care facility medicaid eligibility
- 27 purposes.
- 28 19. It is the intent of the general assembly that funds
- 29 appropriated for medical assistance shall not be used to pay
- 30 for radiology services provided by a computerized axial
- 31 tomographic scanner in the state of Iowa, which has not been
- 32 approved by the health facilities construction review committee
- 33 of the state department of health, unless the scanner is
- 34 placed in operation prior to the effective date of this Act.
- 35 Sec. 7. Section two hundred twenty-two point eighty-six

1 (222.86), Code 1977, is amended to read as follows:

2 222.86 PAYMENT FOR CARE FROM FUND. Whenever the amount
3 in the account of any patient in the patients' personal deposit
4 fund exceeds the sum of two hundred dollars, the business
5 manager of the hospital-school or special unit may apply any
6 amount of the excess to reimburse the county of legal
7 settlement for liability incurred by such county for the
8 payment of care, support, and maintenance of the patient when
9 billed therefor by the county of legal settlement. Money
10 ~~earned-by-a-patient-for-work-performed-in-or-for-a-hospital-~~
11 ~~school-or-special-unit-shall-not-be-subject-to-this-section~~
12 ~~or-to-attachment.~~

13 Sec. 8. Unless otherwise provided in this Act, all
14 institutional receipts of the department of social services
15 shall be deposited in the general fund except rentals charged
16 to employees or others for room, apartment, or house and
17 meals, which shall be available to the institutions, and
18 except for receipts from farm products which shall be used
19 for necessary farm expenses and repair.

20 Sec. 9. Each hospital-school shall, upon receipt of any
21 payment made under chapter two hundred forty-nine A (249A)
22 of the Code for the care of any patient, segregate an amount
23 equal to that portion of the payment which is required by
24 law to be made from nonfederal funds. The money segregated
25 shall be deposited in the medical assistance fund of the
26 department of social services.

27 Sec. 10. The department of social services shall implement
28 a pilot program in community services districts ten and eleven
29 requiring mandatory second opinions on elective surgery for
30 medicaid clients. The department shall reimburse board
31 certified surgical specialists to give their opinion on
32 elective surgery prescribed by the client's own physician.
33 If there is a difference in the opinion of the two physicians,
34 the client shall make the final determination. In cases where
35 the client is geographically distant from the specialist,

1 the department shall pay transportation and child care expenses
2 incurred in obtaining the second opinion. The department
3 shall evaluate the impact of this program on the costs of
4 the medicaid program.

5 There is appropriated the amount of fifty thousand (50,000)
6 dollars for the fiscal year beginning July 1, 1977 and ending
7 June 30, 1978 for the administration of this program and the
8 payment of consultant fees and client expenses.

9 Sec. 11. All federal grants to and the federal receipts
10 of the agencies appropriated funds under this Act are
11 appropriated for the purposes set forth in such federal grants
12 or receipts except the veterans per diem payable for veterans
13 at the veterans home shall be deposited in the general fund.

14 Sec. 12. Funds appropriated by this Act shall not be used
15 for capital improvements.

16 EXPLANATION

17 The appropriations contained in this Act to the department
18 of social services for the 1977-1978 fiscal year are intended
19 to provide for the continuation of current programs with
20 exceptions as indicated by specific provisions contained in
21 this Act.

22 It is the intent of this bill, in consideration of the
23 Iowa state university aid to families with dependent children
24 study, that payments for persons on the aid to families with
25 dependent children program shall be set as follows:

- 26 a. 2 person family \$257 per month
- 27 b. 3 person family \$318 per month
- 28 c. 4 person family \$369 per month
- 29 d. All other cash grants are continued at their present levels.

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HOUSE FILE 464

S-3268

1 Amend House File 464 as follows:
2 1. Page 2, by inserting after line 31 the
3 following:
4 "It is the intent of the general assembly that
5 children found to be children in need of assistance on
6 the grounds stated in section two hundred thirty-two
7 point two (232.2), subsection thirteen (13), paragraphs
8 i and j, of the Code shall not be placed in a mental
9 health institute on the basis of that adjudication."

S-3268 FILED - *Revised and amended with caption of 3510 4/2 (100)* BY MINNETTE F. DODERER
MARCH 31, 1977

HOUSE FILE 464

S-3275

1 Amend House File 464, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 8, by inserting after line 3 the
4 following:
5 "Sec. _____. The department of social services
6 shall encourage voluntary participation of families
7 in paying for a portion of the care delivered to a
8 relative/resident in an intermediate care facility.
9 Facility administrators and appropriate department
10 personnel, both state and county, will be advised
11 as to the proper method of implementing family
12 participation."
13 2. Renumber the sections as required by this
14 amendment.

S-3275 FILED - *Revised and amended with caption of 3510 4/2 (100)* BY E. KEVIN KELLY
APRIL 1, 1977

HOUSE FILE 464

S-3276

1 Amend House File 464, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 8, by inserting after line 8 the
4 following:
5 "Sec. _____. It is the intent of this Act that
6 the department of social services shall provide
7 only those minimum dental services that are
8 required by the federal government as a condition
9 of federal participation in the Iowa medical
10 assistance program provided for in chapter two
11 hundred forty-nine A (249A) of the Code."
12 2. Renumber the sections as required by this
13 amendment.

S-3276 FILED - *Revised and amended with caption of 3310 4/12 (100)* BY E. KEVIN KELLY
APRIL 1, 1977

HOUSE FILE 464

S-3295

- 1 Amend House File 464, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 1, line 11, by striking the figure
4 "\$10,250,000" and inserting in lieu thereof the
5 figure "\$10,585,000".
6 2. Page 5, line 3, by striking the figure
7 "\$74,000,000" and inserting in lieu thereof the
8 figure "\$74,155,000".
9 3. Page 5, line 17, by inserting after the
10 word "for" the words "public and private".
11 4. Page 5, by striking lines 18 and 19.
12 5. Page 7, by striking lines 24 through 35.
13 6. Page 8, by striking lines 1 through 8.
14 7. By renumbering sections and correcting
15 internal references:--

S-3295 FILED - *Billed out of order* BY JOHN S. MURRAY
APRIL 5, 1977 *with adoption of 3510*
4/13 (p. 1081)

Sen. Budget 4/1, Passed 2/210 4/1 (p. 978)

HOUSE FILE 464 *4/7*

Budget Budget Subcommittee
on Social Services
Priebe, Chairperson
Culver
Murray
Bergman
Rush

HOUSE FILE 464

By COMMITTEE ON BUDGET

(As Amended and Passed by the House)

Passed House, Date 4-20-77 (p. 1521) Passed Senate, Date 4-13-77 (p. 1002)

Vote: Ayes 69 Nays 17 Vote: Ayes 42 Nays 2

Approved Stenograph - July 11, 1977 - see letter

asked Senate to return 4/29 (p. 1766)

Repassed Senate as amended (3444)

Repassed House 5-3-77 (p. 1865)

5-4-77 (p. 1337)

81-13

46-14

A BILL FOR

1 An Act making an appropriation to the department of social
2 services to fund current programs under the jurisdiction
3 of the department of social services.

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

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House Amendments _____

1 Section 1. There is appropriated from the general fund of
2 the state for the fiscal year beginning July 1, 1977 and
3 ending June 30, 1978 to the department of social services,
4 the following amounts, or so much thereof as may be necessary,
5 to be used for the purposes designated:

6 1977-1978
7 Fiscal Year

8 1. District Administration
9 For the administration of district
10 and local offices including salaries
11 and support \$ 10,250,000

12 The provisions of subsection nine (9) of section nineteen
13 A point nine (19A.9) of the Code which restricts employment
14 of intermittent employees to not more than a specified number
15 of calendar days in any twelve-month period without
16 examination, shall not apply during the period beginning on
17 July 1, 1977 and ending June 30, 1978 for forty-six
18 intermittent employees who are employed in field offices by
19 the department of social services. It is the intent of the
20 general assembly to authorize the continued employment during
21 the 1977-1978 fiscal year of persons employed to assist in
22 meeting the current high demand for income maintenance and
23 related services and to permit the department to avoid the
24 cost of training new employees.

25 2. State Administration
26 For salaries, support, maintenance
27 and miscellaneous purposes \$ 4,389,000

28 Included in this appropriation for state administration is
29 twenty-five thousand (25,000) dollars for one additional prosecutor
30 for the fraud unit. The position of medical consultant
31 to the commissioner is not funded in this appropriation
32 for state administration.

33 3. Medicaid management information
34 system (MMIS)
35 For development and implementation of

1 medicaid management information system \$ 140,000
2 Sec. 2. There is appropriated from the general fund of
3 the state for the fiscal year beginning July 1, 1977 and
4 ending June 30, 1978 to the department of social services,
5 the following amounts, or so much thereof as may be necessary,
6 to be used for the purposes designated:

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1977-1978
Fiscal Year

FAMILY AND CHILDREN SERVICES:

For the operation of the following institutions:

- 1. State juvenile home at Toledo \$ 1,275,000
- 2. Boy's training school at Eldora \$ 3,100,000
- 3. Girl's training school at Mitchellville \$ 1,000,000
- 4. Iowa veterans home at Marshalltown \$ 7,520,000

The department shall consult with the advisory commission on corrections and prepare and submit to the house and senate budget subcommittees on social services recommendations concerning the three juvenile institutions at Eldora, Mitchellville and Toledo with a long term recommendation on the care and treatment of juveniles at not more than two institutions. These recommendations shall be submitted on or before December 15, 1977. Members of the budget subcommittees on social services shall visit the three institutions during the 1977 interim.

It is the intent of the general assembly that a mental health institute shall not accept physical custody of children alleged to be children in need of assistance on the grounds stated in section two hundred thirty-two point two (232.2), subsection thirteen (13), paragraphs i and j, of the Code, on guest status or otherwise, for more than ten days.

Sec. 3. Acts of the Sixty-sixth General Assembly, chapter one thousand one hundred thirty-two (1132), section two (2), subsection six (6), paragraph a, is amended to read as follows:

- a. For contracting with local public or private nonprofit

1 organizations for community based juvenile corrections programs
2 and juvenile interim detention facilities and shelter care
3 facilities 160,000

4 Notwithstanding section eight point thirty-three (8.33) of
5 the Code, unencumbered or unobligated funds appropriated by
6 this paragraph shall not revert to the general fund until
7 June 30, 1978. The state youth coordinator shall submit
8 during the 1978 session of the general assembly to the budget
9 committees of the house and senate a report detailing the
10 manner in which funds appropriated by this paragraph have
11 been expended. In addition the report shall contain such
12 information as will be useful in determining the value of
13 the community-based juvenile correction program.

14 Sec. 4. There is appropriated from the general fund of
15 the state for the fiscal year beginning July 1, 1977 and
16 ending June 30, 1978 to the department of social services,
17 the following amounts, or so much thereof as may be necessary,
18 to be used for the purposes designated:

	1977-1978
	<u>Fiscal Year</u>
21 MENTAL HEALTH SERVICES:	
22 1. For the mental health institute at Cherokee .	\$ 6,025,000
23 2. For the mental health institute at Clarinda .	\$ 4,975,000
24 3. For the mental health institute at	
25 Independence	\$ 6,100,000
26 4. For the mental health institute at Mount	
27 Pleasant	\$ 4,850,000

28 The state mental health institutes daily per diem as
29 determined pursuant to section two hundred thirty point twenty
30 (230.20) of the Code shall be billed at eighty percent for
31 the fiscal year.

32 5. The department of social services with the approval
33 of the governor and the state comptroller may transfer funds
34 appropriated by this section from any subsection of this
35 section for a purpose specified by any other subsection of

1 this section.

2 Sec. 5. There is appropriated from the general fund of
3 the state for the fiscal year beginning July 1, 1977 and
4 ending June 30, 1978 to the department of social services,
5 the following amounts, or so much thereof as may be necessary,
6 to be used for the purposes designated:

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1977-1978
Fiscal Year

9 MENTAL RETARDATION SERVICES:

- 10 1. For the Glenwood state hospital-school \$ 9,800,000
- 11 2. For the Woodward state hospital-school \$ 10,100,000
- 12 3. Hospital-school charges to counties.

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

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

26 Sec. 6. There is appropriated from the general fund of
27 the state for the fiscal year beginning July 1, 1977 and
28 ending June 30, 1978 to the department of social services,
29 the following amounts, or so much thereof as may be necessary,
30 to be used for the purposes designated:

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1977-1978
Fiscal Year

33 SPECIAL PROGRAMS DIVISION:

- 34 1. For aid to the blind \$ 20,000
- 35 2. For aid to the dependent children \$ 47,535,000

1	3.	For aid to Indians residing on a	
2	settlement		\$ 48,000
3	4.	For medical assistance.....	\$ 74,000,000
4	5.	For contractual services-medical carrier.....	\$ 950,000
5	6.	For foster care	\$ 7,300,000
6	7.	For subsidized adoptions	\$ 240,000
7	8.	For work and training programs	\$ 360,000
8	9.	For adult and children services	\$ 1,280,000
9	10.	For homemaker services	\$ 480,000
10	11.	For state supplementary assistance	\$ 3,800,000
11	12.	For state supplementary assistance for	
12	the blind		\$ 275,000
13	13.	For the governor's youth opportunity	
14	program		\$ 750,000
15	14.	For child support recoveries	\$ 283,000
16	15.	Assistance to child care	
17	centers for nonprofit centers only		\$ 250,000

18 Real property shall not be purchased with funds appropriated by this
19 subsection.

20 16. State supplementation to title XX \$ 750,000

21 17. It is the intent that the department of social services
22 shall increase the maximum reimbursement for intermediate
23 care facility services under medicaid from nineteen dollars
24 to nineteen dollars and fifty cents and that the department
25 shall increase the fee paid to pharmacists under medicaid
26 from two dollars and fifteen cents to two dollars and fifty-
27 five cents.

28 18. It is the intent of the general assembly that the
29 department of social services, by July 1, 1977, shall repeal
30 every state staffing requirement contained in the conditions
31 of participation for intermediate care facilities participating
32 in the medicaid program that exceeds federal government
33 requirements and that these conditions of participation be
34 submitted to the Administrative Rules Review Committee.

35 19. The department of health shall delay implementation

1 of the December 6, 1976 licensure rules. The department,
2 upon consultation with the Health Facilities Advisory
3 Committee, shall review all rules for the purpose of
4 eliminating those rules which exceed the federal Title XIX
5 guidelines for intermediate care facilities. All such modified
6 rules shall be resubmitted to the Administrative Rules Review
7 Committee.

8 20. It is the intent that the department of social services
9 shall resist the implementation of the federal government
10 spouse income regulation which would allow spouse income under
11 certain circumstances to be excluded from the determination
12 of income for intermediate care facility medicaid eligibility
13 purposes.

14 21. It is the intent of the general assembly that funds
15 appropriated for medical assistance shall not be used to pay
16 for radiology services provided by a computerized axial
17 tomographic scanner in the state of Iowa, which has not been
18 approved by the health facilities construction review committee
19 of the state department of health, unless the scanner is
20 placed in operation prior to the effective date of this Act.

21 22. It is the intent of this bill, in consideration of
22 the Iowa state university of science and technology aid to
23 families with dependent children study, that payments for
24 persons on the aid to families with dependent children program
25 shall be set as follows:

26	a. 2 person family	\$257 per month
27	b. 3 person family	\$318 per month
28	c. 4 person family	\$369 per month
29	d. All other cash grants are continued at their present	
30	levels.	

31 The special needs program will continue.

32 Sec. 7. Section two hundred twenty-two point eighty-six
33 (222.86), Code 1977, is amended to read as follows:

34 222.86 PAYMENT FOR CARE FROM FUND. Whenever the amount
35 in the account of any patient in the patients' personal deposit

1 fund exceeds the sum of two hundred dollars, the business
2 manager of the hospital-school or special unit may apply any
3 amount of the excess to reimburse the county of legal
4 settlement for liability incurred by such county for the
5 payment of care, support, and maintenance of the patient when
6 billed therefor by the county of legal settlement. Money
7 ~~earned-by-a-patient-for-work-performed-in-or-for-a-hospital-~~
8 ~~school-or-special-unit-shall-not-be-subject-to-this-section~~
9 ~~or-to-attachment.~~

10 Sec. 8. Unless otherwise provided in this Act, all
11 institutional receipts of the department of social services
12 shall be deposited in the general fund except rentals charged
13 to employees or others for room, apartment, or house and
14 meals, which shall be available to the institutions, and
15 except for receipts from farm products which shall be used
16 for necessary farm expenses and repair.

17 Sec. 9. Each hospital-school shall, upon receipt of any
18 payment made under chapter two hundred forty-nine A (249A)
19 of the Code for the care of any patient, segregate an amount
20 equal to that portion of the payment which is required by
21 law to be made from nonfederal funds. The money segregated
22 shall be deposited in the medical assistance fund of the
23 department of social services.

24 Sec. 10. The department of social services shall implement
25 a pilot program in community services districts ten and two
26 requiring mandatory second opinions on elective surgery for
27 medicaid clients. The department shall reimburse board
28 certified specialists to give their opinion on elective surgery
29 prescribed by the client's own physician. If there is a
30 difference in the opinion of the two physicians, the client
31 shall make the final determination. In cases where the client
32 is geographically distant from the specialist, the department
33 shall pay transportation and child care expenses incurred
34 in obtaining the second opinion. The department shall maintain
35 statistical information on this program in community service

1 districts ten and two and on similar groups in community
2 service districts eight and eleven in order to evaluate the
3 impact of this program on the costs of the medicaid program.

4 There is appropriated the amount of fifty thousand (50,000)
5 dollars for the fiscal year beginning July 1, 1977 and ending
6 June 30, 1978 for the administration of this program and the
7 payment of evaluation costs, consultant fees and client
8 expenses.

9 Sec. 11. All federal grants to and the federal receipts
10 of the agencies appropriated funds under this Act are
11 appropriated for the purposes set forth in such federal grants
12 or receipts except the veterans per diem payable for veterans
13 at the veterans home shall be deposited in the general fund.

14 Sec. 12. Funds appropriated by this Act shall not be used
15 for capital improvements.

16 EXPLANATION

17 The appropriations contained in this Act to the department
18 of social services for the 1977-1978 fiscal year are intended
19 to provide for the continuation of current programs with
20 exceptions as indicated by specific provisions contained in
21 this Act.

22 It is the intent of this bill, in consideration of the
23 Iowa state university aid to families with dependent children
24 study, that payments for persons on the aid to families with
25 dependent children program shall be set as follows:

- 26 a. 2 person family \$257 per month
- 27 b. 3 person family \$318 per month
- 28 c. 4 person family \$369 per month
- 29 d. All other cash grants are continued at their present levels.

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HOUSE FILE 464

H-3445

- 1 Amend the amendment H-3422 to House File 464 as
- 2 follows:
- 3 1. Page 1, line 5, by striking the figure "32"
- 4 and inserting in lieu thereof the figure "31".

H-3445 FILED, ADOPTED BY BY LIPSKY of Linn
UNANIMOUS CONSENT (1109)
MARCH 30, 1977

H-3433

1 Amend House File 464, as follows:

2 1. Page 7, by inserting after line 13 the
3 following section:
4 "Sec. _____. Any federal funds allocated to the
5 state of Iowa on a per capita basis shall be
6 expended on a per capita basis in all program areas.
7 Funds which are distributed and cannot be expended
8 because of the nonexistence of a program, shall
9 revert to the general fund and be redistributed
10 from the general fund on a per capita basis to
11 qualifying program areas."

H-3433 FILED - *Loss 3/30 (p 1110)* BY MILLER of Buchanan
MARCH 29, 1977

HOUSE FILE 464

H-3434

1 Amend House File 464 as follows:

2 1. Page 5, by striking lines 15 through 21 and
3 inserting in lieu thereof the following:
4 "17. It is the intent of this Act that the depart-
5 ment of social services shall:
6 a. Increase the maximum daily reimbursement for
7 intermediate care facility services under the medical
8 assistance program from nineteen dollars to no less
9 than nineteen dollars and fifty cents per day, and
10 further than such reimbursement shall be increased
11 to a maximum of twenty-one dollars per day or as
12 nearly that amount as possible within the available
13 appropriations. For this purpose, the department
14 may use, in addition to the amount appropriated by
15 subsection four (4) of this section, any funds
16 appropriated by House File one hundred twenty-eight
17 (128), Acts of the Sixty-seventh General Assembly,
18 1977 Session, which would otherwise revert to the
19 general fund of the state pursuant to that Act, and
20 may also use any other funds lawfully available for
21 this purpose.
22 b. Increase the fee paid to pharmacists under
23 the medical assistance program from two dollars to
24 two dollars and fifty cents per prescription."

H-3434 FILED - *Loss 3/24 (p 1044)* BY SCHROEDER of Pottawattamie
MARCH 29, 1977 *motion to reconsider (p 1101) withdrawn 3/30 (p 1114)*

HOUSE FILE 464

H-3439

1 Amend the amendment H-3434 to House File 464 as
2 follows:

3 1. Page 1, line 10, by striking the word "than"
4 and inserting in lieu thereof the word "that".
5 2. Page 1, line 23, by inserting after the word
6 "dollars" the words "and fifteen cents".
7 3. Page 1, line 24, by striking the word "fifty"
8 and inserting in lieu thereof the words "fifty-five".

H-3439 FILED, ADOPTED BY SCHROEDER of Pottawattamie
BY UNANIMOUS CONSENT (*p. 1043*)
MARCH 29, 1977

HOUSE FILE 464

H-3429

- 1 Amend House File 464 as follows:
- 2 1. Page 1, line 27, by striking the figure
- 3 "4,400,000" and inserting in lieu thereof the figure
- 4 "4,389,000".
- 5 2. Page 1, line 30, by inserting after the word
- 6 "unit." the words "The position of medical consultant
- 7 to the commissioner is not funded in this appropriation
- 8 for state administration."

