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MAY 2 1979

HOUSE FILE 755

APPROPRIATIONS CALENDAR
Do pass per 3775

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 5-3-79 (p. 2050) Passed Senate, Date _____

Vote: Ayes 86 Nays 9 Vote: Ayes _____ Nays _____

~~Approved~~ Assembly June 10, 1979
Motion to reconsider 7/20/79
in/drawn 5/7 (p. 2145)

A BILL FOR

1 An Act relating to the administration and financing of current
2 programs under the jurisdiction of the department of social
3 services.

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

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1 Section 1. There is appropriated from the general fund
2 of the state for each fiscal year of the biennium beginning
3 July 1, 1979 and ending June 30, 1981 to the department of
4 social services, the following amounts, or so much thereof
5 as may be necessary, to be used for the purposes designated:

6	1979-1980	1980-1981
7	<u>Fiscal Year</u>	<u>Fiscal Year</u>

8 1. For general ad-
9 ministration, includ-
10 ing salaries and sup-
11 port, maintenance and
12 miscellaneous purposes..... \$ 6,140,000 \$ 6,220,000

13 2. It is the intent of the general assembly that the
14 budget for the bureau of communications not exceed eighty-
15 five thousand (85,000) dollars in each of the fiscal years
16 beginning July 1, 1979 and July 1, 1980, none of which shall
17 be used for political purposes.

18 3. Acts of the Sixty-seventh General Assembly, 1977
19 Session, chapter thirty-seven (37), section one (1), subsec-
20 tion three (3), as amended by Acts of the Sixty-seventh General
21 Assembly, 1978 Session, chapter one thousand eighteen (1018),
22 section two (2), subsection three (3), is further amended
23 to read as follows:

24 3. Medicaid Management
25 Information System (MMIS)
26 For development and im-
27 plementation of medicaid
28 management information
29 system..... \$ 140,000

30 Notwithstanding section eight point thirty-three (8.33)
31 of the Code, unencumbered or unobligated funds appropriated
32 by this subsection shall not revert to the general fund until
33 June 30, ~~1979~~ 1980. The department of social services shall
34 submit to the joint ~~budget~~ appropriations subcommittee on
35 social services, during the ~~1979~~ 1980 Session of the general

1 assembly, a written report on the status of the medicaid
2 management information system.

3 Sec. 2. There is appropriated from the general fund of
4 the state for each fiscal year of the biennium beginning July
5 1, 1979 and ending June 30, 1981 to the department of social
6 services, the following amounts or so much thereof as may
7 be necessary, to be used for the purposes designated:

8	1979-1980	1980-1981
9	<u>Fiscal Year</u>	<u>Fiscal Year</u>
10 1. For the division 11 of field operations, 12 including salaries 13 and support, mainte- 14 nance and miscella- 15 neous purposes.....	\$15,000,000	\$15,000,000

16 2. It is the intent of the general assembly that those
17 employees occupying the thirty-eight intermittent income main-
18 tenance positions authorized by the Sixty-seventh General
19 Assembly shall be made permanent, full-time merit employees
20 effective July 1, 1979, in accordance with the Iowa merit
21 employment department's policies relative to changes from
22 exempt to classified status and each such intermittent employee
23 shall be given credit for all benefits which that employee
24 has accrued as an intermittent employee of the department
25 of social services.

26 It is the further intent of the general assembly that the
27 department shall delete from its table of organization the
28 thirty-eight intermittent positions established for income
29 maintenance services which had been authorized by the Acts
30 of the Sixty-sixth General Assembly, 1976 Session, chapter
31 one thousand one hundred thirty-two (1132).

32 3. It is the intent of the general assembly to authorize
33 the department of social services to act, within the appro-
34 priation provided by this section and the provisions of section
35 twenty-nine (29) of this Act, to meet critical needs in the

1 child abuse, food stamp and income maintenance programs within
2 the division of field operations by creating eighty new
3 positions and reallocating fifty-seven positions from the
4 Comprehensive Employment Training Act (CETA) program and
5 thirty-eight positions from the nursing review program.

6 4. It is the intent of the general assembly that counties
7 shall continue to furnish and pay for the office space
8 presently in use by personnel administering the food stamp
9 program.

10 Sec. 3. There is appropriated from the general fund of
11 the state for each fiscal year of the biennium beginning July
12 1, 1979 and ending June 30, 1981 to the department of social
13 services, the following amounts, or so much thereof as may
14 be necessary, to be used for the purposes designated:

15	1979-1980	1980-1981
16	<u>Fiscal Year</u>	<u>Fiscal Year</u>

17 FAMILY AND CHILDREN

18 SERVICES:

19 1. For the operation
20 of the Eldora training
21 school, Mitchellville
22 training school and
23 state juvenile home,
24 including salaries
25 and support, main-
26 tenance and miscella-

27 neous purposes..... \$ 7,000,000 \$ 6,900,000

28 2. Juveniles adjudicated delinquent shall not be placed
29 at the state juvenile home at Toledo.

30 3. It is the intent of the general assembly that the
31 department of social services develop a three-year plan for
32 juvenile deinstitutionalization through the use of community-
33 based, family-oriented services. The department shall
34 coordinate these efforts with the joint appropriations
35 subcommittee on social services, county officials, employees

1 of the courts and other organizations or individuals who might
 2 have a significant interest in, and contribution to make to,
 3 this effort. It is the intent of the general assembly that
 4 this plan will be presented to the joint appropriations sub-
 5 committee on social services, and to the other members of
 6 the general assembly, by January 15, 1980 and that a
 7 preliminary report be made to the joint appropriations
 8 subcommittee on social services by December 1, 1979.

9		1979-1980	1980-1981
10		<u>Fiscal Year</u>	<u>Fiscal Year</u>
11	4. For operation of		
12	the Iowa veterans home,		
13	including salaries and		
14	support, maintenance		
15	and miscellaneous pur-		
16	poses.....	\$10,400,000	\$10,600,000

17 Sec. 4. There is appropriated from the general fund of
 18 the state for each fiscal year of the biennium beginning July
 19 1, 1979 and ending June 30, 1981 to the department of social
 20 services for juvenile community-based corrections the following
 21 amounts, or so much thereof as may be necessary:

22		1979-1980	1980-1981
23		<u>Fiscal Year</u>	<u>Fiscal Year</u>
24		\$ 320,000	\$ 320,000

25 1. The department of social services shall continue the
 26 program of project grants to communities which are develop-
 27 ing community-based juvenile residential correctional pro-
 28 grams. It shall work with local communities and the Iowa
 29 crime commission to provide incentives to make maximum use
 30 of available federal funds. Insofar as practical, the
 31 department shall provide technical assistance to local groups
 32 which intend to establish or improve community-based juvenile
 33 residential correctional programs.

34 Sec. 5. There is appropriated from the general fund of
 35 the state for each fiscal year of the biennium beginning July

1 1, 1979 and ending June 30, 1981 to the department of social
2 services the following amounts, or so much thereof as may
3 be necessary, to be used for adult correctional services as
4 designated:

5	1979-1980	1980-1981
6	<u>Fiscal Year</u>	<u>Fiscal Year</u>

7	1. For operation of		
8	adult correctional insti-		
9	tutions (Fort Madison,		
10	Anamosa, Rockwell City,		
11	Oakdale, Mount Pleasant,		
12	John Bennett Center,		
13	Riverview Release Center)		
14	including salaries and		
15	support, maintenance and		
16	miscellaneous purposes.....	\$26,234,000	\$26,885,000

17 2. During the fiscal year beginning July 1, 1979, the
18 department is authorized to expand staffing, in order to pro-
19 vide additional correctional personnel required by unitization,
20 by twenty-five new positions at Fort Madison and thirty-three
21 new positions at Anamosa. Within the limitations of the funds
22 appropriated by this section and the provisions of section
23 twenty-nine (29) of this Act, the department may expand staff-
24 ing at the John Bennett Center by adding seven new correctional
25 personnel.

26 3. It is the intent of the general assembly that a con-
27 centrated training program for correctional officers at Fort
28 Madison be established as soon as possible, and that a con-
29 tinuing in-service training program be established for cor-
30 rectional officers at all correctional institutions. There
31 may be used for this purpose up to two hundred ten thousand
32 (210,000) dollars of the appropriation made by subsection
33 one (1) of this section for the fiscal year beginning July
34 1, 1979, and up to one hundred forty thousand (140,000) dollars
35 of the appropriation made by subsection one (1) of this section

1 for the fiscal year beginning July 1, 1980. The general
2 assembly also recommends that in addition to using existing
3 staff for training, the department utilize other community
4 and state resources in the development and implementation
5 of a comprehensive training program.

6 4. It is the intent of the general assembly that the
7 department of social services utilize to the extent possible
8 crime commission funds for development and implementation
9 of a specialized training program for all personnel who will
10 be involved in the unitization program.

11 5. The general assembly recognizes that serious problems
12 have been created by the low base salary and pay structure
13 for staff positions at adult correctional institutions. Ac-
14 cordingly:

15 a. The department of social services and the merit
16 employment department shall by July 1, 1979 submit to the
17 governor and the joint appropriations subcommittee on social
18 services recommendations formulated by the two departments
19 on the basis of a review of the base salary and pay structure
20 for all security and support personnel, and of the compression
21 problem relating to salary levels assigned certain merit
22 employment positions at the adult correctional institutions.

23 b. It is the intent of the general assembly that not more
24 than two hundred fifty thousand (250,000) dollars of the funds
25 appropriated for each year of the biennium by subsection
26 one (1) of this section be used to implement base pay increases
27 and salary structure adjustments recommended pursuant to
28 paragraph a of this subsection, when the increases and
29 adjustments are approved in the same manner as is provided
30 for other pay increase and salary adjustment recommendations
31 under the merit employment system. If the merit employment
32 commission does not approve base pay increases and salary
33 structure adjustments recommended pursuant to paragraph a
34 of this subsection, or the increases and adjustments so
35 approved do not require the full two hundred fifty thousand

1 (250,000) dollars in either or both fiscal years of the
2 biennium, those amounts or the portion thereof not used as
3 prescribed by this paragraph shall revert to the general fund
4 of the state on June 30, 1980.

5 6. It is the intent of the general assembly that the di-
6 vision of adult corrections in cooperation with the Iowa merit
7 employment commission study the cost of raising the salaries
8 of all corrections personnel, the cost of making a greater
9 distinction in salary between corrections officers and
10 supervisory personnel, the costs of bringing the salaries
11 of corrections officers at Rockwell City into uniformity with
12 the salaries at the other adult corrections institutions,
13 and the cost of early retirement for correctional officers,
14 and that after study and consultation with the Iowa merit
15 employment system, the division report its recommendations
16 to the joint appropriations subcommittee on social services
17 not later than December 1, 1979, and that the division of
18 adult corrections, with a representative of the merit
19 employment commission, send a progress report to the
20 chairpersons of the joint appropriations subcommittee on
21 social services at least twice prior to December 1, 1979.

22 7. It is the intent of the general assembly that fifty
23 thousand (50,000) dollars of the appropriation made by sub-
24 section one (1) of this section be used to increase the pay
25 for inmates of the adult correctional institutions who are
26 employed within the correctional system as permitted by law.

27	1979-1980	1980-1981
28	<u>Fiscal Year</u>	<u>Fiscal Year</u>

29	8. Community-based		
30	corrections.....	\$ 8,747,250	\$ 9,359,557

31 Each judicial district which uses funds appropriated under
32 this subsection may contract for services from or provide
33 funds to private agencies which provide to ex-offenders
34 education, job placement or counseling services intended to
35 facilitate the transition of the ex-offenders from

1 incarceration to free society.

2 9. Acts of the Sixty-seventh General Assembly, 1978
3 Session, chapter one thousand eighteen (1018), section six
4 (6), subsection one (1), paragraph c, is amended to read as
5 follows:

6 c. Community-based
7 corrections..... \$ 8,175,000

8 Notwithstanding section eight point thirty-three (8.33)
9 of the Code, unencumbered or unobligated funds appropriated
10 by this paragraph shall not revert to the general fund until
11 June 30, 1980.

12 10. For parole ser-
13 vices, including salaries
14 and support, maintenance
15 and miscellaneous purposes..... \$ 1,030,000 \$ 1,030,000

16 11. For a legal as-
17 sistance program to
18 provide civil legal
19 assistance to inmates
20 of the Iowa correc-
21 tional system in mat-
22 ters of child custody,
23 bankruptcy and dis-
24 solution of marriage..... \$ 25,000 \$ 25,000

25 12. For reimburse-
26 ment of counties for
27 temporary confinement
28 of work release and
29 parole violators, as
30 provided by sections
31 two hundred forty-
32 seven A point ten
33 (247A.10), nine hun-
34 dred one point seven
35 (901.7), and nine

1 hundred six point
 2 seventeen (906.17)
 3 of the Code..... \$ 45,000 \$ 47,500
 4 13. For substance
 5 abuse screening..... \$ 200,000 \$ 200,000
 6 14. For a central
 7 classification system,
 8 including salaries and
 9 support, maintenance
 10 and miscellaneous pur-
 11 poses..... \$ 100,000 \$ 100,000

12 It is the intent of the general assembly to authorize the
 13 department of social services to establish ten new positions
 14 within the appropriation provided by this subsection and the
 15 provisions of section twenty-nine (29) of this Act.

16 The department of social services may use not more than
 17 one hundred thousand (100,000) dollars of the appropriation
 18 provided by subsection one (1) of this section, in addition
 19 to funds appropriated by this subsection, for the purpose
 20 of developing a central classification system.

21 Sec. 6. There is appropriated from the general fund of
 22 the state for each fiscal year of the biennium beginning July
 23 1, 1979 and ending June 30, 1981 to the department of social
 24 services, for the mental health institutes at Cherokee,
 25 Clarinda, Independence and Mount Pleasant the following
 26 amounts, or so much thereof as may be necessary:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
29 1. For salaries and		
30 support, maintenance and		
31 miscellaneous purposes.....	\$28,250,000	\$28,365,000

32 2. It is the intent of the general assembly that all funds
 33 received from client participation shall be deposited in the
 34 general fund of the state.

35 3. The state mental health institutes' daily per diem

1 as determined pursuant to section two hundred thirty point
2 twenty (230.20) of the Code shall be billed at eighty percent
3 for each fiscal year. In addition, each county which pays,
4 from county funds, the costs of care and treatment of mentally
5 ill persons transferred from a state mental health institute
6 to a public or private inpatient treatment facility, other
7 than a state mental health institute, is entitled to
8 reimbursement from the state for a portion of the cost incurred
9 by the county for each day an individual is so treated or
10 cared for at county expense. However, such reimbursement
11 shall only apply to patients admitted to the facility after
12 February 1, 1980. The reimbursement shall be equal to twenty
13 percent of the average of the four state mental health
14 institutes' individual average daily patient costs for the
15 most recent quarter.

16 Each county may claim the reimbursement by filing a claim
17 for such reimbursement on a quarterly basis. The comptroller,
18 upon verifying the claim, shall issue warrants to the respec-
19 tive counties drawn upon money in the general fund not
20 otherwise appropriated.

21 4. It is the intent of the general assembly that a mental
22 health institute shall not accept physical custody of children
23 alleged to be children in need of assistance on guest status
24 or otherwise, for more than thirty days. It is also the
25 intent of the general assembly that children found to be
26 children in need of assistance shall not be placed in a mental
27 health institute on the basis of that adjudication. The
28 juvenile court may, however, order a commitment to a mental
29 health institute or other appropriate secure facility for
30 the purposes of treatment of a mental or emotional condition,
31 but only after making findings pursuant to the standards set
32 out for involuntary commitment in chapter two hundred twenty-
33 nine (229) of the Code.

34 5. It is the intent of the general assembly that the
35 superintendents of the mental health institutes at Cherokee

1 and Independence, in discharging the duties imposed on them
2 by section two hundred thirty point twenty (230.20) of the
3 Code, shall consider the costs of the psychiatric residency
4 and chaplain intern programs maintained at those institutes
5 as costs not to be included in the expenditures of those
6 institutes for the purpose of establishing the institutes'
7 respective daily charges to patients, the same as the costs
8 enumerated in section two hundred thirty point twenty (230.20),
9 subsection one (1), paragraphs a, b and c of the Code. It
10 is the objective of the general assembly, in expressing this
11 intent, that the commissioner of social services seek to
12 maintain reasonably uniform daily charges at the four mental
13 health institutes.

