

Reprinted 5/13/81

MAY 4 1981

HOUSE FILE 851

APPROPRIATIONS CALNDAR

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 5-7-81 (p. 1728) Passed Senate, Date 5-15-81 (p. 1699)

Vote: Ayes 96 Nays 1 Vote: Ayes 41 Nays 0

Approved June 19, 1981

*Motion to reconsider. w/d 5/11 (p. 1745)*

### A BILL FOR

1 An Act appropriating funds to state agencies for designated  
 2 service programs including health programs, substance  
 3 abuse programs, civil rights, parole services, veterans'  
 4 services, and programs for minority, elderly, and dis-  
 5 advantaged persons for the fiscal biennium beginning  
 6 July 1, 1981, and ending June 30, 1983.

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

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851

1 Section 1. There is appropriated from the general fund  
 2 of the state to the commission on aging for each fiscal year  
 3 of the fiscal biennium beginning July 1, 1981, and ending  
 4 June 30, 1983, the following amounts, or so much thereof as  
 5 is necessary, to be used for the purposes designated:

#054 6	1981-1982	1982-1983
7	<u>Fiscal Year</u>	<u>Fiscal Year</u>
8 1. For salaries and support		
9 of not more than twenty-nine		
10 point twenty-five full-time		
11 equivalent positions annually,		
12 maintenance, and miscellaneous		
13 purposes .....	\$ 180,561	\$ 188,900
14 2. For the administration		
15 of area agencies on aging .....	\$ 112,190	\$ 117,600
16 3. For the senior citizen		
17 employment program .....	\$ 103,032	\$ 108,000
18 4. For the older Iowans		
19 legislature .....	\$ 13,356	\$ 14,000
20 5. For elderly services		
21 programs .....	\$ 763,200	\$ 800,000

22 All funds appropriated under this subsection shall be  
 23 received and disbursed by the commission in accordance with  
 24 sections 249B.15 through 249B.21, shall not be used for  
 25 administrative purposes, and shall be used for citizens of  
 26 Iowa over sixty-five years of age for chore, telephone  
 27 reassurance, adult day care, and home repair services,  
 28 including the winterizing of homes, and for the construction  
 29 of entrance ramps which meet the requirements of section  
 30 104A.4 and make residences accessible to the physically  
 31 handicapped. Funds appropriated under this subsection may  
 32 be used to supplement federal funds under federal regulations,  
 33 45 CFR 1321.77, as amended by 45 Federal Register p. 21155  
 34 (March 31, 1980).

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



4091 STATUS OF WOMEN

2 For salaries and support  
 3 of not more than three full-  
 4 time equivalent positions  
 5 annually, maintenance, and

4031 6 miscellaneous purposes ..... \$ 89,275 \$ 93,178  
 4032

7 Sec. 3. There is appropriated from the general fund of  
 8 the state for each fiscal year of the fiscal biennium beginning  
 9 July 1, 1981, and ending June 30, 1983, the following amounts,  
 10 or so much thereof as is necessary, to be used by the following  
 11 agencies for the purposes designated:

12	1981-1982	1982-1983
13	<u>Fiscal Year</u>	<u>Fiscal Year</u>

14 1. BOARD OF MEDICAL  
 15 EXAMINERS

16 For salaries and support  
 17 of not more than eleven  
 18 full-time equivalent posi-  
 19 tions annually, rent, main-  
 20 tenance, and miscellaneous

21 purposes ..... \$ 364,682 \$ 354,111

22 2. BOARD OF NURSE EXAMINERS

23 For salaries and support  
 24 of not more than fourteen  
 25 full-time equivalent positions  
 26 annually, rent, maintenance,

27 and miscellaneous purposes ..... \$ 446,395 \$ 471,463

28 3. BOARD OF PHARMACY  
 29 EXAMINERS

30 For salaries and support  
 31 of not more than eight full-  
 32 time equivalent positions  
 33 annually, rent, maintenance,

34 and miscellaneous purposes ..... \$ 291,757 \$ 291,942

35 The research program for the medicinal use of marijuana

1 shall remain in effect for the fiscal biennium.

2 Sec. 4. There is appropriated from the general fund of  
 3 the state to the state department of health for each fiscal  
 4 year of the fiscal biennium beginning July 1, 1981, and ending  
 5 June 30, 1983, the following amounts, or so much thereof as  
 6 is necessary, to be used for the purposes designated:

7		1981-1982	1982-1983
8		<u>Fiscal Year</u>	<u>Fiscal Year</u>

9 1. ADMINISTRATION

10 For salaries and support  
 11 of not more than sixty-  
 12 eight point twenty-five  
 13 full-time equivalent posi-  
 14 tions annually, maintenance,  
 15 and miscellaneous purposes ..... \$ 833,143 \$ 873,870

16 2. HEALTH FACILITIES

17 DIVISION

18 For salaries and support  
 19 of not more than fifty-nine  
 20 point seventy-five full-time  
 21 equivalent positions annually,  
 22 maintenance, and miscella-  
 23 neous purposes ..... \$ 530,994 \$ 557,732

24 3. HEALTH PLANNING AND  
 25 DEVELOPMENT DIVISION

26 For salaries and support  
 27 of not more than twenty-two  
 28 point five full-time equiva-  
 29 lent positions annually,  
 30 maintenance, and miscella-  
 31 neous purposes ..... \$ 236,365 \$ 248,907

32 4. DISEASE PREVENTION  
 33 DIVISION

34 For salaries and support  
 35 of not more than fifty-two

1 full-time equivalent posi-  
2 tions annually, maintenance,  
3 and miscellaneous purposes ..... \$ 840,474 \$ 881,833

4 The department may employ an environmental specialist I  
5 for the radiation program with federal funds.

6 5. LICENSING AND CERTIFICA-  
7 TION DIVISION

8 For salaries and support  
9 of not more than sixteen  
10 full-time equivalent posi-  
11 tions annually, rent, main-  
12 tenance, and miscellaneous  
13 purposes ..... \$ 525,068 \$ 542,648

14 The licensing and certification division shall prepare  
15 estimates of projected revenues to be generated by the  
16 licensing, certification, and examination fees of each board  
17 as well as a projection of the fairly apportioned admin-  
18 istrative costs and rental expenses attributable to each  
19 board. Each board shall annually review and adjust its  
20 schedule of fees so that, as nearly as possible, projected  
21 revenues equal projected costs and any imbalance in revenues  
22 and costs in a fiscal year is offset in a subsequent fiscal  
23 year.

24 6. PERSONAL AND FAMILY  
25 HEALTH SERVICES

26 For salaries and support  
27 of not more than fifty-two  
28 point four full-time equiva-  
29 lent positions annually, main-  
30 tenance, and miscellaneous  
31 purposes ..... \$ 605,691 \$ 634,613

32 The position of physical fitness coordinator is disapproved  
33 by the general assembly. The department may employ a dietary  
34 consultant for the women's, infants', and children's program  
35 with federal funds. The department shall allocate from the

1 funds appropriated under this subsection at least forty-five  
2 thousand (45,000) dollars for each fiscal year of the biennium  
3 for the perinatal program and at least four hundred forty-  
4 four thousand (444,000) dollars for each fiscal year of the  
5 biennium for the birth defects and genetic counseling program.

6 7. COMMUNITY HEALTH SERVICES

7 a. Community health division.

8 For salaries and support  
9 of not more than forty-eight

10 point forty-five full-time

11 equivalent positions annually,

12 maintenance, and miscella-

13 neous purposes ..... \$ 1,415,824 \$ 1,484,092

14 The department shall allocate from the funds appropriated  
15 under this lettered paragraph eight hundred sixty-two thousand  
16 six hundred forty-four (862,644) dollars for the fiscal year  
17 beginning July 1, 1981, and nine hundred thirty thousand nine  
18 hundred twelve (930,912) dollars for the fiscal year beginning  
19 July 1, 1982, for the chronic renal disease program. The  
20 types of assistance to eligible recipients under the program  
21 may include hospital and medical expenses, home dialysis  
22 supplies, insurance premiums, travel expenses, prescription  
23 and nonprescription drugs, and lodging expenses for persons  
24 in training. The program expenditures shall not exceed these  
25 allocations. If projected expenditures will exceed the  
26 allocations, the department shall establish by administrative  
27 rule a mechanism to reduce financial assistance under the  
28 renal disease program in order to keep expenditures within  
29 the allocations.

30 b. Sexual abuse investiga-  
31 tions.

