

Sen Approp. 3/25, Amend + De Pass 4/1 (S-5493)

MAR 18 1992

APPROPRIATIONS

HOUSE FILE 2457

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 3/24/92 (p. 784) Passed Senate, Date 4/6/92 (p. 1232)

Vote: Ayes 84 Nays 12 Vote: Ayes 47 Nays 1

Approved June 3, 1992

A BILL FOR

1 An Act relating to and making appropriations to the department
2 for the blind, the Iowa state civil rights commission, the
3 department of elder affairs, the Iowa department of public
4 health, and the department of human rights.

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

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Conference Committee Appointed
Sen. Burk, (Chair), Miller, Hannon, Bettmer,
Tinsman (p. 1476)

HOUSE FILE 2457

H-5437

- 1 Amend House File 2457 as follows:
- 2 1. Page 4, line 29, by striking the figure
- 3 "2,286,888" and inserting the following: "2,178,538".
- 4 2. Page 4, line 30, by striking the figure
- 5 "75.50" and inserting the following: "73.00".

By SPENNER of Henry

H-5437 FILED MARCH 23, 1992

Last 3/24 (p. 783)

HF 2457
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1 Section 1. DEPARTMENT FOR THE BLIND. There is
2 appropriated from the general fund of the state to the
3 department for the blind for the fiscal year beginning July 1,
4 1992, and ending June 30, 1993, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent posi-
9 tions:

10 \$ 1,344,555
11 FTEs 99.50

12 Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated
13 from the general fund of the state to the Iowa state civil
14 rights commission for the fiscal year beginning July 1, 1992
15 and ending June 30, 1993, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent posi-
20 tions:

21 \$ 1,015,791
22 FTEs 31.00

23 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
24 appropriated from the general fund of the state to the
25 department of elder affairs for the fiscal year beginning July
26 1, 1992, and ending June 30, 1993, the following amounts, or
27 so much thereof as is necessary, to be used for the purposes
28 designated:

29 1. For salaries, support, maintenance, miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32 \$ 370,554
33 FTEs 29.00

34 2. For the administration of area agencies on aging:

35 \$ 151,654

1 3. For elderly services programs:
2 \$ 1,412,241

3 All funds appropriated under this subsection shall be
4 received and disbursed by the director of elder affairs for
5 the elderly services program, shall not be used for
6 administrative purposes, and shall be used for citizens of
7 Iowa over 60 years of age for chore, telephone reassurance,
8 adult day care, respite care, case management for the frail
9 elderly, and home repair services, including the winterizing
10 of homes, and for the construction of entrance ramps which
11 meet the requirements of section 104A.4 and make residences
12 accessible to the physically handicapped. Funds appropriated
13 in this subsection may be used to supplement federal funds
14 under federal regulations. Funds appropriated in this
15 subsection may be used for elderly services not specifically
16 enumerated in this subsection only if approved by an area
17 agency on aging for provision of the service within the area.

18 4. For the retired Iowans community employment program:
19 \$ 119,969

20 5. For the Alzheimer's disease support program:
21 \$ 68,933

22 6. For retired senior volunteer program projects:
23 \$ 67,094

24 7. For the long-term care residents' advocate and the care
25 review committees at the local area agency on aging level:
26 \$ 80,000

27 To receive funds appropriated in this subsection, a local
28 area agency on aging shall match the funds with funds from
29 other sources on a \$4 to \$1 basis.

30 Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is
31 appropriated from the general fund of the state to the Iowa
32 department of public health for the fiscal year beginning July
33 1, 1992, and ending June 30, 1993, the following amounts, or
34 so much thereof as is necessary, to be used for the purposes
35 designated:

1 1. a. ADMINISTRATION AND SUPPORT DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,
3 and for not more than the following full-time equivalent
4 positions:

5	\$	1,495,217
6	FTEs	55.50

7 Of the funds appropriated in this subsection, \$730,051
8 shall be used for the chronic renal disease program. The
9 types of assistance available to eligible recipients under the
10 program may include hospital and medical expenses, home
11 dialysis supplies, insurance premiums, travel expenses,
12 prescription and nonprescription drugs, and lodging expenses
13 for persons in training. The program expenditures shall not
14 exceed this allocation. If projected expenditures will exceed
15 the allocation, the department shall establish by
16 administrative rule a mechanism to reduce financial assistance
17 under the renal disease program in order to keep expenditures
18 within the allocations.

19 b. PROFESSIONAL LICENSURE

20 For salaries, support, maintenance, miscellaneous purposes,
21 and for not more than the following full-time equivalent posi-
22 tions:

23	\$	578,357
24	FTEs	11.50

25 c. LOCAL HEALTH

26 (1) For salaries, support, maintenance, and miscellaneous
27 purposes:

28	\$	1,196,434
29	FTEs	14.00

30 (2) Of the funds appropriated in this paragraph, \$76,181
31 is allocated for the office of rural health.

32 (3) Of the funds appropriated in this paragraph, \$96,750
33 is allocated to provide technical assistance to rural areas in
34 the area of health care delivery, including technical
35 assistance in the recruitment of physicians and health care

1 professionals.

2 (4) Of the funds appropriated in this paragraph,
3 \$1,023,503 shall be used for the training of emergency medical
4 services (EMS) personnel at the state, county, and local
5 levels.

6 If a person in the course of responding to an emergency
7 renders aid to an injured person and becomes exposed to bodily
8 fluids of the injured person, that emergency responder shall
9 be entitled to hepatitis testing and immunization in
10 accordance with the latest available medical technology to
11 determine if infection with hepatitis has occurred. The
12 person shall be entitled to reimbursement from the EMS funds
13 available under this subsection only if the reimbursement is
14 not available through any employer or third-party payor.

15 (5) The state university of Iowa hospitals and clinics
16 shall maintain programs under its purview for which
17 appropriations are made under this paragraph at the current
18 level of funding.

19 d. HEALTH POLICY AND PLANNING

20 For salaries, support, maintenance, miscellaneous purposes,
21 and for not more than the following full-time equivalent
22 positions:

23	\$	425,294
24	FTEs	10.75

25 2. HEALTH PROTECTION DIVISION

26 a. For salaries, support, maintenance, miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29	\$	2,286,888
30	FTEs	75.50

31 b. Of the funds appropriated in this subsection, \$61,131
32 shall be used for chlamydia testing.

33 c. Of the funds appropriated in this subsection, \$15,000
34 is allocated to support the surveillance and reporting of
35 disabilities suffered by persons engaged in agriculture

1 resulting from diseases or injuries, including identifying the
2 amount and severity of agriculture-related injuries and
3 diseases in the state, identifying causal factors associated
4 with agriculture-related injuries and diseases, and evaluating
5 the effectiveness of intervention programs designed to reduce
6 injuries and diseases. The department shall cooperate with
7 the department of agriculture and land stewardship, Iowa state
8 university of science and technology, and the college of
9 medicine at the state university of Iowa in accomplishing
10 these duties.

11 d. Of the funds appropriated in this subsection, \$74,497
12 shall be used for the lead abatement program.

13 e. The state university of Iowa hospitals and clinics
14 shall not receive indirect costs from the funds appropriated
15 under this subsection.

16 f. The department shall maintain a brain and spinal cord
17 injuries registry.

18 g. The state university of Iowa hospitals and clinics
19 shall maintain programs under its purview for which
20 appropriations are made under this subsection at the current
21 level of funding.

22 3. SUBSTANCE ABUSE DIVISION

23 a. For salaries, support, maintenance, miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26	\$	392,614
27	FTEs	19.00

28 b. For program grants:

29	\$	8,196,659
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30 c. For the provision of aftercare services for persons
31 completing substance abuse treatment:

32	\$	193,500
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33 4. FAMILY AND COMMUNITY HEALTH DIVISION

34 a. For salaries, support, maintenance, miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ 2,964,120

3 FTEs 81.00

4 (1) Of the funds appropriated in this lettered paragraph
5 at least \$514,415 shall be allocated for the birth defects and
6 genetics counseling program and of these funds, \$224,494 shall
7 be allocated for regional genetic counseling services
8 contracted from the state university of Iowa hospitals and
9 clinics under the control of the state board of regents.