14 6. It is the intent of the general assembly that not more
15 than one hundred thousand (100,000) dollars of the appropria-
16 tion provided under subsection one (1) of this section for
17 each of the fiscal years beginning July 1, 1979 and July 1,
18 1980 shall be used by the division of mental health resources
19 to contract for mental health and mental retardation screening
20 services for inmates of the state's adult correctional system
21 and juvenile offenders at the state's juvenile institutions.

22 Sec. 7. There is appropriated from the general fund of
23 the state for each fiscal year of the biennium beginning July
24 1, 1979 and ending June 30, 1981 to the department of social
25 services, for the state hospital-schools at Glenwood and at
26 Woodward the following amounts, or so much thereof as may
27 be necessary:

	1979-1980 <u>Fiscal Year</u>	1980-1981 <u>Fiscal Year</u>
30 1. For salaries and 31 support, maintenance 32 and miscellaneous pur- 33 poses.....	\$24,000,000	\$23,800,000

34 2. It is the intent of the general assembly that all funds
35 received from client participation shall be deposited in the

1 general fund of the state.

2 3. The state hospital-schools' per-patient-per-day cost
3 as determined pursuant to section two hundred twenty-two point
4 seventy-three (222.73) of the Code shall be billed at eighty
5 percent for the fiscal year, except as otherwise provided
6 by subsection four (4) of this section.

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

15 5. It is the intent of the general assembly that the de-
16 partment of social services shall identify and evaluate
17 problems in the development and funding of community-based
18 services for the mentally retarded. The department shall
19 report its findings and recommendations to the general as-
20 sembly by December 1, 1979.

21 Sec. 8. There is appropriated from the general fund of
22 the state for each fiscal year of the biennium beginning July
23 1, 1979 and ending June 30, 1981 to the department of social
24 services, the following amounts, or so much thereof as may
25 be necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
26 SPECIAL PROGRAMS		
27 DIVISION:		
28 1. For aid to the		
29 blind.....	\$ 20,000	\$ 20,000
30 2. For aid to de-		
31 pendent children.....	\$47,325,000	\$47,200,000
32 3. For aid to		
33 Indians residing on		

1 a settlement..... \$ 36,000 \$ 36,000
2 4. For medical as-
3 sistance, including re-
4 imbusement for abor-
5 tion services, which
6 shall be available un-
7 der the medical assis-
8 tance program only for
9 those abortions which
10 are medically neces-
11 sary. Medically nec-
12 essary abortions are
13 those performed when:
14 a. The attending
15 physician certifies
16 that continuing the
17 pregnancy would en-
18 danger the life of
19 the pregnant woman;
20 or
21 b. The attending
22 physician certifies
23 that the fetus is
24 physically deformed,
25 mentally deficient,
26 or afflicted with a
27 congenital illness;
28 or
29 c. The pregnancy
30 is the result of a
31 rape which is reported
32 to a law enforcement
33 agency or public or
34 private health agency
35 within sixty days of

1 the incident, or the
2 result of incest which
3 is reported in the
4 first two trimesters
5 of pregnancy to a
6 law enforcement agen-
7 cy or the department
8 of social services;

9 d. Any spontane-
10 ous abortion, common-
11 ly known as a miscar-
12 riage, wherein not
13 all of the products
14 of conception are

15 expelled..... \$88,000,000 \$95,000,000

16 5. For contrac-
17 tual services-medi-
18 cal carrier..... \$ 1,084,000 \$ 1,232,000

19 6. For children's
20 services..... \$20,455,000 \$21,250,000

21 7. For work and
22 training programs..... \$ 438,000 \$ 438,000

23 8. For adult and
24 family services..... \$ 758,000 \$ 758,000

25 9. For state sup-
26 plementary assistance,
27 including state sup-
28 plementary assistance
29 for the blind..... \$ 6,090,000 \$ 6,520,000

30 It is the intent of the general assembly that the de-
31 partment of social services shall increase the maximum cost-
32 related reimbursement for residential care facility services
33 to thirteen dollars and fifty cents per day and the flat rate
34 to eight dollars and twenty cents per day.

35 10. For the gov-

1 ernor's youth oppor-
 2 tunity program..... \$ 750,000 \$ 750,000
 3 11. For child sup-
 4 port recoveries, in-
 5 cluding salary and sup-
 6 port, maintenance and
 7 miscellaneous purposes..... \$ 428,219 \$ 435,160
 8 12. For assistance
 9 to child care centers..... \$ 300,000 \$ 300,000

10 Real property shall not be purchased with funds appropriated
11 by this subsection.

12 It is the intent of the general assembly that as more cen-
13 ters improve their facilities in order to meet minimum re-
14 quirements for the health, safety, and welfare of the children,
15 the emphasis of the program should be shifted to providing
16 aid in staff development and training in order to upgrade
17 programs and the delivery of services. To the extent possible,
18 the department shall develop a means of selecting private
19 child care facilities for receiving funds, and shall promulgate
20 rules governing these procedures in accordance with chapter
21 seventeen A (17A) of the Code. At the same time, the
22 department shall gather statistics on the number of such child
23 care centers, and report to the joint appropriations
24 subcommittee on social services by December 1, 1979.

25 13. State supple-
 26 mentation to Title
 27 XX..... \$ 1,000,000 \$ 1,000,000

28 It is the intent of the general assembly that funds ap-
29 propriated under this subsection be used for local purchase
30 of service contracts, and primarily to help avoid the
31 institutionalization of individuals.

32 14. Homemaker ser-
 33 vices..... \$ 1,580,000 \$ 1,580,000

34 Funds provided in this subsection for homemaker services
35 may be used either for direct service or state purchase match

1 for federal Title XX funds. Any decision to change homemaker
2 services from direct service to state purchase shall be made
3 on a district by district basis, at the district level and
4 shall not be influenced by a consideration of departmental
5 staff size. If direct homemaker services are transferred
6 from direct service to state purchase, the vacant positions
7 that result shall be deleted from the department's table of
8 organization.

9 Sec. 9. Section two hundred thirty-four point thirty-
10 eight (234.38), unnumbered paragraph two (2), Code 1979, is
11 amended by striking the unnumbered paragraph.

12 Sec. 10.

13 1. It is the intent of the general assembly that the
14 schedule of living costs and the payment for persons on the
15 aid to dependent children program shall be increased for all
16 family sizes for the fiscal year beginning July 1, 1979 by
17 an average over the fiscal year equaling six percent and with
18 payment increases commencing October 1, 1979. The schedule
19 of living costs and the payment for persons on the aid to
20 dependent children program shall be increased for all family
21 sizes for the fiscal year beginning July 1, 1980 by six per-
22 cent over the yearly-average payment for the fiscal year be-
23 ginning July 1, 1979, with payment increases commencing July
24 1, 1980.

25 2. It is the intent of the general assembly in appro-
26 priating funds in section eight (8), subsection two (2) of
27 this Act that, notwithstanding the provisions of section two
28 hundred thirty-nine point eighteen (239.18) of the Code, the
29 department of social services shall not reduce the standards
30 of payment referred to in subsection one (1) of this section,
31 nor establish eligibility criteria for recipients under the
32 aid to dependent children program which are more restrictive
33 than the criteria required by applicable federal regulations.
34 The special needs program of the aid to dependent children
35 program shall be continued.

1 3. It is the intent of the general assembly that the
2 department shall maintain a system of current needs budgeting
3 in computing monthly assistance grants for ADC recipients
4 until the department has presented to the governor and the
5 joint social services appropriations subcommittee of the
6 Sixty-eighth General Assembly a study and report including
7 a cost-benefit comparison and client impact comparison between
8 prior-month budgeting and current needs budgeting. The re-
9 port shall be submitted on December 3, 1979.

10 Sec. 11. The department of social services shall adopt
11 administrative rules pursuant to chapter seventeen A (17A)
12 of the Code which provide that in determination of eligibility
13 for assistance under the aid to dependent children program
14 established by chapter two hundred thirty-nine (239) of the
15 Code, there shall be recognition of a stepparent's
16 responsibility for the reasonable and necessary expenses of
17 the family and the education of the children as long as the
18 stepparent remains married to the stepchild's parent. In
19 adopting such rules, the department shall give consideration
20 to any financial obligations the stepparent may have as a
21 result of court orders, or of commitments made prior to the
22 marriage. Any such rules shall be made in compliance with
23 regulations of the United States department of health,
24 education and welfare concerning aid to dependent children
25 eligibility of families with stepparents.

26 Sec. 12. It is the intent of the general assembly that
27 for the first seven months of the fiscal year beginning July
28 1, 1979 the department of social services shall increase the
29 maximum reimbursement for intermediate care facilities under
30 medical assistance to a level fixed at the seventy-fourth
31 percentile on the basis of cost data on file as of December
32 31, 1978, indexed forward by an inflation factor of one
33 percent. The department shall organize a committee composed
34 of representatives of the department, the nursing home
35 associations, the medical assistance advisory board, and three

1 members of the joint appropriations subcommittee on social
2 services appointed by the chairpersons of the appropriations
3 committees to study alternative cost-related methods for
4 intermediate care facility reimbursements and for accounting
5 procedures to reduce reporting time lags. Prior to September
6 1, 1979, the committee shall make recommendations for changes
7 in the reimbursement system to become effective February 1,
8 1980.

9 Sec. 13. It is the intent of the general assembly that
10 payment for reserve bed days under the medical assistance
11 program shall be made at eighty percent of the allowable
12 audited costs for those beds, not to exceed the maximum
13 reimbursement rate.

14 Sec. 14. It is the intent of the general assembly that
15 medical assistance shall be made available to any person who
16 is an inpatient of a hospital, skilled nursing facility or
17 intermediate care facility; who is eligible for supplemental
18 security income in all respects except income; and whose
19 income does not exceed six hundred dollars per month.

20 Sec. 15. It is the intent of the general assembly that
21 the department of social services shall increase the fee paid
22 to pharmacists under the medical assistance program from two
23 dollars and fifty-five cents to three dollars per prescription
24 for the 1979-1981 biennium.

25 Sec. 16. It is the intent of the general assembly that,
26 for the fiscal year beginning July 1, 1979, foster parent
27 payments be increased by ten percent.

28 Sec. 17.

29 1. It is the intent of the general assembly that of the
30 total amount appropriated for children's services by section
31 eight (8), subsection six (6) of this Act, not more than
32 twenty-four thousand (24,000) dollars shall be used to
33 establish a pilot program providing additional payments to
34 foster families with children with very special needs. The
35 department of social services shall report to the joint

1 appropriations subcommittee on social services on the
2 effectiveness of this program by March 1, 1980.

3 2. Six hundred sixty thousand (660,000) dollars of the
4 funds appropriated by section eight (8), subsection six (6)
5 of this Act may be used for reimbursement of county juvenile
6 court expenses pursuant to section two hundred thirty-two
7 point one hundred forty-one (232.141), subsection four (4)
8 of the Code. If it appears at any given time that six hundred
9 sixty thousand (660,000) dollars will be insufficient for
10 reimbursement of county juvenile court costs, the department
11 shall report to the comptroller and the joint appropriations
12 subcommittee on social services relative to the need for addi-
13 tional funds for such costs. The department of social services
14 shall also report to the joint appropriations subcommittee
15 on social services and to the legislative council no later
16 than December 1, 1979 on the projected costs to the state
17 for county juvenile court expenses, based upon reports received
18 from the counties for the first quarter of the fiscal year
19 beginning July 1, 1979.

20 3. Funds appropriated under section eight (8), subsec-
21 tion six (6) of this Act shall be used to pay at least one-
22 half of one percent of the total cost of the establishment,
23 improvements, operation, and maintenance of approved county
24 or multicounty juvenile homes as aid from the state, pursuant
25 to section two hundred thirty-two point one hundred forty-
26 two (232.142), subsection four (4) of the Code. The department
27 is authorized to provide additional aid, subject to the funding
28 limitations of this subsection.

29 4. It is the intent of the general assembly that of the
30 appropriation made by section eight (8), subsection six (6)
31 of this Act, one million (1,000,000) dollars shall be used
32 to provide in-home treatment and seven hundred fifty thousand
33 (750,000) dollars shall be used to provide alternatives to
34 foster care. It is the intent of the general assembly that
35 in-home treatment programs which were funded through state

1 and federal Title XX funds in the fiscal year beginning July
2 1, 1978 shall be maintained at their current program operating
3 level through funds provided pursuant to this subsection.
4 Federal Title XX funds may be used to match, but not to
5 replace, funds provided pursuant to this subsection. The
6 department shall submit to the appropriations subcommittee
7 on social services by December 1, 1979 a report of the actual
8 expenditures during the first quarter of the fiscal year
9 beginning July 1, 1979 for all programs within the childrens
10 services appropriation.

11 Sec. 18. It is the intent of the general assembly that
12 at least one hundred thousand (100,000) dollars of the
13 appropriation made by section eight (8), subsection eight
14 (8) of this Act for each fiscal year shall be used to fund
15 special prorams for displaced homemakers. The funds referred
16 to in this subsection shall not be used for tuition.

17 Sec. 19. It is the intent of the general assembly that
18 at least one hundred thousand (100,000) dollars of the appro-
19 priation made by section eight (8), subsection eight (8) of
20 this Act for each fiscal year shall be used to fund special
21 programs to provide emergency shelter services and support
22 services to victims of domestic abuse.

23 Sec. 20. It is the intent of the general assembly that
24 funds appropriated under section eight (8), subsection eight
25 (8) of this Act for special programs shall be used to provide
26 start-up moneys for programs which will develop community
27 support and establish means of support independent of long-
28 term state funding. Where possible, special programs re-
29 ceiving state funds under this section for more than one year
30 should be established to receive declining amounts of state
31 funding after the first twelve months of full operation and
32 to be supported locally after thirty-six months of operation.
33 Special programs deviating from these guidelines shall be
34 reported to the joint appropriations social services
35 subcommittee. It is the intent of the general assembly that

1 the department shall consult persons knowledgeable in the
2 respective subjects of domestic abuse and displaced homemakers
3 with respect to establishment and selection of special
4 programs.

5 Sec. 21. It is the intent of the general assembly that
6 no otherwise eligible client be denied participation in
7 sheltered work or work activity services solely due to length
8 of time that person has been in receipt of services.

9 Sec. 22. It is the intent of the general assembly that
10 continuing emphasis be placed on local purchase of services
11 and that local purchase of services be expanded, where
12 possible, within the state Title XX plan and the funds
13 appropriated by this Act.

14 Sec. 23. Each hospital-school and mental health institute
15 shall, upon receipt of any payment made under chapter two
16 hundred forty-nine A (249A) of the Code for the care of any
17 patient, segregate an amount equal to that portion of the
18 payment which is required by law to be made from nonfederal
19 funds. The money segregated shall be deposited in the medical
20 assistance fund of the department of social services. It
21 is the intent of the general assembly that charges assessed
22 to the county will be credited with one hundred percent of
23 client participation for eligible Title XIX medical assistance
24 patients at the hospital-schools, in the calculation of per
25 diem rates.

26 Sec. 24. Notwithstanding the maximum amounts to which
27 sections two hundred thirty-nine point nine (239.9) and two
28 hundred forty-nine point nine (249.9) of the Code limit payment
29 by the department of social services toward the cost of
30 funerals for persons receiving public assistance under chapters
31 two hundred thirty-nine (239) and two hundred forty-nine (249)
32 of the Code, the department is authorized to pay not more
33 than four hundred dollars toward the cost of a funeral for
34 any such public assistance recipient provided that:

35 1. The total cost of the person's funeral does not exceed

1 one thousand dollars;

2 2. The decedent does not leave an estate which may be
3 probated, with sufficient proceeds to allow a funeral claim
4 of at least one thousand dollars; and

5 3. Any payment which is due the decedent's estate or
6 beneficiary by reason of the liability of any life insurance
7 or death or funeral benefit company, association or society,
8 or in the form of United States social security, railroad
9 retirement, or veterans' benefits, upon the death of the
10 decedent shall be deducted from the department's liability
11 under this section.

12 The provisions of sections two hundred thirty-nine point
13 nine (239.9) and two hundred forty-nine point nine (249.9)
14 of the Code shall be of no force or effect during the biennium
15 beginning July 1, 1979 and ending June 30, 1981.

