

SENATE FILE 2207  
BY COMMITTEE ON HUMAN RESOURCES  
(formerly SSB 2140)  
*Approved (p. 448)*

Passed Senate, Date 3-5-86 (p. 560) Passed House, Date 4-3-86 (p. 1193)  
Vote: Ayes 41 Nays 8 Vote: Ayes 95 Nays 0  
Approved April 28, 1986

A BILL FOR

5243 1 An Act excluding residential care facilities from certificate-of-  
2 need reviews for two fiscal years.

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

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S.F. 2207

5245

1 Section 1. Section 135.63, subsection 2, Code 1985, is  
2 amended by adding the following new lettered paragraph:

3 NEW LETTERED PARAGRAPH. f. A residential care facility,  
4 as defined in section 135C.1, including a residential care  
5 facility for the mentally retarded, notwithstanding any  
6 provision in this division to the contrary.

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7 Sec. 2. The state department of health shall monitor the  
8 effects of this Act's exclusion of residential care facilities  
9 from the requirements of section 135.63 in terms of avail-  
10 ability, cost, and quality of residential care. The depart-  
11 ment shall report its findings and recommendations regarding  
12 continued exclusion to the governor and the general assembly  
13 by January 11, 1988.

14 Sec. 3. Section 1 of this Act is repealed July 1, 1988.

15 EXPLANATION

16 This bill establishes a two-year exclusion from the  
17 certificate-of-need requirements of chapter 135 for  
18 residential care facilities. The state department of health  
19 is required to monitor the exclusion and make recommendations  
20 to the governor and the general assembly regarding the  
21 continuation of the exclusion.

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SENATE FILE 2207

S-5245

Amend Senate File 2207 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 135.1, Code 1985, is amended by adding the following new subsection:  
NEW SUBSECTION. 8. "Continuing care" means the furnishing to an individual, other than an individual related by consanguinity or affinity to the person furnishing the care, of board and lodging together with nursing services, medical services, or other health-related services, regardless of whether or not the lodging and services are provided at the same location and pursuant to an agreement effective for the life of the individual or for a period in excess of one year.

Sec. \_\_\_\_ . NEW SECTION. 135.50 CONTINUING CARE FACILITY -- FINANCIAL SECURITY STANDARDS.

The department shall establish minimum financial security standards for continuing care facilities to assure solvency and the provision of quality services to residents of continuing care facilities."

2. Page 1, line 2, by striking the word "paragraph" and inserting the following:  
"paragraphs".

3. Page 1, by inserting after line 6 the following:

NEW LETTERED PARAGRAPH. g. A continuing care facility which meets the financial security standards established by the department pursuant to section 135.50."

4. By renumbering as necessary.

S-5245 Filed March 3, 1986

BY BRUNER

*Adopted as amended by 5249 3/5 (p. 559)*

SENATE FILE 2207

S-5249

Amend amendment S-5245 to Senate File 2207 as follows:

1. Page 1, line 18, by inserting before the word "department" the word "insurance".

S-5249 Filed March 4, 1986

BY VANDE HOEF

*Adopted 3/5 (p. 559)*

SENATE FILE 2207

S-5250

Amend Senate File 2207 as follows:

1. Page 1, line 4, by inserting after the figure "1350.1," the following: "but which houses no more than fifteen residents,".

S-5250 Filed March 4, 1986

BY VANDE HOEF

*Adopted 3/5 (p. 559)*

SENATE FILE 2207

S-5243

1 Amend Senate File 2207 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section 135.61, subsection 19, Code  
5 1985, is amended by adding the following new lettered  
6 paragraph:

7 NEW LETTERED PARAGRAPH. i. Organ or tissue  
8 transplant services which are or will be offered in or  
9 through an institutional health facility or a health  
10 maintenance organization at a specific time but which  
11 were not offered for that specific organ or tissue on  
12 a regular basis within the twelve-month period prior  
13 to that time."

14 2. Title page, by striking lines 1 and 2 and  
15 inserting the following: "An Act relating to the  
16 certificate-of-need process relating to organ or  
17 tissue transplant services and residential care  
18 facilities."

S-5243 Filed March 3, 1986  
BY READINGER, BRUNER

*H/D 3/5 (p. 559)*



5574 1 Section 1. Section 135.1, Code 1985, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8. "Continuing care" means the furnishing  
4 to an individual, other than an individual related by  
5 consanguinity or affinity to the person furnishing the care,  
6 of board and lodging together with nursing services, medical  
7 services, or other health-related services, regardless of  
8 whether or not the lodging and services are provided at the  
9 same location and pursuant to an agreement effective for the  
10 life of the individual or for a period in excess of one year.

11 Sec. 2. NEW SECTION. 135.50 CONTINUING CARE FACILITY --  
12 FINANCIAL SECURITY STANDARDS.

13 The insurance department shall establish minimum financial  
14 security standards for continuing care facilities to assure  
15 solvency and the provision of quality services to residents of  
16 continuing care facilities.

5575 17 Sec. 3. Section 135.63, subsection 2, Code 1985, is  
18 amended by adding the following new lettered paragraphs:

19 NEW LETTERED PARAGRAPH. f. A residential care facility,  
20 as defined in section 135C.1, including a residential care  
21 facility for the mentally retarded, notwithstanding any  
22 provision in this division to the contrary.

5576 23 NEW LETTERED PARAGRAPH. g. A continuing care facility  
24 which meets the financial security standards established by  
25 the department pursuant to section 135.50.

26 Sec. 4. The state department of health shall monitor the  
27 effects of this Act's exclusion of residential care facilities  
28 from the requirements of section 135.63 in terms of avail-  
29 ability, cost, and quality of residential care. The depart-  
30 ment shall report its findings and recommendations regarding  
31 continued exclusion to the governor and the general assembly  
32 by January 11, 1988.

33 Sec. 5. Section 3 of this Act is repealed July 1, 1988.

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55 B 2140  
Human Resources

New  
SF 2207

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PREFILED DEPARTMENT OF  
HEALTH BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

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SENATE FILE 2207

AN ACT

EXCLUDING RESIDENTIAL CARE FACILITIES FROM CERTIFICATE-OF-  
NEED REVIEWS FOR TWO FISCAL YEARS.

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\_\_\_\_\_  
ROBERT T. ANDERSON  
President of the Senate

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 2207, Seventy-first General Assembly.

\_\_\_\_\_  
K. MARIE THAYER  
Secretary of the Senate

Approved April 28, 1986

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TERRY E. BRANSTAD  
Governor