10 (2) Of the funds appropriated in this lettered paragraph,
11 the following amounts shall be allocated to the state
12 university of Iowa hospitals and clinics under the control of
13 the state board of regents for the following programs under
14 the Iowa specialized child health care services:

15 (a) Mobile and regional child health specialty clinics:

16 \$ 322,203

17 The regional clinic located in Sioux City shall maintain a
18 social worker component to assist the families of children
19 participating in the clinic program.

20 (b) Muscular dystrophy and related genetic disease

21 programs:

22 \$ 94,803

23 (c) Statewide perinatal program:

24 \$ 50,810

25 (3) The birth defects and genetic counseling service shall
26 apply a sliding fee scale to determine the amount a person re-
27 ceiving the services is required to pay for the services.
28 These fees shall be considered repayment receipts and used for
29 the program.

30 (4) Of the funds allocated to the mobile and regional
31 child health specialty clinics in subparagraph (2),
32 subparagraph subdivision (a), \$80,308 shall be used for a
33 specialized medical home care program providing care planning
34 and coordination of community support services for children
35 who require technical medical care in the home.

1 (5) The state university of Iowa hospitals and clinics
2 shall not receive indirect costs from the funds for each
3 program.

4 (6) Of the funds appropriated in this lettered paragraph,
5 \$1,279,422 shall be used for maternal and child health
6 services.

7 (7) The Iowa department of public health shall administer
8 the statewide maternal and child health program and the
9 crippled children's program by conducting mobile and regional
10 child health specialty clinics and conducting other activities
11 to improve the health of low-income women and children and to
12 promote the welfare of children with actual or potential
13 handicapping conditions and chronic illnesses in accordance
14 with the requirements of Title V of the Social Security Act.

15 (8) The department shall track the appropriation made in
16 this paragraph in accordance with the program performance-
17 based budgeting method.

18 (9) The state university of Iowa hospitals and clinics
19 shall maintain programs under its purview for which
20 appropriations are made under this paragraph at the current
21 level of funding.

22 b. Sudden infant death syndrome autopsies:
23 For reimbursing counties for expenses resulting from autop-
24 sies of suspected victims of sudden infant death syndrome
25 required under section 331.802, subsection 3, paragraph "j":
26 \$ 9,675

27 c. For grants to local boards of health for the public
28 health nursing program:
29 \$ 2,511,871

30 (1) Funds appropriated in this lettered paragraph shall be
31 used to maintain and expand the existing public health nursing
32 program for elderly and low-income persons with the objective
33 of preventing or reducing inappropriate institutionalization.
34 The funds shall not be used for any other purpose. As used in
35 this lettered paragraph, "elderly person" means a person who

1 is 60 years of age or older and "low-income person" means a
2 person whose income and resources are below the guidelines
3 established by the department.

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

12 (3) In order to receive allocations under this lettered
13 paragraph, the local board of health having jurisdiction shall
14 prepare a proposal for the use of the allocated funds
15 available for that jurisdiction that will provide the maximum
16 benefits of expanded public health nursing care to elderly and
17 low-income persons in the jurisdiction. After approval of the
18 proposal by the department, the department shall enter into a
19 contract with the local board of health. The local board of
20 health shall subcontract with a nonprofit nurses' association,
21 an independent nonprofit agency, or a suitable local
22 governmental body to use the allocated funds to provide public
23 health nursing care. Local boards of health shall make an
24 effort to prevent duplication of services.

25 (4) If by July 30 of the fiscal year, the department is
26 unable to conclude contracts for use of the allocated funds in
27 a county, the department shall consider the unused funds
28 appropriated under this lettered paragraph an unallocated
29 pool. If the unallocated pool is \$50,000 or more it shall be
30 reallocated to the counties in substantially the same manner
31 as the original allocations. The reallocated funds are
32 available for use in those counties during the period
33 beginning January 1 and ending June 30 of the fiscal year. If
34 the unallocated pool is less than \$50,000, the department may
35 allocate it to counties with demonstrated special needs for

1 public health nursing.

2 (5) The department shall maintain rules governing the
3 expenditure of funds appropriated by this lettered paragraph.
4 The rules require each local agency receiving funds to
5 establish and use a sliding fee scale for those persons able
6 to pay for all or a portion of the cost of the care.

7 (6) The department shall annually evaluate the success of
8 the public health nursing program. The evaluation shall
9 include the extent to which the program reduced or prevented
10 inappropriate institutionalization, the extent to which the
11 program increased the availability of public health nursing
12 care to elderly and low-income persons, and the extent of
13 public health nursing care provided to elderly and low-income
14 persons. The department shall submit a report of each annual
15 evaluation to the governor and the general assembly.

16 d. For grants to county boards of supervisors for the
17 homemaker-home health aide program:
18 \$ 8,586,716

19 Funds appropriated in this lettered paragraph shall be used
20 to provide homemaker-home health aide services with emphasis
21 on services to elderly and persons below the poverty level and
22 children and adults in need of protective services with the
23 objective of preventing or reducing inappropriate
24 institutionalization. In addition, up to 15 percent of the
25 funds appropriated in this lettered paragraph may be used to
26 provide chore services. The funds shall not be used for any
27 other purposes. As used in this lettered paragraph:

28 (1) "Chore services" means services provided to
29 individuals or families, who, due to incapacity, or illness,
30 are unable to perform certain home maintenance functions. The
31 services include but are not limited to yard work such as
32 mowing lawns, raking leaves, and shoveling walks; window and
33 door maintenance such as hanging screen windows and doors,
34 replacing windowpanes, and washing windows; and minor repairs
35 to walls, floors, stairs, railings, and handles. It also

1 includes heavy house cleaning which includes cleaning attics
2 or basements to remove fire hazards, moving heavy furniture,
3 extensive wall washing, floor care or painting, and trash
4 removal.

5 (2) "Elderly person" means a person who is 60 years of age
6 or older.

7 (3) "Homemaker-home health aide services" means services
8 intended to enhance the capacity of household members to
9 attain or maintain the independence of the household members
10 and provided by trained and supervised workers to individuals
11 or families, who, due to the absence, incapacity, or
12 limitations of the usual homemaker, are experiencing stress or
13 crisis. The services include but are not limited to essential
14 shopping, housekeeping, meal preparation, child care, respite
15 care, money management and consumer education, family
16 management, personal services, transportation and providing
17 information, assistance, and household management.

18 (4) "Low-income person" means a person whose income and
19 resources are below the guidelines established by the
20 department.

21 (5) "Protective services" means those homemaker-home
22 health aide services intended to stabilize a child's or an
23 adult's residential environment and relationships with
24 relatives, caretakers, and other persons or household members
25 in order to alleviate a situation involving abuse or neglect
26 or to otherwise protect the child or adult from a threat of
27 abuse or neglect.

28 The amount appropriated in this lettered paragraph shall be
29 allocated for use in the counties of the state. Fifteen
30 percent of the amount shall be divided so that an equal amount
31 is available for use in each county in the state. The
32 following percentages of the remaining amount shall be
33 allocated to each county according to that county's proportion
34 of residents with the following demographic characteristics:
35 60 percent according to the number of elderly persons living

1 in the county, 20 percent according to the number of persons
2 below the poverty level living in the county, and 20 percent
3 according to the number of substantiated cases of child abuse
4 in the county during the 3 most recent fiscal years for which
5 data is available.