16 Sec. 25. All federal grants to and the federal receipts
17 of the department of social services are appropriated for
18 the purposes set forth in such federal grants or receipts
19 except the veterans per diem payable for veterans at the
20 veterans home and Title XIX medicaid assistance funds received
21 by the mental health institutes shall be deposited in the
22 general fund.

23 Sec. 26. No funds appropriated by any provision of this
24 Act shall be used for capital improvements.

25 Sec. 27. Notwithstanding section eight point thirty-three
26 (8.33) of the Code, the unencumbered or unobligated funds
27 remaining in the farm accounts of the department of social
28 services on June 30, 1979 shall not revert to the general
29 fund until June 30, 1980.

30 Sec. 28. It is the intent of the general assembly that
31 the department not enter into any farm land lease agreements
32 that would extend beyond March 1, 1981.

33 Sec. 29. The number of full-time equivalent positions
34 funded under this Act shall not exceed nine thousand two
35 hundred sixty-eight (9268) for the biennium beginning July

1 1, 1979 and ending June 30, 1981. However, positions funded
2 entirely from federal grants, and positions funded from
3 institutional canteen and farm operation funds and as otherwise
4 provided by section eight (8), subsection fourteen (14) of
5 this Act, shall be exempt from the limits on the number of
6 full-time equivalent positions provided in this section, but
7 are approved only for the period of time for which funds are
8 available for the positions.

9

EXPLANATION

10 This is the bill to fund operation of the Department of
11 Social Services for the 1979-1981 biennium. The bill includes
12 no capital appropriations.

13 The bill expresses intent that the Department develop a
14 three-year plan for juvenile deinstitutionalization through
15 use of community-based, family-oriented services, and that
16 the enrollment at the three state juvenile institutions be
17 limited to 330.

18 New positions are authorized to properly staff newly-
19 unitized facilities at Anamosa and Fort Madison. Two hundred
20 fifty thousand dollars per year is provided to pay for salary
21 increases and adjustments that it is anticipated will be
22 recommended pursuant to a study by the Department of Social
23 Services and the Merit Employment Department of salaries of
24 correctional officers and other staff personnel at the adult
25 correctional institutions.

26 The bill includes a provision for state participation in
27 the cost to counties of in-patient mental health treatment
28 provided by local facilities. The participation is equal
29 to 20 percent of the average daily patient cost of the four
30 state mental health institutes.

31 With respect to medical assistance for health care fa-
32 cility residents:

33 - Maximum reimbursement for intermediate care facilities
34 is set at the 74th percentile based on December 31, 1978 cost
35 data indexed forward by a one percent inflation factor for

1 the first seven months of fiscal 1980, and a special committee
2 is established to make recommendations for changes in the
3 reimbursement system for the second half of the year, within
4 specified limits.

5 - Maximum reimbursement for residential care facilities
6 is set at \$13.50 per day for cost-related reimbursement and
7 \$8.20 per day on a flat-rate basis.

8 - The "300%" income level for medically needy persons is
9 set at a maximum of \$600 per month.

10 The bill limits the Department of Social Services to 9268
11 full-time equivalent positions for the 1979-1981 biennium,
12 although this limit does not include certain positions paid
13 from federal funds, institutional canteen or farm funds, or
14 for which a special provision is made in the appropriation
15 for homemaker services.

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LSB 623H 68

pb/rh/8.2

HOUSE FILE 755

H-4235

- 1 Amend House File 755 as follows:
- 2 1. Page 8, by striking lines 16 through 24.

H-4235 FILED *Last 5/3* BY SMALLEY of Polk JOHNSON of Howard
 MAY 2, 1979 *(p. 2033)* CONLON of Muscatine LURA of Marshall

HOUSE FILE 755

H-4245

- 1 Amend House File 755 as follows:
- 2 1. Page 13, by striking line 14 through page
- 3 14 line 8.

H-4245 FILED *W/ Braun 5/3 (p. 2043)* BY TYRRELL of Iowa
 MAY 2, 1979 CHIODO of Polk
 BRANSTAD of Winnebago
 LIND of Black Hawk

HOUSE FILE 755

H-4247

- 1 Amend House File 755 as follows:
- 2 1. Page 1, lines 14 and 15, by striking the words
- 3 and figure "eighty-five thousand (85,000)" and
- 4 inserting in lieu thereof the words and figure "fifty
- 5 thousand (50,000)".

H-4247 FILED, ADOPTED *(p. 2030)* BY ANDERSON of Jasper
 MAY 3, 1979

HOUSE FILE 755

H-4250

- 1 Amend House File 755 as follows:
- 2 1. Page 2 by striking line 15 and inserting in
- 3 lieu thereof the following:
- 4 "neous purposes \$14,500,000 \$14,500,000"
- 5 2. Page 3, line 2 by striking the word "eighty" and
- 6 inserting in lieu thereof the word "thirty".

H-4250 FILED, LOST *(p. 2032)* BY ANDERSON of Jasper
 MAY 3, 1979

HOUSE FILE 755

H-4240

1 Amend House File 755 as follows:

2 1. Page 12, by striking line 33 and inserting
3 in lieu thereof the following:

4 "pendent children.....\$47,130,000 \$47,100,000".

5 2. Page 14, by striking line 15 and inserting
6 in lieu thereof the following:

7 "expelled.....\$88,260,000 \$95,350,000".

8 3. Page 16, by striking lines 13 through 24
9 and inserting in lieu thereof the following:

10 "1. It is the intent of the general assembly
11 that the schedule of living costs and the payment for
12 persons on the aid to dependent children program shall
13 be increased for all family sizes by six percent
14 commencing October 1, 1979 and by an additional six
15 percent commencing October 1, 1980.

16 2. It is the intent of the general assembly that
17 assistance shall be granted under chapter two hundred
18 thirty-nine (239) of the Code to an expectant
19 mother experiencing her first pregnancy and in the
20 last trimester of pregnancy if she meets other income
21 and resource standards for the aid to dependent chil-
22 dren program. The mother and fetus together shall
23 be treated as a one-person family with assistance
24 payable to the mother as an eligible group of one.
25 The department of social services shall promulgate
26 rules and regulations, pursuant to chapter seventeen
27 A (17A) of the Code to implement this subsection
28 on October 1, 1979."

H-4240 FILED *Adopted 5/3 (p. 2041-42)* BY CLARK of Cerro Gordo
MAY 2, 1979 POPE of Polk

HOUSE FILE 755

H-4241

1 Amend House File 755 as follows:

2 1. Page 7, line 4, by striking the words "June
3 30, 1980" and inserting in lieu thereof the words
4 "the 30th of June of the fiscal year in which the
5 funds have been appropriated".

6 2. Page 17, line 10, by striking the word "The"
7 and inserting in lieu thereof the words "If the
8 United States department of health, education and
9 welfare regulations allow such a policy, the".

10 3. Page 17, by striking lines 22 through 25
11 and inserting in lieu thereof the word "marriage."

12 4. Page 20, line 9, by striking the word
13 "childrens" and inserting in lieu thereof the
14 word "children's".

H-4241 FILED *Adopted 5/3 (p. 2036)* BY DAGGETT of Taylor
MAY 2, 1979

HOUSE FILE 755

H-4255

- 1 Amend House File 755 as follows:
- 2 1. Page 14, by striking line 20 and inserting
- 3 in lieu thereof the following:
- 4 "services.....\$19,800,000 \$20,600,000".
- 5 2. Page 19, by striking lines 3 through 5 and in-
- 6 serting in lieu thereof the following:
- 7 "2. Funds not otherwise appropriated from the
- 8 general fund of the state of Iowa shall be used
- 9 for reimbursement of county juvenile".
- 10 3. Page 19, by striking lines 8 through 13 and
- 11 inserting in lieu thereof the following:
- 12 "of the Code. The department of social services".

H-4255 FILED, WITHDRAWN (p. 2045) BY BRUNER of Story
MAY 3, 1979

HOUSE FILE 755

H-4253

- 1 Amend House File 755 as follows:
- 2 1. Page 17, line 27, by striking the word
- 3 "seven" and inserting in lieu thereof the word
- 4 "six".
- 5 2. Page 18, line 7, by striking the word
- 6 "February" and inserting in lieu thereof the word
- 7 "January".
- 8 3. Page 18, line 8, by adding after the figure
- 9 "1980." the following new sentence:
- 10 "No recommendations shall be made which would
- 11 result in a cost to the state for the last six
- 12 months of the fiscal year ending June 30, 1980
- 13 greater than the cost of maintaining for that
- 14 six-month period a maximum reimbursement level
- 15 equal to that used in the first six months of
- 16 the fiscal year beginning July 1, 1979, indexed
- 17 forward by an inflation factor of four percent."

H-4253 FILED, ADOPTED (p. 2047) BY DAGGETT of Taylor
MAY 3, 1979 BRUNER of Story

HOUSE FILE 755

H-4277

- 1 Amend House File 755 as follows:
- 2 1. Page 23, line 2, by striking the word
- 3 "entirely" and inserting in lieu thereof the word
- 4 "primarily".

H-4277 FILED, ADOPTED BY BY DAGGETT of Taylor
UNANIMOUS CONSENT, MAY 3, 1979 (p. 2049)

HOUSE FILE 755

H-4254

1 Amend House File 755, page 4, by inserting
2 after line 8 the following new paragraph:
3 "4. It is the intent of the general assembly
4 that the maximum enrollment at the three state
5 juvenile institutions for the fiscal year be-
6 ginning July 1, 1979 shall be three hundred fifty
7 juveniles. The department shall promulgate rules
8 which will set the populations at the three juv-
9 enile institutions and which will reflect the
10 intent of the general assembly that community-
11 based alternatives to institutionalization be
12 offered to juveniles who are able to benefit
13 from such community programs."

H-4254 FILED, LOST (p. 2053) BY BRUNER of Story
MAY 3, 1979

HOUSE FILE 755

H-4269

1 Amend House File 755 as follows:
2 1. Page 5, by inserting after line 16 the follow-
3 ing:
4 "It is the intent of the General Assembly to con-
5 sider during the 1980 Session of the Sixty-eighth
6 General Assembly legislation providing for the
7 imposition of the death penalty for the commission
8 of willful, deliberate and premeditated murder, and
9 that the state penitentiary at Fort Madison use funds
10 appropriated under this subsection to begin planning
11 for the steps necessary to implement the death penalty
12 should it be enacted and imposed."

H-4269 FILED, NOT GERMANE (p. 2055) BY JOHNSON of Howard
MAY 3, 1979 TYRRELL of Iowa
DANKER of Pottawattamie

HOUSE FILE 755

H-4249

1 Amend House File 755 as follows:
2 1. Page 7, by striking line 30 and inserting
3 in lieu thereof the following:
4 "corrections.....\$8,992,500 \$9,740,550"

H-4249 FILED, LOST (p. 2036) BY BRANDT of Black Hawk
MAY 3, 1979

HOUSE FILE 755

H-4259

- 1 Amend House File 755 as follows:
- 2 1. Page 15, by striking line 9 and inserting in
- 3 lieu thereof the following:
- 4 "to child care centers.... \$400,000 \$400,000"

BY POPE of Polk
LARSEN of Wapello
POFFENBERGER of Dallas
JOCHUM of Dubuque
HIBBS of Johnson
KREWSON of Polk
LLOYD-JONES of Johnson
BRANDT of Black Hawk
CUSACK of Scott

H-4259 FILED, ADOPTED (p. 2044)
MAY 3, 1979
Written to committee 5/3 (p. 2041)
" withdrawn 5/2 (p. 2037)

HOUSE FILE 755

H-4258

- 1 Amend House File 755, page 15, line 31, by
- 2 striking the word "individuals" and inserting
- 3 in lieu thereof the words "individuals and to
- 4 provide child care".

H-4258 FILED, ADOPTED (p. 2045) BY CRAWFORD of Story
MAY 3, 1979

HOUSE FILE 755

H-4260

- 1 Amend House File 755 as follows:
- 2 1. Page 16, by inserting after line 8 the
- 3 following:
- 4 "15. For pilot pro-
- 5 jects providing child day
- 6 care in the evening hours.....\$60,000 \$60,000
- 7 It is the intent of the General Assembly that
- 8 funds appropriated under this subsection be used
- 9 for the establishment of pilot projects providing
- 10 child day care, as defined in section two hundred
- 11 thirty seven point one (237.1), subsection
- 12 seven (7) of the Code. Funds appropriated under
- 13 this subsection shall only be awarded to pilot
- 14 projects which match nine dollars of state grant
- 15 money with one dollar of local money. The maxi-
- 16 mum grant shall be \$30,000. The department shall
- 17 establish guidelines for the awarding of grants
- 18 which shall require that funds only be used to es-
- 19 tablish or expand child care programs offered
- 20 after 2 p.m. for at least seven hours thereafter.

H-4260 FILED, LOST (p. 2046)
MAY 3, 1979

BY JOCHUM of Dubuque
LLOYD-JONES of Johnson

HOUSE FILE 755

H-4252

1 Amend House File 755 on page 20, by inserting
2 after line 10 the following new section:
3 "Sec. ____ . It is the intent of the general
4 assembly that at least two hundred thirty-five
5 thousand (235,000) dollars of the appropriation
6 made by section eight (8), subsection eight (8)
7 of this Act for each fiscal year shall be used to
8 provide chore services. These funds shall be used
9 as state matching funds for Title twenty (XX)
10 federal funds."

H-4252 FILED, ADOPTED (p 2049) BY BRUNER of Story
MAY 3, 1979

HOUSE FILE 755

H-4262

1 Amend House File 755 as follows:
2 1. Page 18, line 19, by striking the words "six
3 hundred dollars per month" and inserting in lieu
A 4 thereof the words and figures "three hundred percent
5 of the maximum individual benefit payable under
6 federal supplemental security income as defined in
7 section two hundred forty-nine point one (249.1),
8 subsection one (1) of the Code".
9 2. Page 18, line 23, by striking the words "three
B 10 dollars" and inserting in lieu thereof the words "two
11 dollars and ninety-five cents".

H-4262 FILED MAY 3, 1979 BY BRUNER of Story
A - LOST (2043) B - LOST (p 2049)

HOUSE FILE 755

H-4265

1 Amend House File 755 as follows:
2 1. Page 12, by inserting after line 33 the
3 following:
4 "However if the amount of money recovered by the
5 Child Support Recovery Unit is less than fourteen
6 million dollars (\$14,000,000) the state portion of
7 aid to dependent children of the amount by which
8 the money recovered is less than fourteen million
9 dollars (\$14,000,000) shall be added to the amount
10 appropriated for aid to dependent children for the
11 fiscal year beginning July 1, 1979 and ending
12 June 30, 1980."

H-4265 FILED, LOST (p 2043) BY CUSACK of Scott
MAY 3, 1979

HOUSE FILE 755

H-4263

1 Amend House File 755 as follows:

2 1. Page 18, line 19, by striking the words "six
3 hundred dollars per month" and inserting in lieu
4 thereof the words and figures "three hundred percent
5 of the maximum individual benefit payable under
6 federal supplemental security income as defined in
7 section two hundred forty-nine point one (249.1),
8 subsection one (1) of the Code".

9 2. Page 18, line 23, by striking the words "three
10 dollars" and inserting in lieu thereof the words "two
11 dollars and ninety-five cents".

H-4263 FILED, LOST (*p. 2037*) BY BRUNER of Story
MAY 3, 1979

HOUSE FILE 755

H-4256

1 Amend House File 755 as follows:

2 1. Page 9, line 31, by striking the figure
A 3 "\$28,250,000" and inserting in lieu thereof the
4 figure "\$28,150,000".

5 2. Page 11, by inserting after line 21 the
6 following new paragraph:

7 "7. It is the intent of the general assembly
8 that the proposed upgrading and expansion of
9 staffing at the four mental health institutes be
B 10 phased-in over the biennium, with up to one-half
11 of the proposed staff upgrading and expansion
12 occurring in the fiscal year beginning July 1,
13 1979 and with the remaining proposed staff up-
14 grading and expansion occurring in the fiscal
15 year beginning July 1, 1980."