32 For medical procedures re-  
33 quired by section 709.10 ..... \$ 40,500 \$ 40,500

34 c. Sudden infant death syn-  
35 drome.

1 For reimbursing counties for  
 2 expenses resulting from autop-  
 3 sies of suspected victims of  
 4 sudden infant death syndrome  
 5 required under section 339.7 ..... \$ 25,200 \$ 25,200  
 6 d. In-home health care  
 7 grants.

8 For grants to local boards  
 9 of health for the following  
 10 programs to maintain or ex-  
 11 pand the availability of  
 12 in-home health care to low-  
 13 income and elderly persons  
 14 in the state:

15 (1) Homemaker-home health		
16 aide program .....	\$1,562,207	\$1,621,862
17 (2) Public health nursing		
18 program .....	\$1,640,019	\$1,719,098

19 Funds appropriated under this lettered paragraph shall  
 20 be used to maintain and expand existing in-home health care  
 21 services for low-income and elderly persons with the objective  
 22 of preventing or reducing the inappropriate  
 23 institutionalization of low-income and elderly persons. The  
 24 funds shall not be used for any other purpose. As used in  
 25 this lettered paragraph, "elderly person" means a person who  
 26 is sixty years of age or older, and "low-income person" means  
 27 a person eligible for adult protective services whose income  
 28 and resources are above the guidelines established by the  
 29 department of social services.

30 The department may retain not more than one percent of  
 31 the amounts appropriated under this lettered paragraph, to  
 32 be used to pay the costs of administering the in-home health  
 33 care programs. The remainder of the amounts appropriated  
 34 shall be allocated for use in the several counties of the  
 35 state. One-fourth of the total amount to be allocated shall

1 be divided so that an equal amount is available for use in  
2 each county in the state. Three-fourths of the total amount  
3 to be allocated shall be divided so that the share available  
4 for use in each county is proportionate to the number of low-  
5 income and elderly persons living in that county in relation  
6 to the total number of low-income and elderly persons living  
7 in the state.

8 In order to receive allocations under this lettered  
9 paragraph, the local board of health having jurisdiction,  
10 after consultation with other in-home health care provider  
11 agencies in the jurisdiction, shall prepare a proposal for  
12 the use of the allocated funds available for that jurisdiction  
13 that will provide the maximum benefits of expanded in-home  
14 health care to low-income and elderly persons in the  
15 jurisdiction. The proposal shall include a statement assuring  
16 that the appropriate local agencies have participated in the  
17 formulation of the proposal. After approval of the proposal  
18 by the department, the department shall enter into a contract  
19 with the local board of health. The local board of health  
20 may subcontract with a nonprofit nurses' association, an  
21 independent nonprofit agency, the department of social  
22 services, a suitable local governmental body, or a person  
23 as defined in section 4.1, subsection 13, to use the allocated  
24 funds to expand or maintain in-home health care services.  
25 Local boards of health shall make an effort to subcontract  
26 with agencies that are currently providing services to prevent  
27 duplication of services.

28 If by July 30 of each year of the biennium the department  
29 is unable to conclude contracts for use of the allocated funds  
30 in a county, the department shall consider the unused funds  
31 appropriated under this lettered paragraph an unallocated  
32 pool. The department shall prior to December 31 of each  
33 fiscal year of the biennium reallocate the funds in the  
34 unallocated pool among the counties in which the department  
35 has concluded contracts under this lettered paragraph. The

1 reallocation shall be made to those counties in substantially  
2 the same manner as the original allocations. The reallocated  
3 funds are available for use in those counties during the  
4 period beginning January 1 and ending June 30 of each fiscal  
5 year of the biennium.

6 The department shall adopt rules defining eligibility for  
7 in-home health care services paid for from funds appropriated  
8 by this lettered paragraph. The rules shall impose a sliding  
9 fee scale for those persons able to pay for a portion of the  
10 cost of the services.

11 The department shall annually evaluate the success of the  
12 in-home health care grant program. The evaluation shall  
13 include the extent to which the program reduced or prevented  
14 the inappropriate institutionalization of low-income and  
15 elderly persons, the extent to which the program increased  
16 the availability of in-home health care to low-income and  
17 elderly persons, and the extent of in-home health care provided  
18 to low-income and elderly persons. The department shall  
19 submit a report of each annual evaluation to the governor  
20 and the general assembly.

21 The state department of health, the department of social  
22 services, and the commission on the aging shall study jointly  
23 and make recommendations to the general assembly by November  
24 1, 1981 for an integrated state homemaker-home health aid  
25 program. In preparing the study the three state agencies  
26 shall include representatives of interested outside groups,  
27 including the Iowa council for homemaker-home health aid  
28 services, in the discussion and planning stages. The three  
29 state agencies, during the study and the preparation of the  
30 report, shall coordinate their respective homemaker programs,  
31 with the goal of developing a homemaker system as uniform  
32 and integrated as is practicable, using as guidelines a minimum  
33 of administrative overhead, a minimum of state control  
34 consistent with proper monitoring of local programs, and a  
35 maximum of client services provided.

1 e. Well-elderly clinic  
2 grants.  
3 For the development and main-  
4 tenance of well-elderly clinics  
5 in the state ..... \$ 202,248 \$ 212,000

6 Sec. 5. There is appropriated from the general fund of  
7 the state to the Iowa department of veterans affairs for each  
8 fiscal year of the fiscal biennium beginning July 1, 1981,  
9 and ending June 30, 1983, the following amounts, or so much  
10 thereof as is necessary, to be used for the purposes  
11 designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14 1. For salaries and support		
15 of not more than four full-		
16 time equivalent positions an-		
17 nually, maintenance, and mis-		
18 cellaneous purposes .....	\$ 100,900	\$ 102,135
19 2. For the war orphans edu-		
20 cational aid fund .....	\$ 28,000	\$ 32,000

21 Sec. 6. There is appropriated from the general fund of  
22 the state to the Iowa department of substance abuse for each  
23 fiscal year of the fiscal biennium beginning July 1, 1981,  
24 and ending June 30, 1983, the following amounts, or so much  
25 thereof as is necessary, to be used for the purposes  
26 designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
29 1. For salaries and support		
30 of not more than fourteen full-		
31 time equivalent positions an-		
32 nually, maintenance, and mis-		
33 cellaneous purposes .....	\$ 142,967	\$ 0
34 2. For program grants .....	\$ 2,361,150	\$ 0
35 3. The Iowa department of substance abuse shall create		

1 an alternative plan to chapter 125 for the administration  
2 and regulation of substance abuse programs to:

3 a. Make county boards of supervisors responsible for local  
4 substance abuse programs and provide for the establishment  
5 of advisory committees in each county.

6 b. Provide criteria for the operation of local substance  
7 abuse programs for prevention, education, referral, and post-  
8 treatment services.

9 c. Provide that those duties performed by regional  
10 satellite corporations be allocated to county-controlled local  
11 programs and terminate support for the satellite corporations  
12 when local programs are in place.

13 d. Establish a system of allocation for state substance  
14 abuse funds to county boards of supervisors to distribute  
15 twenty-five percent of the total state funds evenly between  
16 all counties of the state and to distribute the remaining  
17 seventy-five percent of the total state funds to counties  
18 on a per capita basis. If possible, the state funds shall  
19 be matched by local funds for local programs.

20 e. License and regulate treatment facilities by the Iowa  
21 department of substance abuse and obtain the seventy-five  
22 percent state payment and twenty-five percent county payment  
23 of the cost of treatment of those individuals unable to pay  
24 for their own treatment.

25 The alternative plan for the administration and regulation  
26 of substance abuse programs shall be presented to the general  
27 assembly by November 1, 1981. The plan shall be evaluated  
28 by the program evaluation division of the legislative fiscal  
29 bureau as a part of the division's study of the administration,  
30 structure and funding of the Iowa department of substance  
31 abuse.

32 Sec. 7. The director of general services shall charge  
33 the following agencies a fee for the rental of space provided  
34 by the department of general services for each fiscal year  
35 of the biennium beginning July 1, 1981, and ending June 30,

1 1983, in the following amounts:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4 1. BOARD OF MEDICAL		
5 EXAMINERS .....	\$ 14,000	\$ 14,000
6 2. BOARD OF NURSE EXAMINERS ..	\$ 19,200	\$ 19,200
7 3. BOARD OF PHARMACY		
8 EXAMINERS .....	\$ 9,600	\$ 9,600
9 4. LICENSING AND CERTIFICA-		
10 TION DIVISION OF THE STATE DE-		
11 PARTMENT OF HEALTH .....	\$ 16,000	\$ 16,000

12 The state department of health shall prorate the rental  
 13 charges under this subsection among the examining boards  
 14 within the licensing and certification division. The proration  
 15 shall be based on the number of licensees under each examining  
 16 board and the actual number of staff members assigned to each  
 17 examining board.