H-3429 FILED, ADOPTED BY HARGRAVE of Johnson

MARCH 29, 1977 *(p. 1046)*
Motion to reconsider filed 3/30 (1112)
HOUSE FILE 464

H-3430

- 1 Amend House File 464 as follows:
- 2 1. Page 5, by striking line 18 and inserting in
- 3 lieu thereof "to twenty dollars and that the
- 4 department".

H-3430 FILED *H. Johnson 3/29* BY HARVEY of Scott
MARCH 29, 1977 *(p. 1057)* SCHNEKLOTH of Scott
STROMER of Hancock

HOUSE FILE 464

H-3431

- 1 Amend House File 464 as follows:
- 2 1. Page 4, line 30 by striking the figure
- 3 "74,000,000 and inserting in lieu thereof the figure
- 4 "75,551,200".

H-3431 FILED, RULES OUT BY HARVEY of Scott
OF ORDER SCHNEKLOTH of Scott
MARCH 29, 1977 STROMER of Hancock

HOUSE FILE 464

H-3432

- 1 Amend House File 464 as follows:
- 2 1. Page 1, by inserting after line 34 the following
- 3 subsection:
- 4 "4. The department of social services shall not
- 5 expend any funds for the employment of new persons
- 6 or to fill new positions until such time as the number
- 7 of employees in the department are reduced in number
- 8 by death, resignation, retirement, or discharge for
- 9 cause and equal not more than ninety percent of the
- 10 table of organization of the department as approved
- 11 by the budget committee. This subsection shall not
- 12 apply to the chief executive officer or head of any
- 13 department."

H-3432 FILED, ADOPTED BY HARBOR of Mills
MARCH 29, 1977 *(p. 1101)* MILLER of Buchanan

Motion to reconsider (p. 1100)
Reconsidered and Lost 3/30 (p. 1113)

HOUSE FILE 464

H-3427

- 1 Amend House File 464 as follows:
- 2 1. Page 5, by striking lines 28 through 34. ^A
- 3 2. Page 6, by striking lines 27 through 35. ^B
- 4 3. Page 7, by striking lines 1 through 8.

H-3427 FILED *A. Billed out of order* BY SCHROEDER of Pottawattamie
 MARCH 29, 1977 *B. Lost 3/29 (1095)*
 HOUSE FILE 464

H-3428

- 1 Amend House File 464 as follows:
- 2 1. Page 1, line 11, by striking the figure
- 3 "\$10,250,000" and inserting in lieu thereof the
- 4 figure "\$10,650,000". ^A
- 5 2. Page 1, line 27, by striking the figure
- 6 "\$4,400,000" and inserting in lieu thereof the
- 7 figure "\$4,000,000".
- 8 3. Page 3, line 14, by striking the figure
- 9 "\$6,025,000" and inserting in lieu thereof the
- 10 figure "\$5,900,000".
- 11 4. Page 3, line 15, by striking the figure
- 12 "\$4,975,000" and inserting in lieu thereof the ^B
- 13 figure "\$4,775,000".
- 14 5. Page 3, line 17, by striking the figure
- 15 "\$6,100,000" and inserting in lieu thereof the
- 16 figure "\$5,950,000".
- 17 6. Page 3, line 19, by striking the figure
- 18 "\$4,850,000" and inserting in lieu thereof the
- 19 figure "\$4,750,000".
- 20 7. Page 4, line 30, by striking the figure
- 21 "\$74,000,000" and inserting in lieu thereof the ^C
- 22 figure "\$75,551,000".
- 23 8. Page 4, line 34, by striking the figure
- 24 "\$360,000" and inserting in lieu thereof the ^D
- 25 figure "\$420,000".
- 26 9. Page 5, line 12, by striking the figure
- 27 "\$750,000" and inserting in lieu thereof the ^E
- 28 figure "\$1,000,000".
- 29 10. Page 5, line 18 by striking the words
- 30 "nineteen dollars and fifty cents" and inserting ^F
- 31 in lieu thereof the words "twenty dollars".
- 32 11. Page 5, lines 20 and 21, by striking
- 33 the word "fifty-five" and inserting in lieu ^G
- 34 thereof the word "forty".
- 35 12. Page 5, by striking lines 28 through 34. ^H

H-3428 FILED BY LIPSKY of Linn
 A-LOST; B-LOST; C-LOST; D-LOST; E-LOST; (*g. 1087 then 1087*)
 F-WITHDRAWN; G-WITHDRAWN; H-LOST (*g. 1090*)
 MARCH 29, 1977

Motion to reconsider C and H 3/29 (g. 1100)
 " " " C withdrawn 3/30 (g. 1114)
 " " " H lost 3/30 (1114)

HOUSE FILE 464

H-3424

1 Amend House File 464 as follows:

2 1. Page 5, by striking lines 13 and 14.

3 2. Page 5, by inserting after line 34 the
4 following:

5 "20. It is the intent of this bill, in consid-
6 eration of the Iowa state university of science and
7 technology aid to families with dependent children
8 study, that payments for persons on the aid to families
9 with dependent children program shall be set as
10 follows:

11 a. 2 person family \$257 per month

12 b. 3 person family \$318 per month

13 c. 4 person family \$369 per month

14 d. All other cash grants are continued at their
15 present levels.

16 The special needs program will continue."

H-3424 FILED - *Adopt 2/29* BY BRUNOW of Appanoose
MARCH 29, 1977 (*p. 1095*)

HOUSE FILE 464

H-3425

1 Amend House File 464 as follows:

2 1. Page 5, by inserting after line 21 the
3 following:

4 "_____. It is the intent of the general assembly
5 that the department of social services, by July 1,
6 1977, shall repeal every state staffing requirement
7 contained in the conditions of participation for
8 intermediate care facilities participating in the
9 medicaid program that exceeds federal government
10 requirements and that these conditions of partici-
11 pation be submitted to the Administrative Rules
12 Review Committee.

13 _____ . The department of health shall delay
14 implementation of the December 6, 1976 licensure
15 rules. The department, upon consultation with the
16 Health Facilities Advisory Committee, shall review
17 all rules for the purpose of eliminating those
18 rules which exceed the federal Title XIX guidelines
19 for intermediate care facilities. All such modified
20 rules shall be resubmitted to the Administrative
21 Rules Review Committee."

H-3425 FILED - *Adopted 2/29* BY WELDEN of Hardin
MARCH 29, 1977 (*p. 1097*) BRUNOW of Appanoose

Motion to reconsider (p. 1100), Lost 2/30 (p. 1112)

HOUSE FILE 464

H-3426

1 Amend House File 464 as follows:

2 1. Page 5, line 18 by striking the words "nine-
3 teen dollars and fifty cents" and inserting in lieu
4 thereof the words "twenty-one dollars".

H-3426 FILED - *Lost 2/29* BY SCHROEDER of Pottawattamie
MARCH 29, 1977 (*p. 1097*)

HOUSE FILE 464

H-3422

1 Amend House File 464 as follows:

2 1. Page 6, line 28, by striking the word
3 "eleven" and inserting in lieu thereof the word
4 "two".

5 2. Page 6, line 32, by striking the word
6 "surgical".

7 3. Page 7, line 3, by inserting after the word
8 "shall" the words "maintain statistical information
9 on this program in community service districts ten
10 and two and on similar groups in community service
11 districts eight and eleven in order to".

12 4. Page 7, line 8, by inserting after the word
13 "of" the words "evaluation costs,".

H-3422 FILED - *Adopted on* BY LIPSKY of Linn
MARCH 29, 1977 *Revised by* 3445 3/30 (p. 1107)

HOUSE FILE 464

H-3423

1 Amend House File 464, page 5, by inserting after
2 line 34, the following:

3 "_____. It is the intent of the general assembly
4 that the department of social services shall budget
5 the total appropriation for medical assistance con-
6 tained in this Act by quarters of the fiscal year in
7 a manner calculated to finance the program for the
8 entire year, varying the amounts proposed to be
9 spent in any quarter to accommodate seasonal and
10 inflationary trends anticipated by the department.
11 The sum of the four quarterly budgets shall not exceed
12 the annual appropriation for medical assistance.
13 In any quarter the expenditure from this appropriation
14 shall not exceed the budget established by the depart-
15 ment for that quarter, except that it may additionally
16 include any unexpended funds from budgets for earlier
17 quarters. The restraints imposed by this paragraph
18 may be lifted by the executive council if the council
19 deems an emergency to exist."

H-3423 FILED - *Lost 3/29* BY EVANS of Grundy
MARCH 29, 1977 *(p. 1100)* WEST of Marshall
VARLEY of Adair
WELDEN of Hardin

HOUSE FILE 464

H-3413

- 1 Amend House File 464 as follows:
- 2 1. Page 5, line 9, by striking the figure
- 3 "\$250,000" and inserting in lieu thereof the figure
- 4 "\$500,000".

H-3413 FILED - *Lost 3/29 (1983)* BY CRAWFORD of Story
MARCH 28, 1977 GENTLEMAN of Polk

HOUSE FILE 464

H-3414

- 1 Amend house file 464 as follows:
- 2 1. Page 1, by inserting under line 34 the
- 3 following subsection:
- 4 "4. For reimbursement to counties for main-
- 5 taining necessary office space and office supplies
- 6 and equipment pursuant to section two hundred
- 7 seventeen point thirty-two (217.32) of the
- 8 Code..... \$ 2,819,250".

H-3414 FILED - *Lost 3/29 (1981)* BY HANSEN of O'Brien
MARCH 28, 1977 MILLER of Calhoun
BENNETT of Ida
GILSON of Guthrie

HOUSE FILE 464

H-3421

- 1 Amend House File 464 as follows:
- 2 Page 2, by inserting after line 23 the follow-
- 3 ing:
- 4 "It is the intent of the general assembly that
- 5 a mental health institute shall not accept physical
- 6 custody of children alleged to be children in need
- 7 of assistance on the grounds stated in section two
- 8 hundred thirty-two point two (232.2), subsection
- 9 thirteen (13), paragraphs i and j, of the Code, on
- 10 guest status or otherwise, for more than ten days."

H-3421 FILED - *Adopted 3/29* BY BAKER of Buena Vista
MARCH 28, 1977 *(p. 1072)* HIGGINS of Scott
LIPSKY of Linn
BRUNOW of Appanoose
CUSACK of Scott

House Amendment to Senate Amendment
to House File 464

S-3494

1 Amend Senate amendment H-3589 to House File 464,
2 as follows:

3 1. Page 1, by inserting after line 16 the follow-
4 ing:

5 "The provisions of subsection nine (9) of section
6 nineteen A point nine (19A.9) of the Code which
7 restricts employment of intermittent employees to
8 not more than a specified number of calendar days
9 in any twelve-month period without examination, shall
10 not apply during the period beginning on July 1, 1977
11 and ending June 30, 1978 for forty intermittent
12 employees who are employed in field offices by the
13 department of social services. It is the intent of
14 the general assembly to authorize the continued
15 employment during the 1977-1978 fiscal year of persons
16 employed to assist in meeting the current high demand
17 for income maintenance and related services and to
18 permit the department to avoid the cost of training
19 new employees. Any such employee of the department
20 of social services who has been employed and classified
21 as an intermittent employee after August 1, 1975 for
22 twelve consecutive months or more shall be eligible
23 to receive the same fringe benefits for fiscal year
24 1977-1978 as any other person employed under the
25 provisions of chapter nineteen A (19A) of the Code."

26 2. Page 1, line 19, by striking the figure
27 "4,375,000" and inserting in lieu thereof the figure
28 "4,389,000".

29 3. Page 1, by inserting after line 19 the follow-
30 ing:

31 "Included in this appropriation for state
32 administration is twenty-five thousand (25,000) dollars
33 for one additional prosecutor for the fraud unit.

34 4. Page 1, by striking lines 22 and 23 and insert-
35 ing the following:

36 "For development and implementa-
37 tion of medicaid management in-
38 formation system..... \$ 140,000"

39 5. Page 1, by inserting after line 42 the follow-
40 ing:

41 "The department shall consult with the advisory
422 commission on corrections and prepare and submit to
43 the house and senate budget subcommittees on social
44 services recommendations concerning the three juvenile
45 institutions at Eldora, Mitchellville and Toledo with
46 a long term recommendation on the care and treatment
47 of juveniles at not more than two institutions. These
48 recommendations shall be submitted on or before
49 December 15, 1977. Members of the budget subcommittees
50 on social services shall visit the three institutions

1 during the 1977 interim."

2 6. Page 2, line 23, by striking the figure
3 "6,401,582" and inserting in lieu thereof the figure
4 "6,500,000".

5 7. Page 2, line 31, by striking the figure
6 "725,000" and inserting in lieu thereof the figure
7 "735,000".

8 8. Page 2, line 33, by striking the figure
9 "2,275,000" and inserting in lieu thereof the figure
10 "2,290,000".

11 9. Page 2, line 37, by striking the figure
12 "1,500,000" and inserting in lieu thereof the figure
13 "1,524,000".

14 10. Page 3, line 33, by striking the words "this
15 section" and inserting in lieu thereof the words
16 "section six (6) of this Act".

17 11. Page 4, line 36, by striking the figure
18 "420,000" and inserting in lieu thereof the figure
19 "480,000".

20 12. Page 4, by striking line 45 and inserting
21 in lieu thereof the following:
22 "centers for nonprofit centers only..... \$ 250,000
23 Real property shall not be purchased with funds
24 appropriated by this subsection.

25 16. State supplementation to
26 Title XX..... \$ 750,000
27 The funds appropriated by this subsection shall
28 be used only for purchase of services to continue
29 current programs.

30 17. Notwithstanding the provisions of section
31 eight point thirty-three (8.33) of the Code,
32 unencumbered or unobligated funds appropriated by
33 Acts of the Sixty-sixth General Assembly, 1976 Session,
34 chapter one thousand one hundred thirty-two (1132),
35 section five (5), subsection two (2), remaining on
36 June 30, 1977 shall be available for expenditure
37 during the fiscal year beginning July 1, 1977 and
38 the unencumbered or unobligated funds remaining on
39 June 30, 1978 shall revert to the general fund on
40 September 30, 1978."

41 13. Page 5, by striking lines 8 through 14.

42 14. Page 5, line 40, by inserting after the period
43 the words "However, the physical structure and fixtures
44 of the riverview release center shall not be altered
45 except for normal repair and maintenance until such
46 time as the general assembly shall otherwise provide."

47 15. Page 5, line 46, by striking the word "under"
48 and inserting in lieu thereof the word "through".

49 16. Page 6, by inserting after line 9 the follow-

1 "Sec. 16. It is the intent that the department
2 of social services shall increase the maximum
3 reimbursement for intermediate care facility services
4 under medicaid from nineteen dollars to nineteen
5 dollars and fifty cents and that the department shall
6 increase the fee paid to pharmacists under medicaid
7 from two dollars and fifteen cents to two dollars
8 and fifty-five cents.

9 Sec. 17. It is the intent of the general assembly
10 that the department of social services, by July 1,
11 1977, shall review every state staffing requirement
12 contained in the conditions of participation for
13 intermediate care facilities participating in the
14 medicaid program that exceeds federal government re-
15 quirements and that any such conditions of
16 participation be submitted to the administrative rules
17 review committee.

18 Sec. 18. The department of health shall delay
19 implementation of the department of health licensure
20 rules for intermediate care facilities as published
21 in the Iowa Administrative Code "Health (470) chapter
22 58". The department, upon consultation with the
23 health facilities advisory committee, shall review
24 these rules which exceed the federal Title XIX
25 guidelines for intermediate care facilities. All
26 such modified rules approved by the department of
27 health shall be resubmitted to the administrative
28 rules review committee. The department of health
29 may promulgate rules in areas not addressed by federal
30 regulations.

31 Sec. 19. It is the intent that the department
32 of social services shall resist the implementation
33 of the federal government spouse income regulation
34 which would allow spouse income under certain
35 circumstances to be excluded from the determination
36 of income for intermediate care facility medicaid
37 eligibility purposes.

38 Sec. 20. It is the intent of the general assembly
39 that funds appropriated for medical assistance shall
40 not be used to pay for radiology services provided
41 by a computerized axial tomographic scanner placed
42 in operation in the state of Iowa subsequent to the
43 effective date of this Act unless said computerized
44 axial tomographic scanner has been approved by the
45 health facilities construction review committee of
46 the state department of health.

47 Sec. 21. Section two hundred twenty-two point
48 eighty-six (222.86), Code 1977, is amended to read
49 as follows:

50 222.86 PAYMENT FOR CARE FROM ZIPP. Whenever the

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1 amount in the account of any patient in the patients'
2 personal deposit fund exceeds the sum of two hundred
3 dollars, the business manager of the hospital-school
4 or special unit may apply any amount of the excess
5 to reimburse the county of legal settlement for
6 liability incurred by such county for the payment
7 of care, support, and maintenance of the patient when
8 billed therefor by the county of legal settlement.

9 ~~Money earned by a patient for work performed in or~~
10 ~~for a hospital-school or special unit shall not be~~
11 ~~subject to this section or its attachment.~~

12 Sec. 22.

13 1. The department of social services shall
14 implement a pilot program in community services
15 districts ten and two requiring mandatory second
16 opinions on elective surgery for medicaid clients.
17 The department shall reimburse board certified surgical
18 specialists to give their opinion on elective surgery
19 prescribed by the client's own physician. If there
20 is a difference in the opinion of the two physicians,
21 the client shall make the final determination. In
22 cases where the client is geographically distant from
23 the specialist, the department shall pay transportation
24 and child care expenses incurred in obtaining the
25 second opinion. The department shall maintain
26 statistical information on this program in community
27 service districts ten and two and on similar groups
28 in community service districts eight and eleven in
29 order to evaluate the impact of this program on the
30 costs of the medicaid program.

31 2. There is appropriated from the general fund
32 of the state to the department of social services
33 for the fiscal year beginning July 1, 1977 the sum
34 of fifty thousand (50,000) dollars, or so much thereof
35 as may be necessary, for the administration of the
36 pilot program mandated by this section, and for the
37 payment of evaluation costs, consultant fees and
38 client expenses incurred in connection therewith."

39 17. Page 6, by striking lines 23 through 25 and
40 inserting in lieu thereof the words "schools revolving
41 fund. Unobligated or unencumbered funds appropriated
42 by this section shall not revert to the general fund
43 of the state until the attainment of the object or
44 the completion of the work for which such appropriation
45 is made."

46 18. Page 6, by striking lines 45, 46 and 47 and
47 inserting the following: "advisory commission on
48 corrections relief submitted to the general assembly
49 subsequent to April 1, 1977. Funds appropriated by
50 this subsection may be used to match federal funds

1 including federal funds received from the law
2 enforcement assistance administration if such funds
3 become available to the state. The construction of
4 the capital improvements shall not commence prior
5 to March 1, 1978 except as provided in section thirty
6 (30) of this Act."

7 19. Page 7, by striking lines 49 through 50.

8 20. Page 8, by striking lines 1 through 17 and
9 inserting in lieu thereof the following:

10 "Sec. 30. Unobligated or unencumbered funds
11 remaining on June 30, 1981 from funds appropriated
12 by sections twenty-five (25) through twenty-eight
13 (28) of this Act shall revert to the general fund
14 of the state on September 30, 1981. If federal funds
15 do not become available to match the funds appropriated
16 by subsection one (1) of section twenty-eight (28)
17 of this Act, the funds, except seventy-five thousand
18 dollars, shall be used for planning the projects
19 provided for in this Act including the employment
20 of architects. In no event shall such funds, except
21 the seventy-five thousand dollars provided for in
22 this section, be used for construction or alteration
23 of physical structures prior to March 1, 1978. The
24 seventy-five thousand dollars excepted from the
25 planning shall be used to complete the work in
26 progress, make further necessary repairs, and install
27 a horizontal partition in cellhouse twenty at Fort
28 Madison as provided in subsection one (1) of section
29 twenty-nine (29) of this Act."

30 21. Page 8, by inserting after line 17 the follow-
31 ing new sections:

32 "Sec. 31. Section two hundred forty-six point
33 one (246.1), Code 1977, is amended to read as follows:
34 246.1 DEFINITIONS. For the purpose of this chapter
35 "director" or "state director" shall mean the director
36 of the division of adult corrections of the department
37 of social services, or that director's designee."

38 "Sec. 32. Chapter two hundred forty-six (246),
39 Code 1977, is amended by adding the following new
40 section:

41 NEW SECTION. SPECIAL TREATMENT UNIT FOR CORREC-
42 TIONS INMATES.

43 1. Beginning April 1, 1978, the medium security
44 correctional facility at Mount Pleasant shall be util-
45 ized as a secure facility for treatment of inmates
46 of adult correctional institutions who exhibit
47 treatable personality disorders, with or without
48 accompanying history of drug or alcohol abuse. Such
49 inmates may apply for and upon their application may
50 be selected for treatment by the staff of the treatment

1 facility at Mount Pleasant in accordance with section
2 two hundred eighteen point ninety (218.90) of the
3 Code.

4 2. The director shall coordinate with the division
5 of mental health of the department of social services
6 and the state psychiatric hospital at Iowa City in
7 the creation, staffing and operation of a research
8 and treatment program directed at the class of
9 disorders described in subsection one (1) of this
10 section, which program shall be operated at the medium
11 security correctional facility at Mount Pleasant.

12 3. The final decision regarding admission and
13 discharge of patients of the treatment facility
14 operated under this section shall rest with the
15 director. Upon discharge, the patients of the
16 treatment facility shall be transferred or placed
17 as determined by the director."

18 Sec. 33. Section two hundred twenty-three point
19 eight (223.8), Code 1977, is amended by striking the
20 section and inserting in lieu thereof the following:

21 223.8 COSTS AND CHARGES. Chapter two hundred
22 thirty (230), Code 1977, shall govern the determination
23 of costs and charges for the care and treatment of
24 mentally ill patients admitted to the Iowa security
25 medical facility, except that charges for the care
26 and treatment of any person transferred to the security
27 medical facility from an adult correctional institution
28 or from a state training school shall be paid entirely
29 from state funds. Charges for all other patients
30 at the security medical facility shall be billed to
31 the respective counties at the same ratio as for
32 patients at state hospitals for the mentally ill,
33 under section two hundred thirty point twenty (230.20)
34 of the Code.