H-4256 FILED MAY 3, 1979 BY BRUNER of Story
A - ADOPTED, B - ADOPTED (*p. 2039*)

HOUSE FILE 755

H-4251

1 Amend House File 755 as follows:

2 1. Page 12, by striking line 33 and inserting
3 in lieu thereof the words and figures:

4 "pendent children.....\$47,739,214 \$48,016,812"

5 2. Page 16, by striking lines 16 through 24 and
6 inserting in lieu thereof the words and figures "family
7 sizes by seven percent commencing October 1, 1979
8 and by an additional seven percent commencing October
9 1, 1980."

H-4251 FILED
MAY 3, 1979
OUT OF ORDER (*p. 2042*)

BY JOCHUM of Dubuque
BRANDT of Black Hawk
LLOYD-JONES of Johnson

HOUSE FILE 755

H-4266

1 Amend House File 755 as follows:

2 1. Page 20 by inserting after line 10 the
3 following new subsection:

4 "5. It is the intent of the general assembly
5 that for the fiscal year beginning July 1, 1979,
6 payments for the care and treatment of foster
7 children in residential treatment facilities be
8 for the actual cost per diem of a facility with
9 a payment ceiling set at \$60.00 per diem."

H-4266 FILED, LOST (p. 2049)
MAY 3, 1979

BY MULLINS of Kossuth

*New Appropriation 5/9
Do pass file 3775 5/10 (p. 1650)*

HOUSE FILE 755

By COMMITTEE ON APPROPRIATIONS
(As Amended and Passed by the House)

Passed House, Date 5-3-79 (p. 2050) Passed Senate, Date 5-11-79 (p. 1697)

Vote: Ayes 86 Nays 9 Vote: Ayes 48 Nays 0

Approved June 10, 1979 Steve Vedral

A BILL FOR

1 An Act relating to the administration and financing of current
2 programs under the jurisdiction of the department of social
3 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
2 of the state for each fiscal year of the biennium beginning
3 July 1, 1979 and ending June 30, 1981 to the department of
4 social services, the following amounts, or so much thereof
5 as may be necessary, to be used for the purposes designated:

6	1979-1980	1980-1981
7	<u>Fiscal Year</u>	<u>Fiscal Year</u>

8 1. For general ad-
9 ministration, includ-
10 ing salaries and sup-
11 port, maintenance and
12 miscellaneous purposes..... \$ 6,140,000 \$ 6,220,000

13 2. It is the intent of the general assembly that the
14 budget for the bureau of communications not exceed fifty
15 thousand (50,000) dollars in each of the fiscal years beginning
16 July 1, 1979 and July 1, 1980, none of which shall be used
17 for political purposes.

18 3. Acts of the Sixty-seventh General Assembly, 1977
19 Session, chapter thirty-seven (37), section one (1), subsec-
20 tion three (3), as amended by Acts of the Sixty-seventh General
21 Assembly, 1978 Session, chapter one thousand eighteen (1018),
22 section two (2), subsection three (3), is further amended
23 to read as follows:

24 3. Medicaid Management
25 Information System (MMIS)
26 For development and im-
27 plementation of medicaid
28 management information
29 system..... \$ 140,000

30 Notwithstanding section eight point thirty-three (8.33)
31 of the Code, unencumbered or unobligated funds appropriated
32 by this subsection shall not revert to the general fund until
33 June 30, ~~1979~~ 1980. The department of social services shall
34 submit to the joint budget appropriations subcommittee on
35 social services, during the ~~1979~~ 1980 Session of the general

1 assembly, a written report on the status of the medicaid
 2 management information system.

3 Sec. 2. There is appropriated from the general fund of
 4 the state for each fiscal year of the biennium beginning July
 5 1, 1979 and ending June 30, 1981 to the department of social
 6 services, the following amounts or so much thereof as may
 7 be necessary, to be used for the purposes designated:

8	1979-1980	1980-1981
9	<u>Fiscal Year</u>	<u>Fiscal Year</u>
10 1. For the division 11 of field operations, 12 including salaries 13 and support, mainte- 14 nance and miscella- 15 neous purposes.....	\$15,000,000	\$15,000,000

16 2. It is the intent of the general assembly that those
 17 employees occupying the thirty-eight intermittent income main-
 18 tenance positions authorized by the Sixty-seventh General
 19 Assembly shall be made permanent, full-time merit employees
 20 effective July 1, 1979, in accordance with the Iowa merit
 21 employment department's policies relative to changes from
 22 exempt to classified status and each such intermittent employee
 23 shall be given credit for all benefits which that employee
 24 has accrued as an intermittent employee of the department
 25 of social services.

26 It is the further intent of the general assembly that the
 27 department shall delete from its table of organization the
 28 thirty-eight intermittent positions established for income
 29 maintenance services which had been authorized by the Acts
 30 of the Sixty-sixth General Assembly, 1976 Session, chapter
 31 one thousand one hundred thirty-two (1132).

32 3. It is the intent of the general assembly to authorize
 33 the department of social services to act, within the appro-
 34 priation provided by this section and the provisions of section
 35 twenty-nine (29) of this Act, to meet critical needs in the

1 child abuse, food stamp and income maintenance programs within
2 the division of field operations by creating eighty new
3 positions and reallocating fifty-seven positions from the
4 Comprehensive Employment Training Act (CETA) program and
5 thirty-eight positions from the nursing review program.

6 4. It is the intent of the general assembly that counties
7 shall continue to furnish and pay for the office space
8 presently in use by personnel administering the food stamp
9 program.

10 Sec. 3. There is appropriated from the general fund of
11 the state for each fiscal year of the biennium beginning July
12 1, 1979 and ending June 30, 1981 to the department of social
13 services, the following amounts, or so much thereof as may
14 be necessary, to be used for the purposes designated:

15	1979-1980	1980-1981
16	<u>Fiscal Year</u>	<u>Fiscal Year</u>

17 FAMILY AND CHILDREN
18 SERVICES:

19 1. For the operation
20 of the Eldora training
21 school, Mitchellville
22 training school and
23 state juvenile home,
24 including salaries
25 and support, main-
26 tenance and miscella-
27 neous purposes..... \$ 7,000,000 \$ 6,900,000

28 2. Juveniles adjudicated delinquent shall not be placed
29 at the state juvenile home at Toledo.

30 3. It is the intent of the general assembly that the
31 department of social services develop a three-year plan for
32 juvenile deinstitutionalization through the use of community-
33 based, family-oriented services. The department shall
34 coordinate these efforts with the joint appropriations
35 subcommittee on social services, county officials, employees

1 of the courts and other organizations or individuals who might
 2 have a significant interest in, and contribution to make to,
 3 this effort. It is the intent of the general assembly that
 4 this plan will be presented to the joint appropriations sub-
 5 committee on social services, and to the other members of
 6 the general assembly, by January 15, 1980 and that a
 7 preliminary report be made to the joint appropriations
 8 subcommittee on social services by December 1, 1979.

9	1979-1980	1980-1981
10	<u>Fiscal Year</u>	<u>Fiscal Year</u>

11 4. For operation of
 12 the Iowa veterans home,
 13 including salaries and
 14 support, maintenance
 15 and miscellaneous pur-

16 poses.....	\$10,400,000	\$10,600,000
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17 Sec. 4. There is appropriated from the general fund of
 18 the state for each fiscal year of the biennium beginning July
 19 1, 1979 and ending June 30, 1981 to the department of social
 20 services for juvenile community-based corrections the following
 21 amounts, or so much thereof as may be necessary:

22	1979-1980	1980-1981
23	<u>Fiscal Year</u>	<u>Fiscal Year</u>
24	\$ 320,000	\$ 320,000

25 1. The department of social services shall continue the
 26 program of project grants to communities which are develop-
 27 ing community-based juvenile residential correctional pro-
 28 grams. It shall work with local communities and the Iowa
 29 crime commission to provide incentives to make maximum use
 30 of available federal funds. Insofar as practical, the
 31 department shall provide technical assistance to local groups
 32 which intend to establish or improve community-based juvenile
 33 residential correctional programs.

34 Sec. 5. There is appropriated from the general fund of
 35 the state for each fiscal year of the biennium beginning July

1 1, 1979 and ending June 30, 1981 to the department of social
 2 services the following amounts, or so much thereof as may
 3 be necessary, to be used for adult correctional services as
 4 designated:

5	1979-1980	1980-1981
6	<u>Fiscal Year</u>	<u>Fiscal Year</u>
7 1. For operation of 8 adult correctional insti- 9 tutions (Fort Madison, 10 Anamosa, Rockwell City, 11 Oakdale, Mount Pleasant, 12 John Bennett Center, 13 Riverview Release Center) 14 including salaries and 15 support, maintenance and 16 miscellaneous purposes.....	\$26,234,000	\$26,885,000

17 2. During the fiscal year beginning July 1, 1979, the
 18 department is authorized to expand staffing, in order to pro-
 19 vide additional correctional personnel required by unitization,
 20 by twenty-five new positions at Fort Madison and thirty-three
 21 new positions at Anamosa. Within the limitations of the funds
 22 appropriated by this section and the provisions of section
 23 twenty-nine (29) of this Act, the department may expand staff-
 24 ing at the John Bennett Center by adding seven new correctional
 25 personnel.

26 3. It is the intent of the general assembly that a con-
 27 centrated training program for correctional officers at Fort
 28 Madison be established as soon as possible, and that a con-
 29 tinuing in-service training program be established for cor-
 30 rectional officers at all correctional institutions. There
 31 may be used for this purpose up to two hundred ten thousand
 32 (210,000) dollars of the appropriation made by subsection
 33 one (1) of this section for the fiscal year beginning July
 34 1, 1979, and up to one hundred forty thousand (140,000) dollars
 35 of the appropriation made by subsection one (1) of this section

1 for the fiscal year beginning July 1, 1980. The general
2 assembly also recommends that in addition to using existing
3 staff for training, the department utilize other community
4 and state resources in the development and implementation
5 of a comprehensive training program.

6 4. It is the intent of the general assembly that the
7 department of social services utilize to the extent possible
8 crime commission funds for development and implementation
9 of a specialized training program for all personnel who will
10 be involved in the unitization program.

11 5. The general assembly recognizes that serious problems
12 have been created by the low base salary and pay structure
13 for staff positions at adult correctional institutions. Ac-
14 cordingly:

15 a. The department of social services and the merit
16 employment department shall by July 1, 1979 submit to the
17 governor and the joint appropriations subcommittee on social
18 services recommendations formulated by the two departments
19 on the basis of a review of the base salary and pay structure
20 for all security and support personnel, and of the compression
21 problem relating to salary levels assigned certain merit
22 employment positions at the adult correctional institutions.

23 b. It is the intent of the general assembly that not more
24 than two hundred fifty thousand (250,000) dollars of the funds
25 appropriated for each year of the biennium by subsection one
26 (1) of this section be used to implement base pay increases
27 and salary structure adjustments recommended pursuant to
28 paragraph a of this subsection, when the increases and
29 adjustments are approved in the same manner as is provided
30 for other pay increase and salary adjustment recommendations
31 under the merit employment system. If the merit employment
32 commission does not approve base pay increases and salary
33 structure adjustments recommended pursuant to paragraph a
34 of this subsection, or the increases and adjustments so
35 approved do not require the full two hundred fifty thousand

1 (250,000) dollars in either or both fiscal years of the
2 biennium, those amounts or the portion thereof not used as
3 prescribed by this paragraph shall revert to the general fund
4 of the state on the 30th of June of the fiscal year in which
5 the funds have been appropriated.

6 6. It is the intent of the general assembly that the di-
7 vision of adult corrections in cooperation with the Iowa merit
8 employment commission study the cost of raising the salaries
9 of all corrections personnel, the cost of making a greater
10 distinction in salary between corrections officers and
11 supervisory personnel, the costs of bringing the salaries
12 of corrections officers at Rockwell City into uniformity with
13 the salaries at the other adult corrections institutions,
14 and the cost of early retirement for correctional officers,
15 and that after study and consultation with the Iowa merit
16 employment system, the division report its recommendations
17 to the joint appropriations subcommittee on social services
18 not later than December 1, 1979, and that the division of
19 adult corrections, with a representative of the merit
20 employment commission, send a progress report to the
21 chairpersons of the joint appropriations subcommittee on
22 social services at least twice prior to December 1, 1979.

23 7. It is the intent of the general assembly that fifty
24 thousand (50,000) dollars of the appropriation made by sub-
25 section one (1) of this section be used to increase the pay
26 for inmates of the adult correctional institutions who are
27 employed within the correctional system as permitted by law.

28	1979-1980	1980-1981
29	<u>Fiscal Year</u>	<u>Fiscal Year</u>

30	8. Community-based	
31	corrections.....	\$ 8,747,250 \$ 9,359,557

32 Each judicial district which uses funds appropriated under
33 this subsection may contract for services from or provide
34 funds to private agencies which provide to ex-offenders
35 education, job placement or counseling services intended to

1 facilitate the transition of the ex-offenders from
2 incarceration to free society.

3 9. Acts of the Sixty-seventh General Assembly, 1978
4 Session, chapter one thousand eighteen (1018), section six
5 (6), subsection one (1), paragraph c, is amended to read as
6 follows:

7 c. Community-based
8 corrections..... \$ 8,175,000

9 Notwithstanding section eight point thirty-three (8.33)
10 of the Code, unencumbered or unobligated funds appropriated
11 by this paragraph shall not revert to the general fund until
12 June 30, 1980.

13 10. For parole ser-
14 vices, including salaries
15 and support, maintenance
16 and miscellaneous purposes..... \$ 1,030,000 \$ 1,030,000

17 11. For a legal as-
18 sistance program to
19 provide civil legal
20 assistance to inmates
21 of the Iowa correc-
22 tional system in mat-
23 ters of child custody,
24 bankruptcy and dis-
25 solution of marriage..... \$ 25,000 \$ 25,000

26 12. For reimburse-
27 ment of counties for
28 temporary confinement
29 of work release and
30 parole violators, as
31 provided by sections
32 two hundred forty-
33 seven A point ten
34 (247A.10), nine hun-
35 dred one point seven

1 (901.7), and nine
 2 hundred six point
 3 seventeen (906.17)
 4 of the Code..... \$ 45,000 \$ 47,500
 5 13. For substance
 6 abuse screening..... \$ 200,000 \$ 200,000
 7 14. For a central
 8 classification system,
 9 including salaries and
 10 support, maintenance
 11 and miscellaneous pur-
 12 poses..... \$ 100,000 \$ 100,000

13 It is the intent of the general assembly to authorize the
 14 department of social services to establish ten new positions
 15 within the appropriation provided by this subsection and the
 16 provisions of section twenty-nine (29) of this Act.

17 The department of social services may use not more than
 18 one hundred thousand (100,000) dollars of the appropriation
 19 provided by subsection one (1) of this section, in addition
 20 to funds appropriated by this subsection, for the purpose
 21 of developing a central classification system.

22 Sec. 6. There is appropriated from the general fund of
 23 the state for each fiscal year of the biennium beginning July
 24 1, 1979 and ending June 30, 1981 to the department of social
 25 services, for the mental health institutes at Cherokee,
 26 Clarinda, Independence and Mount Pleasant the following
 27 amounts, or so much thereof as may be necessary:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
30 1. For salaries and		
31 support, maintenance and		
32 miscellaneous purposes.....	<u>\$28,150,000</u>	\$28,365,000

33 2. It is the intent of the general assembly that all funds
 34 received from client participation shall be deposited in the
 35 general fund of the state.

1 3. The state mental health institutes' daily per diem
2 as determined pursuant to section two hundred thirty point
3 twenty (230.20) of the Code shall be billed at eighty percent
4 for each fiscal year. In addition, each county which pays,
5 from county funds, the costs of care and treatment of mentally
6 ill persons transferred from a state mental health institute
7 to a public or private inpatient treatment facility, other
8 than a state mental health institute, is entitled to
9 reimbursement from the state for a portion of the cost incurred
10 by the county for each day an individual is so treated or
11 cared for at county expense. However, such reimbursement
12 shall only apply to patients admitted to the facility after
13 February 1, 1980. The reimbursement shall be equal to twenty
14 percent of the average of the four state mental health
15 institutes' individual average daily patient costs for the
16 most recent quarter.

17 Each county may claim the reimbursement by filing a claim
18 for such reimbursement on a quarterly basis. The comptroller,
19 upon verifying the claim, shall issue warrants to the respec-
20 tive counties drawn upon money in the general fund not
21 otherwise appropriated.