18 Sec. 8. Section 18.12, Code 1981, is amended by adding  
 19 the following new subsection:

20 NEW SUBSECTION. Establish rental fees for space owned  
 21 by the state and provided by the department to a state agency  
 22 to which the general assembly has specifically appropriated  
 23 funds to pay the rental fees.

24 The director shall notify each state agency provided space  
 25 by the department to which an appropriation for the rental  
 26 of that space has been made of the rental fee for the space.  
 27 The fee shall be based on the cost of the space, services  
 28 provided to the agency by the division of buildings and  
 29 grounds, maintenance, utilities, administration, and other  
 30 property management costs. The state agency shall pay the  
 31 fee to the department in the same manner as other expenses  
 32 of the state agency are paid. Fees collected shall be  
 33 deposited in the general fund of the state.

34 Sec. 9. The licensing boards for which general fund appro-  
 35 priations have been provided for in section 3, subsection

1 1, 2, or 3 and section 4, subsection 5 of this Act may expend  
2 additional funds, if those additional expenditures are directly  
3 the cause of actual examination expenses exceeding funds  
4 budgeted for examinations. Before a licensing board included  
5 in section 3, subsection 1, 2, or 3 and section 4, subsection  
6 5 of this Act expends or encumbers an amount in excess of  
7 the funds budgeted for examinations, the state comptroller  
8 shall approve the expenditure or encumbrance. Before approval  
9 is given, the state comptroller shall determine that the  
10 examination expenses exceed the funds budgeted by the general  
11 assembly to the board and the board does not have other funds  
12 from which examination expenses can be paid. Upon approval  
13 of the state comptroller the licensing board may expend and  
14 encumber funds for excess examination expenses. The amounts  
15 necessary to fund the excess examination expenses shall be  
16 collected as fees from additional examination applicants and  
17 shall be treated as repayment receipts as defined in section  
18 8.2, subsection 5.

19 Sec. 10. Section 147.81, Code 1981, is repealed. An  
20 individual who has failed an initial examination for a license  
21 required under chapter 147 before the effective date of this  
22 Act may take a second examination within fourteen months after  
23 the first examination without further fee.

24 Sec. 11. All federal grants to and federal receipts of  
25 the agencies appropriated funds under this Act are appropriated  
26 for the purposes set forth in the federal grants or receipts.  
27 Full-time equivalent positions funded entirely with federal  
28 funds are exempt from the limits on the number of full-time  
29 equivalent positions provided in this Act but are approved  
30 only for the period of time for which the federal funds are  
31 available for the position.

32 EXPLANATION

33 This bill appropriates funds for the 1981-1983 fiscal  
34 biennium to the commission on the aging, the civil rights  
35 commission, the Spanish-speaking peoples commission, the

1 committee on the employment of the handicapped, the board  
2 of parole, the commission on the status of women, several  
3 medical licensing boards, the state department of health,  
4 the department of veterans affairs, and the department of  
5 substance abuse.

6 The bill provides extensive qualifications on the use of  
7 funds appropriated to the department of health for in-home  
8 health care grants. The funds are to be distributed to the  
9 counties by a formula based on the number of counties in the  
10 state and the number of low-income persons and elderly persons  
11 sixty years of age or older.

12 The bill provides a procedure for state comptroller approval  
13 of additional expenditures directly caused by actual licensing  
14 examination expenses.

15 The bill provides for the study of an alternative  
16 administrative structure for the delivery of substance abuse  
17 programs.

18 The bill directs the director of general services to charge  
19 rental fees to certain state agencies.

20 The bill repeals section 147.81 relating to fees for certain  
21 second examinations.

22 The bill would become law July 1 following enactment.

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HOUSE FILE 851

H-4021

1 Amend House File 851 as follows:  
 2 1. Page 13, by striking line 19 through 23. <sup>A</sup>  
 3 2. Page 13, by inserting after line 23 the  
 4 following: <sup>B</sup>  
 5 "Sec. \_\_\_\_ . Section 135.11, subsection 15, Code  
 6 1981, is amended to read as follows:  
 7 15. Establish, publish, and enforce rules  
 8 not inconsistent with law for the enforcement of  
 9 the provisions of this title and for the enforce-  
 10 ment of the various laws, the administration and  
 11 supervision of which are imposed upon the depart-  
 12 ment. However, the department shall not establish  
 13 rules regulating nonpublic water wells.  
 14 Sec. \_\_\_\_ . The Iowa administrative code 470-  
 15 45, published on November 26, 1980, is void and the  
 16 department shall withdraw the rule."

BY SCHROEDER of Pottawattamie  
 GETTINGS of Wapello  
 HARBOR of Mills  
 PELLETT of Cass  
 OXLEY of Linn  
 DANKER of Pottawattamie  
 CRABB of Crawford  
 DAGGETT of Taylor

BINNEBOESE of Plymouth  
 ANDERSON of Audubon  
 CLARK of Cerro Gordo  
 SCHNEKLOTH of Scott  
 HANSON of Delaware  
 CHIODO of Polk  
 TYRREIL of Iowa

H-4021 FILED  
 MAY 6, 1981

*A. w/RS 5/7/81 (p. 1726)  
 B. Bill not germane (p. 1727)  
 Recommendation withdrawn*

HOUSE FILE 851

H-4016

1 Amend House File 851 as follows:  
 2 1. Page 2, by striking lines 14 through 21.

H-4016 FILED MAY 6, 1981 BY CRABB of Crawford  
*Last 5/7/81 (p. 1720)*

HOUSE FILE 851

H-4032

1 Amend House File 851 as follows:  
 2 1. Page 3, by striking line 6, and by inserting  
 3 in lieu thereof the following: "miscellaneous  
 4 purposes, and as a condition of this appropriation  
 5 the commission shall not promote, lobby or campaign  
 6 for, publish or distribute literature concerning,  
 7 or participate in seminars on abortion or abortion  
 8 related services.....\$89,275 \$93,178".

H-4032 FILED MAY 6, 1981 BY COOK of Hardin  
*Last 5/7/81 (p. 1723)*

Page 3  
May 7, 1981

HOUSE FILE 851

H-4017

- 1 Amend House File 851 as follows:
- 2 1. By striking page 2, line 35 through page 3,
- 3 line 6.

H-4017 FILED MAY 6, 1981 BY TYRRELL of Iowa

*Lost 5/7/81 (p 1721)*

HOUSE FILE 851

H-4018

- 1 Amend House File 851 as follows:
- 2 1. Page 13, by inserting after line 23 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 601A.18, Code 1981, is
- 5 repealed."
- 6 2. By renumbering as necessary.

H-4018 FILED MAY 6, 1981 BY TYRRELL of Iowa

*Billed not germane 5/7/81 (p 1722)*

HOUSE FILE 851

H-4019

- 1 Amend House File 851 as follows:
- 2 1. Page 3, line 1, by inserting after the word
- 3 "WOMEN" the words "AND MEN".

H-4019 FILED MAY 6, 1981 BY TYRRELL of Iowa

*7/12 5/7/81 (p 1721)*

HOUSE FILE 851

H-4020

- 1 Amend House File 851 as follows:
- 2 1. Page 2, by striking lines 7 through 13.

H-4020 FILED MAY 6, 1981 BY CRABB of Crawford

*Lost 5/7/81 (p 1718)*

HOUSE FILE 851

H-4013

- 1 Amend House File 851 as follows:
- 2 1. Page 7, by striking line 16 and inserting in
- 3 lieu thereof the following:
- 4 "aide program ..... \$1,962,207 \$2,021,862".

H-4013 FILED  
MAY 6, 1981

BY STURGEON of Woodbury      BRANDT of Black Hawk  
NORLAND of Worth              HOWELL of Floyd  
LONERGAN of Boone

*Lost 5/7/81 (p 1725)*

HOUSE FILE 851

H-4033

1 Amend House File 851 as follows:  
2 1. Page 3, by striking line 6 and inserting  
3 in lieu thereof the following: "miscellaneous purposes and  
4 as a condition of this appropriation, the commission  
5 or an employee or representative of the commission shall  
6 not engage in legislative programs nor attempt in any  
7 manner by the adoption of rules, resolutions or other-  
8 wise, to influence legislation affecting any matters  
9 pertaining to the activities of this commission  
10 .....\$89,275 \$93,178".