35 Sec. 34. The department of social services shall
36 report to the budget social services subcommittees
37 of the committees on budget of the house and senate
38 by February 1, 1978 the cost and description of the
39 construction necessary to make building twenty at
40 Mount Pleasant mental health institute an internally
41 secure structure, including but not limited to
42 providing escape-proof doors and windows, air
43 conditioning, and electronic surveillance and security
44 equipment which will exceed the standards in the
45 existing plans.

46 Sec. 35. There is hereby appropriated from the
47 general fund of the state to the legislative council
48 the sum of twenty thousand (20,000) dollars, or so
49 much thereof as may be necessary, which shall be used
50 by the joint senate-house budget subcommittees on

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1 social services to conduct a study of the requirements
2 for and restrictions upon use of federal funds
3 allocated to Iowa under Title twenty (XX) of the
4 United States social security Act, the manner in which
5 the state and persons representing political
6 subdivisions of the state and other local interests
7 and organizations have planned for and acted in use
8 of these funds, the effect upon these efforts and
9 subsequent decisions by the department of social
10 services affecting the allocation and use of Title
11 twenty (XX) funds, the effect of any joint funding
12 of programs with both money appropriated by or
13 allocated to the state for the medical assistance
14 program maintained pursuant to Title nineteen (XIX)
15 of the United States social security Act and Title
16 twenty (XX) money and the necessity for the district
17 offices of the department of social services. The
18 subcommittees shall make the necessary arrangements
19 for the conduct and supervision of the study, including
20 the hiring of any necessary staff, and for formulation
21 of recommendations based upon the findings of the
22 study. The report of the study and the recommendations
23 based thereon shall be submitted to the Sixty-seventh
24 General Assembly on or before the date it convenes
25 for its regular session in the year 1978. The
26 secretary of the senate and the chief clerk of the
27 house, in consultation with the legislative council,
28 shall provide administrative services for the
29 administration of funds appropriated by this section."

30 22. Page 9, by striking lines 33 and 34 and inserting
31 in lieu thereof the following:

32 "2. Title page, lines 1 and 2, by striking the
33 words "making an appropriation to the department of
34 social services to fund" and inserting in lieu thereof
35 the words "relating to the administration and financing
36 of"."

37 3. Title page, line 3, by inserting after the
38 word "services" the words "and to funding of capital"."

39 23. By renumbering sections of and correcting
40 internal references in the amendment in accordance
41 with the foregoing amendments.

1 Amend amendment H-3605 to amendment H-3589 to House
2 file 464 as follows:

- 3 1. Page 1, by striking lines 28 through 30.
4 2. Page 2, by inserting after line 43 the
5 following:

6 " . Page 5, line 46, by striking the word "under"
7 and inserting in lieu thereof the word "through".

8 3. Page 5, by striking lines 32 through 50 and
9 inserting in lieu thereof the following:

10 "Sec. 31. Section two hundred forty-six point
11 one (246.1), Code 1977, is amended to read as follows:

12 246.1 DEFINITIONS. For the purpose of this chapter
13 "director" or "state director" shall mean the director
14 of the division of adult corrections of the department
15 of social services, or that director's designee."

16 4. Page 6, by striking lines 1 through 20 and
17 inserting in lieu thereof the following:

18 "Sec. 32. Chapter two hundred forty-six (246),
19 Code 1977, is amended by adding the following new
20 section:

21 NEW SECTION. SPECIAL TREATMENT UNIT FOR CORREC-
22 TIONS INMATES.

23 1. Beginning April 1, 1978, the medium security
24 correctional facility at Mount Pleasant shall be util-
25 ized as a secure facility for treatment of inmates
26 of adult correctional institutions who exhibit
27 treatable personality disorders, with or without
28 accompanying history of drug or alcohol abuse. Such
29 inmates may apply for and upon their application may
30 be selected for treatment by the staff of the treatment
31 facility at Mount Pleasant in accordance with section
32 two hundred eighteen point ninety (218.90) of the
33 Code.

34 2. The director shall coordinate with the division
35 of mental health of the department of social services
36 and the state psychiatric hospital at Iowa City in
37 the creation, staffing and operation of a research
38 and treatment program directed at the class of
39 disorders described in subsection one (1) of this
40 section, which program shall be operated at the medium
41 security correctional facility at Mount Pleasant.

42 3. The final decision regarding admission and
43 discharge of patients of the treatment facility
44 operated under this section shall rest with the
45 director. Upon discharge, the patients of the
46 treatment facility shall be transferred or placed
47 as determined by the director."

48 5. Page 7, by inserting after line 34 the follow-
49 ing: "
50 _____ Page 9, by striking lines 33 and 34 and

1 inserting in lieu thereof the following:

2 "2. Title page, lines 1 and 2, by striking the
3 words "making an appropriation to the department of
4 social services to fund" and inserting in lieu thereof
5 the words "relating to the administration and financing
6 of"."

7 3. Title page, line 3, by inserting after the
8 word "services" the words "and to funding of capital"."

H-3954 FILED, A-ADOPTED BY BRUNOW of Appanoose

B-ADOPTED (p p. 1864 & 1865) HANSEN of O'Brien

MAY 3, 1977

House Amendment to Senate Amendment
to House File 464

S-3417

1 Amend Senate amendment H-3589 to House File 464,
2 as follows:

3 1. Page 1, by inserting after line 16 the follow-
4 ing:

5 "The provisions of subsection nine (9) of section
6 nineteen A point nine (19A.9) of the Code which
7 restricts employment of intermittent employees to
8 not more than a specified number of calendar days
9 in any twelve-month period without examination, shall
10 not apply during the period beginning on July 1, 1977
11 and ending June 30, 1978 for forty intermittent
12 employees who are employed in field offices by the
13 department of social services. It is the intent of
14 the general assembly to authorize the continued
15 employment during the 1977-1978 fiscal year of persons
16 employed to assist in meeting the current high demand
17 for income maintenance and related services and to
18 permit the department to avoid the cost of training
19 new employees. Any such employee of the department
20 of social services who has been employed and classified
21 as an intermittent employee after August 1, 1975 for
22 twelve consecutive months or more shall be eligible
23 to receive the same fringe benefits for fiscal year
24 1977-1978 as any other person employed under the
25 provisions of chapter nineteen A (19A) of the Code."

26 2. Page 1, line 19, by striking the figure
27 "4,375,000" and inserting in lieu thereof the figure
28 "4,389,000".

29 3. Page 1, by inserting after line 19 the follow-
30 ing:

31 "Included in this appropriation for state
32 administration is twenty-five thousand (25,000) dollars
33 for one additional prosecutor for the fraud unit.
34 The position of medical consultant to the commissioner
35 is not funded in this appropriation for state
36 administration."

37 4. Page 1, by striking lines 22 and 23 and insert-
38 ing the following:

39 "For development and implementa-
40 tion of medicaid management in-
41 formation system..... \$ 140,000"

42 5. Page 1, by inserting after line 42 the follow-
43 ing:

44 "The department shall consult with the advisory
45 commission on corrections and prepare and submit to
46 the house and senate budget subcommittees on social
47 services recommendations concerning the three juvenila
48 institutions at Eldora, Mitchellville and Toledo with
49 a long term recommendation on the care and treatment
50 of juveniles at not more than two institutions. These

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1 recommendations shall be submitted on or before
2 December 15, 1977. Members of the budget subcommittees
3 on social services shall visit the three institutions
4 during the 1977 interim."

5 6. Page 2, line 23, by striking the figure
6 "6,401,582" and inserting in lieu thereof the figure
7 "6,500,000".

8 7. Page 2, line 31, by striking the figure
9 "725,000" and inserting in lieu thereof the figure
10 "735,000".

11 8. Page 2, line 33, by striking the figure
12 "2,275,000" and inserting in lieu thereof the figure
13 "2,290,000".

14 9. Page 2, line 37, by striking the figure
15 "1,500,000" and inserting in lieu thereof the figure
16 "1,524,000".

17 10. Page 3, line 33, by striking the words "this
18 section" and inserting in lieu thereof the words
19 "section six (6) of this Act".

20 11. Page 4, line 36, by striking the figure
21 "420,000" and inserting in lieu thereof the figure
22 "480,000".

23 12. Page 4, by striking line 45 and inserting
24 in lieu thereof the following:
25 "centers for nonprofit centers only..... \$ 250,000
26 Real property shall not be purchased with funds
27 appropriated by this subsection.

28 16. State supplementation to
29 Title XX..... \$ 750,000

30 The funds appropriated by this subsection shall
31 be used only for purchase of services to continue
32 current programs.

33 17. Notwithstanding the provisions of section
34 eight point thirty-three (8.33) of the Code,
35 unencumbered or unobligated funds appropriated by
36 Acts of the Sixty-sixth General Assembly, 1976 Session,
37 chapter one thousand one hundred thirty-two (1132),
38 section five (5), subsection two (2), remaining on
39 June 30, 1977 shall be available for expenditure
40 during the fiscal year beginning July 1, 1977 and
41 the unencumbered or unobligated funds remaining on
42 June 30, 1978 shall revert to the general fund on
43 September 30, 1978."

44 13. Page 5, by striking lines 8 through 14.

45 14. Page 5, line 40, by inserting after the period
46 the words "However, the physical structure and fixtures
47 of the riverview release center shall not be altered
48 except for normal repair and maintenance until such
49 time as the general assembly shall otherwise provide."

50 15. Page 6, by inserting after line 9 the follow-

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1 ing:

2 "Sec. 16. It is the intent that the department
3 of social services shall increase the maximum
4 reimbursement for intermediate care facility services
5 under medicaid from nineteen dollars to nineteen
6 dollars and fifty cents and that the department shall
7 increase the fee paid to pharmacists under medicaid
8 from two dollars and fifteen cents to two dollars
9 and fifty-five cents.

10 Sec. 17. It is the intent of the general assembly
11 that the department of social services, by July 1,
12 1977, shall review every state staffing requirement
13 contained in the conditions of participation for
14 intermediate care facilities participating in the
15 medicaid program that exceeds federal government re-
16 quirements and that any such conditions of
17 participation be submitted to the administrative rules
18 review committee.

19 Sec. 18. The department of health shall delay
20 implementation of the department of health licensure
21 rules for intermediate care facilities as published
22 in the Iowa Administrative Code "Health (470) chapter
23 58". The department, upon consultation with the
24 health facilities advisory committee, shall review
25 these rules which exceed the federal Title XIX
26 guidelines for intermediate care facilities. All
27 such modified rules approved by the department of
28 health shall be resubmitted to the administrative
29 rules review committee. The department of health
30 may promulgate rules in areas not addressed by federal
31 regulations.

32 Sec. 19. It is the intent that the department
33 of social services shall resist the implementation
34 of the federal government spouse income regulation
35 which would allow spouse income under certain
36 circumstances to be excluded from the determination
37 of income for intermediate care facility medicaid
38 eligibility purposes.

39 Sec. 20. It is the intent of the general assembly
40 that funds appropriated for medical assistance shall
41 not be used to pay for radiology services provided
42 by a computerized axial tomographic scanner placed
43 in operation in the state of Iowa subsequent to the
44 effective date of this Act unless said computerized
45 axial tomographic scanner has been approved by the
46 health facilities construction review committee of
47 the state department of health.

48 Sec. 21. Section two hundred twenty-two point
49 eighty-six (222.86), Code 1977, is amended to read
50 as follows:

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1 222.86 PAYMENT FOR CARE FROM FUND. Whenever the
2 amount in the account of any patient in the patients'
3 personal deposit fund exceeds the sum of two hundred
4 dollars, the business manager of the hospital-school
5 or special unit may apply any amount of the excess
6 to reimburse the county of legal settlement for
7 liability incurred by such county for the payment
8 of care, support, and maintenance of the patient when
9 billed therefor by the county of legal settlement.
10 ~~Money earned by a patient for work performed in or~~
11 ~~for a hospital-school or special unit shall not be~~
12 ~~subject to this section or to attachment.~~

13 Sec. 22.
14 1. The department of social services shall
15 implement a pilot program in community services
16 districts ten and two requiring mandatory second
17 opinions on elective surgery for medicaid clients.
18 The department shall reimburse board certified surgical
19 specialists to give their opinion on elective surgery
20 prescribed by the client's own physician. If there
21 is a difference in the opinion of the two physicians,
22 the client shall make the final determination. In
23 cases where the client is geographically distant from
24 the specialist, the department shall pay transportation
25 and child care expenses incurred in obtaining the
26 second opinion. The department shall maintain
27 statistical information on this program in community
28 service districts ten and two and on similar groups
29 in community service districts eight and eleven in
30 order to evaluate the impact of this program on the
31 costs of the medicaid program.

32 2. There is appropriated from the general fund
33 of the state to the department of social services
34 for the fiscal year beginning July 1, 1977 the sum
35 of fifty thousand (50,000) dollars, or so much thereof
36 as may be necessary, for the administration of the
37 pilot program mandated by this section, and for the
38 payment of evaluation costs, consultant fees and
39 client expenses incurred in connection therewith."

40 16. Page 6, by striking lines 23 through 26 and
41 inserting in lieu thereof the words "schools revolving
42 fund. Unobligated or unencumbered funds appropriated
43 by this section shall not revert to the general fund
44 of the state until the attainment of the object or
45 the completion of the work for which such appropriation
46 is made."

47 17. Page 6, by striking lines 45, 46 and 47 and
48 inserting the following: "advisory commission on
49 corrections relief submitted to the general assembly
50 subsequent to April 1, 1977. Funds appropriated by

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1 this subsection may be used to match federal funds
2 including federal funds received from the law
3 enforcement assistance administration if such funds
4 become available to the state. The construction of
5 the capital improvements shall not commence prior
6 to March 1, 1978 except as provided in section thirty
7 (30) of this Act."

8 18. Page 7, by striking lines 49 through 50.

9 19. Page 8, by striking lines 1 through 17 and
10 inserting in lieu thereof the following:

11 "Sec. 30. Unobligated or unencumbered funds
12 remaining on June 30, 1981 from funds appropriated
13 by sections twenty-five (25) through twenty-eight
14 (28) of this Act shall revert to the general fund
15 of the state on September 30, 1981. If federal funds
16 do not become available to match the funds appropriated
17 by subsection one (1) of section twenty-eight (28)
18 of this Act, the funds, except seventy-five thousand
19 dollars, shall be used for planning the projects
20 provided for in this Act including the employment
21 of architects. In no event shall such funds, except
22 the seventy-five thousand dollars provided for in
23 this section, be used for construction or alteration
24 of physical structures prior to March 1, 1978. The
25 seventy-five thousand dollars excepted from the
26 planning shall be used to complete the work in
27 progress, make further necessary repairs, and install
28 a horizontal partition in cellhouse twenty at Fort
29 Madison as provided in subsection one (1) of section
30 twenty-nine (29) of this Act."

31 20. Page 8, by inserting after line 17 the follow-
32 ing new sections:

33 "Sec. 31. Effective March 31, 1978, building
34 twenty at the mental health institute at Mount Pleasant
35 shall revert to and become a part of the mental health
36 institute, and the director of the division of mental
37 health resources of the department of social services
38 shall thereafter have primary authority and
39 responsibility for its operation and control.

40 Sec. 32. Chapter two hundred twenty-six (226),
41 Code 1977, is amended by adding the following new
42 section:

43 NEW SECTION. SPECIAL TREATMENT UNIT FOR CORRECTIONS
44 INMATES.

45 1. Beginning April 1, 1978, there shall be
46 maintained at the Mount Pleasant mental health
47 institute, as a part of that institute, a secure
48 facility for the treatment of inmates of adult
49 corrections institutions who exhibit treatable
50 personality disorders, with or without accompanying

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1 history of drug or alcohol abuse. Such inmates may
2 apply for and upon their application may be selected
3 for treatment by the staff of the mental health
4 institute at Mount Pleasant in accordance with section
5 two hundred eighteen point ninety (218.90) of the
6 Code.

7 2. The division of mental health of the department
8 of social services shall coordinate with the state
9 psychiatric hospital at Iowa City in the creation,
10 staffing, and operation of a research and treatment
11 program directed at the class of disorders described
12 in subsection one (1) of this section which program
13 shall be that operated at the mental health institute
14 at Mount Pleasant.

15 3. The final decision regarding admission and
16 discharge of patients shall rest with the
17 superintendent of the mental health institute not
18 withstanding section two hundred eighteen point ninety
19 (218.90) of the Code. Upon discharge patients shall
20 be returned to the direction of the division of adult
21 corrections.

22 Sec. 33. Section two hundred twenty-three point
23 eight (223.8), Code 1977, is amended by striking the
24 section and inserting in lieu thereof the following:
25 -223.8 COSTS AND CHARGES. Chapter two hundred
26 thirty (230), Code 1977, shall govern the determination
27 of costs and charges for the care and treatment of
28 mentally ill patients admitted to the Iowa security
29 medical facility, except that charges for the care
30 and treatment of any person transferred to the security
31 medical facility from an adult correctional institution
32 or from a state training school shall be paid entirely
33 from state funds. Charges for all other patients
34 at the security medical facility shall be billed to
35 the respective counties at the same ratio as for
36 patients at state hospitals for the mentally ill,
37 under section two hundred thirty point twenty (230.20)
38 of the Code.

39 Sec. 34. The department of social services shall
40 report to the budget social services subcommittees
41 of the committees on budget of the house and senate
42 by February 1, 1978 the cost and description of the
43 construction necessary to make building twenty at
44 Mount Pleasant mental health institute an internally
45 secure structure, including but not limited to
46 providing escape-proof doors and windows, air
47 conditioning, and electronic surveillance and security
48 equipment which will exceed the standards in the
49 existing plans.

50 Sec. 35. There is hereby appropriated from the

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1 general fund of the state to the legislative council
2 the sum of twenty thousand (20,000) dollars, or so
3 much thereof as may be necessary, which shall be used
4 by the joint senate-house budget subcommittees on
5 social services to conduct a study of the requirements
6 for and restrictions upon use of federal funds
7 allocated to Iowa under Title twenty (XX) of the
8 United States social security Act, the manner in which
9 the state and persons representing political
10 subdivisions of the state and other local interests
11 and organizations have planned for and acted in use
12 of these funds, the effect upon these efforts and
13 subsequent decisions by the department of social
14 services affecting the allocation and use of Title
15 twenty (XX) funds, the effect of any joint funding
16 of programs with both money appropriated by or
17 allocated to the state for the medical assistance
18 program maintained pursuant to Title nineteen (XIX)
19 of the United States social security Act and Title
20 twenty (XX) money and the necessity for the district
21 offices of the department of social services. The
22 subcommittees shall make the necessary arrangements
23 for the conduct and supervision of the study, including
24 the hiring of any necessary staff, and for formulation
25 of recommendations based upon the findings of the
26 study. The report of the study and the recommendations
27 based thereon shall be submitted to the Sixty-seventh
28 General Assembly on or before the date it convenes
29 for its regular session in the year 1978. The
30 secretary of the senate and the chief clerk of the
31 house, in consultation with the legislative council,
32 shall provide administrative services for the
33 administration of funds appropriated by this section."
34 21. By renumbering sections of and correcting
35 internal references in the amendment in accordance
36 with the foregoing amendments.

S-3417 FILED
APRIL 25, 1977

RECEIVED FROM THE HOUSE

*(Name recalled 464, further amended
3417 superseded by 3494 5/3)
Ruled out of order 5/4 (p. 1339)*

HOUSE FILE 464

S-3344

1 Amend the subcommittee amendment, S-3310 to
2 House File 464 as amended, passed and reprinted by the
3 House as follows:

4 1. Page 4, by inserting after line 41 the follow-
5 ing section:

6 "Sec. _____. Unobligated or unencumbered funds
7 remaining on June 30, 1981 from funds appropriated
8 by sections twelve (12) through fifteen (15) of this
9 Act shall revert to the general fund of the state
10 on September 30, 1981. However, if federal funds in an
11 amount of at least three million (3,000,000) dollars
12 do not become available during the fiscal year beginning
13 July 1, 1977 for the purpose of matching funds appro-
14 priated by subsection one (1) of section fifteen (15)
15 of this Act, the unobligated funds appropriated by
16 subsection one (1) of section fifteen (15) of this Act
17 remaining on June 30, 1978 shall revert to the general
18 fund on July 1, 1978. In no event, however, shall
19 such funds be used for construction or alteration of
20 physical structures prior to March 1, 1978, except
21 for seventy-five thousand dollars which shall be used
22 for the planning of projects provided for in this Act
23 including the employment of architects."

S-3344 FILED & WITHDRAWN
APRIL 13, 1977

BY BERL E. PRIEBE
BOB RUSH

HOUSE FILE 464

S-3346

1 Amend the subcommittee amendment, S-3310, to
2 House File 464 as amended, passed and reprinted by
3 the House as follows:

4 1. Page 3, by inserting after line 47 the
5 following section:

6 "Sec. _____. It is the intent of the General
7 Assembly, in consideration of the Iowa State University
8 of Science and Technology aid to families with
9 dependent children study, that the schedule of
10 living costs and the payments for persons on the aid
11 to families with dependent children program shall
12 be set as follows:

13
14 a. 2 person family \$257 per month
15 b. 3 person family \$318 per month
16 c. 4 person family \$369 per month
17 d. All other family sizes shall be set at
18 their present payment level."