6 In order to receive allocations in this lettered paragraph,
7 the county board of supervisors, after consultation with the
8 local boards of health, county board of social welfare, area
9 agency on aging advisory council, local office of the
10 department of human services, and other in-home health care
11 provider agencies in the jurisdiction, shall prepare a
12 proposal for the use of the allocated funds available for that
13 jurisdiction that will provide the maximum benefits of
14 homemaker-home health aide services to elderly and low-income
15 persons and children and adults in need of protective services
16 in the jurisdiction. An agency requesting service or
17 financial information about a current subcontractor shall
18 provide similar information concerning its own homemaker-home
19 health aide or chore services program to the current
20 subcontractor. The proposal may provide that a maximum of 15
21 percent of the allocated funds will be used to provide chore
22 services. The proposal shall include a statement assuring
23 that children and adults in need of protective services are
24 given priority for homemaker-home health aide services and
25 that the appropriate local agencies have participated in the
26 planning for the proposal. After approval of the proposal by
27 the department, the department shall enter into a contract
28 with the county board of supervisors or a governmental body
29 designated by the county board of supervisors. The county
30 board of supervisors or its designee shall subcontract with a
31 nonprofit nurses' association, an independent nonprofit
32 agency, the department of human services, or a suitable local
33 governmental body to use the allocated funds to provide
34 homemaker-home health aide services and chore services
35 providing that the subcontract requires any service provided

1 away from the home to be documented in a report available for
2 review by the department, and that each homemaker-home health
3 aide subcontracting agency shall maintain the direct service
4 workers' time assigned to direct client service at 70 percent
5 or more of the workers' paid time and that not more than 35
6 percent of the total cost of the service be included in the
7 combined costs for service administration and agency
8 administration. The subcontract shall require that each
9 homemaker-home health aide subcontracting agency shall pay the
10 employer's contribution of Social Security and provide
11 workers' compensation coverage for persons providing direct
12 homemaker-home health aide service and meet any other
13 applicable legal requirements of an employer-employee
14 relationship.

15 If by July 30 of the fiscal year, the department is unable
16 to conclude contracts for use of the allocated funds in a
17 county, the department shall consider the unused funds
18 appropriated in this lettered paragraph an unallocated pool.
19 The department shall also identify any allocated funds which
20 the counties do not anticipate spending during the fiscal
21 year. If the anticipated excess funds to any county are
22 substantial, the department and the county may agree to return
23 those excess funds, if the funds are other than program
24 revenues, to the department, and if returned, the department
25 shall consider the returned funds a part of the unallocated
26 pool. The department shall, prior to February 15 of the
27 fiscal year, reallocate the funds in the unallocated pool
28 among the counties in which the department has concluded
29 contracts under this lettered paragraph. The department shall
30 also review the first 10 months' expenditures for each county
31 in May of the fiscal year, to determine if any counties
32 possess contracted funds which they do not anticipate
33 spending. If such funds are identified and the county agrees
34 to release the funds, the released funds will be considered a
35 new reallocation pool. The department may, prior to June 1 of

1 the fiscal year, reallocate funds from this new reallocation
2 pool to those counties which have experienced a high
3 utilization of protective service hours for children and
4 dependent adults.

5 The department shall maintain rules governing the
6 expenditure of funds appropriated in this lettered paragraph.
7 The rules require each local agency receiving funds to
8 establish and use a sliding fee scale for those persons able
9 to pay for all or a portion of the cost of the services and
10 shall require the payments to be applied to the cost of the
11 services. The department shall also maintain rules for
12 standards regarding training, supervision, recordkeeping,
13 appeals, program evaluation, cost analysis, and financial
14 audits, and rules specifying reporting requirements.

15 The department shall annually evaluate the success of the
16 homemaker-home health aide program. The evaluation shall
17 include a description of the program and its implementation,
18 the extent of local participation, the extent to which the
19 program reduced or prevented inappropriate institutional-
20 zation, the extent to which the program provided or increased
21 the availability of homemaker-home health aide services to
22 elderly and low-income persons and children and adults in need
23 of protective services, any problems and recommendations
24 concerning the program, and an analysis of the costs of
25 services across the state. The department shall submit a
26 report of the annual evaluation to the governor and the
27 general assembly.

28 e. For the development and maintenance of well-elderly
29 clinics in the state:

30 \$ 585,337

31 Appropriations made in this lettered paragraph shall be
32 provided by a formula to well-elderly clinics located in
33 counties which provide funding on a matching basis for the
34 well-elderly clinics.

35 f. For the physician care for children program:

1 \$ 411,187

2 The physician services shall be subject to managed care and
3 selective contracting provisions and shall be used to provide
4 treatment of the children in a physician's office and shall
5 include coverage of diagnostic procedures and prescription
6 drugs required for the treatment. Services provided under
7 this lettered paragraph shall be reimbursed according to Title
8 XIX reimbursement rates.

9 g. For primary and preventive health care for children:
10 \$ 75,000

11 Funds appropriated in this lettered paragraph shall be for
12 the public purpose of providing a renewable grant, following a
13 request for proposals, to a statewide charitable organization
14 within the meaning of section 501(c)(3) of the Internal
15 Revenue Code which was organized prior to April 1, 1989, and
16 has as one of its purposes the sponsorship or support for
17 programs designed to improve the quality, awareness, and
18 availability of health care for the young, to serve as the
19 funding mechanism for the provision of primary health care and
20 preventive services to children in the state who are uninsured
21 and who are not eligible under any public plan of health
22 insurance, provided all of the following conditions are met:

23 The organization shall provide a match in advance of each
24 state dollar provided of four dollars for the fiscal year
25 beginning July 1, 1992.

26 (1) The organization coordinates services with new or
27 existing public programs and services provided by or funded by
28 appropriate state agencies in an effort to avoid inappropriate
29 duplication of services and ensure access to care to the
30 extent as is reasonably possible. The organization shall work
31 with the Iowa department of public health, family and
32 community health division, to ensure duplication is minimized.

33 (2) The organization's governing board includes in its
34 membership representatives from the executive and legislative
35 branches of state government.

1 (3) Grant funds are available as needed to provide
2 services and shall not be used for administrative costs of the
3 department or the grantee.

4 5. STATE BOARD OF DENTAL EXAMINERS

5 For salaries, support, maintenance, miscellaneous purposes,
6 and for not more than the following full-time equivalent posi-
7 tions:

8	\$	220,565
9	FTEs	4.00

10 6. STATE BOARD OF MEDICAL EXAMINERS

11 For salaries, support, maintenance, miscellaneous purposes,
12 and for not more than the following full-time equivalent posi-
13 tions:

14	\$	907,984
15	FTEs	18.00

16 7. STATE BOARD OF NURSING EXAMINERS

17 For salaries, support, maintenance, miscellaneous purposes,
18 and for not more than the following full-time equivalent posi-
19 tions:

20	\$	768,357
21	FTEs	16.00

22 8. STATE BOARD OF PHARMACY EXAMINERS

23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent posi-
25 tions:

26	\$	584,281
27	FTEs	11.75

28 9. Professional licensure pursuant to subsection 1,
29 paragraph "b", and the professional practice boards pursuant
30 to subsections 5 through 8 shall prepare estimates of
31 projected receipts to be generated by the licensing,
32 certification, and examination fees of each board as well as a
33 projection of the fairly apportioned administrative costs and
34 rental expenses attributable to each board. Each board shall
35 annually review and adjust its schedule of fees so that, as

1 nearly as possible, projected receipts equal projected costs.

2 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
3 from the general fund of the state to the department of human
4 rights for the fiscal year beginning July 1, 1992 and ending
5 June 30, 1993, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 1. CENTRAL ADMINISTRATION DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,
9 and for not more than the following full-time equivalent posi-
10 tions:

11	\$	212,022
12	FTEs	7.60

13 2. COMMUNITY ACTION AGENCIES DIVISION

14 For the expenses of the community action agencies
15 commission:

16	\$	3,526
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17 3. DEAF SERVICES DIVISION

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent posi-
20 tions:

21	\$	260,934
22	FTEs	8.00

23 The fees collected by the division for provision of
24 interpretation services by the division to obligated agencies
25 shall be disbursed pursuant to the provisions of section 8.32,
26 and shall be dedicated and used by the division for the
27 provision of continued and expanded interpretation services.