H-4033 FILED MAY 7, 1981

LOST (p. 1734)

BY MANN of Greene

HOUSE FILE 851

H-4034

1 Amend amendment H-4032 to House File 851 as follows:  
2 1. Page 1, by striking lines 6 and 7, and inserting  
3 in lieu thereof the following: "for abortion or abortion".

H-4034 FILED MAY 7, 1981

WITHDRAWN (p. 1722)

BY CUSACK of Scott

HOUSE FILE 851

H-4036

1 Amend House File 851 as follows:  
2 1. Title page, by striking line 1 and inserting in  
3 lieu thereof the following: "An Act relating to the  
4 funding of state agencies for designated".  
5 2. Title page, line 6, by inserting after the numeral  
6 "1983" the following: "and providing for fees for  
7 certain licensing examinations".

H-4036 FILED MAY 7, 1981

ADOPTED (p. 1728)

BY DE GROOT of Lyon

See Appropriations 5/12/81  
Amend for 37430 Do Pass 5/12 (p. 1649)

HOUSE FILE 851

BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House)

Passed House, Date 5-21-81 (p. 2143) Passed Senate, Date 5-15-81 (p. 1699)

Vote: Ayes 98 Nays 0 Vote: Ayes 41 Nays 0

Approved June 17, 1981

*Motion to reconsider 5/15 (p. 1699) w/d 5/20 (1767)*

## A BILL FOR

1 An Act relating to the funding of state agencies for  
2 designated service programs including health programs,  
3 substance abuse programs, civil rights, parole services,  
4 veterans' services, and programs for minority, elderly,  
5 and disadvantaged persons for the fiscal biennium  
6 beginning July 1, 1981, and ending June 30, 1983 and  
7 providing for fees for certain licensing examinations.

8 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 to the commission on aging for each fiscal year  
 3 of the fiscal biennium beginning July 1, 1981, and ending  
 4 June 30, 1983, the following amounts, or so much thereof as  
 5 is necessary, to be used for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
6		
7		
8 1. For salaries and support		
9 of not more than twenty-nine		
10 point twenty-five full-time		
11 equivalent positions annually,		
12 maintenance, and miscellaneous		
13 purposes .....	\$ 180,561	\$ 188,900
14 2. For the administration		
15 of area agencies on aging .....	\$ 112,190	\$ 117,600
16 3. For the senior citizen		
17 employment program .....	\$ 103,032	\$ 108,000
18 4. For the older Iowans		
19 legislature .....	\$ 13,356	\$ 14,000
20 5. For elderly services		
21 programs .....	\$ 763,200	\$ 800,000

22 All funds appropriated under this subsection shall be  
 23 received and disbursed by the commission in accordance with  
 24 sections 249B.15 through 249B.21, shall not be used for  
 25 administrative purposes, and shall be used for citizens of  
 26 Iowa over sixty-five years of age for chore, telephone  
 27 reassurance, adult day care, and home repair services,  
 28 including the winterizing of homes, and for the construction  
 29 of entrance ramps which meet the requirements of section  
 30 104A.4 and make residences accessible to the physically  
 31 handicapped. Funds appropriated under this subsection may  
 32 be used to supplement federal funds under federal regulations,  
 33 45 CFR 1321.77, as amended by 45 Federal Register p. 21155  
 34 (March 31, 1980).

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

1 the state for each fiscal year of the fiscal biennium beginning  
 2 July 1, 1981, and ending June 30, 1983, the following amounts,  
 3 or so much thereof as is necessary, to be used by the following  
 4 agencies for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
5		
6		
7 1. IOWA STATE CIVIL		
8 RIGHTS COMMISSION		
9 For salaries and support		
10 of not more than twenty-five		
11 full-time equivalent posi-		
12 tions annually, maintenance,		
13 and miscellaneous purposes ..... \$	584,924	\$ 612,183
14 2. SPANISH-SPEAKING		
15 PEOPLES COMMISSION		
16 For salaries and support		
17 of not more than one full-		
18 time equivalent position		
19 annually, expenses of the		
20 commission, maintenance,		
21 and miscellaneous purposes ..... \$	31,606	\$ 33,130
22 3. COMMITTEE ON THE EM-		
23 PLOYMENT OF THE HANDICAPPED		
24 For salaries and support		
25 of not more than four full-		
26 time equivalent positions		
27 annually, maintenance, and		
28 miscellaneous purposes ..... \$	108,554	\$ 113,788
29 4. BOARD OF PAROLE		
30 For salaries and support		
31 of not more than fourteen		
32 full-time equivalent posi-		
33 tions annually, maintenance,		
34 and miscellaneous purposes ..... \$	278,847	\$ 292,040
35 5. COMMISSION ON THE		

1 STATUS OF WOMEN

2 For salaries and support  
3 of not more than three full-  
4 time equivalent positions  
5 annually, maintenance, and  
6 miscellaneous purposes .....

\$ 89,275 \$ 93,178

7 Sec. 3. There is appropriated from the general fund of  
8 the state for each fiscal year of the fiscal biennium beginning  
9 July 1, 1981, and ending June 30, 1983, the following amounts,  
10 or so much thereof as is necessary, to be used by the following  
11 agencies for the purposes designated:

12 1981-1982 1982-1983  
13 Fiscal Year Fiscal Year

14 1. BOARD OF MEDICAL  
15 EXAMINERS

16 For salaries and support  
17 of not more than eleven  
18 full-time equivalent posi-  
19 tions annually, rent, main-  
20 tenance, and miscellaneous  
21 purposes .....

\$ 364,682 \$ 354,111

22 2. BOARD OF NURSE EXAMINERS

23 For salaries and support  
24 of not more than fourteen  
25 full-time equivalent positions  
26 annually, rent, maintenance,  
27 and miscellaneous purposes .....

\$ 446,395 \$ 471,463

28 3. BOARD OF PHARMACY  
29 EXAMINERS

30 For salaries and support  
31 of not more than eight full-  
32 time equivalent positions  
33 annually, rent, maintenance,  
34 and miscellaneous purposes .....

\$ 291,757 \$ 291,942

35 The research program for the medicinal use of marijuana

1 shall remain in effect for the fiscal biennium.

2 Sec. 4. There is appropriated from the general fund of  
 3 the state to the state department of health for each fiscal  
 4 year of the fiscal biennium beginning July 1, 1981, and ending  
 5 June 30, 1983, the following amounts, or so much thereof as  
 6 is necessary, to be used for the purposes designated:

7		1981-1982	1982-1983
8		<u>Fiscal Year</u>	<u>Fiscal Year</u>

9 1. ADMINISTRATION

10 For salaries and support  
 11 of not more than sixty-  
 12 eight point twenty-five  
 13 full-time equivalent posi-  
 14 tions annually, maintenance,  
 15 and miscellaneous purposes ..... \$ 833,143 \$ 873,870

16 2. HEALTH FACILITIES

17 DIVISION

18 For salaries and support  
 19 of not more than fifty-nine  
 20 point seventy-five full-time  
 21 equivalent positions annually,  
 22 maintenance, and miscella-  
 23 neous purposes ..... \$ 530,994 \$ 557,732

24 3. HEALTH PLANNING AND

25 DEVELOPMENT DIVISION

26 For salaries and support  
 27 of not more than twenty-two  
 28 point five full-time equiva-  
 29 lent positions annually,  
 30 maintenance, and miscella-  
 31 neous purposes ..... \$ 236,365 \$ 248,907

32 4. DISEASE PREVENTION

33 DIVISION

34 For salaries and support  
 35 of not more than fifty-two

1 full-time equivalent posi-  
2 tions annually, maintenance,  
3 and miscellaneous purposes ..... \$ 840,474 \$ 881,833

4 The department may employ an environmental specialist I  
5 for the radiation program with federal funds.

6 5. LICENSING AND CERTIFICA-  
7 TION DIVISION

8 For salaries and support  
9 of not more than sixteen

10 full-time equivalent posi-  
11 tions annually, rent, main-  
12 tenance, and miscellaneous  
13 purposes ..... \$ 525,068 \$ 542,648

14 The licensing and certification division shall prepare  
15 estimates of projected revenues to be generated by the  
16 licensing, certification, and examination fees of each board  
17 as well as a projection of the fairly apportioned admin-  
18 istrative costs and rental expenses attributable to each  
19 board. Each board shall annually review and adjust its  
20 schedule of fees so that, as nearly as possible, projected  
21 revenues equal projected costs and any imbalance in revenues  
22 and costs in a fiscal year is offset in a subsequent fiscal  
23 year.