22 4. It is the intent of the general assembly that a mental
23 health institute shall not accept physical custody of children
24 alleged to be children in need of assistance on guest status
25 or otherwise, for more than thirty days. It is also the
26 intent of the general assembly that children found to be
27 children in need of assistance shall not be placed in a mental
28 health institute on the basis of that adjudication. The
29 juvenile court may, however, order a commitment to a mental
30 health institute or other appropriate secure facility for
31 the purposes of treatment of a mental or emotional condition,
32 but only after making findings pursuant to the standards set
33 out for involuntary commitment in chapter two hundred twenty-
34 nine (229) of the Code.

35 5. It is the intent of the general assembly that the

1 superintendents of the mental health institutes at Cherokee
2 and Independence, in discharging the duties imposed on them
3 by section two hundred thirty point twenty (230.20) of the
4 Code, shall consider the costs of the psychiatric residency
5 and chaplain intern programs maintained at those institutes
6 as costs not to be included in the expenditures of those
7 institutes for the purpose of establishing the institutes'
8 respective daily charges to patients, the same as the costs
9 enumerated in section two hundred thirty point twenty (230.20),
10 subsection one (1), paragraphs a, b and c of the Code. It
11 is the objective of the general assembly, in expressing this
12 intent, that the commissioner of social services seek to
13 maintain reasonably uniform daily charges at the four mental
14 health institutes.

15 6. It is the intent of the general assembly that not more
16 than one hundred thousand (100,000) dollars of the appropria-
17 tion provided under subsection one (1) of this section for
18 each of the fiscal years beginning July 1, 1979 and July 1,
19 1980 shall be used by the division of mental health resources
20 to contract for mental health and mental retardation screening
21 services for inmates of the state's adult correctional system
22 and juvenile offenders at the state's juvenile institutions.

23 7. It is the intent of the general assembly that the
24 proposed upgrading and expansion of staffing at the four
25 mental health institutes be phased-in over the biennium, with
26 up to one-half of the proposed staff upgrading and expansion
27 occurring in the fiscal year beginning July 1, 1979 and with
28 the remaining proposed staff upgrading and expansion occurring
29 in the fiscal year beginning July 1, 1980.

30 Sec. 7. There is appropriated from the general fund of
31 the state for each fiscal year of the biennium beginning July
32 1, 1979 and ending June 30, 1981 to the department of social
33 services, for the state hospital-schools at Glenwood and at
34 Woodward the following amounts, or so much thereof as may
35 be necessary:

1		1979-1980	1980-1981
2		<u>Fiscal Year</u>	<u>Fiscal Year</u>
3	1. For salaries and		
4	support, maintenance		
5	and miscellaneous pur-		
6	poses.....	\$24,000,000	\$23,800,000

7 2. It is the intent of the general assembly that all funds
8 received from client participation shall be deposited in the
9 general fund of the state.

10 3. The state hospital-schools' per-patient-per-day cost
11 as determined pursuant to section two hundred twenty-two point
12 seventy-three (222.73) of the Code shall be billed at eighty
13 percent for the fiscal year, except as otherwise provided
14 by subsection four (4) of this section.

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

23 5. It is the intent of the general assembly that the de-
24 partment of social services shall identify and evaluate
25 problems in the development and funding of community-based
26 services for the mentally retarded. The department shall
27 report its findings and recommendations to the general as-
28 sembly by December 1, 1979.

29 Sec. 8. There is appropriated from the general fund of
30 the state for each fiscal year of the biennium beginning July
31 1, 1979 and ending June 30, 1981 to the department of social
32 services, the following amounts, or so much thereof as may
33 be necessary, to be used for the purposes designated:

34		1979-1980	1980-1981
35		<u>Fiscal Year</u>	<u>Fiscal Year</u>

1 SPECIAL PROGRAMS

2 DIVISION:

3 1. For aid to the

4 blind..... \$ 20,000 \$ 20,000

5 2. For aid to de-

6 pendent children..... \$47,130,000 \$47,100,000

7 3. For aid to

8 Indians residing on

9 a settlement..... \$ 36,000 \$ 36,000

10 4. For medical as-

11 sistance, including re-

12 imbusement for abor-

13 tion services, which

14 shall be available un-

15 der the medical assis-

16 tance program only for

17 those abortions which

18 are medically neces-

19 sary. Medically nec-

20 essary abortions are

21 those performed when:

22 a. The attending

23 physician certifies

24 that continuing the

25 pregnancy would en-

26 danger the life of

27 the pregnant woman;

28 or

29 b. The attending

30 physician certifies

31 that the fetus is

32 physically deformed,

33 mentally deficient,

34 or afflicted with a

35 congenital illness;

1 or
 2 c. The pregnancy
 3 is the result of a
 4 rape which is reported
 5 to a law enforcement
 6 agency or public or
 7 private health agency
 8 within sixty days of
 9 the incident, or the
 10 result of incest which
 11 is reported in the
 12 first two trimesters
 13 of pregnancy to a
 14 law enforcement agen-
 15 cy or the department
 16 of social services;
 17 d. Any spontane-
 18 ous abortion, common-
 19 ly known as a miscar-
 20 riage, wherein not
 21 all of the products
 22 of conception are

23	<u>expelled.....</u>	<u>\$88,260,000</u>	<u>\$95,350,000</u>
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24	5. For contrac-		
25	tual services-medi-		
26	cal carrier.....	\$ 1,084,000	\$ 1,232,000

27	6. For children's		
28	services.....	\$20,455,000	\$21,250,000

29	7. For work and		
30	training programs.....	\$ 438,000	\$ 438,000

31	8. For adult and		
32	family services.....	\$ 758,000	\$ 758,000

33	9. For state sup-		
34	plementary assistance,		
35	including state sup-		

1 plementary assistance
2 for the blind..... \$ 6,090,000 \$ 6,520,000

3 It is the intent of the general assembly that the de-
4 partment of social services shall increase the maximum cost-
5 related reimbursement for residential care facility services
6 to thirteen dollars and fifty cents per day and the flat rate
7 to eight dollars and twenty cents per day.

8 10. For the gov-
9 ernor's youth oppor-
10 tunity program..... \$ 750,000 \$ 750,000

11 11. For child sup-
12 port recoveries, in-
13 cluding salary and sup-
14 port, maintenance and
15 miscellaneous purposes..... \$ 428,219 \$ 435,160

16 12. For assistance
17 to child care centers..... \$ 400,000 \$ 400,000

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

20 It is the intent of the general assembly that as more cen-
21 ters improve their facilities in order to meet minimum re-
22 quirements for the health, safety, and welfare of the children,
23 the emphasis of the program should be shifted to providing
24 aid in staff development and training in order to upgrade
25 programs and the delivery of services. To the extent possible,
26 the department shall develop a means of selecting private
27 child care facilities for receiving funds, and shall promulgate
28 rules governing these procedures in accordance with chapter
29 seventeen A (17A) of the Code. At the same time, the
30 department shall gather statistics on the number of such child
31 care centers, and report to the joint appropriations
32 subcommittee on social services by December 1, 1979.

33 13. State supple-
34 mentation to Title
35 XX..... \$ 1,000,000 \$ 1,000,000

1 It is the intent of the general assembly that funds ap-
2 propriated under this subsection be used for local purchase
3 of service contracts, and primarily to help avoid the
4 institutionalization of individuals and to provide child care.

5 14. Homemaker ser-
6 vices..... \$ 1,580,000 \$ 1,580,000

7 Funds provided in this subsection for homemaker services
8 may be used either for direct service or state purchase match
9 for federal Title XX funds. Any decision to change homemaker
10 services from direct service to state purchase shall be made
11 on a district by district basis, at the district level and
12 shall not be influenced by a consideration of departmental
13 staff size. If direct homemaker services are transferred
14 from direct service to state purchase, the vacant positions
15 that result shall be deleted from the department's table of
16 organization.

17 Sec. 9. Section two hundred thirty-four point thirty-
18 eight (234.38), unnumbered paragraph two (2), Code 1979, is
19 amended by striking the unnumbered paragraph.

20 Sec. 10.

21 1. It is the intent of the general assembly that the
22 schedule of living costs and the payment for persons on the
23 aid to dependent children program shall be increased for all
24 family sizes by six percent commencing October 1, 1979 and
25 by an additional six percent commencing October 1, 1980.

26 2. It is the intent of the general assembly that assistance
27 shall be granted under chapter two hundred thirty-nine (239)
28 of the Code to an expectant mother experiencing her first
29 pregnancy and in the last trimester of pregnancy if she meets
30 other income and resource standards for the aid to dependent
31 children program. The mother and fetus together shall be
32 treated as a one-person family with assistance payable to
33 the mother as an eligible group of one. The department of
34 social services shall promulgate rules and regulations,
35 pursuant to chapter seventeen A (17A) of the Code to implement

1 this subsection on October 1, 1979.

2 3. It is the intent of the general assembly in appro-
3 priating funds in section eight (8), subsection two (2) of
4 this Act that, notwithstanding the provisions of section two
5 hundred thirty-nine point eighteen (239.18) of the Code, the
6 department of social services shall not reduce the standards
7 of payment referred to in subsection one (1) of this section,
8 nor establish eligibility criteria for recipients under the
9 aid to dependent children program which are more restrictive
10 than the criteria required by applicable federal regulations.
11 The special needs program of the aid to dependent children
12 program shall be continued.

13 4. It is the intent of the general assembly that the
14 department shall maintain a system of current needs budgeting
15 in computing monthly assistance grants for ADC recipients
16 until the department has presented to the governor and the
17 joint social services appropriations subcommittee of the
18 Sixty-eighth General Assembly a study and report including
19 a cost-benefit comparison and client impact comparison between
20 prior-month budgeting and current needs budgeting. The re-
21 port shall be submitted on December 3, 1979.

22 Sec. 11. If the United States department of health,
23 education and welfare regulations allow such a policy, the
24 department of social services shall adopt administrative rules
25 pursuant to chapter seventeen A (17A) of the Code which provide
26 that in determination of eligibility for assistance under
27 the aid to dependent children program established by chapter
28 two hundred thirty-nine (239) of the Code, there shall be
29 recognition of a stepparent's responsibility for the reasonable
30 and necessary expenses of the family and the education of
31 the children as long as the stepparent remains married to
32 the stepchild's parent. In adopting such rules, the department
33 shall give consideration to any financial obligations the
34 stepparent may have as a result of court orders, or of
35 commitments made prior to the marriage.

1 Sec. 12. It is the intent of the general assembly that
2 for the first six months of the fiscal year beginning July
3 1, 1979 the department of social services shall increase the
4 maximum reimbursement for intermediate care facilities under
5 medical assistance to a level fixed at the seventy-fourth
6 percentile on the basis of cost data on file as of December
7 31, 1978, indexed forward by an inflation factor of one
8 percent. The department shall organize a committee composed
9 of representatives of the department, the nursing home
10 associations, the medical assistance advisory board, and three
11 members of the joint appropriations subcommittee on social
12 services appointed by the chairpersons of the appropriations
13 committees to study alternative cost-related methods for
14 intermediate care facility reimbursements and for accounting
15 procedures to reduce reporting time lags. Prior to September
16 1, 1979, the committee shall make recommendations for changes
17 in the reimbursement system to become effective January 1,
18 1980. No recommendations shall be made which would result
19 in a cost to the state for the last six months of the fiscal
20 year ending June 30, 1980 greater than the cost of maintaining
21 for that six-month period a maximum reimbursement level equal
22 to that used in the first six months of the fiscal year
23 beginning July 1, 1979, indexed forward by an inflation factor
24 of four percent.

25 Sec. 13. It is the intent of the general assembly that
26 payment for reserve bed days under the medical assistance
27 program shall be made at eighty percent of the allowable
28 audited costs for those beds, not to exceed the maximum
29 reimbursement rate.

30 Sec. 14. It is the intent of the general assembly that
31 medical assistance shall be made available to any person who
32 is an inpatient of a hospital, skilled nursing facility or
33 intermediate care facility; who is eligible for supplemental
34 security income in all respects except income; and whose
35 income does not exceed six hundred dollars per month.

1 Sec. 15. It is the intent of the general assembly that
2 the department of social services shall increase the fee paid
3 to pharmacists under the medical assistance program from two
4 dollars and fifty-five cents to three dollars per prescription
5 for the 1979-1981 biennium.

6 Sec. 16. It is the intent of the general assembly that,
7 for the fiscal year beginning July 1, 1979, foster parent
8 payments be increased by ten percent.

9 Sec. 17.

10 1. It is the intent of the general assembly that of the
11 total amount appropriated for children's services by section
12 eight (8), subsection six (6) of this Act, not more than
13 twenty-four thousand (24,000) dollars shall be used to
14 establish a pilot program providing additional payments to
15 foster families with children with very special needs. The
16 department of social services shall report to the joint
17 appropriations subcommittee on social services on the
18 effectiveness of this program by March 1, 1980.

19 2. Six hundred sixty thousand (660,000) dollars of the
20 funds appropriated by section eight (8), subsection six (6)
21 of this Act may be used for reimbursement of county juvenile
22 court expenses pursuant to section two hundred thirty-two
23 point one hundred forty-one (232.141), subsection four (4)
24 of the Code. If it appears at any given time that six hundred
25 sixty thousand (660,000) dollars will be insufficient for
26 reimbursement of county juvenile court costs, the department
27 shall report to the comptroller and the joint appropriations
28 subcommittee on social services relative to the need for addi-
29 tional funds for such costs. The department of social services
30 shall also report to the joint appropriations subcommittee
31 on social services and to the legislative council no later
32 than December 1, 1979 on the projected costs to the state
33 for county juvenile court expenses, based upon reports received
34 from the counties for the first quarter of the fiscal year
35 beginning July 1, 1979.

1 3. Funds appropriated under section eight (8), subsec-
2 tion six (6) of this Act shall be used to pay at least one-
3 half of one percent of the total cost of the establishment,
4 improvements, operation, and maintenance of approved county
5 or multicounty juvenile homes as aid from the state, pursuant
6 to section two hundred thirty-two point one hundred forty-
7 two (232.142), subsection four (4) of the Code. The department
8 is authorized to provide additional aid, subject to the funding
9 limitations of this subsection.

10 4. It is the intent of the general assembly that of the
11 appropriation made by section eight (8), subsection six (6)
12 of this Act, one million (1,000,000) dollars shall be used
13 to provide in-home treatment and seven hundred fifty thousand
14 (750,000) dollars shall be used to provide alternatives to
15 foster care. It is the intent of the general assembly that
16 in-home treatment programs which were funded through state
17 and federal Title XX funds in the fiscal year beginning July
18 1, 1978 shall be maintained at their current program operating
19 level through funds provided pursuant to this subsection.
20 Federal Title XX funds may be used to match, but not to
21 replace, funds provided pursuant to this subsection. The
22 department shall submit to the appropriations subcommittee
23 on social services by December 1, 1979 a report of the actual
24 expenditures during the first quarter of the fiscal year
25 beginning July 1, 1979 for all programs within the children's
26 services appropriation.

27 Sec. 18. It is the intent of the general assembly that
28 at least two hundred thirty-five thousand (235,000) dollars
29 of the appropriation made by section eight (8), subsection
30 eight (8) of this Act for each fiscal year shall be used to
31 provide chore services. These funds shall be used as state
32 matching funds for Title XX federal funds.

33 Sec. 19. It is the intent of the general assembly that
34 at least one hundred thousand (100,000) dollars of the
35 appropriation made by section eight (8), subsection eight

1 (8) of this Act for each fiscal year shall be used to fund
2 special prorams for displaced homemakers. The funds referred
3 to in this subsection shall not be used for tuition.

4 Sec. 20. It is the intent of the general assembly that
5 at least one hundred thousand (100,000) dollars of the appro-
6 priation made by section eight (8), subsection eight (8) of
7 this Act for each fiscal year shall be used to fund special
8 programs to provide emergency shelter services and support
9 services to victims of domestic abuse.

10 Sec. 21. It is the intent of the general assembly that
11 funds appropriated under section eight (8), subsection eight
12 (8) of this Act for special programs shall be used to provide
13 start-up moneys for programs which will develop community
14 support and establish means of support independent of long-
15 term state funding. Where possible, special programs re-
16 ceiving state funds under this section for more than one year
17 should be established to receive declining amounts of state
18 funding after the first twelve months of full operation and
19 to be supported locally after thirty-six months of operation.
20 Special programs deviating from these guidelines shall be
21 reported to the joint appropriations social services
22 subcommittee. It is the intent of the general assembly that
23 the department shall consult persons knowledgeable in the
24 respective subjects of domestic abuse and displaced homemakers
25 with respect to establishment and selection of special
26 programs.