28 4. PERSONS WITH DISABILITIES DIVISION

29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent posi-
31 tions:

32	\$	164,739
33	FTEs	4.00

34 5. LATINO AFFAIRS DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent posi-
2 tions:

3	\$	86,966
4	FTEs	2.00

5 6. STATUS OF WOMEN DIVISION

6 For salaries, support, maintenance, miscellaneous purposes,
7 and for not more than the following full-time equivalent
8 positions:

9	\$	333,166
10	FTEs	4.00

11 Of the funds appropriated in this subsection, no less than
12 \$125,775 shall be spent for the displaced homemaker program.

13 Of the funds appropriated in this subsection, no less than
14 \$42,570 shall be spent for domestic violence and sexual
15 assault related grants.

16 7. STATUS OF AFRICAN AMERICANS DIVISION

17 For salaries, support, maintenance, miscellaneous purposes,
18 and for not more than the following full-time equivalent posi-
19 tions:

20	\$	76,027
21	FTEs	2.00

22 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent posi-
25 tions:

26	\$	325,760
27	FTEs	9.75

28 a. The criminal and juvenile justice planning advisory
29 council and the juvenile justice advisory council shall
30 coordinate their efforts in carrying out their respective
31 duties relative to juvenile justice.

32 b. Of the funds appropriated in this subsection, no less
33 than \$36,300 shall be spent for expenses relating to the
34 administration of federal funds for juvenile assistance. It
35 is the intent of the general assembly that the department of

1 human rights employ sufficient staff to meet the federal
2 funding match requirements established by the federal office
3 for juvenile justice delinquency prevention. The governor's
4 advisory council on juvenile justice shall determine the
5 staffing level necessary to carry out federal and state
6 mandates for juvenile justice.

7 Sec. 6. Section 601K.92A, subsection 2, Code 1991, is
8 amended to read as follows:

9 2. Commission members shall serve three-year terms which
10 shall begin and end pursuant to section 69.19. Vacancies on
11 the commission shall be filled for the remainder of the term
12 of the original appointment. Members whose terms expire may
13 be reappointed. Members of the commission shall receive
14 actual expenses for their services. Members may also be
15 eligible to receive compensation as provided in section 7E.6.
16 Members as specified under subsection 1, paragraph "c",
17 however, shall receive per diem compensation as provided in
18 section 7E.6 and actual expenses. The membership of the
19 commission shall also comply with the political party
20 affiliation and gender balance requirements of sections 69.16
21 and 69.16A.

22 Sec. 7. CERTIFICATE OF NEED FEES. From the fees collected
23 for applications for a certificate of need pursuant to section
24 135.63, the Iowa department of public health may retain up to
25 \$310,250 of such fees collected during the fiscal year
26 beginning July 1, 1992. The amount of fees retained are
27 appropriated to the department for the fiscal year beginning
28 July 1, 1992, and ending June 30, 1993, to be used to conduct
29 the activities of the health data commission. Any fees
30 generated above \$310,250 shall be remitted by the department
31 to the treasurer of state for deposit in the general fund of
32 the state.

33 Funds made available in this section shall be used for the
34 collection, verification, updating, and storage of data,
35 including long-term care data, received pursuant to chapters

1 145 and 255A, and for the production of mandated reports. The
2 health data commission shall establish a fee schedule, in
3 consultation with its consultant, for the costs of providing
4 data to organizations which request the data. The fee
5 established shall be based upon the marginal cost and a
6 portion of the fixed cost of providing the data.

7 Sec. 8. FEDERAL AND NONSTATE FUNDS. Federal grants,
8 receipts, and funds and other nonstate grants, receipts, and
9 funds, available in whole or in part for the fiscal year
10 beginning July 1, 1992, and ending June 30, 1993, are
11 appropriated to the receiving department for the purposes set
12 forth in the grants, receipts, or conditions accompanying the
13 receipt of the funds, unless otherwise provided by law.

14 EXPLANATION

15 The bill appropriates for the fiscal year beginning July 1,
16 1992, funds from the general fund of the state to the
17 department for the blind, the Iowa state civil rights
18 commission, the department of elder affairs, the department of
19 public health, and the department of human rights. Section
20 601K.92A is amended to specify that members of the commission
21 on community action agencies with an income below the poverty
22 line are eligible for payment of per diem in addition to
23 actual expenses for their services relative to the commission.
24 The bill allows the Iowa department of public health to
25 retain, for use of the health data commission, up to \$310,250
26 of fees received during the fiscal year beginning July 1,
27 1992, for application for a certificate of need.

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HOUSE FILE 2457

S-5535

1 Amend House File 2457, as passed by the House, as
2 follows:

- 3 1. Page 3, line 28, by striking the figure
4 "1,196,434" and inserting the following: "1,124,334".
5 2. Page 3, line 29, by striking the figure
6 "14.00" and inserting the following: "12.00".
7 3. Page 4, line 3, by striking the figure
8 "1,023,503" and inserting the following: "951,403".

By MAGGIE TINSMAN
SHELDON RITTMER

S-5535 FILED APRIL 3, 1992

Placed o/s 4/6 (p. 1231)

HOUSE FILE 2457

S-5536

1 Amend House File 2457, as passed by the House, as
2 follows:

- 3 1. Page 9, line 27, by inserting after the word
4 "purposes." the following: "In providing services to
5 elderly persons, the service provider shall coordinate
6 efforts with the integrated case management for frail
7 elderly program of the department of elder affairs."

By MAGGIE TINSMAN
FLORENCE BUHR

S-5536 FILED APRIL 3, 1992

Adopted 4/6 (p. 1232)

HOUSE FILE 2457

S-5534

1 Amend House File 2457, as passed by the House, as
2 follows:

- 3 1. Page 19, by inserting after line 6 the
4 following:
5 "Sec. ____ . INTERIM STUDY -- LICENSING AND
6 EXAMINING BOARDS. The legislative council is
7 requested to establish an interim study committee to
8 review and make recommendations for the reorganization
9 of professional licensure and the professional
10 examining boards under the purview of the Iowa
11 department of public health. The study shall include
12 but not be limited to an evaluation of and
13 recommendation regarding the establishment of a health
14 profession review commission to address scope of
15 practice issues."

16 2. By renumbering as necessary.

By MAGGIE TINSMAN
FLORENCE BUHR

SHELDON RITTMER
WILLIAM D. PALMER

S-5534 FILED APRIL 3, 1992

Adopted 4/6 (p. 1232)

HOUSE FILE 2457

S-5495

1 Amend House File 2457, as passed by the House, as
2 follows:

3 1. Page 18, by inserting after line 6 the
4 following:

5 "Sec. ____ . NEW SECTION. 135K.1 BONE MARROW DONOR
6 PROGRAM.

7 1. The Iowa department of public health shall
8 establish a bone marrow donor education program.

9 a. The program shall provide all of the following
10 information:

11 (1) The need for bone marrow donors.

12 (2) The procedures required to become registered
13 as a potential bone marrow donor, including procedures
14 for determining a person's tissue type.

15 (3) The medical procedures a donor must undergo to
16 donate bone marrow or other sources of blood stem
17 cells.

18 b. Communication of information to the public
19 shall be provided through the use of various media,
20 including through the press, radio and television, and
21 through provision of materials in health care
22 facilities, blood banks, and state and local health
23 agencies.