S-3346 FILED. *Adopted 4/13 (p. 996)* BY JOHN S. MURRAY
APRIL 13, 1977

HOUSE FILE 464

H-3689

1 Amend Amendment H-3605 to Amendment H-3589 to House File 464
2 as follows:
3

1. Page 4, by striking all of lines 3 through 18.

H-3689 FILED - *Adopted 4/20* BY BRUNOW of Appanoose
APRIL 20, 1977 *(p. 1514)*

HOUSE FILE 464

H-3690

1 Amend the Senate amendment H-3589 to House File
2 464 as amended, passed, and reprinted by the House
3 as follows:

4 1. Page 6, by striking lines 23 through 26 and
5 inserting in lieu thereof the words "schools revolving
6 fund. Unobligated or unencumbered funds appropriated
7 by this section shall not revert to the general fund
8 of the state until the attainment of the object or
9 the completion of the work for which such appropriation
10 is made."

H-3690 FILED - *Adopted 4/20* BY BRUNOW of Appanoose
APRIL 20, 1977 CUSACK of Scott

HOUSE FILE 464

H-3691

1 Amend Senate amendment H-3589 to House File
2 464 as follows:

3 1. Page 3, line 24, by striking the figures
4 "6,200,000" and inserting in lieu thereof the figures
5 "6,100,000".

H-3691 FILED - *Adopted 4/20* BY JESSE of Polk
APRIL 20, 1977 *(p. 1514)*

HOUSE FILE 464

H-3693

1 Amend amendment H-3605, to Senate amendment
2 H-3589, to House File 464, as follows:

3 1. Page 3, by striking lines 29 through 37
4 and inserting in lieu thereof the following:

5 "Sec. _____. It is the intent of the general
6 assembly that funds appropriated for medical
7 assistance shall not be used to pay for radiology
8 services provided by a computerized axial tomo-
9 graphic scanner placed in operation in the state
10 of Iowa subsequent to the effective date of this
11 Act unless said computerized axial tomographic
12 scanner has been approved by the health facilities
13 construction review committee of the state depart-
14 ment of health."

H-3693 FILED - *Adopted 4/20* BY SCHROEDER of Pottawattamie
APRIL 20, 1977 *(p. 1514)*

HOUSE FILE 464

H-3635

- 1 Amend amendment H-3605 to amendment H-3529 to
- 2 House File 464 as follows:
- 3 1. Page 3, lines 14 and 15 by striking the words
- 4 "December 6, 1976 licensure rules" and inserting in
- 5 lieu thereof the following:
- 6 "department of health licensure rules for inter-
- 7 mediate care facilities as published in the Iowa Ad-
- 8 ministrative Code "Health (470) chapter 58".

H-3635 FILED - *Adopted 4/10* BY WELDEN of Hardin
APRIL 19, 1977 (*p. 1513*)

HOUSE FILE 464

H-3645

- 1 Amend amendment H-3624 to amendment H-3605 to
- 2 Senate amendment H-3589 to House File 464 as follows:
- 3 1. Page 1, by striking all of line 33 and in-
- 4 serting in lieu thereof the following:
- 5 "a. The department may provide directly or may
- 6 contract with any suitable".

H-3645 FILED - *Withdrawn 4/10* BY SCHROEDER of Pottawattamie
APRIL 19, 1977 (*p. 1516*)

HOUSE FILE 464

H-3687

- 1 Amend the House amendment H-3605 to Senate amendment
- 2 H-3589 to House File 464 as amended, passed, and
- 3 reprinted by the House as follows:
- 4 1. Page 1, line 11, by striking the word "forty-
- 5 six" and inserting in lieu thereof the word "forty".
- 6 2. Page 1, line 19, by inserting after the period
- 7 the words "Any such employee of the department of
- 8 social services who has been employed and classified
- 9 as an intermittent employee after August 1, 1975 for
- 10 twelve consecutive months or more shall be eligible
- 11 to receive the same fringe benefits for fiscal year
- 12 1977-1978 as any other person employed under the
- 13 provisions of chapter nineteen A (19A) of the Code."

H-3687 FILED - *Adopted 4/10* BY BRUNOW of Appanoose
APRIL 20, 1977 (*p. 1516*) CUSACK of Scott
HANSEN of O'Brien

HOUSE FILE 464

H-3688

- 1 Amend amendment H-3605, to Senate amendment
- 2 H-3589, to House File 464, as follows:
- 3 1. Page 3, line 21, by inserting after the
- 4 word "committee." the following: "The department
- 5 of health may promulgate rules in areas not
- 6 addressed by federal regulations."

H-3688 FILED - *Adopted 4/10* BY SVOBODA of Iowa
APRIL 20, 1977 (*p. 1517*)

H-3624

1 Amend amendment H-3605 to Senate amendment H-3589
2 to House File 464, as follows:

3 1. Page 7, by inserting after line 31 the
4 following:

5 "Sec. _____.

6 1. There is appropriated from the
7 general fund of the state for the
8 fiscal year beginning July 1,
9 1977 and ending June 30, 1978 to
10 the department of social services,
11 to be used to extend availability of
12 homemaker-home health aide services
13 to additional elderly persons in
14 this state \$1,500,000

15 2. The department may retain not to exceed one
16 percent of the amount appropriated by this section,
17 to be used to pay the costs of administering this
18 section. The remainder shall be allocated for use
19 in the several counties of the state as follows:

20 a. One-fourth of the total amount to be allocated
21 shall be divided so that an equal amount is available
22 for use in each county in the state; and

23 b. Three-fourths of the total amount to be
24 allocated shall be divided so that the share available
25 for use in each county is proportionate to the number
26 of elderly persons living in that county in relation
27 to the total number of elderly persons living in the
28 state.

29 3. The department shall make the money allocated
30 for use in each county under subsection two (2) of
31 this section available to be expended in that county
32 as follows:

33 a. The department may contract with any suitable
34 local governmental body or independent nonprofit
35 agency to use funds available for use in the county
36 under this subsection to establish or extend homemaker-
37 home health aide services to elderly persons living
38 in the county.

39 b. It is the intent of the general assembly that
40 the department of social services not use any of the
41 funds appropriated by this Act to replace, directly
42 or indirectly, funds previously received either from
43 taxes levied by any county or from other sources and
44 used to pay all or any part of the cost of homemaker-
45 home health aide services maintained in that county.

46 4. Any of the funds appropriated by this section
47 and allocated for use in a county in this state shall
48 remain available for use in that county during the
49 fiscal year beginning July 1, 1978 and ending June
50 30, 1979, pursuant to all applicable requirements

1 of this section. The balance of those funds retained
2 by the department for administrative purposes, as
3 authorized by subsection two (2) of this section,
4 which remains unexpended on June 30, 1978 shall revert
5 to the general fund of the state as provided by section
6 eight point thirty-three (8.33) of the Code.

7 5. For the purposes of this section, an "elderly
8 person" is one who is sixty years of age or older.

9 6. The department of social services shall within
10 thirty days after the effective date of this Act
11 promulgate rules not contrary to this Act defining
12 eligibility for homemaker-home health aide services
13 paid for by funds appropriated by this Act, and
14 imposing a sliding fee scale for those persons deemed
15 able to pay all or a portion of the cost of such
16 services.

17 7. The department of social services shall prepare
18 a report containing a critical evaluation of the
19 programs funded under this Act, including quantitative
20 measures of the level of services provided, proportion
21 of the eligible population served, and the number
22 of elderly in health care facilities before and after
23 the programs funded under this Act were implemented.
24 An interim report shall be submitted to the second
25 session of the Sixty-seventh General Assembly not
26 later than thirty days after its convening, and a
27 final report shall be submitted to the first session
28 of the Sixty-eighth General Assembly not later than
29 thirty days after its convening.

30 8. The department of social services is authorized
31 to reallocate fifty-five existing vacancies to the
32 employment category of homemaker, for the purpose
33 of extending availability of homemaker services and
34 thereby facilitating implementation of this Act.
35 It is the intent of the general assembly that the
36 department of social services employ additional persons
37 as homemakers on a less than full-time basis, as
38 necessary to insure the widest possible availability
39 of homemaker services in this state, so long as the
40 total number of vacancies reallocated to homemaker
41 positions and filled does not exceed the equivalent
42 of fifty-five full-time positions."

HOUSE FILE 464

H-3616

- 1 Amend amendment H-3605 to Senate amendment H-3589
- 2 to House File 464 as passed by the House and reprinted
- 3 as follows:
- 4 1. Page 2, line 4, by striking the figure
- 5 "735,000" and inserting in lieu thereof the figure
- 6 "775,000".

H-3616 FILED, LOST (#1471) BY GENTLEMAN of Polk
APRIL 18, 1977

HOUSE FILE 464

H-3618

- 1 Amend amendment H-3605 to amendment H-3589 to
- 2 House File 464 as follows:
- 3 1. Page 6, by striking lines 49 and 50.
- 4 2. Page 7, by striking lines 1, 2, 3, and 4
- 5 and inserting in lieu thereof the following:
- 6 "Sec. 35. The joint senate-house budget
- 7 subcommittee on social services may conduct a study
- 8 of the requirements".
- 9 3. Page 7, by striking lines 19 through 23
- 10 and inserting in lieu thereof the following:
- 11 "twenty (XX) money. The report of the".
- 12 4. Page 7, by striking lines 27 through 31
- 13 and inserting in lieu thereof the following:
- 14 "in the year 1978. The legislative fiscal
- 15 bureau shall provide staff for this study."

H-3618 FILED - *House 464* BY LIPSKY of Linn
(1515)
APRIL 18, 1977

HOUSE FILE 464

H-3619

- 1 Amend amendment H-3605 to amendment H-3589 to
- 2 House File 464 as follows:
- 3 1. Page 5, line 32 by striking the figure
- 4 "1978" and inserting in lieu thereof the figure
- 5 "1979".
- 6 2. Page 5, by striking lines 39 through 50.
- 7 3. Page 6, by striking lines 1 through 20.

H-3619 FILED - *House 464* BY LIPSKY of Linn
(1515)
APRIL 18, 1977

HOUSE FILE 464

H-3610

- 1 Amend House amendment H-3605 to Senate amendment
- 2 H-3589 to House File 464 as follows:
- 3 1. Page 3, line 17 by striking the word "all"
- 4 and inserting in lieu thereof the word "these".

H-3610 FILED - *Adopted 4/20*
APRIL 18, 1977 *(p. 1518)* BY WELDEN of Hardin

HOUSE FILE 464

H-3612

- 1 Amend amendment H-3605 to amendment H-3589 to
- 2 House File 464 as follows:
- 3 1. Page 1, by striking all of lines 28, 29,
- 4 and 30.

H-3612 FILED, LOST *(p. 1440)* BY SCHROEDER of Pottawattamie
APRIL 18, 1977 *Recommended and*
withdrewn 5/13 (1864)

HOUSE FILE 464

H-3613

- 1 Amend amendment H-3605 to Senate amendment H-3589
- 2 to House File 464 as passed by the House and reprinted
- 3 as follows:
- 4 1. Page 3, by striking lines 4 through 21.

H-3613 FILED - *Last 4/18 (1443)* BY SVOBODA of Iowa
APRIL 18, 1977 HARGRAVE of Johnson
KREWSON of Polk
PATCHETT of Johnson
HIGGINS of Scott

HOUSE FILE 464

H-3614

- 1 Amend amendment H-3605, to Senate amendment
- 2 H-3589 to House File 464, as follows:
- 3 1. Page 7, line 14, by striking the word "and".
- 4 2. Page 7, line 19, by inserting after the
- 5 word "money" the words "and the necessity for the
- 6 district offices of the department of social services".

H-3614 FILED - *Adopted 4/30*
APRIL 18, 1977 *(p. 1515)* BY SPEAR of Lee

HOUSE FILE 464

H-3615

- 1 Amend amendment H-3605 to Senate amendment H-3589
- 2 to House File 464 as passed by the House and reprinted
- 3 as follows:
- 4 1. Page 3, line 6 by striking the word "repeal"
- 5 and inserting in lieu thereof the word "review".
- 6 2. Page 3, line 10 by striking the word "these"
- 7 and inserting in lieu thereof the words "any such".
- 8 3. Page 3, line 17 by striking the words "for
- 9 the purpose of eliminating those rules".
- 10 4. Page 3, line 19 by inserting after the word.
- 11 "rules" the words "approved by the department of
- 12 health".

H-3615 FILED - *Adopted 4/30*
APRIL 18, 1977 *(p. 1519)* BY SVOBODA of Iowa
KREWSON of Polk

H-3605

1 Amend Senate amendment H-3589 to House File 464,
 2 as follows:
 3 1. Page 1, by inserting after line 16 the follow-
 4 ing:

5 "The provisions of subsection nine (9) of section
 6 nineteen A point nine (19A.9) of the Code which
 7 restricts employment of intermittent employees to
 8 not more than a specified number of calendar days
 9 in any twelve-month period without examination, shall
 10 not apply during the period beginning on July 1, 1977
 11 and ending June 30, 1978 for forty-six intermittent
 12 employees who are employed in field offices by the
 13 department of social services. It is the intent of
 14 the general assembly to authorize the continued
 15 employment during the 1977-1978 fiscal year of persons
 16 employed to assist in meeting the current high demand
 17 for income maintenance and related services and to
 18 permit the department to avoid the cost of training
 19 new employees."

20 2. Page 1, line 19, by striking the figure
 21 "4,375,000" and inserting in lieu thereof the figure
 22 "4,389,000".

23 3. Page 1, by inserting after line 19 the follow-
 24 ing:

25 "Included in this appropriation for state
 26 administration is twenty-five thousand (25,000) dollars
 27 for one additional prosecutor for the fraud unit.
 28 The position of medical consultant to the commissioner
 29 is not funded in this appropriation for state
 30 administration."

31 4. Page 1, by striking lines 22 and 23 and insert-
 32 ing the following:

33 "For development and implementa-
 34 tion of medicaid management in-
 35 formation system..... \$ 140,000"

36 5. Page 1, by inserting after line 42 the follow-
 37 ing:

38 "The department shall consult with the advisory
 39 commission on corrections and prepare and submit to
 40 the house and senate budget subcommittees on social
 41 services recommendations concerning the three juvenile
 42 institutions at Eldora, Mitchellville and Toledo with
 43 a long term recommendation on the care and treatment
 44 of juveniles at not more than two institutions. These
 45 recommendations shall be submitted on or before
 46 December 15, 1977. Members of the budget subcommittees
 47 on social services shall visit the three institutions
 48 during the 1977 interim."

49 6. Page 2, line 23, by striking the figure
 50 "6,401,582" and inserting in lieu thereof the figure

1 "6,500,000".
2 7. Page 2, line 31, by striking the figure
3 "725,000" and inserting in lieu thereof the figure
4 "735,000".
5 8. Page 2, line 33, by striking the figure
6 "2,275,000" and inserting in lieu thereof the figure
7 "2,290,000".
8 9. Page 2, line 37, by striking the figure
9 "1,500,000" and inserting in lieu thereof the figure
10 "1,524,000".
11 10. Page 3, line 33, by striking the words "this
12 section" and inserting in lieu thereof the words
13 "section six (6) of this Act".
14 11. Page 4, line 36, by striking the figure
15 "420,000" and inserting in lieu thereof the figure
16 "480,000".
17 12. Page 4, by striking line 45 and inserting
18 in lieu thereof the following:
19 "centers for nonprofit centers only..... \$ 250,000
20 Real property shall not be purchased with funds
21 appropriated by this subsection.
22 16. State supplementation to
23 Title XX..... \$ 750,000
24 The funds appropriated by this subsection shall
25 be used only for purchase of services to continue
26 current programs.
27 17. Notwithstanding the provisions of section
28 eight point thirty-three (8.33) of the Code,
29 unencumbered or unobligated funds appropriated by
30 Acts of the Sixty-sixth General Assembly, 1976 Session,
31 chapter one thousand one hundred thirty-two (1132),
32 section five (5), subsection two (2), remaining on
33 June 30, 1977 shall be available for expenditure
34 during the fiscal year beginning July 1, 1977 and
35 the unencumbered or unobligated funds remaining on
36 June 30, 1978 shall revert to the general fund on
37 September 30, 1978."
38 13. Page 5, by striking lines 8 through 14.
39 14. Page 5, line 40, by inserting after the period
40 the words "However, the physical structure and fixtures
41 of the riverview release center shall not be altered
42 except for normal repair and maintenance until such
43 time as the general assembly shall otherwise provide."
44 15. Page 6, by inserting after line 9 the follow-
45 ing:
46 "Sec. 16. It is the intent that the department
47 of social services shall increase the maximum
48 reimbursement for intermediate care facility services
49 under medicaid from nineteen dollars to nineteen
50 dollars and fifty cents and that the department shall

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~~1 for-a-hospital-school-or-special-unit-shall-not-be
2 subject-to-this-section-or-to-assessment.~~

3 Sec. 22. Unless otherwise provided in this Act,
4 all institutional receipts of the department of social
5 services shall be deposited in the general fund except
6 rentals charged to employees or others for room,
7 apartment, or house and meals, which shall be available
8 to the institutions, and except for receipts from
9 farm products which shall be used for necessary farm
10 expenses and repair.

11 Sec. 23. Each hospital-school shall, upon receipt
12 of any payment made under chapter two hundred forty-
13 nine A (249A) of the Code for the care of any patient,
14 segregate an amount equal to that portion of the
15 payment which is required by law to be made from
16 nonfederal funds. The money segregated shall be
17 deposited in the medical assistance fund of the
18 department of social services.

19 Sec. 24.

20 1. The department of social services shall
21 implement a pilot program in community services
22 districts ten and two requiring mandatory second
23 opinions on elective surgery for medicaid clients.
24 The department shall reimburse board certified surgical
25 specialists to give their opinion on elective surgery
26 prescribed by the client's own physician. If there
27 is a difference in the opinion of the two physicians,
28 the client shall make the final determination. In
29 cases where the client is geographically distant from
30 the specialist, the department shall pay transportation
31 and child care expenses incurred in obtaining the
32 second opinion. The department shall maintain
33 statistical information on this program in community
34 service districts ten and two and on similar groups
35 in community service districts eight and eleven in
36 order to evaluate the impact of this program on the
37 costs of the medicaid program.

38 2. There is appropriated from the general fund
39 of the state to the department of social services
40 for the fiscal year beginning July 1, 1977 the sum
41 of fifty thousand (50,000) dollars, or so much thereof
42 as may be necessary, for the administration of the
43 pilot program mandated by this section, and for the
44 payment of evaluation costs, consultant fees and
45 client expenses incurred in connection therewith."

46 16. Page 6, by striking lines 45, 46 and 47 and
47 inserting the following: "advisory commission on
48 corrections relief submitted to the general assembly
49 subsequent to April 1, 1977. Funds appropriated by
50 this subsection may be used to match federal funds

1 increase the fee paid to pharmacists under medicaid
2 from two dollars and fifteen cents to two dollars
3 and fifty-five cents.

4 Sec. 17. It is the intent of the general assembly
5 that the department of social services, by July 1,
6 1977, shall repeal every state staffing requirement
7 contained in the conditions of participation for
8 intermediate care facilities participating in the
9 medicaid program that exceeds federal government re-
10 quirements and that these conditions of participation
11 be submitted to the administrative rules review
12 committee.

13 Sec. 18. The department of health shall delay
14 implementation of the December 6, 1976 licensure
15 rules. The department, upon consultation with the
16 health facilities advisory committee, shall review
17 all rules for the purpose of eliminating those rules
18 which exceed the federal Title XIX guidelines for
19 intermediate care facilities. All such modified rules
20 shall be resubmitted to the administrative rules
21 review committee.

22 Sec. 19. It is the intent that the department
23 of social services shall resist the implementation
24 of the federal government spouse income regulation
25 which would allow spouse income under certain
26 circumstances to be excluded from the determination
27 of income for intermediate care facility medicaid
28 eligibility purposes.

29 Sec. 20. It is the intent of the general assembly
30 that funds appropriated for medical assistance shall
31 not be used to pay for radiology services provided
32 by a computerized axial tomographic scanner in the
33 state of Iowa, which has not been approved by the
34 health facilities construction review committee of
35 the state department of health, unless the scanner
36 is placed in operation prior to the effective date
37 of this Act.

38 Sec. 21. Section two hundred twenty-two point
39 eighty-six (222.86), Code 1977, is amended to read
40 as follows:

41 222.86 PAYMENT FOR CARE FROM FUND. Whenever the
42 amount in the account of any patient in the patients'
43 personal deposit fund exceeds the sum of two hundred
44 dollars, the business manager of the hospital-school
45 or special unit may apply any amount of the excess
46 to reimburse the county of legal settlement for
47 liability incurred by such county for the payment
48 of care, support, and maintenance of the patient when
49 billed therefor by the county of legal settlement.
50 Money-earned-by-a-patient-for-work-performed-in-ex

1 apply for and upon their application may be selected
2 for treatment by the staff of the mental health
3 institute at Mount Pleasant in accordance with section
4 two hundred eighteen point ninety (218.90) of the
5 Code.

6 2. The division of mental health of the department
7 of social services shall coordinate with the state
8 psychiatric hospital at Iowa City in the creation,
9 staffing, and operation of a research and treatment
10 program directed at the class of disorders described
11 in subsection one (1) of this section which program
12 shall be that operated at the mental health institute
13 at Mount Pleasant.

14 3. The final decision regarding admission and
15 discharge of patients shall rest with the
16 superintendent of the mental health institute not
17 withstanding section two hundred eighteen point ninety
18 (218.90) of the Code. Upon discharge patients shall
19 be returned to the direction of the division of adult
20 corrections.

21 Sec. 33. Section two hundred twenty-three point
22 eight (223.8), Code 1977, is amended by striking the
23 section and inserting in lieu thereof the following:
24 223.8 COSTS AND CHARGES. Chapter two hundred
25 thirty (230), Code 1977, shall govern the determination
26 of costs and charges for the care and treatment of
27 mentally ill patients admitted to the Iowa security
28 medical facility, except that charges for the care
29 and treatment of any person transferred to the security
30 medical facility from an adult correctional institution
31 or from a state training school shall be paid entirely
32 from state funds. Charges for all other patients
33 at the security medical facility shall be billed to
34 the respective counties at the same ratio as for
35 patients at state hospitals for the mentally ill,
36 under section two hundred thirty point twenty (230.20)
37 of the Code.