27 Sec. 22. It is the intent of the general assembly that
28 no otherwise eligible client be denied participation in
29 sheltered work or work activity services solely due to length
30 of time that person has been in receipt of services.

31 Sec. 23. It is the intent of the general assembly that
32 continuing emphasis be placed on local purchase of services
33 and that local purchase of services be expanded, where
34 possible, within the state Title XX plan and the funds
35 appropriated by this Act.

1 Sec. 24. Each hospital-school and mental health institute
2 shall, upon receipt of any payment made under chapter two
3 hundred forty-nine A (249A) of the Code for the care of any
4 patient, segregate an amount equal to that portion of the
5 payment which is required by law to be made from nonfederal
6 funds. The money segregated shall be deposited in the medical
7 assistance fund of the department of social services. It
8 is the intent of the general assembly that charges assessed
9 to the county will be credited with one hundred percent of
10 client participation for eligible Title XIX medical assistance
11 patients at the hospital-schools, in the calculation of per
12 diem rates.

13 Sec. 25. Notwithstanding the maximum amounts to which
14 sections two hundred thirty-nine point nine (239.9) and two
15 hundred forty-nine point nine (249.9) of the Code limit payment
16 by the department of social services toward the cost of
17 funerals for persons receiving public assistance under chapters
18 two hundred thirty-nine (239) and two hundred forty-nine (249)
19 of the Code, the department is authorized to pay not more
20 than four hundred dollars toward the cost of a funeral for
21 any such public assistance recipient provided that:

22 1. The total cost of the person's funeral does not exceed
23 one thousand dollars;

24 2. The decedent does not leave an estate which may be
25 probated, with sufficient proceeds to allow a funeral claim
26 of at least one thousand dollars; and

27 3. Any payment which is due the decedent's estate or
28 beneficiary by reason of the liability of any life insurance
29 or death or funeral benefit company, association or society,
30 or in the form of United States social security, railroad
31 retirement, or veterans' benefits, upon the death of the
32 decedent shall be deducted from the department's liability
33 under this section.

34 The provisions of sections two hundred thirty-nine point
35 nine (239.9) and two hundred forty-nine point nine (249.9)

1 of the Code shall be of no force or effect during the biennium
2 beginning July 1, 1979 and ending June 30, 1981.

3 Sec. 26. All federal grants to and the federal receipts
4 of the department of social services are appropriated for
5 the purposes set forth in such federal grants or receipts
6 except the veterans per diem payable for veterans at the
7 veterans home and Title XIX medicaid assistance funds received
8 by the mental health institutes shall be deposited in the
9 general fund.

10 Sec. 27. No funds appropriated by any provision of this
11 Act shall be used for capital improvements.

12 Sec. 28. Notwithstanding section eight point thirty-three
13 (8.33) of the Code, the unencumbered or unobligated funds
14 remaining in the farm accounts of the department of social
15 services on June 30, 1979 shall not revert to the general
16 fund until June 30, 1980.

17 Sec. 29. It is the intent of the general assembly that
18 the department not enter into any farm land lease agreements
19 that would extend beyond March 1, 1981.

20 Sec. 30. The number of full-time equivalent positions
21 funded under this Act shall not exceed nine thousand two
22 hundred sixty-eight (9268) for the biennium beginning July
23 1, 1979 and ending June 30, 1981. However, positions funded
24 primarily from federal grants, and positions funded from
25 institutional canteen and farm operation funds and as otherwise
26 provided by section eight (8), subsection fourteen (14) of
27 this Act, shall be exempt from the limits on the number of
28 full-time equivalent positions provided in this section, but
29 are approved only for the period of time for which funds are
30 available for the positions.

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HOUSE FILE 755
FISCAL NOTE

DATE: MAY 10, 1979
REQUESTED BY: SENATOR CARR

In compliance with a written request received May 10, 1979, there is hereby submitted a Fiscal Note for S-3797 to H.F. 755 pursuant to Joint Rule 16. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the Legislature upon request.

Amendment S-3797 to House File 755, An Act relating to the administration and financing of current programs under the jurisdiction of the Dept. of Social Services.

Amendment S-3797 would shift the total cost of care and treatment for patients referred by the courts for psychosocial diagnosis under Section 223.4, subsection 3 of the Code from the counties to the state on a gradual basis. Currently this cost is shared 80% counties, 20% state.

The fiscal effect of would be as follows:

	<u>Assumptions</u>	
Average number court admissions per month		10.66
Average length of stay		54 days
Per Diem		\$ 78.79

Who Pays for Cost of Care and Treatment of Court Referrals to Oakdale?

	80/20	60/40	40/60	20/80	0/100	10 Year (FY '80 thru FY '89) Projection Under Proposed Amendment
	Current Law (Estimated) FY '79	Proposed Amend. (Estimated) FY '80	Proposed Amend. (Estimated) FY '81	Proposed Amend. (Estimated) FY '82	Proposed Amend. (Estimated) FY '83	(1)
State	\$100,000	218,000	327,000	436,000	545,000	4,796,000
County	<u>400,000</u>	<u>327,000</u>	<u>218,000</u>	<u>109,000</u>	<u>0</u>	<u>654,000</u>
Total	<u>\$500,000</u>	<u>545,000</u>	<u>545,000</u>	<u>545,000</u>	<u>545,000</u>	<u>5,450,000</u>

(1) Based upon the above, the general fund of the state would lose the following:
Decrease to State General Fund

FY '80	\$109,000
FY '81	218,000
FY '82	327,000
FY '83	545,000 (each year thereafter, plus inflation)

(1) No inflationary factor has been applied.

SOURCE: DEPARTMENT OF SOCIAL SERVICES

FILED
MAY 10, 1979

BY GERRY RANKIN, DIRECTOR
LEGISLATIVE FISCAL BUREAU

1 Amend House File 755 as amended, passed and re-
2 printed by the House as follows:

3 1. Page 1, line 14, by striking the word "budget"
4 and inserting in lieu thereof the words "state funds
5 expended".

6 2. Page 11, by striking lines 23 through 29.

7 3. Page 13, by striking line 6 and inserting in
8 lieu thereof the following:

9 "pendent children.....\$47,325,000 \$47,200,000".

10 4. Page 14, by striking line 23 and inserting in
11 lieu thereof the following:

12 "expelled.....\$88,055,000 \$95,055,000".

13 5. Page 16, by striking line 21 through page 17,
14 line 1, and inserting in lieu thereof the following:

15 "1. It is the intent of the general assembly
16 that the schedule of living costs and the payment for
17 persons on the aid to dependent children program
18 shall be increased for all family sizes for the
19 fiscal year beginning July 1, 1979 by an average
20 over the fiscal year equaling six percent and with
21 payment increases commencing October 1, 1979. The
22 schedule of living costs and the payment for persons
23 on the aid to dependent children program shall be
24 increased for all family sizes for the fiscal year
25 beginning July 1, 1980 by six percent over the
26 yearly-average payment for the fiscal year beginning
27 July 1, 1979, with payment increases commencing
28 July 1, 1980.

29 2. The department of social services shall
30 undertake a study of the most practicable means
31 and the cost of providing assistance to an expect-
32 tant mother who is experiencing her first pregnancy
33 and who meets income and resource standards for
34 eligibility for the aid to dependent children program.
35 It is the intent of the general assembly that economic
36 circumstances of such an expectant mother not deny
37 her access to adequate prenatal care, and that accord-
38 ingly the department of social services determine whether
39 it is feasible under applicable state and federal laws to
40 make medical assistance available to such an expectant
41 mother without providing her payments under the
42 aid to dependent children program until after the
43 birth of her child. The report required by this sub-
44 section shall be made available to the joint appro-
45 priations subcommittee on social services no later
46 than December 1, 1979."

47 6. Page 18, by striking lines 18 through 24 and
48 inserting in lieu thereof the figure "1980."

49 7. Page 18, line 35, by striking the words "six
50 hundred dollars" and inserting in lieu thereof the

PAGE 2

1 words "six hundred twenty-four dollars".

2 8. Page 20, by striking lines 16 through 19 and
3 inserting in lieu thereof the words "in-home treat-
4 ment programs continue to be funded pursuant to this
5 subsection."

S-3775

1 Amend House File 755 as amended, passed and re-
2 printed by the House as follows:

3 1. Page 1, line 14, by striking the word
4 "budget" and inserting in lieu thereof the words
5 "state funds expended".

6 2. Page 11, by striking lines 23 through 29.

7 3. Page 13, by striking line 6 and inserting
8 in lieu thereof the following:
9 "pendent children.....\$47,325,000 \$47,200,000".

10 4. Page 14, by striking line 23 and inserting in
11 lieu thereof the following:
12 "expelled.....\$88,055,000 \$95,055,000".

13 5. Page 16, by striking line 21 through page 17,
14 line 1 and inserting in lieu thereof the following:

15 "1. It is the intent of the general assembly that
16 the schedule of living costs and the payment for
17 persons on the aid to dependent children program
18 shall be increased for all family sizes for the
19 fiscal year beginning July 1, 1979 by an average
20 over the fiscal year equaling six percent and with
21 payment increases commencing October 1, 1979. The
22 schedule of living costs and the payment for persons
23 on the aid to dependent children program shall be
24 increased for all family sizes for the fiscal year
25 beginning July 1, 1960 by six percent over the
26 yearly-average payment for the fiscal year beginning
27 July 1, 1979, with payment increases commencing
28 July 1, 1980.

29 2. The department of social services shall
30 undertake a study of the most practicable means
31 and the cost of providing assistance to an expect-
32 tant mother who is experiencing her first pregnancy
33 and who meets income and resource standards for
34 eligibility for the aid to dependent children program.
35 It is the intent of the general assembly that economic
36 circumstances of such an expectant mother not deny
37 her access to adequate prenatal care, and that accordingly
38 the department of social services determine whether it is
39 feasible under applicable state and federal laws to
40 make medical assistance available to such an expect-
41 tant mother without providing her payments under the
42 aid to dependent children program until after the
43 birth of her child. The report required by this sub-
44 section shall be made available to the joint appro-
45 priations subcommittee on social services no later
46 than December 1, 1979."

47 6. Page 18, by striking lines 18 through 24 and
48 inserting in lieu thereof the figure "1980".

49 7. Page 20, by striking lines 16 through 19 and
50 inserting in lieu thereof the words "in-home treat-

S-3775
PAGE 2

1 ment programs continue to be funded pursuant to
2 this subsection."

HOUSE FILE 755

S-3808

- 1 Amend House File 755 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 15, by striking line 17 and inserting
- 4 in lieu thereof the following:
- 5 "to child care centers.....\$500,000 \$500,000".

BY BERL E. PRIEBE
BILL PALMER
ARTHUR A. SMALL, JR.
NORMAN RODGERS
JOHN R. SCOTT
BOB CARR
ALVIN V. MILLER

S-3808 FILED & LOST (*p. 1645*)
MAY 11, 1979

HOUSE FILE 755

S-3809

- 1 Amend House File 755 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 14, by striking line 23 and inserting
- 4 in lieu thereof the following:
- 5 expelled.....\$88,555,000 95,055,000
- 6 2. Page 16, line 5, by striking the word
- 7 "seventy-fourth" and inserting in lieu thereof
- 8 the following: "seventy-seventh".

S-3809 FILED & LOST AS AMENDED BY EARL WILLITS
MAY 11, 1979 (*p. 1647*)

HOUSE FILE 755

S-3797

1 Amend House File 755 as amended, passed and reprinted
2 by the House, as follows:

3 1. Page 9, by inserting after line 21 the following
4 new section:

5 "Sec. _____. Section two hundred twenty-three point
6 eight (223.8), Code 1979, is amended to read as follows:

7 223.8 COSTS AND CHARGES. ~~Chapter-2307--Code-1977,~~

8 Effective July 1, 1983, all costs for treatment and care

9 of mentally ill patients admitted to the Iowa security

10 medical facility shall be paid by the state. Prior to

11 that date, this section and chapter two hundred thirty

12 (230) of the Code shall govern the determination of

13 costs and charges for the care and treatment of mentally

14 ill patients admitted to the Iowa security medical

15 facility, except that charges for the care and treatment

16 of any person transferred to the security medical facility

17 from an adult correctional institution or from a state

18 training school, or referred by the courts for psychosocial

19 diagnosis under section two hundred twenty-three point

20 four (223.4), subsection three (3) of the Code, shall be

21 paid entirely from state funds. Charges for all other

22 patients at the security medical facility shall be billed

23 to the respective counties at-the-same-ratio in the same

24 manner as for patients at state hospitals for the mentally

25 ill, under section 230.20, except that the county shall

26 be billed only for the following proportions of the charges

27 for such patients:

28 1. During the fiscal year beginning July 1, 1980,

29 sixty percent.

30 2. During the fiscal year beginning July 1, 1981,

31 forty percent.

32 3. During the fiscal year beginning July 1, 1982,

33 twenty percent."

S-3797 FILED *Lost 5/11/1979* BY BOB CARR
MAY 10, 1979

HOUSE FILE 755

S-3810

Amend House File 755, as amended, passed and reprinted by the House as follows:

- 1. Page 16, line 24, by striking the words "October 1, 1979 " and inserting in lieu thereof the words "July 1, 1979 ".
- 2. Page 16, line 25, by striking the words "October 1, 1980." and inserting in lieu thereof the words "July 1, 1980."

S-3810 FILED & WITHDRAWN (p. 1070) BY WILLIAM D. PALMER
MAY 11, 1979

HOUSE FILE 755

S-3811

Amend House File 755 as amended, passed and reprinted by the House as follows:

1. Page 16, by inserting after line 16 the following:

" . For pilot projects providing child day care in the evening hours.....\$60,000 \$60,000

It is the intent of the General Assembly that funds appropriated under this subsection be used for the establishment of pilot projects providing child day care, as defined in section two hundred thirty seven point one (237.1), subsection seven (7) of the Code. Funds appropriated under this subsection shall only be awarded to pilot projects which match nine dollars of state grant money with one dollar local money. The maximum grant shall be \$30,000. The department shall establish guidelines for the awarding of grants which shall require that funds only be used to establish or expand child care programs offered after 2 p.m. for at least seven hours thereafter."

S-3811 FILED & WITHDRAWN (p. 1095) BY TOM SLATER
MAY 11, 1979

HOUSE FILE 755

S-3812

Amend House File 755 as amended, passed, and reprinted by the House as follows:

1. Page 18, line 5, by striking the word "seventy-fourth" and inserting in lieu thereof the following: "eighty-third".

2. Page 18, by striking lines 7 and 8, and inserting the following: "31, 1978. The department shall organize a committee composed".

BY BERL E. PRIEBE

JOANN ORR
WILLIAM D. PALMER
ARTHUR SMALL, JR.
JAMES CALHOON
NORMAN RODGERS.

LOWELL L. JUNKINS
ALVIN V. MILLER
BOB CARR
PATRICK DELCHERY

S-3812 FILED & LOST (p. 1095) BY
MAY 11, 1979

HOUSE FILE 755

Amend the Willits Amendment, S-3809, to House
File 755 as amended, passed and reprinted by the
House as follows:

1. Page 1, by striking line 5 and inserting in
thereof the following:
Expelled.....\$ 88,760,000 95,850,000".

FILED & ADOPTED (p. 1045)
1979

BY EARL M. WILLITS



Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

June 10, 1979

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

Dear Mr. Secretary:

I hereby transmit House File 755, an act relating to the administration and financing of current programs under the jurisdiction of the Department of Social Services.

House File 755 is approved June 10, 1979, with the following exceptions which I hereby disapprove.

I am unable to approve that portion of Section 6, Subsection 3 which reads as follows:

In addition, each county which pays, from county funds, the costs of care and treatment of mentally ill persons transferred from a state mental health institute to a public or private inpatient treatment facility, other than a state mental health institute, is entitled to reimbursement from the state for a portion of the cost incurred by the county for each day an individual is so treated or cared for at county expense. However, such reimbursement shall only apply to patients admitted to the facility after February 1, 1980. The reimbursement shall be equal to twenty percent of the average of the four state mental health institutes' individual average daily patient costs for the most recent quarter.