24 6. PERSONAL AND FAMILY  
25 HEALTH SERVICES

26 For salaries and support  
27 of not more than fifty-two  
28 point four full-time equiva-  
29 lent positions annually, main-  
30 tenance, and miscellaneous

31 purposes ..... \$ 605,691 \$ 634,613

32 The position of physical fitness coordinator is disapproved  
33 by the general assembly. The department may employ a dietary  
34 consultant for the women's, infants', and children's program  
35 with federal funds. The department shall allocate from the

1 funds appropriated under this subsection at least forty-five  
2 thousand (45,000) dollars for each fiscal year of the biennium  
3 for the perinatal program and at least four hundred forty-  
4 four thousand (444,000) dollars for each fiscal year of the  
5 biennium for the birth defects and genetic counseling program.

6 7. COMMUNITY HEALTH SERVICES

7 a. Community health division.

8 For salaries and support  
9 of not more than forty-eight

10 point forty-five full-time  
11 equivalent positions annually,

12 maintenance, and miscella-

13 neous purposes ..... \$ 1,415,824 \$ 1,484,092

14 The department shall allocate from the funds appropriated  
15 under this lettered paragraph eight hundred sixty-two thousand  
16 six hundred forty-four (862,644) dollars for the fiscal year  
17 beginning July 1, 1981, and nine hundred thirty thousand nine  
18 hundred twelve (930,912) dollars for the fiscal year beginning  
19 July 1, 1982, for the chronic renal disease program. The  
20 types of assistance to eligible recipients under the program  
21 may include hospital and medical expenses, home dialysis  
22 supplies, insurance premiums, travel expenses, prescription  
23 and nonprescription drugs, and lodging expenses for persons  
24 in training. The program expenditures shall not exceed these  
25 allocations. If projected expenditures will exceed the  
26 allocations, the department shall establish by administrative  
27 rule a mechanism to reduce financial assistance under the  
28 renal disease program in order to keep expenditures within  
29 the allocations.

30 b. Sexual abuse investiga-  
31 tions.

32 For medical procedures re-  
33 quired by section 709.10 ..... \$ 40,500 \$ 40,500

34 c. Sudden infant death syn-  
35 drome.

1 For reimbursing counties for  
2 expenses resulting from autop-  
3 sies of suspected victims of  
4 sudden infant death syndrome  
5 required under section 339.7 ..... \$ 25,200 \$ 25,200

6 d. In-home health care  
7 grants.

8 For grants to local boards  
9 of health for the following  
10 programs to maintain or ex-  
11 pand the availability of  
12 in-home health care to low-  
13 income and elderly persons  
14 in the state:

15 (1) Homemaker-home health		
16 aide program .....	\$1,562,207	\$1,621,862
17 (2) Public health nursing		
18 program .....	\$1,640,019	\$1,719,098

19 Funds appropriated under this lettered paragraph shall  
20 be used to maintain and expand existing in-home health care  
21 services for low-income and elderly persons with the objective  
22 of preventing or reducing the inappropriate  
23 institutionalization of low-income and elderly persons. The  
24 funds shall not be used for any other purpose. As used in  
25 this lettered paragraph, "elderly person" means a person who  
26 is sixty years of age or older, and "low-income person" means  
27 a person eligible for adult protective services whose income  
28 and resources are above the guidelines established by the  
29 department of social services.

30 The department may retain not more than one percent of  
31 the amounts appropriated under this lettered paragraph, to  
32 be used to pay the costs of administering the in-home health  
33 care programs. The remainder of the amounts appropriated  
34 shall be allocated for use in the several counties of the  
35 state. One-fourth of the total amount to be allocated shall

1 be divided so that an equal amount is available for use in  
2 each county in the state. Three-fourths of the total amount  
3 to be allocated shall be divided so that the share available  
4 for use in each county is proportionate to the number of low-  
5 income and elderly persons living in that county in relation  
6 to the total number of low-income and elderly persons living  
7 in the state.

8 In order to receive allocations under this lettered  
9 paragraph, the local board of health having jurisdiction,  
10 after consultation with other in-home health care provider  
11 agencies in the jurisdiction, shall prepare a proposal for  
12 the use of the allocated funds available for that jurisdiction  
13 that will provide the maximum benefits of expanded in-home  
14 health care to low-income and elderly persons in the  
15 jurisdiction. The proposal shall include a statement assuring  
16 that the appropriate local agencies have participated in the  
17 formulation of the proposal. After approval of the proposal  
18 by the department, the department shall enter into a contract  
19 with the local board of health. The local board of health  
20 may subcontract with a nonprofit nurses' association, an  
21 independent nonprofit agency, the department of social  
22 services, a suitable local governmental body, or a person  
23 as defined in section 4.1, subsection 13, to use the allocated  
24 funds to expand or maintain in-home health care services.  
25 Local boards of health shall make an effort to subcontract  
26 with agencies that are currently providing services to prevent  
27 duplication of services.

28 If by July 30 of each year of the biennium the department  
29 is unable to conclude contracts for use of the allocated funds  
30 in a county, the department shall consider the unused funds  
31 appropriated under this lettered paragraph an unallocated  
32 pool. The department shall prior to December 31 of each  
33 fiscal year of the biennium reallocate the funds in the  
34 unallocated pool among the counties in which the department  
35 has concluded contracts under this lettered paragraph. The

1 reallocation shall be made to those counties in substantially  
2 the same manner as the original allocations. The reallocated  
3 funds are available for use in those counties during the  
4 period beginning January 1 and ending June 30 of each fiscal  
5 year of the biennium.

6 The department shall adopt rules defining eligibility for  
7 in-home health care services paid for from funds appropriated  
8 by this lettered paragraph. The rules shall impose a sliding  
9 fee scale for those persons able to pay for a portion of the  
10 cost of the services.

11 The department shall annually evaluate the success of the  
12 in-home health care grant program. The evaluation shall  
13 include the extent to which the program reduced or prevented  
14 the inappropriate institutionalization of low-income and  
15 elderly persons, the extent to which the program increased  
16 the availability of in-home health care to low-income and  
17 elderly persons, and the extent of in-home health care provided  
18 to low-income and elderly persons. The department shall  
19 submit a report of each annual evaluation to the governor  
20 and the general assembly.

21 The state department of health, the department of social  
22 services, and the commission on the aging shall study jointly  
23 and make recommendations to the general assembly by November  
24 1, 1981 for an integrated state homemaker-home health aid  
25 program. In preparing the study the three state agencies  
26 shall include representatives of interested outside groups,  
27 including the Iowa council for homemaker-home health aid  
28 services, in the discussion and planning stages. The three  
29 state agencies, during the study and the preparation of the  
30 report, shall coordinate their respective homemaker programs,  
31 with the goal of developing a homemaker system as uniform  
32 and integrated as is practicable, using as guidelines a minimum  
33 of administrative overhead, a minimum of state control  
34 consistent with proper monitoring of local programs, and a  
35 maximum of client services provided.

1 e. Well-elderly clinic  
 2 grants.

3 For the development and main-  
 4 tenance of well-elderly clinics  
 5 in the state ..... \$ 202,248 \$ 212,000

6 Sec. 5. There is appropriated from the general fund of  
 7 the state to the Iowa department of veterans affairs for each  
 8 fiscal year of the fiscal biennium beginning July 1, 1981,  
 9 and ending June 30, 1983, the following amounts, or so much  
 10 thereof as is necessary, to be used for the purposes  
 11 designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

14 1. For salaries and support		
15 of not more than four full-		
16 time equivalent positions an-		
17 nually, maintenance, and mis-		
18 cellaneous purposes .....	\$ 100,900	\$ 102,135

19 2. For the war orphans edu-		
20 cational aid fund .....	\$ 28,000	\$ 32,000

21 Sec. 6. There is appropriated from the general fund of  
 22 the state to the Iowa department of substance abuse for each  
 23 fiscal year of the fiscal biennium beginning July 1, 1981,  
 24 and ending June 30, 1983, the following amounts, or so much  
 25 thereof as is necessary, to be used for the purposes  
 26 designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

29 1. For salaries and support		
30 of not more than fourteen full-		
31 time equivalent positions an-		
32 nually, maintenance, and mis-		
33 cellaneous purposes .....	\$ 142,967	\$ 0

34 2. For program grants .....	\$ 2,361,150	\$ 0
--------------------------------	--------------	------

35 3. The Iowa department of substance abuse shall create

1 an alternative plan to chapter 125 for the administration  
2 and regulation of substance abuse programs to:

3 a. Make county boards of supervisors responsible for local  
4 substance abuse programs and provide for the establishment  
5 of advisory committees in each county.