24 2. The department shall conduct a bone marrow
25 donor drive to encourage Iowans to volunteer to be
26 potential bone marrow donors. The drive shall include
27 educational materials furnished by the national bone
28 marrow donor program and presentations that explain
29 the need for bone marrow donors and the procedures for
30 becoming registered as a potential bone marrow donor.
31 The bone marrow donor drive shall be completed by
32 January 1, 1993, and shall include typing the tissue
33 of any person who is recruited under the bone marrow
34 drive to be a potential bone marrow donor.

35 3. A bone marrow drive fund is created in the
36 state treasury under the control of the Iowa
37 department of public health. Any appropriations or
38 grant moneys or donations received for the purpose of
39 conducting the bone marrow donor drive under
40 subsection 2 shall be deposited in the fund. The Iowa
41 department of public health shall conduct a bone
42 marrow fundraising drive to collect monetary
43 contributions for the conducting of the donor drive
44 and shall apply for available grants related to bone
45 marrow donations. Notwithstanding section 8.33, any
46 unexpended balances in the fund at the end of each
47 fiscal year shall be retained in the fund.
48 Notwithstanding section 453.7, subsection 2, interest
49 on earnings on investments or time deposits of the
50 moneys in the fund shall be credited to the fund. The

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1 moneys in the fund are appropriated and shall be used
2 for the purposes established for the fund under this
3 section."

4 2. By renumbering as necessary.

By MIKE CONNOLLY

W/B 4/6 (p. 1232)

S-5495 FILED APRIL 1, 1992

HOUSE FILE 2457

S-5493

1 Amend House File 2457, as passed by the House, as
2 follows:

3 1. Page 4, by inserting after line 24, the
4 following:

5 "e. HEALTH DATA CLEARINGHOUSE. For the health
6 data clearinghouse of the health data commission:

7 \$ 310,250

8 The funds appropriated under this paragraph shall
9 be used for the collection, verification, updating,
10 and storage of data, including long-term care data,
11 received pursuant to chapters 145 and 255A, and for
12 the production of mandated reports. The health data
13 commission shall establish a fee schedule, in
14 consultation with its consultant, for the costs of
15 providing data to organizations which request the
16 data. The fee established shall be based upon the
17 marginal cost and a portion of the fixed cost of
18 providing the data.

19 Notwithstanding section 145.3, subsection 5, the
20 health data commission may contract to purchase a tape
21 from the Iowa hospital association containing data
22 from all in-patient admissions to Iowa hospitals. The
23 health data commission shall specify the data to be
24 contained on the tape to ensure the utility of the
25 tape for the production of health data commission
26 reports."

27 2. Page 4, line 29, by striking the figure
28 "2,286,888" and inserting the following: "2,324,611".

29 3. Page 4, line 30, by striking the figure
30 "75.50" and inserting the following: "76.50".

31 4. Page 7, by inserting after line 21, the
32 following:

33 "(10) The department shall work with the
34 department of elder affairs to realize the "Healthy
35 Iowans 2000" goal of providing nutrition screening to
36 90 percent of the elderly persons participating in
37 well-elderly screening clinics, congregate meal
38 programs, and homemaker-home health aide programs, and
39 shall submit a progress report to the general assembly
40 by January 1, 1993, regarding the number of personnel
41 trained and the number of persons served.

42 (11) The department shall continue efforts to
43 realize the "Healthy Iowans 2000" goal of the
44 involvement of 50 counties in the Iowa community
45 nutrition coalition by January 1, 1993, and shall
46 submit a progress report to the general assembly by
47 January 1, 1993."

48 5. Page 16, line 32, by striking the figure
49 "164,739" and inserting the following: "127,016".

50 6. Page 16, line 33, by striking the figure

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1 "4.00" and inserting the following: "3.00".

2 7. Page 18, by inserting after line 6, the
3 following:

4 "Sec. ____ . NEW SECTION. 135.22A ADVISORY COUNCIL
5 ON HEAD INJURIES.

6 1. For purposes of this section, unless the
7 context otherwise requires:

8 a. "Head injury" means "brain injury" as defined
9 in section 135.22.

10 b. "Council" means the advisory council on head
11 injuries.

12 2. The advisory council on head injuries is
13 established. The following persons or their designees
14 shall serve as ex officio, nonvoting members of the
15 council:

16 a. The director of public health.

17 b. The director of human services and any division
18 administrators of the department of human services so
19 assigned by the director.

20 c. The director of the department of education.

21 d. The chief of the special education bureau of
22 the department of education.

23 e. The administrator of the division of vocational
24 rehabilitation of the department of education.

25 f. The director of the department for the blind.

26 g. The commissioner of insurance.

27 3. The council shall be composed of a minimum of
28 nine members appointed by the governor in addition to
29 the ex officio members, and the governor may appoint
30 additional members. Insofar as practicable, the
31 council shall include persons with head injuries,
32 family members of persons with head injuries,
33 representatives of industry, labor, business, and
34 agriculture, representatives of federal, state, and
35 local government, and representatives of religious,
36 charitable, fraternal, civic, educational, medical,
37 legal, veteran, welfare, and other professional groups
38 and organizations. Members shall be appointed
39 representing every geographic and employment area of
40 the state and shall include members of both sexes.

41 4. Members of the council appointed by the
42 governor shall be appointed for terms of two years.
43 Vacancies on the council shall be filled for the
44 remainder of the term of the original appointment.
45 Members whose terms expire may be reappointed.

46 5. The members of the council shall appoint a
47 chairperson and a vice chairperson and other officers
48 as the council deems necessary. The officers shall
49 serve until their successors are appointed and
50 qualified. Members of the council shall receive

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1 actual expenses for their services. Members may also
2 be eligible to receive compensation as provided in
3 section 7E.6. The council shall adopt rules pursuant
4 to chapter 17A.

5 6. The council shall:

6 a. Promote meetings and programs for the
7 discussion of methods to reduce the debilitating
8 effects of head injuries, and disseminate information
- 9 in cooperation with any other department, agency, or
10 entity on the prevention, evaluation, care, treatment,
11 and rehabilitation of persons affected by head
12 injuries.

13 b. Study and review current prevention,
14 evaluation, care, treatment, and rehabilitation
15 technologies and recommend appropriate preparation,
16 training, retraining, and distribution of manpower and
17 resources in the provision of services to persons with
18 head injuries through private and public residential
19 facilities, day programs, and other specialized
20 services.

21 c. Participate in developing and disseminating
22 criteria and standards which may be required for
23 future funding or licensing of facilities, day
24 programs, and other specialized services for persons
25 with head injuries in this state.

26 d. Make recommendations to the governor for
27 developing and administering a state plan to provide
28 services for persons with head injuries.

29 e. Meet at least quarterly.

30 f. Report on or before February 15 of each year to
31 the governor and the general assembly on council
32 activities, and submit recommendations believed
33 necessary to promote the welfare of persons with head
34 injuries.

35 7. The council is assigned to the department for
36 administrative purposes. The director shall be
37 responsible for budgeting, program coordination, and
38 related management functions.

39 8. The council may receive gifts, grants, or
40 donations made for any of the purposes of its programs
41 and disburse and administer them in accordance with
42 their terms and under the direction of the director.

43 Sec. _____. Section 135.22, subsection 1, Code 1991,
44 is amended to read as follows:

45 1. As used in this section, section 135.22A, and
46 section 225C.23, and ~~section 601K-807~~ "brain injury"
47 means clinically evident brain damage or spinal cord
48 injury resulting directly or indirectly from trauma,
49 infection, anoxia, or vascular lesions not primarily
50 related to degenerative or aging processes, which

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1 temporarily or permanently impairs a person's physical
2 or cognitive functions.

3 Sec. ____ . Section 601K.80, Code 1991, is

4 repealed."

5 8. By striking page 18, line 22, through page 19,
6 line 6.

7 9. By renumbering, relettering, or redesignating
8 and correcting internal references as necessary.