Each county may claim the reimbursement by filing a claim for such reimbursement on a quarterly basis. The comptroller, upon verifying the claim, shall issue warrants to the respective counties drawn upon money in the general fund not otherwise appropriated.

I am unable to approve the item designated in the Act as Section 6, Subsection 7 which reads as follows:

7. It is the intent of the general assembly that the proposed upgrading and expansion of staffing at the four mental health institutes be phased-in over the

The Honorable Melvin D. Synhorst
Page 2
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biennium, with up to one-half of the proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1979 and with the remaining proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1980.

I am unable to approve the item designated in the Act as Section 10, Subsection 2 which reads as follows:

2. It is the intent of the general assembly that assistance shall be granted under chapter two hundred thirty-nine (239) of the Code to an expectant mother experiencing her first pregnancy and in the last trimester of pregnancy if she meets other income and resource standards for the aid to dependent children program. The mother and fetus together shall be treated as a one-person family with assistance payable to the mother as an eligible group of one. The department of social services shall promulgate rules and regulations, pursuant to chapter seventeen A (17A) of the Code to implement this subsection on October 1, 1979.

I am unable to approve the item designated in the Act as Section 11 which reads as follows:

Sec. 11. If the United States department of health, education and welfare regulations allow such a policy, the department of social services shall adopt administrative rules pursuant to chapter seventeen A (17A) of the Code which provide that in determination of eligibility for assistance under the aid to dependent children program established by chapter two hundred thirty-nine (239) of the Code, there shall be recognition of a stepparent's responsibility for the reasonable and necessary expenses of the family and the education of the children as long as the stepparent remains married to the stepchild's parent. In adopting such rules, the department shall give consideration to any financial obligations the stepparent may have as a result of court orders, or of commitments made prior to the marriage.

I am unable to approve the item designated in the Act as Section 17, Subsection 4 which reads as follows:

4. It is the intent of the general assembly that of the appropriation made by section eight (8), subsection six (6) of this Act, one million (1,000,000) dollars

The Honorable Melvin D. Synhorst
Page 3
June 10, 1979

shall be used to provide in-home treatment and seven hundred fifty thousand (750,000) dollars shall be used to provide alternatives to foster care. It is the intent of the general assembly that in-home treatment programs which were funded through state and federal Title XX funds in the fiscal year beginning July 1, 1978 shall be maintained at their current program operating level through funds provided pursuant to this subsection. Federal Title XX funds may be used to match, but not to replace, funds provided pursuant to this subsection. The department shall submit to the appropriations subcommittee on social services by December 1, 1979 a report of the actual expenditures during the first quarter of the fiscal year beginning July 1, 1979 for all programs within the children's services appropriation.

A portion of Section 6, Subsection 3 requires the state to pay a percentage of the cost of care of individuals transferred from mental health institutes to other facilities if their care is still county-supported. The state is planning a mental health reorganization within the next year with possible changes in funding mechanisms. The language of a portion of this subsection might pre-empt wise and orderly revision and would cost an estimated \$1.3 million beyond which has been planned.

We believe funding should be addressed as a part of the complete reorganization. At present, for example, no planning has been done to incorporate the new Sidney Sands Center into a statewide system. Originally Polk County did not wish their services to be part of a state system. Their center was intended to be a lower-cost alternative to the mental health institutes. Estimates now indicate that the cost will be close to double that of the state institutes. Thus, Polk County now wishes state assistance and because of that wants to be included.

While the state in recent years has been obligated to pay 20 percent of the care of patients in our mental health institutes, actual figures show the state's participation has been approximately 33 percent. In addition, the state is planning to increase its participation by approximately 7 percent in FY 80 by crediting to the counties \$2 million in Title XIX medicaid reimbursement received for care of patients at the institutes.

Since county budgets were finalized by local officials before this bill was passed, there could have been no reliance on these funds for FY 80.

The language of this section is also imprecise and does not adequately clarify the following:

-- Does "inpatient treatment facility" refer only to hospital psychiatric units, or should it include residential or intermediate care facilities, county care facilities, residential care for children, physical medicine hospital units, halfway houses, or others?

-- Does the state's obligation apply only to the immediate transfer from a mental health institute, or also to subsequent transfers to other facilities at a later date?

-- It appears that payment mandated under this subsection could exceed 100 percent of the total cost of care of a transferred patient in cases of transfer to residential care or a halfway house.

-- There is no clarification regarding the extent nor type of the counties' participation in the care of any patient under this subsection.

Section 6, Subsection 7 requires mental health institutes to delay half their proposed upgrading of staff positions until fiscal 1981. The staff upgrading proposed for Cherokee and Independence results from JCAH accreditation reviews. Both of these mental health institutes will receive their next scheduled accreditation reviews prior to the end of the 1980 fiscal year. Failure to respond to the recommendations of the previous review could endanger continued accreditation.

Section 10, Subsection 2 provides Aid to Families with Dependent Children and medical benefits to a woman in the last trimester of her first pregnancy as a one-person unit. Subsequent to the passage of House File 755, it was discovered that the General Assembly had overlooked a federal requirement that some part of the grant be set aside for the fetus, identifying it as a child. Also, the language of this subsection limited coverage to first pregnancies, although the intent was to cover any woman without children, even though the pregnancy might not be her first. House File 766 was drafted and passed to correct these errors. To remove any ambiguities regarding which language should prevail, we are removing the incorrect language from House File 755.

The Honorable Melvin D. Synhorst
Page 5
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Section 11 requires the Department of Social Services to establish rules as allowed by the Department of Health, Education and Welfare defining the financial responsibility of stepparents. This section presents unnecessary legal complications for the department as follows:

-- The requirement for the establishment of such rules may result in financial sanctions against the state by HEW consisting of the withdrawal of federal matching funds for Aid to Families with Dependent Children.

-- Current federal law sets out in definitive terms State options in establishing stepparent responsibility. The State of Iowa has solicited an opinion from HEW as to whether or not Iowa's law permits this state to assess stepparents for support in cases where Aid to Families with Dependent Children has been requested. This section is premature in that this opinion has not yet been received.

-- This section could be interpreted to require a greater obligation on the part of a stepparent than that set by the court or by Section 252A of the Code of Iowa, 1979.

-- No definition of stepparent is offered nor distinction established between a stepparent married to a custodial natural parent or to a non-custodial natural parent.

We agree with the intent indicated in Section 17, Subsection 4 and have the assurance of the Department of Social Services that it will be carried out. However, the language presents unnecessary complications.

-- The second sentence of the subsection requires that in-home treatment programs funded in FY 79 be maintained at their "current program operating level." There were three changes in allocation for in-home treatment during FY 79, and there is no indication as to which of these levels should be used in defining "current." Several differing opinions have already been offered.

-- It is unclear whether "operating level" refers to the number of dollars spent on those programs (which

The Honorable Melvin D. Synhorst
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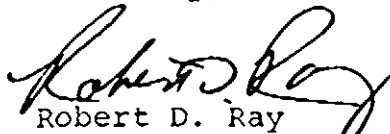
won't be known precisely until the end of September 1979) or the quality of those programs (which is a clearly subjective determination).

-- The language as drafted was not comprehensive since it makes no mention of services not funded under Title XX. If these budget constraints are applied, the department would be forced to discriminate arbitrarily against other in-home treatment programs which may be viewed as worthy of funding.

In addition to those items which I am disapproving, I would like to clarify my approval of one subsection. Section 1, Subsection 2 substantially reduces the budget of the Bureau of Communications. The bureau fills many valuable roles, some federally mandated, such as food stamp outreach programs. Cutting the budget as drastically as this section does may damage the programs as well as endanger federal compliance. I am leaving this section intact with the understanding that the \$50,000 limitation applies only to state-appropriated dollars and that the department may supplement the activities of this bureau with help from other department resources, if necessary to meet its mandated responsibilities.

For these 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 755 are hereby approved this date.

Sincerely,


Robert D. Ray
Governor

RDR:cg

cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE 755

AN ACT

RELATING TO THE ADMINISTRATION AND FINANCING OF CURRENT PROGRAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF SOCIAL SERVICES.

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 each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

1. For general administration, including salaries and support, maintenance and miscellaneous purposes.....	\$ 6,140,000	\$ 6,220,000
--	--------------	--------------

2. It is the intent of the general assembly that the budget for the bureau of communications not exceed fifty thousand (50,000) dollars in each of the fiscal years beginning July 1, 1979 and July 1, 1980, none of which shall be used for political purposes.

3. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter thirty-seven (37), section one (1), subsection three (3), as amended by Acts of the Sixty-seventh General

Assembly, 1978 Session, chapter one thousand eighteen (1018), section two (2), subsection three (3), is further amended to read as follows:

3. Medicaid Management Information System (MMIS)

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

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by this subsection shall not revert to the general fund until June 30, ~~1979~~ 1980. The department of social services shall submit to the joint ~~budget~~ appropriations subcommittee on social services, during the ~~1979~~ 1980 Session of the general assembly, a written report on the status of the medicaid management information system.

Sec. 2. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, the following amounts or so much thereof as may be necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

1. For the division of field operations, including salaries and support, maintenance and miscellaneous purposes.....	\$15,000,000	\$15,000,000
--	--------------	--------------

2. It is the intent of the general assembly that those employees occupying the thirty-eight intermittent income maintenance positions authorized by the Sixty-seventh General Assembly shall be made permanent, full-time merit employees effective July 1, 1979, in accordance with the Iowa merit employment department's policies relative to changes from exempt to classified status and each such intermittent employee

shall be given credit for all benefits which that employee has accrued as an intermittent employee of the department of social services.

It is the further intent of the general assembly that the department shall delete from its table of organization the thirty-eight intermittent positions established for income maintenance services which had been authorized by the Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand one hundred thirty-two (1132).

3. It is the intent of the general assembly to authorize the department of social services to act, within the appropriation provided by this section and the provisions of section thirty (30) of this Act, to meet critical needs in the child abuse, food stamp and income maintenance programs within the division of field operations by creating eighty new positions and reallocating fifty-seven positions from the Comprehensive Employment Training Act (CETA) program and thirty-eight positions from the nursing review program.

4. It is the intent of the general assembly that counties shall continue to furnish and pay for the office space presently in use by personnel administering the food stamp program.

Sec. 3. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>

FAMILY AND CHILDREN SERVICES:

1. For the operation of the Eldora training school, Mitchellville training school and state juvenile home, including salaries

and support, maintenance and miscellaneous purposes..... \$ 7,000,000 \$ 6,900,000

2. Juveniles adjudicated delinquent shall not be placed at the state juvenile home at Toledo.

3. It is the intent of the general assembly that the department of social services develop a three-year plan for juvenile deinstitutionalization through the use of community-based, family-oriented services. The department shall coordinate these efforts with the joint appropriations subcommittee on social services, county officials, employees of the courts and other organizations or individuals who might have a significant interest in, and contribution to make to, this effort. It is the intent of the general assembly that this plan will be presented to the joint appropriations subcommittee on social services, and to the other members of the general assembly, by January 15, 1980 and that a preliminary report be made to the joint appropriations subcommittee on social services by December 1, 1979.

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>

4. For operation of the Iowa veterans home, including salaries and support, maintenance and miscellaneous purposes..... \$10,400,000 \$10,600,000

Sec. 4. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services for juvenile community-based corrections the following amounts, or so much thereof as may be necessary:

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>
\$ 320,000	\$ 320,000

1. The department of social services shall continue the program of project grants to communities which are develop-

ing community-based juvenile residential correctional programs. It shall work with local communities and the Iowa crime commission to provide incentives to make maximum use of available federal funds. Insofar as practical, the department shall provide technical assistance to local groups which intend to establish or improve community-based juvenile residential correctional programs.

Sec. 5. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services the following amounts, or so much thereof as may be necessary, to be used for adult correctional services as designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For operation of adult correctional institutions (Fort Madison, Anamosa, Rockwell City, Oakdale, Mount Pleasant, John Bennett Center, Riverview Release Center) including salaries and support, maintenance and miscellaneous purposes.....	\$26,234,000	\$26,885,000

2. During the fiscal year beginning July 1, 1979, the department is authorized to expand staffing, in order to provide additional correctional personnel required by unitization, by twenty-five new positions at Fort Madison and thirty-three new positions at Anamosa. Within the limitations of the funds appropriated by this section and the provisions of section thirty (30) of this Act, the department may expand staffing at the John Bennett Center by adding seven new correctional personnel.

3. It is the intent of the general assembly that a concentrated training program for correctional officers at Fort Madison be established as soon as possible, and that a con-

tinuing in-service training program be established for correctional officers at all correctional institutions. There may be used for this purpose up to two hundred ten thousand (210,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1979, and up to one hundred forty thousand (140,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1980. The general assembly also recommends that in addition to using existing staff for training, the department utilize other community and state resources in the development and implementation of a comprehensive training program.

4. It is the intent of the general assembly that the department of social services utilize to the extent possible crime commission funds for development and implementation of a specialized training program for all personnel who will be involved in the unitization program.

5. The general assembly recognizes that serious problems have been created by the low base salary and pay structure for staff positions at adult correctional institutions. Accordingly:

a. The department of social services and the merit employment department shall by July 1, 1979 submit to the governor and the joint appropriations subcommittee on social services recommendations formulated by the two departments on the basis of a review of the base salary and pay structure for all security and support personnel, and of the compression problem relating to salary levels assigned certain merit employment positions at the adult correctional institutions.

b. It is the intent of the general assembly that not more than two hundred fifty thousand (250,000) dollars of the funds appropriated for each year of the biennium by subsection one (1) of this section be used to implement base pay increases and salary structure adjustments recommended pursuant to paragraph a of this subsection, when the increases and adjustments are approved in the same manner as is provided for other pay increase and salary adjustment recommendations

under the merit employment system. If the merit employment commission does not approve base pay increases and salary structure adjustments recommended pursuant to paragraph a of this subsection, or the increases and adjustments so approved do not require the full two hundred fifty thousand (250,000) dollars in either or both fiscal years of the biennium, those amounts or the portion thereof not used as prescribed by this paragraph shall revert to the general fund of the state on the 30th of June of the fiscal year in which the funds have been appropriated.

6. It is the intent of the general assembly that the division of adult corrections in cooperation with the Iowa merit employment commission study the cost of raising the salaries of all corrections personnel, the cost of making a greater distinction in salary between corrections officers and supervisory personnel, the costs of bringing the salaries of corrections officers at Rockwell City into uniformity with the salaries at the other adult corrections institutions, and the cost of early retirement for correctional officers, and that after study and consultation with the Iowa merit employment system, the division report its recommendations to the joint appropriations subcommittee on social services not later than December 1, 1979, and that the division of adult corrections, with a representative of the merit employment commission, send a progress report to the chairpersons of the joint appropriations subcommittee on social services at least twice prior to December 1, 1979.

7. It is the intent of the general assembly that fifty thousand (50,000) dollars of the appropriation made by subsection one (1) of this section be used to increase the pay for inmates of the adult correctional institutions who are employed within the correctional system as permitted by law.

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
8. Community-based corrections.....	\$ 8,747,250	\$ 9,359,557

Each judicial district which uses funds appropriated under this subsection may contract for services from or provide funds to private agencies which provide to ex-offenders education, job placement or counseling services intended to facilitate the transition of the ex-offenders from incarceration to free society.

9. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand eighteen (1018), section six (6), subsection one (1), paragraph c, is amended to read as follows:

- c. Community-based corrections..... \$ 8,175,000
- 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, 1980.
- 10. For parole services, including salaries and support, maintenance and miscellaneous purposes..... \$ 1,030,000 \$ 1,030,000
- 11. For a legal assistance program to provide civil legal assistance to inmates of the Iowa correctional system in matters of child custody, bankruptcy and dissolution of marriage..... \$ 25,000 \$ 25,000
- 12. For reimbursement of counties for temporary confinement of work release and parole violators, as provided by sections two hundred forty-seven A point ten

(247A.10), nine hundred one point seven (901.7), and nine hundred six point seventeen (906.17) of the Code..... \$ 45,000 \$ 47,500

13. For substance abuse screening..... \$ 200,000 \$ 200,000

14. For a central classification system, including salaries and support, maintenance and miscellaneous purposes..... \$ 100,000 \$ 100,000

It is the intent of the general assembly to authorize the department of social services to establish ten new positions within the appropriation provided by this subsection and the provisions of section thirty (30) of this Act.