6 b. Provide criteria for the operation of local substance  
7 abuse programs for prevention, education, referral, and post-  
8 treatment services.

9 c. Provide that those duties performed by regional  
10 satellite corporations be allocated to county-controlled local  
11 programs and terminate support for the satellite corporations  
12 when local programs are in place.

13 d. Establish a system of allocation for state substance  
14 abuse funds to county boards of supervisors to distribute  
15 twenty-five percent of the total state funds evenly between  
16 all counties of the state and to distribute the remaining  
17 seventy-five percent of the total state funds to counties  
18 on a per capita basis. If possible, the state funds shall  
19 be matched by local funds for local programs.

20 e. License and regulate treatment facilities by the Iowa  
21 department of substance abuse and obtain the seventy-five  
22 percent state payment and twenty-five percent county payment  
23 of the cost of treatment of those individuals unable to pay  
24 for their own treatment.

25 The alternative plan for the administration and regulation  
26 of substance abuse programs shall be presented to the general  
27 assembly by November 1, 1981. The plan shall be evaluated  
28 by the program evaluation division of the legislative fiscal  
29 bureau as a part of the division's study of the administration,  
30 structure and funding of the Iowa department of substance  
31 abuse.

32 Sec. 7. The director of general services shall charge  
33 the following agencies a fee for the rental of space provided  
34 by the department of general services for each fiscal year  
35 of the biennium beginning July 1, 1981, and ending June 30,

1 1983, in the following amounts:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4 1. BOARD OF MEDICAL		
5 EXAMINERS .....	\$ 14,000	\$ 14,000
6 2. BOARD OF NURSE EXAMINERS ..	\$ 19,200	\$ 19,200
7 3. BOARD OF PHARMACY		
8 EXAMINERS .....	\$ 9,600	\$ 9,600
9 4. LICENSING AND CERTIFICA-		
10 TION DIVISION OF THE STATE DE-		
11 PARTMENT OF HEALTH .....	\$ 16,000	\$ 16,000

12 The state department of health shall prorate the rental  
 13 charges under this subsection among the examining boards  
 14 within the licensing and certification division. The proration  
 15 shall be based on the number of licensees under each examining  
 16 board and the actual number of staff members assigned to each  
 17 examining board.

18 Sec. 8. Section 18.12, Code 1981, is amended by adding  
 19 the following new subsection:

20 NEW SUBSECTION. Establish rental fees for space owned  
 21 by the state and provided by the department to a state agency  
 22 to which the general assembly has specifically appropriated  
 23 funds to pay the rental fees.

24 The director shall notify each state agency provided space  
 25 by the department to which an appropriation for the rental  
 26 of that space has been made of the rental fee for the space.  
 27 The fee shall be based on the cost of the space, services  
 28 provided to the agency by the division of buildings and  
 29 grounds, maintenance, utilities, administration, and other  
 30 property management costs. The state agency shall pay the  
 31 fee to the department in the same manner as other expenses  
 32 of the state agency are paid. Fees collected shall be  
 33 deposited in the general fund of the state.

34 Sec. 9. The licensing boards for which general fund appro-  
 35 priations have been provided for in section 3, subsection

1 1, 2, or 3 and section 4, subsection 5 of this Act may expend  
2 additional funds, if those additional expenditures are directly  
3 the cause of actual examination expenses exceeding funds  
4 budgeted for examinations. Before a licensing board included  
5 in section 3, subsection 1, 2, or 3 and section 4, subsection  
6 5 of this Act expends or encumbers an amount in excess of  
7 the funds budgeted for examinations, the state comptroller  
8 shall approve the expenditure or encumbrance. Before approval  
9 is given, the state comptroller shall determine that the  
10 examination expenses exceed the funds budgeted by the general  
11 assembly to the board and the board does not have other funds  
12 from which examination expenses can be paid. Upon approval  
13 of the state comptroller the licensing board may expend and  
14 encumber funds for excess examination expenses. The amounts  
15 necessary to fund the excess examination expenses shall be  
16 collected as fees from additional examination applicants and  
17 shall be treated as repayment receipts as defined in section  
18 8.2, subsection 5.

19 Sec. 10. Section 147.91, Code 1981, is repealed. An  
20 individual who has failed an initial examination for a license  
21 required under chapter 147 before the effective date of this  
22 Act may take a second examination within fourteen months after  
23 the first examination without further fee.

24 Sec. 11. All federal grants to and federal receipts of  
25 the agencies appropriated funds under this Act are appropriated  
26 for the purposes set forth in the federal grants or receipts.  
27 Full-time equivalent positions funded entirely with federal  
28 funds are exempt from the limits on the number of full-time  
29 equivalent positions provided in this Act but are approved  
30 only for the period of time for which the federal funds are  
31 available for the position.

32  
33  
34  
35

SENATE AMENDMENT TO  
HOUSE FILE 851

H-4338

- 1 Amend House File 851 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 6, by striking lines 12 and 13 and  
4 inserting in lieu thereof the following:  
5 "maintenance, and miscella-  
6 neous purposes ..... \$1,445,824 \$1,484,092  
7 Thirty thousand (30,000) dollars of the funds  
8 appropriated under this lettered paragraph for the  
9 fiscal year beginning July 1, 1981, shall be available  
10 to the division only for the purpose of maintaining  
11 the positions of four regional supervisory nurses  
12 through September 30, 1981, in the event that federal  
13 314-D funds for the regional supervisory nurses are  
14 rescinded."  
15 2. Page 9, lines 23 and 24, by striking the word  
16 and figures "November 1, 1981" and inserting in lieu  
17 thereof the word and figures "January 15, 1982".  
18 3. By striking page 10, line 35, through page  
19 11, line 31.

H-4338 FILED MAY 20, 1981 RECEIVED FROM THE SENATE

*House concurred 5/21/81  
as amended by 4253 (7.2143)*

HOUSE FILE 851

S-3743

1 Amend House File 851 as amended, passed and  
2 reprinted by the House as follows:  
3 1. By striking page 10, line 35, through  
4 page 11, line 31.

S-3743 FILED

BY COMMITTEE ON APPROPRIATIONS  
JOHN S. MURRAY, CHAIRPERSON

MAY 12, 1981

*Adopted 5/15/81 (p. 1698)*

HOUSE FILE 851

S-3751

1 Amend House File 851 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 7, by striking line 35, through page 8,  
4 line 4, and inserting in lieu thereof the words  
5 "state proportionate to the number of low-".

S-3751 FILED

BY BOB RUSH  
TOM SLATER

MAY 13, 1981

*Lost 5/15/81 (p. 1698)*

HOUSE FILE 851

S-3768

1 Amend House File 851 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 9, lines 23 and 24, by striking the  
4 word and figures "November 1, 1981" and inserting in  
5 lieu thereof the word and figures "January 15, 1982".

S-3768 FILED

BY ARNE WALDSTEIN

MAY 14, 1981

*Adopted 5/15/81 (p. 1698)*

HOUSE FILE 851

S-3769

1 Amend House File 851 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 6, by striking lines 12 and 13 and  
4 inserting in lieu thereof the following:  
5 "maintenance, and miscella-  
6 neous purposes ..... \$1,445,824 \$1,484,092  
7 Thirty thousand (30,000) dollars of the funds  
8 appropriated under this lettered paragraph for the  
9 fiscal year beginning July 1, 1981, shall be avail-  
10 able to the division only for the purpose of main-  
11 taining the positions of four regional supervisory  
12 nurses through September 30, 1981, in the event that  
13 federal 314-D funds for the regional supervisory  
14 nurses are rescinded."