38 Sec. 34. The department of social services shall
39 report to the budget social services subcommittees
40 of the committees on budget of the house and senate
41 by February 1, 1978 the cost and description of the
42 construction necessary to make building twenty at
43 Mount Pleasant mental health institute an internally
44 secure structure, including but not limited to
45 providing escape-proof doors and windows, air
46 conditioning, and electronic surveillance and security
47 equipment which will exceed the standards in the
48 existing plans.

49 Sec. 35. There is hereby appropriated from the
50 general fund of the state to the legislative council

1 including federal funds received from the law
2 enforcement assistance administration if such funds.
3 become available to the state. The construction of
4 the capital improvements shall not commence prior
5 to March 1, 1978 except as provided in section thirty
6 (30) of this Act."

7 17. Page 7, by striking lines 49 through 50.

8 18. Page 8, by striking lines 1 through 17 and
9 inserting in lieu thereof the following:

10 "Sec. 30. Unobligated or unencumbered funds
11 remaining on June 30, 1981 from funds appropriated
12 by sections twenty-five (25) through twenty-eight
13 (28) of this Act shall revert to the general fund
14 of the state on September 30, 1981. If federal funds
15 do not become available to match the funds appropriated
16 by subsection one (1) of section twenty-eight (28)
17 of this Act, the funds, except seventy-five thousand
18 dollars, shall be used for planning the projects
19 provided for in this Act including the employment
20 of architects. In no event shall such funds, except
21 the seventy-five thousand dollars provided for in
22 this section, be used for construction or alteration
23 of physical structures prior to March 1, 1978. The
24 seventy-five thousand dollars excepted from the
25 planning shall be used to complete the work in
26 progress, make further necessary repairs, and install
27 a horizontal partition in cellhouse twenty at Fort
28 Madison as provided in subsection one (1) of section
29 twenty-nine (29) of this Act."

30 19. Page 8, by inserting after line 17 the follow-
31 ing new sections:

32 "Sec. 31. Effective March 31, 1978, building
33 twenty at the mental health institute at Mount Pleasant
34 shall revert to and become a part of the mental health
35 institute, and the director of the division of mental
36 health resources of the department of social services
37 shall thereafter have primary authority and
38 responsibility for its operation and control.

39 Sec. 32. Chapter two hundred twenty-six (226),
40 Code 1977, is amended by adding the following new
41 section:

42 NEW SECTION. SPECIAL TREATMENT UNIT FOR CORRECTIONS
43 INMATES.

44 1. Beginning April 1, 1978, there shall be
45 maintained at the Mount Pleasant mental health
46 institute, as a part of that institute, a secure
47 facility for the treatment of inmates of adult
48 corrections institutions who exhibit treatable
49 personality disorders, with or without accompanying
50 history of drug or alcohol abuse. Such inmates may

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1 the sum of twenty thousand (20,000) dollars, or so
 2 much thereof as may be necessary, which shall be used
 3 by the joint senate-house budget subcommittees on
 4 social services to conduct a study of the requirements
 5 for and restrictions upon use of federal funds
 6 allocated to Iowa under Title twenty (XX) of the
 7 United States social security Act, the manner in which
 8 the state and persons representing political
 9 subdivisions of the state and other local interests
 10 and organizations have planned for and acted in use
 11 of these funds, the effect upon these efforts and
 12 subsequent decisions by the department of social
 13 services affecting the allocation and use of Title
 14 twenty (XX) funds, and the effect of any joint funding
 15 of programs with both money appropriated by or
 16 allocated to the state for the medical assistance
 17 program maintained pursuant to Title nineteen (XIX)
 18 of the United States social security Act and Title
 19 twenty (XX) money. The subcommittees shall make the
 20 necessary arrangements for the conduct and supervision
 21 of the study, including the hiring of any necessary
 22 staff, and for formulation of recommendations based
 23 upon the findings of the study. The report of the
 24 study and the recommendations based thereon shall
 25 be submitted to the Sixty-seven General Assembly on
 26 or before the date it convenes for its regular session
 27 in the year 1978. The secretary of the senate and
 28 the chief clerk of the house, in consultation with
 29 the legislative council, shall provide administrative
 30 services for the administration of funds appropriated
 31 by this section."

32 20. By renumbering sections of and correcting
 33 internal references in the amendment in accordance
 34 with the foregoing amendments.

H-3605 FILED - *Adopted* BY
 APRIL 18, 1977 *amended by*
3610, 3614, 3615, 3635,
3687, 3688, 3689, 3693
4/20 (p. 1519)
Recommended, adopted in
also amended by 3454
5/3 (p. 1364)

BRUNOW of Appanoose
 HANSEN of O'Brien
 HARGRAVE of Johnson
 CLARK of Cerro Gordo
 DOYLE of Woodbury
 LINDEEN of Henry
 GILSON of Guthrie
 MILLER of Calhoun

HOUSE FILE 464

H-3608

1 Amend H-3605 to the Senate amendment H-3589 to
 2 House File 464 as amended, passed and reprinted by the
 3 House as follows:

4 1. Page 2, by striking from lines 49 and 50 the
 5 words "nineteen dollars and fifty cents" and inserting
 6 in lieu thereof the words "twenty dollars and twenty-
 7 five cents".

B 2 2. Page 4, by striking lines 19 through 45.

H-3608 FILED; H-3608A LOST BY STROMER of Hancock
 H-3608B LOST (p. 1441)
 APRIL 18, 1977

APRIL 19, 1977

PAGE 15

HOUSE FILE 464

H-3609

1 Amend senate amendment H-3589 to House File 464
2 as follows:

3 1. Page 3, by inserting after line 30 the follow-
4 ing new section:

5 "Sec. ____ . Section two hundred thirty point twenty
6 (230.20), unnumbered paragraph one (1), and subsection
7 one (1), Code 1977, are amended to read as follows:

8 The ~~superintendent-of-each-state-hospital-for-the~~
9 ~~mentally-ill-established-by-section-226.4, state~~
10 director or his designee, shall on the tenth day of
11 July, October, January and April of each year, com-
12 pute the amounts which are due the state from each
13 county for services rendered by ~~the-hospital~~ any of
14 the state hospitals for the mentally ill established
15 by section two hundred twenty-six point one (226.1)
16 of the Code to patients chargeable to those counties.
17 ~~Each-hospital's~~ The charges for services rendered
18 in a particular quarter shall be based on that
19 ~~hospital's~~ the expenditures of the hospitals
20 collectively during the immediately preceding quarter,
21 and shall be computed as follows:

22 1. The expenditures of the ~~hospital~~ hospitals
23 during the preceding calendar quarter shall be
24 separately computed by program in accordance with
25 generally accepted accounting procedures. In so
26 doing, the ~~superintendent~~ state director or his
27 designee shall not include any of the following:

28 a. The costs of food, lodging and other maintenance
29 provided to persons not patients of the hospital.

30 b. The costs of certain direct medical services,
31 which shall be charged directly against the patient
32 who received the services. The direct medical services
33 to which this paragraph is applicable shall be
34 specifically indentified in rules adopted by the
35 department of social services in accordance with
36 chapter 17A, and may include but need not be limited
37 to x-ray, laboratory and dental services.

38 c. The cost of outpatient and state placement
39 services, which shall be charged directly against
40 the patient who received the services at a rate to
41 be established by the state director on the basis
42 of the actual cost of the services."

H-3609 FILED - *Loat 4/20* BY STROMER of Hancock
APRIL 18, 1977 (*p 1521*)

HOUSE FILE 464

H-3611

1 Amend amendment H-3605 to amendment H-3589 to
2 House File 464 as follows:

3 1. Page 3, by striking all of lines 29 through
4 37.

5 2. Page 4, by striking all of lines 19 through
6 45.

H-3611 FILED *A-Loat 4/20* BY SCHROEDER of Pottawattamie
APRIL 18, 1977 (*B. W. D. 1514*)

H-3589

1 Amend House File 464 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. There is appropriated from the general
6 fund of the state for the fiscal year beginning July
7 1, 1977 and ending June 30, 1978 to the department
8 of social services, the following amounts, or so much
9 thereof as may be necessary, to be used for the
10 purposes designated:

11 1977-1978
12 Fiscal Year

13 1. District Administration

14 For the administration of district
15 and local offices including salaries
16 and support \$ 10,250,000

17 2. State Administration

18 a. For salaries, support, maintenance
19 and miscellaneous purposes \$ 4,375,000

20 3. Medicaid Management Information
21 System (MMIS)

22 For start up costs at ninety percent
23 federal match \$ 140,000

24 Sec. 2. There is appropriated from the general
25 fund of the state for the fiscal year beginning July
26 1, 1977 and ending June 30, 1978 to the department
27 of social services, the following amounts, or so much
28 thereof as may be necessary, to be used for the
29 purposes designated:

30 1977-1978
31 Fiscal Year

32 FAMILY AND CHILDREN SERVICES:

33 For the operation of the following
34 institutions:

35 1. State juvenile home at Toledo \$ 1,275,000

36 2. Boy's training school at Eldora ... \$ 3,100,000

37 3. Girl's training school at
38 Mitchellville \$ 1,000,000

39 4. Iowa veterans home at
40 Marshalltown \$ 7,520,000

41 5. Juvenile community based
42 corrections \$ 80,000

43 Sec. 3. Acts of the Sixty-sixth General Assembly,
44 1976 Session, chapter one thousand one hundred thirty-
45 two (1132), section two (2), subsection six (6),
46 paragraph a, is amended to read as follows:

47 a. For contracting with local
48 public or private nonprofit organi-
49 zations for community based juvenile
50 corrections programs and juvenile

1 Interim detention facilities and
 2 shelter care facilities \$ 160,000
 3 Notwithstanding section eight point thirty-three
 4 (8.33) of the Code, unencumbered or unobligated funds
 5 appropriated by this paragraph shall not revert to
 6 the general fund until June 30, 1978. The state youth
 7 coordinator shall submit during the 1978 Session of
 8 the general assembly to the budget committees of the
 9 house and senate a report detailing the manner in
 10 which funds appropriated by this paragraph have been
 11 expended. In addition the report shall contain such
 12 information as will be useful in determining the value
 13 of the community-based juvenile correction program.

14 Sec. 4. There is appropriated from the general
 15 fund of the state for the fiscal year beginning July
 16 1, 1977 and ending June 30, 1978 to the department
 17 of social services, the following amounts, or so much
 18 thereof as may be necessary, to be used for the
 19 purposes designated:

	1977-1978 Fiscal Year
22 ADULT CORRECTIONAL SERVICES:	
23 1. Community based corrections	\$ 6,401,582
24 2. Luster Heights camp	
25 at McGregor	\$ 140,000
26 3. Iowa state penitentiary	
27 at Fort Madison	\$ 7,900,000
28 4. Men's reformatory	
29 at Anamosa	\$ 5,300,000
30 5. Women's reformatory at	
31 Rockwell City	\$ 725,000
32 6. Iowa security medical facility	
33 at Oakdale	\$ 2,275,000
34 7. Riverview release center	
35 at Newton	\$ 800,000
36 8. Medium security facility	
37 at Mt. Pleasant	\$ 1,500,000
38 9. Parole services	\$ 783,000

39 Sec. 5. It is the intent of the general assembly
 40 that a mental health institute shall not accept
 41 physical custody of children alleged to be children
 42 in need of assistance on the grounds stated in section
 43 two hundred thirty-two point two (232.2), subsection
 44 thirteen (13), paragraphs i and j, of the Code, on
 45 guest status or otherwise, for more than twenty days.

46 It is also the intent of the general assembly that
 47 children found to be children in need of assistance
 48 on the grounds stated in section two hundred thirty-
 49 two point two (232.2), subsection thirteen (13),
 50 paragraphs i and j, of the Code shall not be placed

1 in a mental health institute on the basis of that
2 adjudication.

3 The court may, however, order a commitment to a
4 mental health institute or other appropriate secure
5 facility for the purposes of treatment of a mental
6 or emotional condition only after making findings
7 pursuant to the standards set out for involuntary
8 commitment in chapter two hundred twenty-nine (229)
9 of the Code.

10 Sec. 6. There is appropriated from the general
11 fund of the state for the fiscal year beginning July
12 1, 1977 and ending June 30, 1978 to the department
13 of social services, the following amounts, or so much
14 thereof as may be necessary, to be used for the
15 purposes designated:

16 1977-1978
17 Fiscal Year

18 MENTAL HEALTH SERVICES:

- 19 1. For the mental health
- 20 institute at Cherokee \$ 6,000,000
- 21 2. For the mental health
- 22 institute at Clarinda \$ 4,950,000
- 23 3. For the mental health institute at
- 24 Independence \$ 6,200,000
- 25 4. For the mental health institute at Mount
- 26 Pleasant \$ 4,800,000

27 The state mental health institutes daily per diem
28 as determined pursuant to section two hundred thirty
29 point twenty (230.20) of the Code shall be billed
30 at eighty percent for the fiscal year.

31 Sec. 7. The department of social services with
32 the approval of the governor and the state comptroller
33 may transfer funds appropriated by this section from
34 any subsection of this section for a purpose specified
35 by any other subsection of this section.

36 Sec. 8. There is appropriated from the general
37 fund of the state for the fiscal year beginning July
38 1, 1977 and ending June 30, 1978 to the department
39 of social services, the following amounts, or so much
40 thereof as may be necessary, to be used for the
41 purposes designated:

42 1977-1978
43 Fiscal Year

44 MENTAL RETARDATION SERVICES:

- 45 1. For the Glenwood state
- 46 hospital-school \$ 9,800,000
- 47 2. For the Woodward state
- 48 hospital-school \$ 10,100,000
- 49 3. Hospital-school charges to counties.
- 50 a. The state hospital-schools' per-patient-per-

1 day cost as determined pursuant to section two hundred
2 twenty-two point seventy-three (222.73) of the Code
3 shall be billed at eighty percent for the fiscal year,
4 except as otherwise provided by this subsection.

5 b. If more than twenty percent of the cost of
6 a patient's care is initially paid from any source
7 other than state-appropriated funds, the amount so
8 paid shall be subtracted from the per-patient-per-
9 day cost of that patient's care computed pursuant
10 to section two hundred twenty-two point seventy-three
11 (222.73) of the Code and the patient's county of legal
12 settlement shall be billed for the full balance of
13 the cost so computed.

14 Sec. 9. There is appropriated from the general
15 fund of the state for the fiscal year beginning July
16 1, 1977 and ending June 30, 1978 to the department
17 of social services, the following amounts, or so much
18 thereof as may be necessary, to be used for the
19 purposes designated:

	1977-1978 <u>Fiscal Year</u>
22 SPECIAL PROGRAMS DIVISION:	
23 1. For aid to the blind	\$ 20,000
24 2. For aid to the	
25 dependent children	\$ 47,000,000
26 3. For aid to Indians residing on a	
27 settlement	\$ 48,000
28 4. For medical assistance	\$ 74,000,000
29 5. For contractual services-	
30 medical carrier	\$ 950,000
31 6. For foster care	\$ 7,800,000
32 7. For subsidized adoptions	\$ 240,000
33 8. For work and training	
34 programs	\$ 420,000
35 9. For adult and children services ...	\$ 1,280,000
36 10. For homemaker services	\$ 420,000
37 11. For state supplementary	
38 assistance	\$ 3,800,000
39 12. For state supplementary assistance for	
40 the blind	\$ 275,000
41 13. For the governor's youth opportunity	
42 program	\$ 750,000
43 14. For child support recoveries	\$ 283,000
44 15. Assistance to child care	
45 centers	\$ 250,000

46 Sec. 10. It is the intent of the general assembly,
47 in consideration of the Iowa state university of
48 science and technology aid to families with dependent
49 children study, that the schedule of living costs
50 and the payments for persons on the aid to families

1 with dependent children program shall be set as
2 follows:

- 3 a. 2 person family \$257 per month
- 4 b. 3 person family \$318 per month
- 5 c. 4 person family \$369 per month
- 6 d. All other family sizes shall be set at
7 their present payment level.

8 Sec. 11. It is the intent of the general assembly
9 in making the appropriation in section five (5)
10 paragraph two (2) of this Act that each six month
11 certification of ADC recipients over the age of 18
12 shall include verification by the Income Maintenance
13 Worker that the recipient is attending school on a
14 full-time basis.

15 Sec. 12. Unless otherwise provided in this Act,
16 all institutional receipts of the department of social
17 services shall be deposited in the general fund except
18 rentals charged to employees or others for room,
19 apartment, or house and meals, which shall be available
20 to the institutions, and except for receipts from
21 farm products which shall be used for necessary farm
22 expenses and repair.

23 Sec. 13. Each hospital-school shall, upon receipt
24 of any payment made under chapter two hundred forty-
25 nine A (249A) of the Code for the care of any patient,
26 segregate an amount equal to that portion of the
27 payment which is required by law to be made from
28 nonfederal funds. The money segregated shall be
29 deposited in the medical assistance fund of the
30 department of social services.

31 Sec. 14.

32 1. It is the intent of the general assembly that
33 the activities and services provided by the department
34 of social services at the riverview release center
35 at Newton shall be phased out during the 1977-1978
36 fiscal year. The budget for the work release halfway
37 houses funded through the riverview release center
38 shall not be reduced and shall be transferred to
39 community-based corrections for administrative purposes
40 at such time as is appropriate.

41 2. The special needs program of the aid to families
42 with dependent children program shall be continued.

43 3. It is the intent of the general assembly to
44 fully fund the addition to the aid to families with
45 dependent children program as it applies to dependent
46 children under the age of twenty years. If funds
47 appropriated by this Act are insufficient to carry
48 out this intent, it is the intent of the general
49 assembly that a supplemental appropriation will be
50 made by the general assembly meeting in the year 1978

1 to fund the program as intended.

2 Sec. 15. The department of social services shall
3 encourage voluntary participation of families in
4 paying for a portion of the care delivered to a
5 relative/resident in an intermediate care facility.
6 Facility administrators and appropriate department
7 personnel, both state and county, will be advised
8 as to the proper method of implementing family
9 participation.

10 Sec. 16. There is appropriated from the general
11 fund of the state to the department of social services
12 for the fiscal period commencing July 1, 1977 the
13 sum of one million (1,000,000) dollars, or so much
14 thereof as is necessary, to be used for capital
15 improvement projects deemed necessary by the department
16 for institutions under its jurisdiction or for
17 maintenance of such institutions.

18 Sec. 17. There is appropriated from the general
19 fund of the state to the department of social services
20 for the fiscal period beginning July 1, 1977 the sum
21 of four million five hundred thousand (4,500,000)
22 dollars, such moneys to be deposited in the hospital-
23 schools revolving fund. Funds appropriated by this
24 section shall revert to the general fund in the same
25 manner as other funds deposited in the hospital-schools
26 revolving fund.

27 Sec. 18. There is appropriated from the general
28 fund of the state to the department of social services
29 for the fiscal period beginning July 1, 1977 the sum
30 of two million five hundred thousand (2,500,000)
31 dollars, or so much as is necessary, for construction
32 of a one hundred eighty bed nursing facility and for
33 renovation of the Sheeler health care facility of
34 the Iowa veterans home.

35 Sec. 19.

36 1. There is appropriated from the general fund
37 of the state to the department of social services
38 for the fiscal period beginning July 1, 1977, the
39 sum of one million two hundred fifty-five thousand
40 one hundred (1,255,100) dollars, or so much thereof
41 as is necessary, for the purpose of carrying out
42 capital improvements at the Iowa state penitentiary
43 at Fort Madison and the men's reformatory at Anamosa
44 pursuant to the specific recommendations of the
45 advisory commission on corrections relief supplemental
46 report submitted to the general assembly subsequent
47 to April 1, 1977.

48 2. Notwithstanding the provisions of chapter one
49 thousand forty-three (1043) of the Acts of the Sixty-
50 sixth General Assembly, 1976 Session, funds

1 appropriated by section one (1), subsection four (4)
2 of such chapter remaining unexpended on the effective
3 date of this Act shall be used for the conversion
4 of the existing minimum security dormitory located
5 outside the walls of the Fort Madison penitentiary
6 to a minimum security facility. The conversion shall
7 provide for making necessary repairs and separating
8 the upper floor of this minimum security dormitory
9 into rooms.

10 Sec. 20. Funds appropriated by subsection one
11 (1) of section nineteen (19) of this Act, and federal
12 funds which may become available, shall be used for
13 improvements at Fort Madison and Anamosa pursuant
14 to the report of the advisory commission on corrections
15 relief. The improvements include but are not
16 necessarily limited to the following:

17 1. FORT MADISON. To unitize cellhouses eighteen
18 and nineteen, to make necessary repairs to cellhouse
19 seventeen, to complete work now in progress, make
20 further necessary repairs, and also install a
21 horizontal partition in cellhouse twenty, and to
22 convert the upper floor of the existing minimum
23 security dormitory located outside the walls to a
24 minimum security facility with separate sleeping rooms
25 of not less than eighty square feet each. The
26 improvements to these cellhouses shall be completed
27 in the sequence and manner specifically recommended
28 by the advisory commission on corrections relief in
29 its supplemental report submitted to the general
30 assembly subsequent to April 1, 1977. As used in
31 this subsection "unitize" means the subdivision of
32 cellhouses into smaller units in order to deliver
33 correctional services on a more individualized basis.

34 2. FORT MADISON. To relocate laundry equipment
35 in building fifty-nine and upgrade the electrical
36 system in that building, demolish building thirty-
37 eight, upgrade priority operation and service
38 facilities in building seventy-five and cellhouse
39 ninety-seven, repair the heating distribution system,
40 construct outside separation structures, and repair
41 the electrical distribution system.