The department of social services may use not more than one hundred thousand (100,000) dollars of the appropriation provided by subsection one (1) of this section, in addition to funds appropriated by this subsection, for the purpose of developing a central classification system.

Sec. 6. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, for the mental health institutes at Cherokee, Clarinda, Independence and Mount Pleasant the following amounts, or so much thereof as may be necessary:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support, maintenance and miscellaneous purposes.....	\$28,150,000	\$28,365,000

2. It is the intent of the general assembly that all funds received from client participation shall be deposited in the general fund of the state.

3. 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 each fiscal year. In addition, each county which pays, from county funds, the costs of care and treatment of mentally ill persons transferred from a state mental health institute to a public or private inpatient treatment facility, other than a state mental health institute, is entitled to reimbursement from the state for a portion of the cost incurred by the county for each day an individual is so treated or cared for at county expense. However, such reimbursement shall only apply to patients admitted to the facility after February 1, 1980. The reimbursement shall be equal to twenty percent of the average of the four state mental health institutes' individual average daily patient costs for the most recent quarter.

Each county may claim the reimbursement by filing a claim for such reimbursement on a quarterly basis. The comptroller, upon verifying the claim, shall issue warrants to the respective counties drawn upon money in the general fund not otherwise appropriated.

4. 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 guest status or otherwise, for more than thirty days. It is also the intent of the general assembly that children found to be children in need of assistance shall not be placed in a mental health institute on the basis of that adjudication. The juvenile 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, but only after making findings pursuant to the standards set out for involuntary commitment in chapter two hundred twenty-nine (229) of the Code.

5. It is the intent of the general assembly that the superintendents of the mental health institutes at Cherokee and Independence, in discharging the duties imposed on them

by section two hundred thirty point twenty (230.20) of the Code, shall consider the costs of the psychiatric residency and chaplain intern programs maintained at those institutes as costs not to be included in the expenditures of those institutes for the purpose of establishing the institutes' respective daily charges to patients, the same as the costs enumerated in section two hundred thirty point twenty (230.20), subsection one (1), paragraphs a, b and c of the Code. It is the objective of the general assembly, in expressing this intent, that the commissioner of social services seek to maintain reasonably uniform daily charges at the four mental health institutes.

6. It is the intent of the general assembly that not more than one hundred thousand (100,000) dollars of the appropriation provided under subsection one (1) of this section for each of the fiscal years beginning July 1, 1979 and July 1, 1980 shall be used by the division of mental health resources to contract for mental health and mental retardation screening services for inmates of the state's adult correctional system and juvenile offenders at the state's juvenile institutions.

7. It is the intent of the general assembly that the proposed upgrading and expansion of staffing at the four mental health institutes be phased-in over the biennium, with up to one-half of the proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1979 and with the remaining proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1980.

Sec. 7. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, for the state hospital-schools at Glenwood and at Woodward the following amounts, or so much thereof as may be necessary:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support, maintenance		

and miscellaneous purposes..... \$24,000,000 \$23,800,000

2. It is the intent of the general assembly that all funds received from client participation shall be deposited in the general fund of the state.

3. 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 subsection four (4) of this section.

4. 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.

5. It is the intent of the general assembly that the department of social services shall identify and evaluate problems in the development and funding of community-based services for the mentally retarded. The department shall report its findings and recommendations to the general assembly by December 1, 1979.

Sec. 8. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
SPECIAL PROGRAMS		
DIVISION:		
1. For aid to the blind.....	\$ 20,000	\$ 20,000
2. For aid to dependent children.....	\$47,130,000	\$47,100,000

3. For aid to Indians residing on a settlement..... \$ 36,000 \$ 36,000

4. For medical assistance, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary. Medically necessary abortions are those performed when:

a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman; or

b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness; or

c. The pregnancy is the result of a rape which is reported to a law enforcement agency or public or private health agency within sixty days of

the incident, or the result of incest which is reported in the first two trimesters of pregnancy to a law enforcement agency or the department of social services;

d. Any spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled..... \$88,260,000 \$95,350,000

5. For contractual services-medical carrier..... \$ 1,084,000 \$ 1,232,000

6. For children's services..... \$20,455,000 \$21,250,000

7. For work and training programs..... \$ 438,000 \$ 438,000

8. For adult and family services..... \$ 758,000 \$ 758,000

9. For state supplementary assistance, including state supplementary assistance for the blind..... \$ 6,090,000 \$ 6,520,000

It is the intent of the general assembly that the department of social services shall increase the maximum cost-related reimbursement for residential care facility services to thirteen dollars and fifty cents per day and the flat rate to eight dollars and twenty cents per day.

10. For the governor's youth opportunity program..... \$ 750,000 \$ 750,000

11. For child support recoveries, including salary and support, maintenance and miscellaneous purposes..... \$ 428,219 \$ 435,160

12. For assistance to child care centers..... \$ 400,000 \$ 400,000

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

It is the intent of the general assembly that as more centers improve their facilities in order to meet minimum requirements for the health, safety, and welfare of the children, the emphasis of the program should be shifted to providing aid in staff development and training in order to upgrade programs and the delivery of services. To the extent possible, the department shall develop a means of selecting private child care facilities for receiving funds, and shall promulgate rules governing these procedures in accordance with chapter seventeen A (17A) of the Code. At the same time, the department shall gather statistics on the number of such child care centers, and report to the joint appropriations subcommittee on social services by December 1, 1979.

13. State supplementation to Title XX..... \$ 1,000,000 \$ 1,000,000

It is the intent of the general assembly that funds appropriated under this subsection be used for local purchase of service contracts, and primarily to help avoid the institutionalization of individuals and to provide child care.

14. Homemaker services..... \$ 1,580,000 \$ 1,580,000

Funds provided in this subsection for homemaker services may be used either for direct service or state purchase match for federal Title XX funds. Any decision to change homemaker services from direct service to state purchase shall be made on a district by district basis, at the district level and shall not be influenced by a consideration of departmental

staff size. If direct homemaker services are transferred from direct service to state purchase, the vacant positions that result shall be deleted from the department's table of organization.

Sec. 9. Section two hundred thirty-four point thirty-eight (234.38), unnumbered paragraph two (2), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 10.

1. It is the intent of the general assembly that the schedule of living costs and the payment for persons on the aid to dependent children program shall be increased for all family sizes by six percent commencing October 1, 1979 and by an additional six percent commencing October 1, 1980.

2. It is the intent of the general assembly that assistance shall be granted under chapter two hundred thirty-nine (239) of the Code to an expectant mother experiencing her first pregnancy and in the last trimester of pregnancy if she meets other income and resource standards for the aid to dependent children program. The mother and fetus together shall be treated as a one-person family with assistance payable to the mother as an eligible group of one. The department of social services shall promulgate rules and regulations, pursuant to chapter seventeen A (17A) of the Code to implement this subsection on October 1, 1979.

3. It is the intent of the general assembly in appropriating funds in section eight (8), subsection two (2) of this Act that, notwithstanding the provisions of section two hundred thirty-nine point eighteen (239.18) of the Code, the department of social services shall not reduce the standards of payment referred to in subsection one (1) of this section, nor establish eligibility criteria for recipients under the aid to dependent children program which are more restrictive than the criteria required by applicable federal regulations. The special needs program of the aid to dependent children program shall be continued.

4. It is the intent of the general assembly that the department shall maintain a system of current needs budgeting

in computing monthly assistance grants for ADC recipients until the department has presented to the governor and the joint social services appropriations subcommittee of the Sixty-eighth General Assembly a study and report including a cost-benefit comparison and client impact comparison between prior-month budgeting and current needs budgeting. The report shall be submitted on December 3, 1979.

Sec. 11. If the United States department of health, education and welfare regulations allow such a policy, the department of social services shall adopt administrative rules pursuant to chapter seventeen A (17A) of the Code which provide that in determination of eligibility for assistance under the aid to dependent children program established by chapter two hundred thirty-nine (239) of the Code, there shall be recognition of a stepparent's responsibility for the reasonable and necessary expenses of the family and the education of the children as long as the stepparent remains married to the stepchild's parent. In adopting such rules, the department shall give consideration to any financial obligations the stepparent may have as a result of court orders, or of commitments made prior to the marriage.

Sec. 12. It is the intent of the general assembly that for the first six months of the fiscal year beginning July 1, 1979 the department of social services shall increase the maximum reimbursement for intermediate care facilities under medical assistance to a level fixed at the seventy-fourth percentile on the basis of cost data on file as of December 31, 1978, indexed forward by an inflation factor of one percent. The department shall organize a committee composed of representatives of the department, the nursing home associations, the medical assistance advisory board, and three members of the joint appropriations subcommittee on social services appointed by the chairpersons of the appropriations committees to study alternative cost-related methods for intermediate care facility reimbursements and for accounting procedures to reduce reporting time lags. Prior to September 1, 1979, the committee shall make recommendations for changes

in the reimbursement system to become effective January 1, 1980. No recommendations shall be made which would result in a cost to the state for the last six months of the fiscal year ending June 30, 1980 greater than the cost of maintaining for that six-month period a maximum reimbursement level equal to that used in the first six months of the fiscal year beginning July 1, 1979, indexed forward by an inflation factor of four percent.

Sec. 13. It is the intent of the general assembly that payment for reserve bed days under the medical assistance program shall be made at eighty percent of the allowable audited costs for those beds, not to exceed the maximum reimbursement rate.

Sec. 14. It is the intent of the general assembly that medical assistance shall be made available to any person who is an inpatient of a hospital, skilled nursing facility or intermediate care facility; who is eligible for supplemental security income in all respects except income; and whose income does not exceed six hundred dollars per month.

Sec. 15. It is the intent of the general assembly that the department of social services shall increase the fee paid to pharmacists under the medical assistance program from two dollars and fifty-five cents to three dollars per prescription for the 1979-1981 biennium.

Sec. 16. It is the intent of the general assembly that, for the fiscal year beginning July 1, 1979, foster parent payments be increased by ten percent.

Sec. 17.

1. It is the intent of the general assembly that of the total amount appropriated for children's services by section eight (8), subsection six (6) of this Act, not more than twenty-four thousand (24,000) dollars shall be used to establish a pilot program providing additional payments to foster families with children with very special needs. The department of social services shall report to the joint appropriations subcommittee on social services on the effectiveness of this program by March 1, 1980.

2. Six hundred sixty thousand (660,000) dollars of the funds appropriated by section eight (8), subsection six (6) of this Act may be used for reimbursement of county juvenile court expenses pursuant to section two hundred thirty-two point one hundred forty-one (232.141), subsection four (4) of the Code. If it appears at any given time that six hundred sixty thousand (660,000) dollars will be insufficient for reimbursement of county juvenile court costs, the department shall report to the comptroller and the joint appropriations subcommittee on social services relative to the need for additional funds for such costs. The department of social services shall also report to the joint appropriations subcommittee on social services and to the legislative council no later than December 1, 1979 on the projected costs to the state for county juvenile court expenses, based upon reports received from the counties for the first quarter of the fiscal year beginning July 1, 1979.

3. Funds appropriated under section eight (8), subsection six (6) of this Act shall be used to pay at least one-half of one percent of the total cost of the establishment, improvements, operation, and maintenance of approved county or multicounty juvenile homes as aid from the state, pursuant to section two hundred thirty-two point one hundred forty-two (232.142), subsection four (4) of the Code. The department is authorized to provide additional aid, subject to the funding limitations of this subsection.

4. It is the intent of the general assembly that of the appropriation made by section eight (8), subsection six (6) of this Act, one million (1,000,000) dollars shall be used to provide in-home treatment and seven hundred fifty thousand (750,000) dollars shall be used to provide alternatives to foster care. It is the intent of the general assembly that in-home treatment programs which were funded through state and federal Title XX funds in the fiscal year beginning July 1, 1978 shall be maintained at their current program operating level through funds provided pursuant to this subsection. Federal Title XX funds may be used to match, but not to

replace, funds provided pursuant to this subsection. The department shall submit to the appropriations subcommittee on social services by December 1, 1979 a report of the actual expenditures during the first quarter of the fiscal year beginning July 1, 1979 for all programs within the children's services appropriation.

Sec. 18. It is the intent of the general assembly that at least two hundred thirty-five thousand (235,000) dollars of the appropriation made by section eight (8), subsection eight (8) of this Act for each fiscal year shall be used to provide chore services. These funds shall be used as state matching funds for Title XX federal funds.

Sec. 19. It is the intent of the general assembly that at least one hundred thousand (100,000) dollars of the appropriation made by section eight (8), subsection eight (8) of this Act for each fiscal year shall be used to fund special programs for displaced homemakers. The funds referred to in this subsection shall not be used for tuition.

Sec. 20. It is the intent of the general assembly that at least one hundred thousand (100,000) dollars of the appropriation made by section eight (8), subsection eight (8) of this Act for each fiscal year shall be used to fund special programs to provide emergency shelter services and support services to victims of domestic abuse.

Sec. 21. It is the intent of the general assembly that funds appropriated under section eight (8), subsection eight (8) of this Act for special programs shall be used to provide start-up moneys for programs which will develop community support and establish means of support independent of long-term state funding. Where possible, special programs receiving state funds under this section for more than one year should be established to receive declining amounts of state funding after the first twelve months of full operation and to be supported locally after thirty-six months of operation. Special programs deviating from these guidelines shall be reported to the joint appropriations social services subcommittee. It is the intent of the general assembly that

the department shall consult persons knowledgeable in the respective subjects of domestic abuse and displaced homemakers with respect to establishment and selection of special programs.

Sec. 22. It is the intent of the general assembly that no otherwise eligible client be denied participation in sheltered work or work activity services solely due to length of time that person has been in receipt of services.

Sec. 23. It is the intent of the general assembly that continuing emphasis be placed on local purchase of services and that local purchase of services be expanded, where possible, within the state Title XX plan and the funds appropriated by this Act.

Sec. 24. Each hospital-school and mental health institute 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. It is the intent of the general assembly that charges assessed to the county will be credited with one hundred percent of client participation for eligible Title XIX medical assistance patients at the hospital-schools, in the calculation of per diem rates.

Sec. 25. Notwithstanding the maximum amounts to which sections two hundred thirty-nine point nine (239.9) and two hundred forty-nine point nine (249.9) of the Code limit payment by the department of social services toward the cost of funerals for persons receiving public assistance under chapters two hundred thirty-nine (239) and two hundred forty-nine (249) of the Code, the department is authorized to pay not more than four hundred dollars toward the cost of a funeral for any such public assistance recipient provided that:

1. The total cost of the person's funeral does not exceed one thousand dollars;

2. The decedent does not leave an estate which may be probated, with sufficient proceeds to allow a funeral claim of at least one thousand dollars; and

3. Any payment which is due the decedent's estate or beneficiary by reason of the liability of any life insurance or death or funeral benefit company, association or society, or in the form of United States social security, railroad retirement, or veterans' benefits, upon the death of the decedent shall be deducted from the department's liability under this section.

The provisions of sections two hundred thirty-nine point nine (239.9) and two hundred forty-nine point nine (249.9) of the Code shall be of no force or effect during the biennium beginning July 1, 1979 and ending June 30, 1981.

Sec. 26. All federal grants to and the federal receipts of the department of social services 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 and Title XIX medicaid assistance funds received by the mental health institutes shall be deposited in the general fund.

Sec. 27. No funds appropriated by any provision of this Act shall be used for capital improvements.

Sec. 28. Notwithstanding section eight point thirty-three (8.33) of the Code, the unencumbered or unobligated funds remaining in the farm accounts of the department of social services on June 30, 1979 shall not revert to the general fund until June 30, 1980.

Sec. 29. It is the intent of the general assembly that the department not enter into any farm land lease agreements that would extend beyond March 1, 1981.

Sec. 30. The number of full-time equivalent positions funded under this Act shall not exceed nine thousand two hundred sixty-eight (9268) for the biennium beginning July 1, 1979 and ending June 30, 1981. However, positions funded primarily from federal grants, and positions funded from institutional canteen and farm operation funds and as otherwise

provided by section eight (8), subsection fourteen (14) of this Act, shall be exempt from the limits on the number of full-time equivalent positions provided in this section, but are approved only for the period of time for which funds are available for the positions.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 755, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Item Veto
~~Approved~~ June 10, 1979

ROBERT D. RAY
Governor