By APPROPRIATIONS COMMITTEE

LEONARD BOSWELL, CHAIRPERSON

S-5493 FILED APRIL 1, 1992

Amended by 5549

Adopted 4/6 (J. 1231)

HOUSE FILE 2457

S-5549

1 Amend the amendment, S-5493, to House File 2457, as
 2 passed by the House, as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "____. Page 3, by striking line 28 and inserting
 6 the following:
 7 "..... \$ 1,196,686".
 8 _____. Page 4, by striking lines 15 through 18."
 9 2. Page 1, line 28, by striking the figure
 10 "2,324,611" and inserting the following: "2,227,880".
 11 3. Page 1, line 30, by striking the figure
 12 "76.50" and inserting the following: "74.00".
 13 4. Page 1, by inserting after line 30 the
 14 following:
 15 "____. Page 4, line 31, by striking the figure
 16 "61,131" and inserting the following: "72,750".
 17 _____. Page 5, by striking lines 18 through 21.
 18 _____. Page 6, by striking line 2 and inserting the
 19 following:
 20 "..... \$ 3,120,870".
 21 _____. Page 6, line 5, by striking the figure
 22 "514,415" and inserting the following: "563,694".
 23 _____. Page 6, line 6, by striking the figure
 24 "224,494" and inserting the following: "273,773".
 25 _____. Page 6, by striking line 16 and inserting
 26 the following:
 27 "..... \$ 392,931".
 28 _____. Page 6, by striking line 22 and inserting
 29 the following:
 30 "..... \$ 115,613".
 31 _____. Page 6, by striking line 24 and inserting
 32 the following:
 33 "..... \$ 61,693".
 34 _____. Page 6, line 32, by striking the figure
 35 "80,308" and inserting the following: "97,937".
 36 _____. Page 7, by striking lines 18 through 21."
 37 5. Page 1, line 31, by striking the words and
 38 figure "after line 21" and inserting the following:
 39 "before line 22".

By FLORENCE BUHR
LEONARD L. BOSWELL

S-5549 FILED APRIL 3, 1992

Adopted 4/6 (p. 1231)

HOUSE FILE 2457

S-5538

1 Amend the amendment, S-5493, to House File 2457, as
2 passed by the House, as follows:
3 1. Page 1, line 28, by striking the figure
4 "2,324,611" and inserting the following: "2,114,022".
5 2. Page 1, line 30, by striking the figure
6 "76.50" and inserting the following: "72.00".
7 3. Page 1, by inserting after line 30, the
8 following:
9 "_____. Page 5, line 29, by striking the figure
10 "8,196,659" and inserting the following:
11 "8,296,659"."
12 4. Page 1, by inserting after line 47, the
13 following:
14 "_____. Page 9, line 18, by striking the figure
15 "8,586,716" and inserting the following:
16 "8,686,716"."
17 5. Page 2, by inserting after line 3, the
18 following:
19 ""Sec. _____. Section 25A.14, subsection 13, Code
20 Supplement 1991, is amended by striking the
21 subsection."
22 6. Page 4, by striking lines 3 and 4, and
23 inserting the following:
24 "Sec. _____. Section 613A.4, subsection 12, Code
25 1991, is amended by striking the subsection."
26 7. Page 4, by inserting after line 6, the
27 following:
28 "_____. Page 19, by inserting after line 13, the
29 following:
30 "Sec. _____.
31 1. Chapter 136B, Code 1991, is repealed.
32 2. Sections 135I.2 through 135I.6, and section
33 601K.80, Code 1991, are repealed.
34 3. Section 135I.1, Code Supplement 1991, is
35 repealed."
36 8. By renumbering as necessary.
By MAGGIE TINSMAN DALE L. TIEDEN
MARK R. HAGERLA HARRY SLIFE

S-5538 FILED APRIL 3, 1992

Lost 4/6 (7/1224)

HOUSE FILE 2457

S-5537

1 Amend House File 2457 as passed by the House, as
2 follows:
3 1. Page 18, by inserting after line 6, the
4 following:
5 "Sec. ____ . NEW SECTION. 135K.1 DEFINITIONS.
6 As used in this chapter, unless the context
7 otherwise requires:
8 1. "Approved course" means a course covering the
9 testing and repair of backflow prevention assemblies
10 which has been approved by the department.
11 2. "Backflow prevention assembly" means a device
12 or means to prevent backflow into the potable water
13 system.
14 3. "Department" means the Iowa department of
15 public health.
16 4. "Registered backflow prevention assembly
17 tester" means a person who has successfully completed
18 an approved course and has registered with the
19 department.
20 Sec. ____ . NEW SECTION. 135K.2 APPLICABILITY.
21 This chapter applies to all persons who test or
22 repair backflow prevention assemblies.
23 Sec. ____ . NEW SECTION. 135K.3 REGISTRATION AND
24 APPROVAL REQUIRED.
25 A person shall not test or repair backflow
26 prevention assemblies without first having registered
27 with and having been approved by the department.
28 Sec. ____ . NEW SECTION. 135K.4 POWERS AND DUTIES.
29 The department shall adopt rules in accordance with
30 chapter 17A, which provide for all of the following:
31 1. The establishment of minimum qualifications for
32 registered backflow prevention assembly testers.
33 2. The establishment of minimum standards for
34 approved courses.
35 3. The establishment and collection of fees to
36 defray the cost of administering this chapter.
37 4. The provision of a listing of registered
38 backflow prevention assembly testers to local health
39 officials.
40 5. The administration and enforcement of this
41 chapter.
42 Sec. ____ . NEW SECTION. 135K.5 PENALTY.
43 A person who violates this chapter is guilty of a
44 simple misdemeanor.
45 Sec. ____ . NEW SECTION. 135K.6 ENFORCEMENT.
46 1. The department shall investigate complaints
47 regarding backflow prevention assembly testers. If
48 the department determines that a provision of this
49 chapter regarding the requirements for a backflow
50 prevention assembly tester has been violated, the

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1 department may order a person not to test or repair
2 backflow prevention assemblies or may revoke the
3 registration of a registered backflow prevention
4 assembly tester until the necessary corrective action
5 has been taken.
6 2. The department shall investigate complaints
7 regarding courses covering the testing and repair of
8 backflow prevention assemblies. If the department
9 determines that a provision of this chapter regarding
10 approved courses has been violated, the department may
11 revoke the approval of a course until the necessary
12 corrective action has been taken."
13 2. By renumbering as necessary.

By ELAINE SZYMONIAK
ALVIN V. MILLER
FLORENCE BUHR

S-5537 FILED APRIL 3, 1992

Filed not germane 4/6 (p. 1232)

SENATE AMENDMENT TO HOUSE FILE 2457

H-5805

1 Amend House File 2457, as passed by the House, as
2 follows:

3 1. Page 3, by striking line 28 and inserting the
4 following:

5 "..... \$ 1,196,686".

6 2. Page 4, by striking lines 15 through 18.

7 3. Page 4, by inserting after line 24, the
8 following:

9 "e. HEALTH DATA CLEARINGHOUSE. For the health
10 data clearinghouse of the health data commission:
11 \$ 310,250

12 The funds appropriated under this paragraph shall
13 be used for the collection, verification, updating,
14 and storage of data, including long-term care data,
15 received pursuant to chapters 145 and 255A, and for
16 the production of mandated reports. The health data
17 commission shall establish a fee schedule, in
18 consultation with its consultant, for the costs of
19 providing data to organizations which request the
20 data. The fee established shall be based upon the
21 marginal cost and a portion of the fixed cost of
22 providing the data.

23 Notwithstanding section 145.3, subsection 5, the
24 health data commission may contract to purchase a tape
25 from the Iowa hospital association containing data
26 from all in-patient admissions to Iowa hospitals. The
27 health data commission shall specify the data to be
28 contained on the tape to ensure the utility of the
29 tape for the production of health data commission
30 reports."

31 4. Page 4, line 29, by striking the figure
32 "2,286,888" and inserting the following: "2,227,880".