42 3. ANAMOSA. To unitize cellhouse one, install
43 forty-four rooms in the north cellhouse, and create
44 one hundred seven housing units in the old hospital.
45 As used in this subsection "unitize" means the
46 subdivision of a cellhouse into smaller units in order
47 to deliver correctional services on a more
48 individualized basis.

49 Sec. 21. Unobligated or unencumbered funds
50 remaining on June 30, 1981 from funds appropriated

1 by sections sixteen (16) through nineteen (19) of this
2 Act shall revert to the general fund of the state
3 on September 30, 1981. However, if federal funds
4 in an amount of at least three million (3,000,000)
5 dollars do not become available during the fiscal
6 year beginning July 1, 1977 for the purpose of matching
7 funds appropriated by subsection one (1) of section
8 nineteen (19) of this Act, the unobligated funds
9 appropriated by subsection one (1) of section nineteen
10 (19) of this Act remaining on June 30, 1978 shall
11 revert to the general fund on July 1, 1978. In no
12 event, however, shall such funds be used for
13 construction or alteration of physical structures
14 prior to March 1, 1978, except for seventy-five
15 thousand dollars which shall be used for the planning
16 of projects provided for in this Act including the
17 employment of architects.

18 Sec. 22. All federal grants to and the federal
19 receipts of the agencies appropriated funds under
20 this Act are appropriated for the purposes set forth
21 in such federal grants or receipts except the veterans
22 per diem payable for veterans at the veterans home
23 shall be deposited in the general fund.

24 Sec. 23. Funds appropriated by sections one (1)
25 through ten (10) of this Act shall not be used for
26 capital improvements.

27 EXPLANATION

28 The appropriations contained in this Act to the
29 department of social services for the 1977-1978 fiscal
30 year are intended to provide for the continuation
31 of current programs with exceptions as indicated by
32 specific provisions contained in this Act.

33 1. The general assembly intends that the department
34 of social services shall prepare and submit to the
35 joint budget subcommittee on social services an
36 analysis of the three juvenile institutions at Eldora,
37 Mitchellville, and Toledo and a proposal to combine
38 these three institutions into two shall be made.
39 It is intended that the department shall consider
40 the report and recommendations of the Advisory
41 Commission on Correctional Relief in preparing its
42 analysis and proposal.

43 2. It is the intent of this bill that during
44 fiscal year 1977-1978 the Clarinda Mental Health
45 Institute shall begin to modify its focus to emphasize
46 the following two goals:

47 a. Provide comprehensive in-patient mental health
48 care for a residential population of approximately
49 200, reflecting an estimated decrease in in-patient
50 population.

1 b. Promote development of community-based services
2 through mental health centers in southwest Iowa.

3 There may be changes in personnel requirements
4 and financial arrangements, and it is intended that
5 the department shall submit a cost estimate to the
6 joint budget subcommittee on social services by January
7 15, 1978 on any necessary changes in funding to
8 implement the new goals.

9 3. It is the intent of this bill, in consideration
10 of the Iowa State University ADC study, that payments
11 for persons on the aid to families with dependent
12 children program shall be set as follows:

13	a. 2 person family	\$257
14	b. 3 person family	\$318
15	c. 4 person family	\$369

16 d. All other cash grants are continued at their
17 present levels including special needs.

18 It is provided in this bill that the AFCD program
19 shall no longer include children 18 years of age or
20 older.

21 4. It is the intent of this bill that the
22 department shall increase the maximum allowable
23 reimbursement for ICF services under medicaid from
24 \$19.00 to \$19.50, and that the department shall
25 increase the fee paid to pharmacists under medicaid
26 from \$2.15 to \$2.55.

27 5. It is the intent of this bill that the
28 department shall resist the implementation of the
29 federal government spouse income regulation which
30 would allow spouse income under certain circumstances
31 to be excluded from the determination of income for
32 ICF medicaid eligibility purposes."

33 2. Title page, line 3, by inserting after the
34 word "services" the words "and to fund capital
35 improvement projects including capital improvement
36 projects recommended by the advisory commission on
37 corrections relief".

1 Amend the Budget Social Service Subcommittee
 2 amendment (S-3310) to House File 464, as follows:
 3 1. Page 1, by inserting after line 40 the
 4 following:

5 "5. Juvenile community based
 6 corrections \$ 80,000

7 Sec. 3. Acts of the Sixty-sixth General Assembly,
 8 1976 Session, chapter one thousand one hundred thirty-
 9 two (1132), section two (2), subsection six (6),
 10 paragraph a, is amended to read as follows:

11 a. For contracting with local
 12 public or private nonprofit organi-
 13 zations for community based juvenile
 14 corrections programs and juvenile
 15 interim detention facilities and
 16 shelter care facilities \$ 160,000

17 Notwithstanding section eight point thirty-three
 18 (8.33) of the Code, unencumbered or unobligated funds
 19 appropriated by this paragraph shall not revert to
 20 the general fund until June 30, 1978. The state youth
 21 coordinator shall submit during the 1978 Session of
 22 the general assembly to the budget committees of the
 23 house and senate a report detailing the manner in
 24 which funds appropriated by this paragraph have been
 25 expended. In addition the report shall contain such
 26 information as will be useful in determining the value
 27 of the community-based juvenile correction program.

28 Sec. 4. There is appropriated from the general
 29 fund of the state for the fiscal year beginning July
 30 1, 1977 and ending June 30, 1978 to the department
 31 of social services, the following amounts, or so much
 32 thereof as may be necessary, to be used for the
 33 purposes designated:

	1977-1978 Fiscal Year
34	
35	
36	ADULT CORRECTIONAL SERVICES:
37	1. Community based corrections \$ 6,401,582
38	2. Luster Heights camp
39	at McGregor \$ 140,000
40	3. Iowa state penitentiary
41	at Fort-Madison \$ 7,900,000
42	4. Men's reformatory
43	at Anamosa \$ 5,300,000
44	5. Women's reformatory at
45	Rockwell City \$ 725,000
46	6. Iowa security medical facility
47	at Oakdale \$ 2,275,000
48	7. Riverview release center
49	at Newton \$ 800,000
50	8. Medium security facility

1 at Mt. Pleasant \$ 1,500,000
2 9. Parole services \$ 783,000"

3 2. Page 4, by inserting after line 41 the
4 following:

5 "Sec. 12. There is appropriated from the general
6 fund of the state to the department of social services
7 for the fiscal period commencing July 1, 1977 the
8 sum of one million (1,000,000) dollars, or so much
9 thereof as is necessary, to be used for capital
10 improvement projects deemed necessary by the department
11 for institutions under its jurisdiction or for
12 maintenance of such institutions.

13 Sec. 13. There is appropriated from the general
14 fund of the state to the department of social services
15 for the fiscal period beginning July 1, 1977 the sum
16 of four million five hundred thousand (4,500,000)
17 dollars, such moneys to be deposited in the hospital-
18 schools revolving fund. Funds appropriated by this
19 section shall revert to the general fund in the same
20 manner as other funds deposited in the hospital-schools
21 revolving fund.

22 Sec. 14. There is appropriated from the general
23 fund of the state to the department of social services
24 for the fiscal period beginning July 1, 1977 the sum
25 of two million five hundred thousand (2,500,000)
26 dollars, or so much as is necessary, for construction
27 of a one hundred eighty bed nursing facility and for
28 renovation of the Sheeler health care facility of
29 the Iowa veterans home.

30 Sec. 15.

31 1. There is appropriated from the general fund
32 of the state to the department of social services
33 for the fiscal period beginning July 1, 1977, the
34 sum of one million two hundred fifty-five thousand
35 one hundred (1,255,100) dollars, or so much thereof
36 as is necessary, for the purpose of carrying out
37 capital improvements at the Iowa state penitentiary
38 at Fort Madison and the men's reformatory at Anamosa
39 pursuant to the specific recommendations of the
40 advisory commission on corrections relief supplemental
41 report submitted to the general assembly subsequent
42 to April 1, 1977.

43 2. Notwithstanding the provisions of chapter one
44 thousand forty-three (1043) of the Acts of the Sixty-
45 sixth General Assembly, 1976 Session, funds
46 appropriated by section one (1), subsection four (4)
47 of such chapter remaining unexpended on the effective
48 date of this Act shall be used for the conversion
49 of the existing minimum security dormitory located
50 outside the walls of the Fort Madison penitentiary

1 to a minimum security facility. The conversion shall
2 provide for making necessary repairs and separating
3 the upper floor of this minimum security dormitory
4 into rooms.

5 Sec. 16. Funds appropriated by subsection one
6 (1) of section fifteen (15) of this Act, and federal
7 funds which may become available, shall be used for
8 improvements at Fort Madison and Anamosa pursuant
9 to the report of the advisory commission on corrections
10 relief. The improvements include but are not
11 necessarily limited to the following:

12 1. FORT MADISON. To unitize cellhouses eighteen
13 and nineteen, to make necessary repairs to cellhouse
14 seventeen, to complete work now in progress, make
15 further necessary repairs, and also install a
16 horizontal partition in cellhouse twenty, and to
17 convert the upper floor of the existing minimum
18 security dormitory located outside the walls to a
19 minimum security facility with separate sleeping rooms
20 of not less than eighty square feet each. The
21 improvements to these cellhouses shall be completed
22 in the sequence and manner specifically recommended
23 by the advisory commission on corrections relief in
24 its supplemental report submitted to the general
25 assembly subsequent to April 1, 1977. As used in
26 this subsection "unitize" means the subdivision of
27 cellhouses into smaller units in order to deliver
28 correctional services on a more individualized basis.

29 2. FORT MADISON. To relocate laundry equipment
30 in building fifty-nine and upgrade the electrical
31 system in that building, demolish building thirty-
32 eight, upgrade priority operation and service
33 facilities in building seventy-five and cellhouse
34 ninety-seven, repair the heating distribution system,
35 construct outside separation structures, and repair
36 the electrical distribution system.

37 3. ANAMOSA. To unitize cellhouse one, install
38 forty-four rooms in the north cellhouse, and create
39 one hundred seven housing units in the old hospital.
40 As used in this subsection "unitize" means the
41 subdivision of a cellhouse into smaller units in order
42 to deliver correctional services on a more
43 individualized basis.

44 Sec. _____. Unobligated or unencumbered funds
45 remaining on June 30, 1981 from funds appropriated
46 by sections twelve (12) through fifteen (15) of this
47 Act shall revert to the general fund of the state
48 on September 30, 1981. However, if federal funds in an
49 amount of at least three million (3,000,000) dollars
50 do not become available during the fiscal year beginning

1 July 1, 1977 for the purpose of matching funds appro-
2 priated by subsection one (1) of section fifteen (15)
3 of this Act, the unobligated funds appropriated by
4 subsection one (1) of section fifteen (15) of this Act
5 remaining on June 30, 1978 shall revert to the general
6 fund on July 1, 1978. In no event, however, shall
7 such funds be used for construction or alteration of
8 physical structures prior to March 1, 1978, except
9 for seventy-five thousand dollars which shall be used
10 for the planning of projects provided for in this Act
11 including the employment of architects."

12 3. Page 4, line 48, by inserting after the word
13 "by" the words "sections one (1) through ten (10)
14 of".

15 4. Page 6, by inserting after line 5 the following:
16 "2. Title page, line 3, by inserting after the word
17 "services" the words "and to fund capital improvement
18 projects including capital improvement projects
19 recommended by the advisory commission on corrections
20 relief"."

21 5. By renumbering sections, subsections, and
22 internal references as required.
23

S-3349 FILED & ADOPTED (*p.1001*) BY BERL E. PRIEBE
APRIL 13, 1977

S-3342

1 Amend the Budget Social Services Subcommittee
 2 amendment S-3310 to House File 464 as amended,
 3 passed, and reprinted by the House as follows:
 4 1. Page 4, by inserting after line 41 the
 5 following:
 6 "4. It is the intent of the general assembly
 7 to fully fund the addition to the aid to families
 8 with dependent children program as it applies to
 9 dependent children under the age of twenty years.
 10 If funds appropriated by this Act are insufficient
 11 to carry out this intent, it is the intent of the
 12 general assembly that a supplemental appropriation
 13 will be made by the general assembly meeting in the
 14 year 1978 to fund the program as intended."
 15 2. Renumber the sections as required by this
 16 amendment.

S-3342 FILED - *Adopted 4/13 (996)* BY LUCAS J. DE KOSTER
 APRIL 13, 1977

HOUSE FILE 464

S-3343

1 Amend the subcommittee amendment, S-3310 to
 2 House File 464 as amended, passed and reprinted by the
 3 House as follows:
 4 1. Page 4, by inserting after line 41 the follow-
 5 ing section:
 6 "Sec. ____ . Unobligated or unencumbered funds
 7 remaining on June 30, 1981 from funds appropriated
 8 by sections twelve (12) through fifteen (15) of this
 9 Act shall revert to the general fund of the state
 10 on September 30, 1981. However, if federal funds in an
 11 amount of at least three million (3,000,000) dollars
 12 do not become available during the fiscal year beginning
 13 July 1, 1977 for the purpose of matching funds appro-
 14 priated by subsection one (1) of section fifteen (15)
 15 of this Act, the unobligated funds appropriated by
 16 subsection one (1) of section fifteen (15) of this Act
 17 remaining on June 30, 1978 shall revert to the general
 18 fund on July 1, 1978. In no event, however, shall such
 19 such funds be used for construction or alteration of
 20 physical structures prior to March 1, 1978."

S-3343 FILED & WITHDRAWN
 APRIL 13, 1977

BY BERL E. PRIEBE
 BOB RUSH

S-3340

1 Amend the subcommittee amendment, S-3310, to
 2 House File 464, as amended, passed and reprinted by the
 3 House as follows:

4 1. Page 1, by inserting after line 40 the following
 5 section:

6 "Sec. _____. It is the intent of the general
 7 assembly that a mental health institute shall not accept
 8 physical custody of children alleged to be children in
 9 need of assistance on the grounds stated in section two
 10 hundred thirty-two point two (232.2), subsection thirteen
 11 (13), paragraphs i and j, of the Code, on guest status
 12 or otherwise, for more than twenty days.

13 It is also the intent of the general assembly that
 14 children found to be children in need of assistance on
 15 the grounds stated in section two hundred thirty-two
 16 point two (232.2), subsection thirteen (13), paragraphs
 17 i and j, of the Code shall not be placed in a mental
 18 health institute on the basis of that adjudication.

19 The court may, however, order a commitment to a
 20 mental health institute or other appropriate secure
 21 facility for the purposes of treatment of a mental or
 22 emotional condition only after making findings pursuant
 23 to the standards set out for involuntary commitment in
 24 chapter two hundred twenty-nine (229) of the Code."

S-3340 FILED & ADOPTED (p. 994) BY MINNETTE DODERER
 APRIL 13, 1977 BASS VAN GILST
 PHILIP HILL
 E. KEVIN KELLY
 EARL WILLITS
 LUCAS DE KOSTER

S-3341

1 Amend the subcommittee amendment, S-3310, to
 2 House File 464 as amended, passed and reprinted by the
 3 House as follows:

4 1. Page 3, by inserting after line 47 the
 5 following:

6 "Sec. _____. It is the intent of the general
 7 assembly in making the appropriation in section five
 8 (5) paragraph two (2) of this Act that each six month
 9 certification of ADC recipients over the age of 18 shall
 10 include verification by the Income Maintenance Worker
 11 that the recipient is attending school on a full-time
 12 basis."

S-3341 FILED & ADOPTED (p. 995) BY BERL E. PRIEBE
 APRIL 13, 1977

HOUSE FILE 464

S-3337

1 Amend the Senate amendment S-3310 to House File 464
2 as amended, passed, and reprinted by the House as follows:
3 1. Page 4, by striking from lines 25 and 26 the
4 words "maintained as it existed on July 1, 1976" and
5 inserting in lieu thereof the word "continued".

S-3337 FILED & ADOPTED (p. 995) BY JOHN S. MURRAY
APRIL 13, 1977 BOB RUSH

HOUSE FILE 464

S-3338

1 Amend the Senate amendment S-3310 to House File 464
2 as amended, passed, and reprinted by the House as follows:
3 1. Page 2, by inserting after line 11 the following
4 section:
5 "Sec. _____. The department of social services with the
6 approval of the governor and the state comptroller may
7 transfer funds appropriated by this section from any
8 subsection of this section for a purpose specified by any
9 other subsection of this section."

S-3338 FILED & ADOPTED (p. 994) BY JOHN S. MURRAY
APRIL 13, 1977 BOB RUSH

HOUSE FILE 464

S-3339

1 Amend the subcommittee amendment, S-3310, to
2 House File 464 as amended, passed and reprinted by
3 the House as follows:
4 1. Page 3, by inserting after line 47 the following
5 section:
6 "Sec. _____. It is the intent of the general assembly,
7 in consideration of the Iowa state university of science
8 and technology aid to families with dependent children
9 study, that the department's schedule of living costs
10 for persons on the aid to families with dependent
11 children program shall be set no lower than as follows:
12 a. 2 person family \$271 per month
13 b. 3 person family \$335 per month
14 c. 4 person family \$388 per month
15 d. All other family sizes at the level
16 in effect January 1, 1977."
17

S-3339 FILED & WITHDRAWN BY JOAN ORR
APRIL 13, 1977 *not recorded*

HOUSE FILE 464

S-3335

1 Amend Senate amendment S-3310 to House File 464,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 4, after line 41 by inserting the
5 following:
6 "Sec. _____. The department of social services
7 shall encourage voluntary participation of families
8 in paying for a portion of the care delivered to a
9 relative/resident in an intermediate care facility.
10 Facility administrators and appropriate department
11 personnel, both state and county, will be advised
12 as to the proper method of implementing family
13 participation."

S-3335 FILED & ADOPTED (p. 995) BY E. KEVIN KELLY
APRIL 13, 1977

HOUSE FILE 464

S-3336

1 Amend Senate amendment S-3310 to House File 464,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 4, after line 41 by inserting the
5 following:
6 "Sec. _____. It is the intent of this Act that the
7 department of social services shall provide only
8 those minimum dental services that are required by
9 the federal government as a condition of federal
10 participation in the Iowa medical assistance program
11 provided for in chapter two hundred forty-nine A
12 (249A) of the Code."

S-3336 FILED & LOST (p. 996) BY E. KEVIN KELLY
APRIL 13, 1977

S-3334

1 Amend the Budget Social Service Subcommittee
 2 amendment (S-3310) to House File 464, as follows:
 3 1. Page 1, by inserting after line 40 the
 4 following:

5 "5. Juvenile community based
 6 corrections \$ 80,000

7 Sec. 3. Acts of the Sixty-sixth General Assembly,
 8 1976 Session, chapter one thousand one hundred thirty-
 9 two (1132), section two (2), subsection six (6),
 10 paragraph a, is amended to read as follows:

11 a. For contracting with local
 12 public or private nonprofit organi-
 13 zations for community based juvenile
 14 corrections programs and juvenile
 15 interim detention facilities and
 16 shelter care facilities \$ 160,000

17 Notwithstanding section eight point thirty-three
 18 (8.33) of the Code, unencumbered or unobligated funds
 19 appropriated by this paragraph shall not revert to
 20 the general fund until June 30, 1978. The state youth
 21 coordinator shall submit during the 1978 Session of
 22 the general assembly to the budget committees of the
 23 house and senate a report detailing the manner in
 24 which funds appropriated by this paragraph have been
 25 expended. In addition the report shall contain such
 26 information as will be useful in determining the value
 27 of the community-based juvenile correction program.

28 Sec. 4. There is appropriated from the general
 29 fund of the state for the fiscal year beginning July
 30 1, 1977 and ending June 30, 1978 to the department
 31 of social services, the following amounts, or so much
 32 thereof as may be necessary, to be used for the
 33 purposes designated:

	1977-1978 Fiscal Year
34	
35	
36	ADULT CORRECTIONAL SERVICES:
37	1. Community based corrections \$ 6,401,582
38	2. Luster Heights camp
39	at McGregor \$ 140,000
40	3. Iowa state penitentiary
41	at Fort Madison \$ 7,900,000
42	4. Men's reformatory
43	at Anamosa \$ 5,300,000
44	5. Women's reformatory at
45	Rockwell City \$ 725,000
46	6. Iowa security medical facility
47	at Oakdale \$ 2,275,000
48	7. Riverview release center
49	at Newton \$ 800,000
50	8. Medium security facility

1 at Mt. Pleasant \$ 1,500,000
2 9. Parole services \$ 783,000"

3 2. Page 4, by inserting after line 41 the
4 following:

5 "Sec. 12. There is appropriated from the general
6 fund of the state to the department of social services
7 for the fiscal period commencing July 1, 1977 the
8 sum of one million (1,000,000) dollars, or so much
9 thereof as is necessary, to be used for capital
10 improvement projects deemed necessary by the department
11 for institutions under its jurisdiction or for
12 maintenance of such institutions.

13 Sec. 13. There is appropriated from the general
14 fund of the state to the department of social services
15 for the fiscal period beginning July 1, 1977 the sum
16 of four million five hundred thousand (4,500,000)
17 dollars, such moneys to be deposited in the hospital-
18 schools revolving fund. Funds appropriated by this
19 section shall revert to the general fund in the same
20 manner as other funds deposited in the hospital-schools
21 revolving fund.

22 Sec. 14. There is appropriated from the general
23 fund of the state to the department of social services
24 for the fiscal period beginning July 1, 1977 the sum
25 of two million five hundred thousand (2,500,000)
26 dollars, or so much as is necessary, for construction
27 of a one hundred eighty bed nursing facility and for
28 renovation of the Sheeler health care facility of
29 the Iowa veterans home.

30 Sec. 15.

31 1. There is appropriated from the general fund
32 of the state to the department of social services
33 for the fiscal period beginning July 1, 1977, the
34 sum of one million two hundred fifty-five thousand
35 one hundred (1,255,100) dollars, or so much thereof
36 as is necessary, for the purpose of carrying out
37 capital improvements at the Iowa state penitentiary
38 at Fort Madison and the men's reformatory at Anamosa
39 pursuant to the specific recommendations of the
40 advisory commission on corrections relief supplemental
41 report submitted to the general assembly subsequent
42 to April 1, 1977.