S-3769 FILED

BY SUE YENGER  
EMIL J. HUSAK

MAY 14, 1981

*Adopted 5/15/81 (p. 1698)*

HOUSE FILE 851

H-4353

1 Amend the Senate amendment, H-4338, to House File  
2 851, as amended, passed and reprinted by the House,  
3 as follows:  
4 1. Page 1, by inserting after line 2 the following:  
5 "\_\_\_\_. Page 2, by striking line 34 and inserting  
6 in lieu thereof the following:  
7 "and miscellaneous purposes ..... \$311,247 \$324,440  
8 Thirty-two thousand four hundred (32,400) dollars  
9 of the funds appropriated under this subsection for  
10 each fiscal year of the biennium shall be available  
11 to the board of parole only for the purpose of  
12 providing salaries and support for two additional  
13 members of the board of parole if the two additional  
14 members are approved by the general assembly for each  
15 fiscal year of the biennium."  
16 2. Page 1, by striking lines 18 and 19 and  
17 inserting in lieu thereof the following:  
18 "\_\_\_\_. By striking page 10, line 35 through page  
19 11, line 5 and inserting in lieu thereof the following:  
20 "3. The Iowa department of substance abuse shall  
21 prepare an alternative plan to chapter 125 for the  
22 administration and regulation of substance abuse  
23 programs, which shall include recommendations to:  
24 a. Make county boards of supervisors responsible  
25 to the Iowa department of substance abuse for the  
26 state funds allocated to the boards and for maintaining  
27 county programs within the guidelines developed by  
28 the Iowa department of substance abuse."  
29 3. By renumbering as necessary.

H-4353 FILED MAY 21, 1981 BY WELDEN of Hardin  
ADOPTED (p. 2142) DE GROOT of Lyon

HOUSE FILE 851

H-4357

1 Amend the Senate amendment H-4338 to House File 851  
2 as amended, passed and reprinted by the House as  
3 follows:  
4 1. Page 1, by inserting after line 19 the  
5 following:  
6 "\_\_\_\_. Page 13, by inserting after line 23 the  
7 following:  
8 "Sec. \_\_\_\_\_. The rules of the department of health  
9 regulating nonpublic water wells found in Iowa admini-  
10 strative code 470-45, published on June 11, 1980 with  
11 amendments published on March 18, 1981, are void and  
12 the department shall withdraw that chapter."

H-4357 FILED MAY 21, 1981 BY SCHROEDER of Pottawattamie  
NOT GERMANE (p. 2143)

HOUSE AMENDMENT TO SENATE AMENDMENT TO

HOUSE FILE 851

S-3865

1 Amend the Senate amendment, H-4338, to House File  
2 851, as amended, passed and reprinted by the House,  
3 as follows:

4 1. Page 1, by inserting after line 2 the following:

5 "\_\_\_\_. Page 2, by striking line 34 and inserting  
6 in lieu thereof the following:

7 "and miscellaneous purposes ..... \$311,247 \$324,440

8 Thirty-two thousand four hundred (32,400) dollars  
9 of the funds appropriated under this subsection for  
10 each fiscal year of the biennium shall be available  
11 to the board of parole only for the purpose of  
12 providing salaries and support for two additional  
13 members of the board of parole if the two additional  
14 members are approved by the general assembly for each  
15 fiscal year of the biennium."

16 2. Page 1, by striking lines 18 and 19 and  
17 inserting in lieu thereof the following:

18 "\_\_\_\_. By striking page 10, line 35 through page  
19 11, line 5 and inserting in lieu thereof the following:

20 "3. The Iowa department of substance abuse shall  
21 prepare an alternative plan to chapter 125 for the  
22 administration and regulation of substance abuse  
23 programs, which shall include recommendations to:

24 a. Make county boards of supervisors responsible  
25 to the Iowa department of substance abuse for the  
26 state funds allocated to the boards and for maintaining  
27 county programs within the guidelines developed by  
28 the Iowa department of substance abuse."

29 3. By renumbering as necessary.

S-3865 FILED

RECEIVED FROM THE HOUSE

MAY 21, 1981

HOUSE FILE 851

AN ACT

RELATING TO THE FUNDING OF STATE AGENCIES FOR DESIGNATED SERVICE PROGRAMS INCLUDING HEALTH PROGRAMS, SUBSTANCE ABUSE PROGRAMS, CIVIL RIGHTS, PAROLE SERVICES, VETERANS' SERVICES, AND PROGRAMS FOR MINORITY, ELDERLY, AND DISADVANTAGED PERSONS FOR THE FISCAL BIENNIUM BEGINNING JULY 1, 1981, AND ENDING JUNE 30, 1983 AND PROVIDING FOR FEES FOR CERTAIN LICENSING EXAMINATIONS.

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

Section 1. There is appropriated from the general fund of the state to the commission on aging for each fiscal year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support of not more than twenty-nine point twenty-five full-time		

equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 180,561	\$ 188,900
2. For the administration of area agencies on aging .....	\$ 112,190	\$ 117,600
3. For the senior citizen employment program .....	\$ 103,032	\$ 108,000
4. For the older Iowans legislature .....	\$ 13,356	\$ 14,000
5. For elderly services programs .....	\$ 763,200	\$ 800,000

All funds appropriated under this subsection shall be received and disbursed by the commission in accordance with sections 249B.15 through 249B.21, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this subsection may be used to supplement federal funds under federal regulations, 45 CFR 1321.77, as amended by 45 Federal Register p. 21155 (March 31, 1980).

Sec. 2. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used by the following agencies for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA STATE CIVIL RIGHTS COMMISSION		
For salaries and support of not more than twenty-five		

full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... \$ 584,924 \$ 612,183

2. SPANISH-SPEAKING PEOPLES COMMISSION

For salaries and support of not more than one full-time equivalent position annually, expenses of the commission, maintenance, and miscellaneous purposes ..... \$ 31,606 \$ 33,130

3. COMMITTEE ON THE EMPLOYMENT OF THE HANDICAPPED

For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... \$ 108,554 \$ 113,788

4. BOARD OF PAROLE

For salaries and support of not more than fourteen full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... \$ 311,247 \$ 324,440

Thirty-two thousand four hundred (32,400) dollars of the funds appropriated under this subsection for each fiscal year of the biennium shall be available to the board of parole only for the purpose of providing salaries and support for two additional members of the board of parole if the two additional members are approved by the general assembly for each fiscal year of the biennium.

5. COMMISSION ON THE STATUS OF WOMEN

For salaries and support of not more than three full-

time equivalent positions annually, maintenance, and miscellaneous purposes ..... \$ 89,275 \$ 93,178

Sec. 3. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used by the following agencies for the purposes designated:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

1. BOARD OF MEDICAL EXAMINERS

For salaries and support of not more than eleven full-time equivalent positions annually, rent, maintenance, and miscellaneous purposes ..... \$ 364,682 \$ 354,111

2. BOARD OF NURSE EXAMINERS

For salaries and support of not more than fourteen full-time equivalent positions annually, rent, maintenance, and miscellaneous purposes ..... \$ 446,395 \$ 471,463

3. BOARD OF PHARMACY EXAMINERS

For salaries and support of not more than eight full-time equivalent positions annually, rent, maintenance, and miscellaneous purposes ..... \$ 291,757 \$ 291,942

The research program for the medicinal use of marijuana shall remain in effect for the fiscal biennium.

Sec. 4. There is appropriated from the general fund of the state to the state department of health for each fiscal

year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
<b>1. ADMINISTRATION</b>		
For salaries and support of not more than sixty-eight point twenty-five full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 833,143	\$ 873,870
<b>2. HEALTH FACILITIES DIVISION</b>		
For salaries and support of not more than fifty-nine point seventy-five full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 530,994	\$ 557,732
<b>3. HEALTH PLANNING AND DEVELOPMENT DIVISION</b>		
For salaries and support of not more than twenty-two point five full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 236,365	\$ 248,907
<b>4. DISEASE PREVENTION DIVISION</b>		
For salaries and support of not more than fifty-two full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 840,474	\$ 881,833

The department may employ an environmental specialist I for the radiation program with federal funds.

**5. LICENSING AND CERTIFICATION DIVISION**

For salaries and support of not more than sixteen full-time equivalent positions annually, rent, maintenance, and miscellaneous purposes .....

	\$ 525,068	\$ 542,648
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The licensing and certification division shall prepare estimates of projected revenues to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected revenues equal projected costs and any imbalance in revenues and costs in a fiscal year is offset in a subsequent fiscal year.

**6. PERSONAL AND FAMILY HEALTH SERVICES**

For salaries and support of not more than fifty-two point four full-time equivalent positions annually, maintenance, and miscellaneous purposes .....

	\$ 605,691	\$ 634,613
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The position of physical fitness coordinator is disapproved by the general assembly. The department may employ a dietary consultant for the women's, infants', and children's program with federal funds. The department shall allocate from the funds appropriated under this subsection at least forty-five thousand (45,000) dollars for each fiscal year of the biennium for the perinatal program and at least four hundred forty-

four thousand (444,000) dollars for each fiscal year of the biennium for the birth defects and genetic counseling program.