33 5. Page 4, line 30, by striking the figure
34 "75.50" and inserting the following: "74.00".

35 6. Page 4, line 31, by striking the figure
36 "61,131" and inserting the following: "72,750".

37 7. Page 5, by striking lines 18 through 21.

38 8. Page 6, by striking line 2 and inserting the
39 following:

40 "..... \$ 3,120,870".

41 9. Page 6, line 5, by striking the figure
42 "514,415" and inserting the following: "563,694".

43 10. Page 6, line 6, by striking the figure
44 "224,494" and inserting the following: "273,773".

45 11. Page 6, by striking line 16 and inserting the
46 following:

47 "..... \$ 392,931".

48 12. Page 6, by striking line 22 and inserting the
49 following:

50 "..... \$ 115,613".

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1 13. Page 6, by striking line 24 and inserting the
2 following:

3 "..... \$ 61,693".

4 14. Page 6, line 32, by striking the figure
5 "80,308" and inserting the following: "97,937".

6 15. Page 7, by striking lines 18 through 21.

7 16. Page 7, by inserting before line 22, the
8 following:

9 "(10) The department shall work with the
10 department of elder affairs to realize the "Healthy
11 Iowans 2000" goal of providing nutrition screening to
12 90 percent of the elderly persons participating in
13 well-elderly screening clinics, congregate meal
14 programs, and homemaker-home health aide programs, and
15 shall submit a progress report to the general assembly
16 by January 1, 1993, regarding the number of personnel
17 trained and the number of persons served.

18 (11) The department shall continue efforts to
19 realize the "Healthy Iowans 2000" goal of the
20 involvement of 50 counties in the Iowa community
21 nutrition coalition by January 1, 1993, and shall
22 submit a progress report to the general assembly by
23 January 1, 1993."

24 17. Page 9, line 27, by inserting after the word
25 "purposes." the following: "In providing services to
26 elderly persons, the service provider shall coordinate
27 efforts with the integrated case management for frail
28 elderly program of the department of elder affairs."

29 18. Page 16, line 32, by striking the figure
30 "164,739" and inserting the following: "127,016".

31 19. Page 16, line 33, by striking the figure
32 "4.00" and inserting the following: "3.00".

33 20. Page 18, by inserting after line 6, the
34 following:

35 "Sec. ____ . NEW SECTION. 135.22A ADVISORY COUNCIL
36 ON HEAD INJURIES.

37 1. For purposes of this section, unless the
38 context otherwise requires:

39 a. "Head injury" means "brain injury" as defined
40 in section 135.22.

41 b. "Council" means the advisory council on head
42 injuries.

43 2. The advisory council on head injuries is
44 established. The following persons or their designees
45 shall serve as ex officio, nonvoting members of the
46 council:

47 a. The director of public health.

48 b. The director of human services and any division
49 administrators of the department of human services so
50 assigned by the director.

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1 c. The director of the department of education.

2 d. The chief of the special education bureau of
3 the department of education.

4 e. The administrator of the division of vocational
5 rehabilitation of the department of education.

6 f. The director of the department for the blind.

7 g. The commissioner of insurance.

8 3. The council shall be composed of a minimum of
9 nine members appointed by the governor in addition to
10 the ex officio members, and the governor may appoint
11 additional members. Insofar as practicable, the
12 council shall include persons with head injuries,
13 family members of persons with head injuries,
14 representatives of industry, labor, business, and
15 agriculture, representatives of federal, state, and
16 local government, and representatives of religious,
17 charitable, fraternal, civic, educational, medical,
18 legal, veteran, welfare, and other professional groups
19 and organizations. Members shall be appointed
20 representing every geographic and employment area of
21 the state and shall include members of both sexes.

22 4. Members of the council appointed by the
23 governor shall be appointed for terms of two years.
24 Vacancies on the council shall be filled for the
25 remainder of the term of the original appointment.
26 Members whose terms expire may be reappointed.

27 5. The members of the council shall appoint a
28 chairperson and a vice chairperson and other officers
29 as the council deems necessary. The officers shall
30 serve until their successors are appointed and
31 qualified. Members of the council shall receive
32 actual expenses for their services. Members may also
33 be eligible to receive compensation as provided in
34 section 7E.6. The council shall adopt rules pursuant
35 to chapter 17A.

36 6. The council shall:

37 a. Promote meetings and programs for the
38 discussion of methods to reduce the debilitating
39 effects of head injuries, and disseminate information
40 in cooperation with any other department, agency, or
41 entity on the prevention, evaluation, care, treatment,
42 and rehabilitation of persons affected by head
43 injuries.

44 b. Study and review current prevention,
45 evaluation, care, treatment, and rehabilitation
46 technologies and recommend appropriate preparation,
47 training, retraining, and distribution of manpower and
48 resources in the provision of services to persons with
49 head injuries through private and public residential
50 facilities, day programs, and other specialized

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1 services.

2 c. Participate in developing and disseminating
3 criteria and standards which may be required for
4 future funding or licensing of facilities, day
5 programs, and other specialized services for persons
6 with head injuries in this state.

7 d. Make recommendations to the governor for
8 developing and administering a state plan to provide
9 services for persons with head injuries.

10 e. Meet at least quarterly.

11 f. Report on or before February 15 of each year to
12 the governor and the general assembly on council
13 activities, and submit recommendations believed
14 necessary to promote the welfare of persons with head
15 injuries.

16 7. The council is assigned to the department for
17 administrative purposes. The director shall be
18 responsible for budgeting, program coordination, and
19 related management functions.

20 8. The council may receive gifts, grants, or
21 donations made for any of the purposes of its programs
22 and disburse and administer them in accordance with
23 their terms and under the direction of the director.

24 Sec. _____. Section 135.22, subsection 1, Code 1991,
25 is amended to read as follows:

26 1. As used in this section, section 135.22A, and
27 section 225C.23, ~~and section 601K.80~~, "brain injury"
28 means clinically evident brain damage or spinal cord
29 injury resulting directly or indirectly from trauma,
30 infection, anoxia, or vascular lesions not primarily
31 related to degenerative or aging processes, which
32 temporarily or permanently impairs a person's physical
33 or cognitive functions.

34 Sec. _____. Section 601K.80, Code 1991, is
35 repealed."

36 21. By striking page 18, line 22, through page
37 19, line 6.

38 22. Page 19, by inserting after line 6 the
39 following:

40 "Sec. _____. INTERIM STUDY -- LICENSING AND
41 EXAMINING BOARDS. The legislative council is
42 requested to establish an interim study committee to
43 review and make recommendations for the reorganization
44 of professional licensure and the professional
45 examining boards under the purview of the Iowa
46 department of public health. The study shall include
47 but not be limited to an evaluation of ~~and~~
48 recommendation regarding the establishment of a health
49 profession review commission to address scope of
50 practice issues."

1 23. By renumbering, relettering, or redesignating
2 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

*House refused to concur 4/16 (p. 1574)
Senate insisted 4/17 (p. 1474)*

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2457

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2457, a bill for an Act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, and the department of human rights, respectfully make the following report:

1. That the Senate recedes from its amendment, H-5805.

2. That House File 2457, as passed by the House, is amended as follows:

1. Page 3, by striking line 28 and inserting the following:

"..... \$ 1,196,686".

2. Page 4, by striking lines 15 through 18.

3. Page 4, by inserting after line 24, the following:

"e. HEALTH DATA CLEARINGHOUSE. For the health data clearinghouse of the health data commission:

..... \$ 290,250

The funds appropriated under this paragraph shall be used for the collection, verification, updating, and storage of data, including long-term care data, received pursuant to chapters 145 and 255A, and for the production of mandated reports. The health data commission shall establish a fee schedule, in consultation with its consultant, for the costs of providing data to organizations which request the data. The fee established shall be based upon the marginal cost and a portion of the fixed cost of providing the data.