43 2. Notwithstanding the provisions of chapter one
44 thousand forty-three (1043) of the Acts of the Sixty-
45 sixth General Assembly, 1976 Session, funds
46 appropriated by section one (1), subsection four (4)
47 of such chapter remaining unexpended on the effective
48 date of this Act shall be used for the conversion
49 of the existing minimum security dormitory located
50 outside the walls of the Fort Madison penitentiary

1 to a minimum security facility. The conversion shall
2 provide for making necessary repairs and separating
3 the upper floor of this minimum security dormitory
4 into rooms.

5 Sec. 16. Funds appropriated by subsection one
6 (1) of section fifteen (15) of this Act, and federal
7 funds which may become available, shall be used for
8 improvements at Fort Madison and Anamosa pursuant
9 to the report of the advisory commission on corrections
10 relief. The improvements include but are not
11 necessarily limited to the following:

12 1. FORT MADISON. To unitize cellhouses eighteen
13 and nineteen, to make necessary repairs to cellhouse
14 seventeen, to complete work now in progress, make
15 further necessary repairs, and also install a
16 horizontal partition in cellhouse twenty, and to
17 convert the upper floor of the existing minimum
18 security dormitory located outside the walls to a
19 minimum security facility with separate sleeping rooms
20 of not less than eighty square feet each. The
21 improvements to these cellhouses shall be completed
22 in the sequence and manner specifically recommended
23 by the advisory commission on corrections relief in
24 its supplemental report submitted to the general
25 assembly subsequent to April 1, 1977. As used in
26 this subsection "unitize" means the subdivision of
27 cellhouses into smaller units in order to deliver
28 correctional services on a more individualized basis.

29 2. FORT MADISON. To relocate laundry equipment
30 in building fifty-nine and upgrade the electrical
31 system in that building, demolish building thirty-
32 eight, upgrade priority operation and service
33 facilities in building seventy-five and cellhouse
34 ninety-seven, repair the heating distribution system,
35 construct outside separation structures, and repair
36 the electrical distribution system.

37 3. ANAMOSA. To unitize cellhouse one, install
38 forty-four rooms in the north cellhouse, and create
39 one hundred seven housing units in the old hospital.
40 As used in this subsection "unitize" means the
41 subdivision of a cellhouse into smaller units in order
42 to deliver correctional services on a more
43 individualized basis.

44 Sec. 17. Unobligated or unencumbered funds
45 remaining on June 30, 1981 from funds appropriated
46 by sections twelve (12) through fifteen (15) of this
47 Act shall revert to the general fund of the state
48 on September 30, 1981. However, if federal funds
49 in an amount of at least three million (3,000,000)
50 dollars do not become available during the fiscal

1 year beginning July 1, 1977 for the purpose of matching
2 funds appropriated by subsection one (1) of section
3 fifteen (15) of this Act, the unobligated funds
4 appropriated by subsection one (1) of section fifteen
5 (15) of this Act remaining on June 30, 1978 shall
6 revert to the general fund on July 1, 1978."

7 3. Page 4, line 48, by inserting after the word
8 "by" the words "sections one (1) through ten (10)
9 of".

10 4. Page 6, by inserting after line 5 the following:
11 "2. Title page, line 3, by inserting after the word
12 "services" the words "and to fund capital improvement
13 projects including capital improvement projects
14 recommended by the advisory commission on corrections
15 relief"."

16 5. By renumbering sections, subsections, and
17 internal references as required.

S-3334 FILED & WITHDRAWN BY RERL E. PRIEBE, CHAIRPERSON
APRIL 13, 1977 (p.1000) BUDGET HUMAN RESOURCES
SUBCOMMITTEE

HOUSE FILE 464

S-3333

1 Amend the subcommittee amendment, S-3310, to
2 House File 464 as amended, passed and reprinted by
3 the House as follows:

4 1. Page 4, by striking lines 27 through 41:

S-3333 FILED & ADOPTED (p.995) BY CLOYD E. ROBINSON
APRIL 13, 1977

HOUSE FILE 464

S-3314

1 Amend Senate amendment S-3310 to House File 464 as
2 amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, line 16, by striking the figure
5 "\$10,250,000" and inserting in lieu thereof the
6 figure "\$10,585,000".

7 2. Page 3, line 1, by striking the figure
8 "\$47,000,000" and inserting in lieu thereof the
9 figure "\$47,505,000".

10 3. Page 3, line 4, by striking the figure
11 "\$74,000,000" and inserting in lieu thereof the
12 figure "\$74,155,000".

13 4. Page 3, line 20, by inserting after the word
14 "to" the words "public and private non-profit".

15 5. Page 3, by striking lines 22 through 47.

16 5. By renumbering sections and correcting
17 internal references.

S-3314 FILED BY JOHN S. MURRAY
APRIL 7, 1977

A. Lost (989) B. Adopted (990) 7. Lost (991)
C. Lost (993) D. Withdrawn (993) E. Adopted (993) 4/13

1 Amend House File 464 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. There is appropriated from the general
6 fund of the state for the fiscal year beginning July
7 1, 1977 and ending June 30, 1978 to the department
8 of social services, the following amounts, or so much
9 thereof as may be necessary, to be used for the
10 purposes designated:

	1977-1978 <u>Fiscal Year</u>
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1. District Administration
 For the administration of district
 and local offices including salaries
 and support \$ 10,250,000

2. State Administration
 a. For salaries, support, maintenance
 and miscellaneous purposes \$ 4,375,000

3. Medicaid Management Information
 System (MMIS)
 For start up costs at ninety percent
 federal match \$ 140,000

25 Sec. 2. There is appropriated from the general
26 fund of the state for the fiscal year beginning July
27 1, 1977 and ending June 30, 1978 to the department
28 of social services, the following amounts, or so much
29 thereof as may be necessary, to be used for the
30 purposes designated:

	1977-1978 <u>Fiscal Year</u>
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FAMILY AND CHILDREN SERVICES:
 For the operation of the following
 institutions:

1. State juvenile home at Toledo \$ 1,275,000
 2. Boy's training school at Eldora ... \$ 3,100,000
 3. Girl's training school at
 Mitchellville \$ 1,000,000
 4. Iowa veterans home at
 Marshalltown \$ 7,520,000

41 Sec. 3. There is appropriated from the general
42 fund of the state for the fiscal year beginning July
43 1, 1977 and ending June 30, 1978 to the department
44 of social services, the following amounts, or so much
45 thereof as may be necessary, to be used for the
46 purposes designated:

	1977-1978 <u>Fiscal Year</u>
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MENTAL HEALTH SERVICES:
 1. For the mental health

1 institute at Cherokee \$ 6,000,000
 2 2. For the mental health
 3 institute at Clarinda \$ 4,950,000
 4 3. For the mental health institute at
 5 Independence \$ 6,200,000
 6 4. For the mental health institute at Mount
 7 Pleasant \$ 4,800,000
 8 The state mental health institutes daily per diem
 9 as determined pursuant to section two hundred thirty
 10 point twenty (230.20) of the Code shall be billed
 11 at eighty percent for the fiscal year.

12 Sec. 4. There is appropriated from the general
 13 fund of the state for the fiscal year beginning July
 14 1, 1977 and ending June 30, 1978 to the department
 15 of social services, the following amounts, or so much
 16 thereof as may be necessary, to be used for the
 17 purposes designated:

18
 19 1977-1978
Fiscal Year

20 MENTAL RETARDATION SERVICES:

21 1. For the Glenwood state
 22 hospital-school \$ 9,800,000
 23 2. For the Woodward state
 24 hospital-school \$ 10,100,000

25 3. Hospital-school charges to counties.
 26 a. The state hospital-schools' per-patient-per-
 27 day cost as determined pursuant to section two hundred
 28 twenty-two point seventy-three (222.73) of the Code
 29 shall be billed at eighty percent for the fiscal year,
 30 except as otherwise provided by this subsection.
 31 b. If more than twenty percent of the cost of
 32 a patient's care is initially paid from any source
 33 other than state-appropriated funds, the amount so
 34 paid shall be subtracted from the per-patient-per-
 35 day cost of that patient's care computed pursuant
 36 to section two hundred twenty-two point seventy-three
 37 (222.73) of the Code and the patient's county of legal
 38 settlement shall be billed for the full balance of
 39 the cost so computed.

40 Sec. 5. There is appropriated from the general
 41 fund of the state for the fiscal year beginning July
 42 1, 1977 and ending June 30, 1978 to the department
 43 of social services, the following amounts, or so much
 44 thereof as may be necessary, to be used for the
 45 purposes designated:

46
 47 1977-1978
Fiscal Year

48 SPECIAL PROGRAMS DIVISION:

49 1. For aid to the blind \$ 20,000
 50 2. For aid to the

1	dependent children	\$ 47,000,000
2	3. For aid to Indians residing on a	
3	settlement	\$ 48,000
4	4. For medical assistance	\$ 74,000,000
5	5. For contractual services-	
6	medical carrier	\$ 950,000
7	6. For foster care	\$ 7,800,000
8	7. For subsidized adoptions	\$ 240,000
9	8. For work and training	
10	programs	\$ 420,000
11	9. For adult and children services ...	\$ 1,280,000
12	10. For homemaker services	\$ 420,000
13	11. For state supplementary	
14	assistance	\$ 3,800,000
15	12. For state supplementary assistance for	
16	the blind	\$ 275,000
17	13. For the governor's youth opportunity	
18	program	\$ 750,000
19	14. For child support recoveries	\$ 283,000
20	15. Assistance to child care	
21	centers	\$ 250,000

22 Sec. 6. Section two hundred thirty-nine point
 23 one (239.1), subsection three (3), Code 1977, is
 24 amended to read as follows:

25 3. A "dependent child" means a needy child under
 26 the age of sixteen years, or under the age of twenty
 27 eighteen years who is a student regularly attending
 28 a high school in pursuance of a course of study leading
 29 to a high school diploma or its equivalent, or who
 30 is, in lieu of pursuing a course of study leading
 31 to a high school diploma or its equivalent, regularly
 32 attending a course of vocational or technical training
 33 designed to fit ~~him~~ the student for gainful employment,
 34 who has been deprived of parental support and care
 35 by reason of death, continued absence from home,
 36 physical or mental incapacity or unfitness of either
 37 parent, or partial or total unemployment of the father,
 38 and who is living with ~~his~~ a father or mother, or
 39 both, or with ~~his~~ a grandfather, grandmother, brother,
 40 sister, stepfather, stepmother, stepbrother,
 41 stepsister, uncle or aunt, in a place of residence
 42 maintained by one or more of such relatives as ~~his~~
 43 ~~or their~~ a home or has been placed in a licensed
 44 foster home or with a public or nonprofit child care
 45 agency by the state division or by the county
 46 department of social welfare in lieu of living with
 47 any relative designated in this subsection.

48 Sec. 7. Unless otherwise provided in this Act,
 49 all institutional receipts of the department of social
 50 services shall be deposited in the general fund except

1 rentals charged to employees or others for room,
2 apartment, or house and meals, which shall be available
3 to the institutions, and except for receipts from
4 farm products which shall be used for necessary farm
5 expenses and repair.

6 Sec. 8. Each hospital-school shall, upon receipt
7 of any payment made under chapter two hundred forty-
8 nine A (249A) of the Code for the care of any patient,
9 segregate an amount equal to that portion of the
10 payment which is required by law to be made from
11 nonfederal funds. The money segregated shall be
12 deposited in the medical assistance fund of the
13 department of social services.

14 Sec. 9.

15 1. It is the intent of the general assembly that
16 the activities and services provided by the department
17 of social services at the riverview release center
18 at Newton shall be phased out during the 1977-1978
19 fiscal year. The budget for the work release halfway
20 houses funded through the riverview release center
21 shall not be reduced and shall be transferred to
22 community-based corrections for administrative purposes
23 at such time as is appropriate.

24 2. The special needs program of the aid to families
25 with dependent children program shall be maintained
26 as it existed on July 1, 1976.

27 3. The provisions of subsection nine (9) of section
28 nineteen A point nine (19A.9) of the Code which
29 restricts employment of intermittent employees to
30 not more than a specified number of calendar days
31 in any twelve-month period without examination, shall
32 not apply during the period beginning on July 1, 1977
33 and ending June 30, 1978 for forty-six intermittent
34 employees who are employed in field offices by the
35 department of social services. It is the intent of
36 the general assembly to authorize the continued
37 employment during the 1977-1978 fiscal year of persons
38 employed to assist in meeting the current high demand
39 for income maintenance and related services and to
40 permit the department to avoid the cost of training
41 new employees.

42 Sec. 10. All federal grants to and the federal
43 receipts of the agencies appropriated funds under
44 this Act are appropriated for the purposes set forth
45 in such federal grants or receipts except the veterans
46 per diem payable for veterans at the veterans home
47 shall be deposited in the general fund.

48 Sec. 11. Funds appropriated by this Act shall
49 not be used for capital improvements.

50

EXPLANATION

1 The appropriations contained in this Act to the
2 department of social services for the 1977-1978 fiscal
3 year are intended to provide for the continuation
4 of current programs with exceptions as indicated by
5 specific provisions contained in this Act.

6 1. The general assembly intends that the department
7 of social services shall prepare and submit to the
8 joint budget subcommittee on social services an
9 analysis of the three juvenile institutions at Eldora,
10 Mitchellville, and Toledo and a proposal to combine
11 these three institutions into two shall be made.
12 It is intended that the department shall consider
13 the report and recommendations of the Advisory
14 Commission on Correctional Relief in preparing its
15 analysis and proposal.

16 2. It is the intent of this bill that during
17 fiscal year 1977-1978 the Clarinda Mental Health
18 Institute shall begin to modify its focus to emphasize
19 the following two goals:

20 a. Provide comprehensive in-patient mental health
21 care for a residential population of approximately
22 200, reflecting an estimated decrease in in-patient
23 population.

24 b. Promote development of community-based services
25 through mental health centers in southwest Iowa.

26 There may be changes in personnel requirements
27 and financial arrangements, and it is intended that
28 the department shall submit a cost estimate to the
29 joint budget subcommittee on social services by January
30 15, 1978 on any necessary changes in funding to
31 implement the new goals.

32 3. It is the intent of this bill, in consideration
33 of the Iowa State University ADC study, that payments
34 for persons on the aid to families with dependent
35 children program shall be set as follows:

36	a.	2 person family	\$257
37	b.	3 person family	\$318
38	c.	4 person family	\$369

39 d. All other cash grants are continued at their
40 their present levels including special needs.

41 It is provided in this bill that the AFCD program
42 shall no longer include children 18 years of age or
43 older.

44 4. It is the intent of this bill that the
45 department shall increase the maximum allowable
46 reimbursement for ICF services under medicaid from
47 \$19.00 to \$19.50, and that the department shall
48 increase the fee paid to pharmacists under medicaid
49 from \$2.15 to \$2.55.

50 5. It is the intent of this bill that the

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Page 6

1 department shall resist the implementation of the
2 federal government spouse income regulation which
3 would allow spouse income under certain circumstances
4 to be excluded from the determination of income for
5 ICF medicaid eligibility purposes."

S-3310 FILED

APRIL 6, 1977

Adopted in amended by
3333, 3335, 3337, 3338,
3340, 3341, 3342, 3346, 3349
4/13 (p. 1001)

BY BUDGET SOCIAL SERVICES
SUBCOMMITTEE

SERLE E. PRIEBE, Chairperson



ROBERT D. RAY
GOVERNOR

Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

July 11, 1977

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

Dear Mr. Secretary:

I hereby transmit House File 464, An Act relating to the administration and financing of current programs under the jurisdiction of the Department of Social Services and to funding of capital improvement projects including capital improvement projects recommended by the Advisory Commission on Corrections Relief.

House File 464 is approved July 11, 1977, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Subsection 1 of Section 13 which reads as follows:

"1. It is the intent of the general assembly that the activities and services provided by the department of social services at the Riverview release center at Newton shall be phased out during the 1977-1978 fiscal year. The budget for the work release halfway houses funded through the Riverview release center shall not be reduced and shall be transferred to community based corrections for administrative purposes at such time as is appropriate. However, the physical structure and fixtures of the Riverview release center shall not be altered except for normal repair and maintenance until such time as the general assembly shall otherwise provide."

I am unable to approve the item designated in the Act as Section 17 which reads as follows:

"Sec. 17. The department of health shall delay implementation of the department of health licensure rules for intermediate care facilities as published in the Iowa Administrative Code "Health (470) chapter 58". The department, upon consultation with the health facilities

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advisory committee, shall review these rules which exceed the federal Title XIX guidelines for intermediate care facilities. All such modified rules approved by the department of health shall be resubmitted to the administrative rules review committee. The department of health may promulgate rules in areas not addressed by federal regulations."

I am unable to approve the item designated in the Act as Subsection 2 of Section 25 which reads as follows:

"2. Notwithstanding the provisions of chapter one thousand forty-three (1043) of the Acts of the Sixty-sixth General Assembly, 1976 Session, funds appropriated by section one (1), subsection four (4) of such chapter remaining unexpended on the effective date of this Act shall be used for the conversion of the existing minimum security dormitory located outside the walls of the Fort Madison penitentiary to a minimum security facility. The conversion shall provide for making necessary repairs and separating the upper floor of this minimum security dormitory into rooms."

Section 13, Subsection 1 requires the Department of Social Services to phase out the operations of the Riverview Release Center at Newton during FY 78. The Advisory Commission on Corrections Relief recommended that the center as a prerelease facility be phased out in the belief that the traditional way station between prison and community has become less necessary with the establishment of our community corrections program.

However, subsequent to the offering of the proposal to phase out Riverview, the legislature also added a provision to Senate File 112, the community corrections bill, calling for the creation of an inmate employment program at Riverview which would be consistent with the Commission's advice on training. Through a cooperative arrangement between the Departments of Transportation and Social Services, men and women inmates will be trained by Transportation, become employees of the Department for no more than one year, and then move from there to other employment in private industry.

We favor more vocational training and job opportunities for inmates so they will be more adequately prepared to reenter society. If the inmate employment program at Newton is to be the success hoped for, it must be allowed to operate under favorable conditions. Under the phase-out provision of this bill, the Riverview administrators would be hard pressed to know whether to proceed full

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speed ahead on the employment program or hold back in preparation for the shutdown mandated at the end of the year. We believe that this employment program should be supported and in order to do that Riverview should not be phased out at this time.

The major thrust of Riverview during FY 78 will be the inmate employment program. Three quarters of the population of the institution will be participating in the job training endeavor. A report on the initial operation of the program is to be submitted by February, 1978. If at that time the legislature decides to phase out Riverview, they will have ample time to affect the appropriation for FY 79. That action need not be forced now.

Section 17 requires the Department of Health to delay implementation of its revised health licensure rules for intermediate care facilities and in consultation with the Health Facilities Advisory Committee to determine if any exceed federal guidelines. Any rules modified under this review shall be submitted to the Administrative Rules Review Committee.

The Department of Health and the Health Facilities Advisory Committee completed a review and revision of the Department's licensure rules in December, 1976, after a two-year process. These new rules have been in operation since that time. A delay in implementation would leave the Department with no valid licensure rules for an indefinite period.

It was the consensus opinion of that group that these revised rules were efficient, workable, reasonable, and well-thought out. Mr. Larry Breeding, Executive Vice President of the Health Facilities Association of Iowa, wrote to me in December, saying:

"I do not believe I have ever seen a more hardworking, efficient, and industrious a group . . . The spirit of cooperation that existed between all facets of the committee was exemplary . . . I believe the work of this committee exemplified democracy at work (in reaching) reasonable and rational conclusions without a feeling of oppression."

Agreement still exists that the rules are exemplary and that they adequately set forth minimum requirements for intermediate care facilities. A point of contention has arisen, however, over the cost impact of the new rules. Such a cost impact statement was not included in the work of the Health Facilities Advisory Committee. There seems to be some fear that implementation of the new rules will result in costs that will strain the resources of the nursing homes.

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At my request the Department of Health has conducted a rule-by-rule financial survey with the following summary results:

1. Requirements for construction will likely result in a net reduction in cost from the previous rules.
2. In the area of staffing requirements, particularly nursing care which has been of major concern, this survey indicates that any increase in the cost of licensed nursing care will be more than counter-balanced by a decrease in the requirement for nursing aide care, resulting in an overall decrease in the cost of minimum nursing care standards.

Section 17 does not address the pertinent issue--that of cost impact--but rather the adequacy of the rules as minimum standards. Further review of these licensure rules in terms of their fitness as minimum standards could be a costly and repetitive exercise. It also seems that the cost impact of the new rules will probably reduce the cost of minimum acceptable standards in each facility. The cost problems generated by the placement of patients requiring skilled care in intermediate care facilities is of concern also, and will be reviewed by the Department.

Nursing homes are not immune to increased costs as they provide quality care to their patients, but I do not presently see reduction of minimum care standards as one of the alternative solutions to that problem.

Further, a delay in implementation in the new rules will prevent the Department of Health from using the fining and citation powers granted last December and will allow inadequate and poor quality care, which was scheduled to be dealt with under this process, to continue for an indefinite period.

I believe it would be better not to halt the new rules but to monitor them carefully with an eye toward modification any time cost savings could be implemented without jeopardizing minimum standards of care.

For these reasons, I thereby do not approve Section 17.

Section 25, Subsection 2 requires the conversion of the outside dormitory at Fort Madison to rooms for minimum security at a cost of approximately \$235,000. This increase would come at a time when the eligible population is decreasing due to wider use of probation, community-based corrections and work release programs. Currently, more than half the population at Fort Madison is serving sentences for crimes of violence, and one-third is serving sentences of more than twenty years. Both the percentage of the population committing violent crimes and the number of acts of violence by each individual have increased significantly in the last five years.