7. COMMUNITY HEALTH SERVICES

a. Community health division.

For salaries and support of not more than forty-eight point forty-five full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... \$ 1,445,824 \$ 1,484,092

Thirty thousand (30,000) dollars of the funds appropriated under this lettered paragraph for the fiscal year beginning July 1, 1981, shall be available to the division only for the purpose of maintaining the positions of four regional supervisory nurses through September 30, 1981, in the event that federal 314-D funds for the regional supervisory nurses are rescinded.

The department shall allocate from the funds appropriated under this lettered paragraph eight hundred sixty-two thousand six hundred forty-four (862,644) dollars for the fiscal year beginning July 1, 1981, and nine hundred thirty thousand nine hundred twelve (930,912) dollars for the fiscal year beginning July 1, 1982, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

b. Sexual abuse investigations.

For medical procedures required by section 709.10 ..... \$ 40,500 \$ 40,500  
c. Sudden infant death syndrome.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 339.7 ..... \$ 25,200 \$ 25,200

d. In-home health care grants.

For grants to local boards of health for the following programs to maintain or expand the availability of in-home health care to low-income and elderly persons in the state:

- (1) Homemaker-home health aide program ..... \$ 1,562,207 \$ 1,621,862
- (2) Public health nursing program ..... \$ 1,640,019 \$ 1,719,098

Funds appropriated under this lettered paragraph shall be used to maintain and expand existing in-home health care services for low-income and elderly persons with the objective of preventing or reducing the inappropriate institutionalization of low-income and elderly persons. The funds shall not be used for any other purpose. As used in this lettered paragraph, "elderly person" means a person who is sixty years of age or older, and "low-income person" means a person eligible for adult protective services whose income and resources are above the guidelines established by the department of social services.

The department may retain not more than one percent of the amounts appropriated under this lettered paragraph, to

be used to pay the costs of administering the in-home health care programs. The remainder of the amounts appropriated shall be allocated for use in the several counties of the state. One-fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three-fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of low-income and elderly persons living in that county in relation to the total number of low-income and elderly persons living in the state.

In order to receive allocations under this lettered paragraph, the local board of health having jurisdiction, after consultation with other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded in-home health care to low-income and elderly persons in the jurisdiction. The proposal shall include a statement assuring that the appropriate local agencies have participated in the formulation of the proposal. After approval of the proposal by the department, the department shall enter into a contract with the local board of health. The local board of health may subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of social services, a suitable local governmental body, or a person as defined in section 4.1, subsection 13, to use the allocated funds to expand or maintain in-home health care services. Local boards of health shall make an effort to subcontract with agencies that are currently providing services to prevent duplication of services.

If by July 30 of each year of the biennium the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this lettered paragraph an unallocated

pool. The department shall prior to December 31 of each fiscal year of the biennium reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this lettered paragraph. The reallocation shall be made to those counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1 and ending June 30 of each fiscal year of the biennium.

The department shall adopt rules defining eligibility for in-home health care services paid for from funds appropriated by this lettered paragraph. The rules shall impose a sliding fee scale for those persons able to pay for a portion of the cost of the services.

The department shall annually evaluate the success of the in-home health care grant program. The evaluation shall include the extent to which the program reduced or prevented the inappropriate institutionalization of low-income and elderly persons, the extent to which the program increased the availability of in-home health care to low-income and elderly persons, and the extent of in-home health care provided to low-income and elderly persons. The department shall submit a report of each annual evaluation to the governor and the general assembly.

The state department of health, the department of social services, and the commission on the aging shall study jointly and make recommendations to the general assembly by January 15, 1982 for an integrated state homemaker-home health aid program. In preparing the study the three state agencies shall include representatives of interested outside groups, including the Iowa council for homemaker-home health aid services, in the discussion and planning stages. The three state agencies, during the study and the preparation of the report, shall coordinate their respective homemaker programs, with the goal of developing a homemaker system as uniform

and integrated as is practicable, using as guidelines a minimum of administrative overhead, a minimum of state control consistent with proper monitoring of local programs, and a maximum of client services provided.

e. Well-elderly clinic grants.

For the development and maintenance of well-elderly clinics

in the state ..... \$ 202,248 \$ 212,000

Sec. 5. There is appropriated from the general fund of the state to the Iowa department of veterans affairs for each fiscal year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 100,900	\$ 102,135

2. For the war orphans educational aid fund .....	\$ 29,000	\$ 32,000
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Sec. 6. There is appropriated from the general fund of the state to the Iowa department of substance abuse for each fiscal year of the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support of not more than fourteen full-time equivalent positions an-		

nually, maintenance, and mis-

cellaneous purposes ..... \$ 142,967 \$ 0

2. For program grants ..... \$ 2,361,150 \$ 0

3. The Iowa department of substance abuse shall prepare an alternative plan to chapter 125 for the administration and regulation of substance abuse programs, which shall include recommendations to:

a. Make county boards of supervisors responsible to the Iowa department of substance abuse for the state funds allocated to the boards and for maintaining county programs within the guidelines developed by the Iowa department of substance abuse.

b. Provide criteria for the operation of local substance abuse programs for prevention, education, referral, and post-treatment services.

c. Provide that those duties performed by regional satellite corporations be allocated to county-controlled local programs and terminate support for the satellite corporations when local programs are in place.

d. Establish a system of allocation for state substance abuse funds to county boards of supervisors to distribute twenty-five percent of the total state funds evenly between all counties of the state and to distribute the remaining seventy-five percent of the total state funds to counties on a per capita basis. If possible, the state funds shall be matched by local funds for local programs.

e. License and regulate treatment facilities by the Iowa department of substance abuse and obtain the seventy-five percent state payment and twenty-five percent county payment of the cost of treatment of those individuals unable to pay for their own treatment.

The alternative plan for the administration and regulation of substance abuse programs shall be presented to the general assembly by November 1, 1981. The plan shall be evaluated by the program evaluation division of the legislative fiscal

bureau as a part of the division's study of the administration, structure and funding of the Iowa department of substance abuse.

Sec. 7. The director of general services shall charge the following agencies a fee for the rental of space provided by the department of general services for each fiscal year of the biennium beginning July 1, 1981, and ending June 30, 1983, in the following amounts:

	<u>1981-1982</u> Fiscal Year	<u>1982-1983</u> Fiscal Year
1. BOARD OF MEDICAL EXAMINERS .....	\$ 14,000	\$ 14,000
2. BOARD OF NURSE EXAMINERS ..	\$ 19,200	\$ 19,200
3. BOARD OF PHARMACY EXAMINERS .....	\$ 9,600	\$ 9,600
4. LICENSING AND CERTIFICATION DIVISION OF THE STATE DEPARTMENT OF HEALTH .....	\$ 16,000	\$ 16,000

The state department of health shall prorate the rental charges under this subsection among the examining boards within the licensing and certification division. The proration shall be based on the number of licensees under each examining board and the actual number of staff members assigned to each examining board.

Sec. 8. Section 18.12, Code 1981, is amended by adding the following new subsection:

**NEW SUBSECTION.** Establish rental fees for space owned by the state and provided by the department to a state agency to which the general assembly has specifically appropriated funds to pay the rental fees.

The director shall notify each state agency provided space by the department to which an appropriation for the rental of that space has been made of the rental fee for the space. The fee shall be based on the cost of the space, services provided to the agency by the division of buildings and

grounds, maintenance, utilities, administration, and other property management costs. The state agency shall pay the fee to the department in the same manner as other expenses of the state agency are paid. Fees collected shall be deposited in the general fund of the state.

Sec. 9. The licensing boards for which general fund appropriations have been provided for in section 3, subsection 1, 2, or 3 and section 4, subsection 5 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 3, subsection 1, 2, or 3 and section 4, subsection 5 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the state comptroller shall approve the expenditure or encumbrance. Before approval is given, the state comptroller shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the state comptroller the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 10. Section 147.81, Code 1981, is repealed. An individual who has failed an initial examination for a license required under chapter 147 before the effective date of this Act may take a second examination within fourteen months after the first examination without further fee.

Sec. 11. All federal grants to and federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in the federal grants or receipts. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time

equivalent positions provided in this Act but are approved only for the period of time for which the federal funds are available for the position.

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DELWYN STROMER  
Speaker of the House

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TERRY E. BRANSTAD  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 851, Sixty-ninth General Assembly.

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PAT H. HARPER  
Chief Clerk of the House

Approved June 19, 1981

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ROBERT D. RAY  
Governor