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As of July 9, 1977, the Warden's office reported there were 864 men being housed at Fort Madison. One hundred fifteen of these were in minimum security, with an average six-month stay. These men generally move on to discharge, parole, work release, or through some violation of rules, including escape, are sent back inside the Penitentiary. Thus, approximately 200-260 men are moved into minimum security during a year's time.

An examination of the files of the men at the Penitentiary indicates that 206 are eligible for minimum security, meeting at least the following criteria:

1. No life sentence.
2. No sentence for violent offense or exhibition of violent behavior while incarcerated.
3. No escape history within one year of review.
4. No report greater than a reprimand in the past two months.
5. No loss of good time or removal from honor roll in last six months.

These minimum standards were established in April, 1977, and are considerably more lenient than earlier criteria. A summary of file information of the 206 who could possibly be eligible indicates that 115 are already in minimum security, leaving 91, of whom another 50 are not currently being considered for the following reasons:

1. New men in orientation.
2. In protective custody.
3. Medical problems requiring daily care.
4. Mental problems.
5. Escape histories.
6. Don't want minimum security.
7. Too elderly.

This leaves 41 eligible for consideration. At current turnover rates, these men, if they are approved during review, will be placed in minimum security within six months or less.

It seems, therefore, based on the current population that minimum security candidates are being placed expeditiously and that a sufficient roster of available candidates would not be found to fill another facility and keep it filled. In addition, the escape rate from minimum security has increased since the opening of the farm dorms, thus increasing security risks.

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Finally, the conversion of the outside dormitory to minimum security poses three other problems:

1. There will be a significant increase in staffing costs for security, counselors, and cooks for the new facility, since separate services will have to be provided.
2. The proximity of this building to the main compound increases significantly the danger of contraband passing between the inmates outside the walls and those inside.
3. Other facilities will have to be found for part of the vocational training program now housed there.

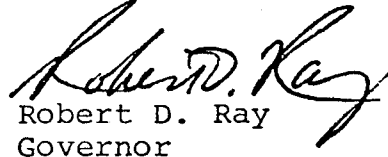
I am, therefore, unable to approve the use of this appropriation contained in Section 25, Subsection 2.

I do, however, feel that the dormitory, being a building less than 15 years old and in good condition, should be fully utilized and am directing the Department of Social Services to plan for its appropriate use considering some of the following alternatives:

1. Housing for correctional officers recruited from outside the local area.
2. Expansion of vocational programs.
3. Division of open spaces into classroom units.

For the above reasons, I hereby disapprove these 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 464 are hereby approved as of this date.

Sincerely,


Robert D. Ray
Governor

RDR:cg
cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE 464

AN ACT

RELATING TO THE ADMINISTRATION AND FINANCING OF CURRENT PROGRAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF SOCIAL SERVICES AND TO FUNDING OF CAPITAL IMPROVEMENT PROJECTS INCLUDING CAPITAL IMPROVEMENT PROJECTS RECOMMENDED BY THE ADVISORY COMMISSION ON CORRECTIONS RELIEF.

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, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1977-1978
Fiscal Year

1. District Administration

For the administration of district and local offices including salaries and support \$ 10,250,000

The provisions of subsection nine (9) of section nineteen A point nine (19A.9) of the Code which restricts employment of intermittent employees to not more than a specified number of calendar days in any twelve-month period without examination, shall not apply during the period beginning on July 1, 1977 and ending June 30, 1978 for forty intermittent employees who are employed in field offices by the department of social services. It is the intent of the general assembly to authorize the continued employment during the 1977-1978 fiscal year of persons employed to assist in meeting the current high demand for income maintenance and related services and to

permit the department to avoid the cost of training new employees. Any such employee of the department of social services who has been employed and classified as an intermittent employee after August 1, 1975 for twelve consecutive months or more shall be eligible to receive the same fringe benefits for fiscal year 1977-1978 as any other person employed under the provisions of chapter nineteen A (19A) of the Code.

2. State Administration

a. For salaries, support, maintenance and miscellaneous purposes \$ 4,389,000

Included in this appropriation for state administration is twenty-five thousand (25,000) dollars for one additional prosecutor for the fraud unit.

3. Medicaid Management Information System (MMIS)

For development and implementation of medicaid management information system.....\$ 140,000

Sec. 2. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1977-1978
Fiscal Year

FAMILY AND CHILDREN SERVICES:

For the operation of the following institutions:

- 1. State juvenile home at Toledo \$ 1,275,000
- 2. Boys' training school at Eldora ... \$ 3,100,000
- 3. Girls' training school at Mitchellville \$ 1,000,000
- 4. Iowa veterans home at Marshalltown \$ 7,520,000
- 5. Juvenile community based

corrections \$ 80,000

The department shall consult with the advisory commission on corrections and prepare and submit to the house and senate budget subcommittees on social services recommendations concerning the three juvenile institutions at Eldora, Mitchellville and Toledo with a long term recommendation on the care and treatment of juveniles at not more than two institutions. These recommendations shall be submitted on or before December 15, 1977. Members of the budget subcommittees on social services shall visit the three institutions during the 1977 interim.

Sec. 3. Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand one hundred thirty-two (1132), section two (2), subsection six (6), paragraph a, is amended to read as follows:

a. For contracting with local public or private nonprofit organizations for community based juvenile corrections programs and juvenile interim detention facilities and shelter care facilities \$ 160,000

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by this paragraph shall not revert to the general fund until June 30, 1978. The state youth coordinator shall submit during the 1978 Session of the general assembly to the budget committees of the house and senate a report detailing the manner in which funds appropriated by this paragraph have been expended. In addition the report shall contain such information as will be useful in determining the value of the community based juvenile correction program.

Sec. 4. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary,

to be used for the purposes designated:

	1977-1978
	<u>Fiscal Year</u>
ADULT CORRECTIONAL SERVICES:	
1. Community based corrections	\$ 6,500,000
2. Luster Heights camp	
at McGregor	\$ 140,000
3. Iowa state penitentiary	
at Fort Madison	\$ 7,900,000
4. Men's reformatory	
at Anamosa	\$ 5,300,000
5. Women's reformatory at	
Rockwell City	\$ 735,000
6. Iowa security medical facility	
at Oakdale	\$ 2,290,000
7. Riverview release center	
at Newton	\$ 800,000
8. Medium security facility	
at Mt. Pleasant	\$ 1,524,000
9. Parole services	\$ 783,000

Sec. 5. It is the intent of the general assembly that a mental health institute shall not accept physical custody of children alleged to be children in need of assistance on the grounds stated in section two hundred thirty-two point two (232.2), subsection thirteen (13), paragraphs i and j, of the Code, on guest status or otherwise, for more than twenty days.

It is also the intent of the general assembly that children found to be children in need of assistance on the grounds stated in section two hundred thirty-two point two (232.2), subsection thirteen (13), paragraphs i and j, of the Code shall not be placed in a mental health institute on the basis of that adjudication.

The court may, however, order a commitment to a mental health institute or other appropriate secure facility for

the purposes of treatment of a mental or emotional condition only after making findings pursuant to the standards set out for involuntary commitment in chapter two hundred twenty-nine (229) of the Code.

Sec. 6. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1977-1978
	<u>Fiscal Year</u>
MENTAL HEALTH SERVICES:	
1. For the mental health institute at Cherokee	\$ 6,000,000
2. For the mental health institute at Clarinda	\$ 4,950,000
3. For the mental health institute at Independence	\$ 6,200,000
4. For the mental health institute at Mount Pleasant	\$ 4,800,000

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.

Sec. 7. The department of social services with the approval of the governor and the state comptroller may transfer funds appropriated by section six (6) of this Act from any subsection of section six (6) for a purpose specified by any other subsection of section six (6).

Sec. 8. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1977-1978

	<u>Fiscal Year</u>
MENTAL RETARDATION SERVICES:	
1. For the Glenwood state hospital-school	\$ 9,800,000
2. For the Woodward state hospital-school	\$ 10,100,000
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 eighty percent for the fiscal year, except as otherwise provided by 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.

Sec. 9. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977 and ending June 30, 1978 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1977-1978
	<u>Fiscal Year</u>
SPECIAL PROGRAMS DIVISION:	
1. For aid to the blind	\$ 20,000
2. For aid to the dependent children	\$ 47,000,000
3. For aid to Indians residing on a settlement	\$ 48,000
4. For medical assistance	\$ 74,000,000
5. For contractual services-	

medical carrier	\$	950,000
6. For foster care	\$	7,800,000
7. For subsidized adoptions	\$	240,000
8. For work and training programs	\$	420,000
9. For adult and children services ...	\$	1,280,000
10. For homemaker services	\$	480,000
11. For state supplementary assistance	\$	3,800,000
12. For state supplementary assistance for the blind	\$	275,000
13. For the governor's youth opportunity program	\$	750,000
14. For child support recoveries	\$	283,000
15. Assistance to child care centers for nonprofit centers only.....	\$	250,000
Real property shall not be purchased with funds appropriated by this subsection.		
16. State supplementation to Title XX	\$	750,000

The funds appropriated by this subsection shall be used only for purchase of services to continue current programs.

17. Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand one hundred thirty-two (1132), section five (5), subsection two (2), remaining on June 30, 1977 shall be available for expenditure during the fiscal year beginning July 1, 1977 and the unencumbered or unobligated funds remaining on June 30, 1978 shall revert to the general fund on September 30, 1978.

Sec. 10. It is the intent of the general assembly, in consideration of the Iowa state university of science and technology aid to families with dependent children study, that the schedule of living costs and the payments for persons

on the aid to families with dependent children program shall be set as follows:

- a. 2 person family \$257 per month
- b. 3 person family \$318 per month
- c. 4 person family \$369 per month
- d. All other family sizes shall be set at their present payment level.

Sec. 11. Unless otherwise provided in this Act, 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.

Sec. 12. 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 an amount equal to that portion of the payment which is required by law to be made from nonfederal funds. The money segregated shall be deposited in the medical assistance fund of the department of social services.

Sec. 13.

1. It is the intent of the general assembly that the activities and services provided by the department of social services at the Riverview release center at Newton shall be phased out during the 1977-1978 fiscal year. The budget for the work release halfway houses funded through the Riverview release center shall not be reduced and shall be transferred to community based corrections for administrative purposes at such time as is appropriate. However, the physical structure and fixtures of the Riverview release center shall not be altered except for normal repair and maintenance until such time as the general assembly shall otherwise provide.

2. The special needs program of the aid to families with dependent children program shall be continued.

3. It is the intent of the general assembly to fully fund the addition to the aid to families with dependent children program as it applies to dependent children through the age of twenty years. If funds appropriated by this Act are insufficient to carry out this intent, it is the intent of the general assembly that a supplemental appropriation will be made by the general assembly meeting in the year 1978 to fund the program as intended.

Sec. 14. The department of social services shall encourage voluntary participation of families in paying for a portion of the care delivered to a relative/resident in an intermediate care facility. Facility administrators and appropriate department personnel, both state and county, will be advised as to the proper method of implementing family participation.

Sec. 15. It is the intent that the department of social services shall increase the maximum reimbursement for intermediate care facility services under medicaid from nineteen dollars to nineteen dollars and fifty cents and that the department shall increase the fee paid to pharmacists under medicaid from two dollars and fifteen cents to two dollars and fifty-five cents.

Sec. 16. It is the intent of the general assembly that the department of social services, by July 1, 1977, shall review every state staffing requirement contained in the conditions of participation for intermediate care facilities participating in the medicaid program that exceeds federal government requirements and that any such conditions of participation be submitted to the administrative rules review committee.

Sec. 17. The department of health shall delay implementation of the department of health licensure rules for intermediate care facilities as published in the Iowa Administrative Code "Health (470) chapter 58". The department, upon consultation with the health facilities advisory committee, shall review these rules which exceed the federal

Title XIX guidelines for intermediate care facilities. All such modified rules approved by the department of health shall be resubmitted to the administrative rules review committee. The department of health may promulgate rules in areas not addressed by federal regulations.

Sec. 18. It is the intent that the department of social services shall resist the implementation of the federal government spouse income regulation which would allow spouse income under certain circumstances to be excluded from the determination of income for intermediate care facility medicaid eligibility purposes.

Sec. 19. It is the intent of the general assembly that funds appropriated for medical assistance shall not be used to pay for radiology services provided by a computerized axial tomographic scanner placed in operation in the state of Iowa subsequent to the effective date of this Act unless said computerized axial tomographic scanner has been approved by the health facilities construction review committee of the state department of health.

Sec. 20. Section two hundred twenty-two point eighty-six (222.86), Code 1977, is amended to read as follows:

222.86 PAYMENT FOR CARE FROM FUND. Whenever the amount in the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred dollars, the business manager of the hospital-school or special unit may apply any amount of the excess to reimburse the county of legal settlement for liability incurred by such county for the payment of care, support, and maintenance of the patient when billed therefor by the county of legal settlement. ~~Money earned by a patient for work performed in or for a hospital-school or special unit shall not be subject to this section or to attachment.~~

Sec. 21.

1. The department of social services shall implement a pilot program in community services districts ten and two

requiring mandatory second opinions on elective surgery for medicaid clients. The department shall reimburse board certified surgical specialists to give their opinion on elective surgery prescribed by the client's own physician. If there is a difference in the opinion of the two physicians, the client shall make the final determination. In cases where the client is geographically distant from the specialist, the department shall pay transportation and child care expenses incurred in obtaining the second opinion. The department shall maintain statistical information on this program in community service districts ten and two and on similar groups in community service districts eight and eleven in order to evaluate the impact of this program on the costs of the medicaid program.

2. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1977 the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, for the administration of the pilot program mandated by this section, and for the payment of evaluation costs, consultant fees and client expenses incurred in connection therewith.

Sec. 22. There is appropriated from the general fund of the state to the department of social services for the fiscal period commencing July 1, 1977 the sum of one million (1,000,000) dollars, or so much thereof as is necessary, to be used for capital improvement projects deemed necessary by the department for institutions under its jurisdiction or for maintenance of such institutions.

Sec. 23. There is appropriated from the general fund of the state to the department of social services for the fiscal period beginning July 1, 1977 the sum of four million five hundred thousand (4,500,000) dollars, such moneys to be deposited in the hospital-schools revolving fund. Unobligated or unencumbered funds appropriated by this section shall not revert to the general fund of the state until the attainment

of the object or the completion of the work for which such appropriation is made.

Sec. 24. There is appropriated from the general fund of the state to the department of social services for the fiscal period beginning July 1, 1977 the sum of two million five hundred thousand (2,500,000) dollars, or so much as is necessary, for construction of a one hundred eighty bed nursing facility and for renovation of the Sheeler health care facility of the Iowa veterans home.

Sec. 25.

1. There is appropriated from the general fund of the state to the department of social services for the fiscal period beginning July 1, 1977, the sum of one million two hundred fifty-five thousand one hundred (1,255,100) dollars, or so much thereof as is necessary, for the purpose of carrying out capital improvements at the Iowa state penitentiary at Fort Madison and the men's reformatory at Anamosa pursuant to the specific recommendations of the advisory commission on corrections relief submitted to the general assembly subsequent to April 1, 1977. Funds appropriated by this subsection may be used to match federal funds including federal funds received from the law enforcement assistance administration if such funds become available to the state. The construction of the capital improvements shall not commence prior to March 1, 1978 except as provided in section twenty-seven (27) of this Act.

2. Notwithstanding the provisions of chapter one thousand forty-three (1043) of the Acts of the Sixty-sixth General Assembly, 1976 Session, funds appropriated by section one (1), subsection four (4) of such chapter remaining unexpended on the effective date of this Act shall be used for the conversion of the existing minimum security dormitory located outside the walls of the Fort Madison penitentiary to a minimum security facility. The conversion shall provide for making necessary repairs and separating the upper floor of this

minimum security dormitory into rooms.

Sec. 26. Funds appropriated by subsection one (1) of section twenty-five (25) of this Act, and federal funds which may become available, shall be used for improvements at Fort Madison and Anamosa pursuant to the report of the advisory commission on corrections relief. The improvements include but are not necessarily limited to the following:

1. FORT MADISON. To unitize cellhouses eighteen and nineteen, to make necessary repairs to cellhouse seventeen, to complete work now in progress, make further necessary repairs, and also install a horizontal partition in cellhouse twenty, and to convert the upper floor of the existing minimum security dormitory located outside the walls to a minimum security facility with separate sleeping rooms of not less than eighty square feet each. The improvements to these cellhouses shall be completed in the sequence and manner specifically recommended by the advisory commission on corrections relief in its supplemental report submitted to the general assembly subsequent to April 1, 1977. As used in this subsection "unitize" means the subdivision of cellhouses into smaller units in order to deliver correctional services on a more individualized basis.

2. FORT MADISON. To relocate laundry equipment in building fifty-nine and upgrade the electrical system in that building, demolish building thirty-eight, upgrade priority operation and service facilities in building seventy-five and cellhouse ninety-seven, repair the heating distribution system, construct outside separation structures, and repair the electrical distribution system.

3. ANAMOSA. To unitize cellhouse one, install forty-four rooms in the north cellhouse, and create one hundred seven housing units in the old hospital. As used in this subsection "unitize" means the subdivision of a cellhouse into smaller units in order to deliver correctional services on a more individualized basis.

Sec. 27. Unobligated or unencumbered funds remaining on June 30, 1981 from funds appropriated by sections twenty-two (22), twenty-four (24) and twenty-five (25) of this Act shall revert to the general fund of the state on September 30, 1981. If federal funds do not become available to match the funds appropriated by subsection one (1) of section twenty-five (25) of this Act, the funds, except seventy-five thousand dollars, shall be used for planning the projects provided for in this Act including the employment of architects. In no event shall such funds, except the seventy-five thousand dollars provided for in this section, be used for construction or alteration of physical structures prior to March 1, 1978. The seventy-five thousand dollars excepted from the planning shall be used to complete the work in progress, make further necessary repairs, and install a horizontal partition in cellhouse twenty at Fort Madison as provided in subsection one (1) of section twenty-six (26) of this Act.

Sec. 28. Section two hundred forty-six point one (246.1), Code 1977, is amended to read as follows:

246.1 DEFINITIONS. For the purpose of this chapter "director" or "state director" shall mean the director of the division of adult corrections of the department of social services, or that director's designee.

Sec. 29. Chapter two hundred forty-six (246), Code 1977, is amended by adding the following new section:

NEW SECTION. SPECIAL TREATMENT UNIT FOR CORRECTIONS INMATES.

1. Beginning April 1, 1978, the medium security correctional facility at Mount Pleasant shall be utilized as a secure facility for treatment of inmates of adult correctional institutions who exhibit treatable personality disorders, with or without accompanying history of drug or alcohol abuse. Such inmates may apply for and upon their application may be selected for treatment by the staff of the treatment facility at Mount Pleasant in accordance with

section two hundred eighteen point ninety (218.90) of the Code.

2. The director shall coordinate with the division of mental health of the department of social services and the state psychiatric hospital at Iowa City in the creation, staffing and operation of a research and treatment program directed at the class of disorders described in subsection one (1) of this section, which program shall be operated at the medium security correctional facility at Mount Pleasant.

3. The final decision regarding admission and discharge of patients of the treatment facility operated under this section shall rest with the director. Upon discharge, the patients of the treatment facility shall be transferred or placed as determined by the director.

Sec. 30. Section two hundred twenty-three point eight (223.8), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

223.8 COSTS AND CHARGES. Chapter two hundred thirty (230), Code 1977, shall govern the determination of costs and charges for the care and treatment of mentally ill patients admitted to the Iowa security medical facility, except that charges for the care and treatment of any person transferred to the security medical facility from an adult correctional institution or from a state training school shall be paid entirely from state funds. Charges for all other patients at the security medical facility shall be billed to the respective counties at the same ratio as for patients at state hospitals for the mentally ill, under section two hundred thirty point twenty (230.20) of the Code.

Sec. 31. The department of social services shall report to the budget social services subcommittees of the committees on budget of the house and senate by February 1, 1978 the cost and description of the construction necessary to make building twenty at Mount Pleasant mental health institute an internally secure structure, including but not limited

to providing escape-proof doors and windows, air conditioning, and electronic surveillance and security equipment which will exceed the standards in the existing plans.

Sec. 32. There is hereby appropriated from the general fund of the state to the legislative council the sum of twenty thousand (20,000) dollars, or so much thereof as may be necessary, which shall be used by the joint senate-house budget subcommittees on social services to conduct a study of the requirements for and restrictions upon use of federal funds allocated to Iowa under Title twenty (XX) of the United States Social Security Act, the manner in which the state and persons representing political subdivisions of the state and other local interests and organizations have planned for and acted in use of these funds, the effect upon these efforts and subsequent decisions by the department of social services affecting the allocation and use of Title twenty (XX) funds, the effect of any joint funding of programs with both money appropriated by or allocated to the state for the medical assistance program maintained pursuant to Title nineteen (XIX) of the United States Social Security Act and Title twenty (XX) money and the necessity for the district offices of the department of social services. The subcommittees shall make the necessary arrangements for the conduct and supervision of the study, including the hiring of any necessary staff, and for formulation of recommendations based upon the findings of the study. The report of the study and the recommendations based thereon shall be submitted to the Sixty-seventh General Assembly on or before the date it convenes for its regular session in the year 1978. The secretary of the senate and the chief clerk of the house, in consultation with the legislative council, shall provide administrative services for the administration of funds appropriated by this section.

Sec. 33. 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 except the veterans per diem payable for veterans at the veterans home shall be deposited in the general fund.

Sec. 34. Funds appropriated by sections one (1) through ten (10) of this Act shall not be used for capital improvements.

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 464, Sixty-seventh General Assembly.

Item Voted
July 11
Approved _____, 1977

DAVID L. WRAY
Chief Clerk of the House

ROBERT D. RAY
Governor