Notwithstanding section 145.3, subsection 5, the health data commission may contract to purchase a tape from the Iowa hospital association containing data from all in-patient admissions to Iowa hospitals. The health data commission shall

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specify the data to be contained on the tape to ensure the utility of the tape for the production of health data commission reports."

4. Page 4, line 29, by striking the figure "2,286,888" and inserting the following: "2,336,230".

5. Page 4, line 30, by striking the figure "75.50" and inserting the following: "76.50".

6. Page 4, line 31, by striking the figure "61,131" and inserting the following: "72,750".

7. Page 5, by striking lines 18 through 21.

8. Page 6, by striking line 2 and inserting the following:
"..... \$ 3,120,870".

9. Page 6, line 5, by striking the figure "514,415" and inserting the following: "563,694".

10. Page 6, line 6, by striking the figure "224,494" and inserting the following: "273,773".

11. Page 6, by striking line 16 and inserting the following:
"..... \$ 392,931".

12. Page 6, by striking line 22 and inserting the following:
"..... \$ 115,613".

13. Page 6, by striking line 24 and inserting the following:
"..... \$ 61,693".

14. Page 6, line 32, by striking the figure "80,308" and inserting the following: "97,937".

15. Page 7, by striking lines 18 through 21.

16. Page 7, by inserting before line 22, the following:
"(__) The department shall work with the department of elder affairs to realize the "Healthy Iowans 2000" goal of providing nutrition screening to 90 percent of the elderly persons participating in well-elderly screening clinics, congregate meal programs, and homemaker-home health aide programs, and shall submit a progress report to the general assembly by January 1, 1993, regarding the number of personnel trained and the number of persons served.

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() The department shall continue efforts to realize the "Healthy Iowans 2000" goal of the involvement of 50 counties in the Iowa community nutrition coalition by January 1, 1993, and shall submit a progress report to the general assembly by January 1, 1993."

17. Page 9, line 27, by inserting after the word "purposes." the following: "In providing services to elderly persons, the service provider shall coordinate efforts with the integrated case management for frail elderly program of the department of elder affairs."

18. Page 16, line 32, by striking the figure "164,739" and inserting the following: "127,016".

19. Page 16, line 33, by striking the figure "4.00" and inserting the following: "3.00".

20. Page 18, by inserting after line 6, the following:

"Sec. ____ . Section 135.22, subsection 1, Code 1991, is amended to read as follows:

1. As used in this section, section 135.22A, and section 225C.23, and-section-604K-807 "brain injury" means clinically evident brain damage or spinal cord injury resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

Sec. ____ . NEW SECTION. 135.22A ADVISORY COUNCIL ON HEAD INJURIES.

1. For purposes of this section, unless the context otherwise requires:

a. "Head injury" means "brain injury" as defined in section 135.22.

b. "Council" means the advisory council on head injuries.

2. The advisory council on head injuries is established.

The following persons or their designees shall serve as ex officio, nonvoting members of the council:

a. The director of public health.

b. The director of human services and any division administrators of the department of human services so assigned

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by the director.

c. The director of the department of education.

d. The chief of the special education bureau of the department of education.

e. The administrator of the division of vocational rehabilitation of the department of education.

f. The director of the department for the blind.

g. The commissioner of insurance.

3. The council shall be composed of a minimum of nine members appointed by the governor in addition to the ex officio members, and the governor may appoint additional members.

Insofar as practicable, the council shall include persons with head injuries, family members of persons with head injuries, representatives of industry, labor, business, and agriculture, representatives of federal, state, and local government, and representatives of religious, charitable, fraternal, civic, educational, medical, legal, veteran, welfare, and other professional groups and organizations. Members shall be appointed representing every geographic and employment area of the state and shall include members of both sexes.

4. Members of the council appointed by the governor shall be appointed for terms of two years. Vacancies on the council shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed.

5. The voting members of the council shall appoint a chairperson and a vice chairperson and other officers as the council deems necessary. The officers shall serve until their successors are appointed and qualified. Members of the council shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. The council shall adopt rules pursuant to chapter 17A.

6. The council shall do all of the following:

a. Promote meetings and programs for the discussion of methods to reduce the debilitating effects of head injuries, and disseminate information in cooperation with any other department, agency, or entity on the prevention, evaluation, care, treatment, and rehabilitation of persons affected by head

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injuries.

b. Study and review current prevention, evaluation, care, treatment, and rehabilitation technologies and recommend appropriate preparation, training, retraining, and distribution of manpower and resources in the provision of services to persons with head injuries through private and public residential facilities, day programs, and other specialized services.

c. Participate in developing and disseminating criteria and standards which may be required for future funding or licensing of facilities, day programs, and other specialized services for persons with head injuries in this state.

d. Make recommendations to the governor for developing and administering a state plan to provide services for persons with head injuries.

e. Meet at least quarterly.

f. Report on or before February 15 of each year to the governor and the general assembly on council activities, and submit recommendations believed necessary to promote the welfare of persons with head injuries.

7. The council is assigned to the department for administrative purposes. The director shall be responsible for budgeting, program coordination, and related management functions.

8. The council may receive gifts, grants, or donations made for any of the purposes of its programs and disburse and administer them in accordance with their terms and under the direction of the director.

Sec. ____ . Section 135I.2, Code 1991, is amended to read as follows:

135I.2 APPLICABILITY.

This chapter applies to all swimming pools and spas owned or operated by local or state government, or commercial interests or private entities including, but not limited to, facilities operated by cities, counties, public or private school corporations, hotels, motels, camps, apartments, condominiums, and health or country clubs. This chapter does not apply to

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facilities intended for single family use. To avoid duplication and promote coordination of inspection activities, the department may enter into agreements pursuant to chapter 28E with a local board of health ~~or multiple boards of health representing contiguous areas~~ to provide for inspection and enforcement in accordance with this chapter.

Sec. _____. Section 135I.4, subsection 6, Code 1991, is amended to read as follows:

6. Enter into agreements with a local board of health ~~or local boards of health in a contiguous area~~ to implement the inspection and enforcement provisions of this chapter. The agreements shall provide that the fees established by the local board ~~or boards~~ of health for inspection and enforcement shall be retained by the local board ~~or boards~~. ~~A local board of health or boards of health in a contiguous area may enter into such an agreement with the department.~~ However, inspection fees shall not be charged by the department for facilities which are inspected by third-party authorities. Third-party authorities shall be approved by the department. The department shall monitor and certify the inspection and enforcement programs of local boards of health and approved third-party authorities.

Sec. _____. Section 135I.6, Code 1991, is amended to read as follows:

135I.6 ENFORCEMENT.

If the department or a local board ~~or boards~~ of health acting pursuant to agreement with the department determines that a provision of this chapter or a rule adopted pursuant to this chapter has been or is being violated, the department or the local board ~~or boards~~ of health may order that a facility or item of equipment not be used until the necessary corrective action has been taken. The department or the local board of health may request the county attorney to bring appropriate legal proceedings to enforce this chapter, including an action to enjoin violations. The attorney general may also institute appropriate legal proceedings at the request of the department. This remedy is in addition to any other legal remedy available

to the department or a local board ~~or-boards~~ of health.

Sec. ____ . NEW SECTION. 136E.7 SUSPENSION AND REVOCATION OF LICENSES.

The department may suspend, revoke, or impose probationary conditions upon a license issued pursuant to rules adopted in accordance with section 136E.3.

Sec. ____ . NEW SECTION. 514B.4A DIRECT PROVISION OF HEALTH CARE SERVICES.

1. An application for a certificate of authority to provide health care services, directly, shall be forwarded by the commissioner to the director of public health for review, comment, and recommendation, with respect to the health care services to be provided directly, to assure that the applicant has demonstrated the willingness and potential ability to provide the health care services through adequate personnel and facilities.

2. Rules proposed by the commissioner for adoption for the direct provision of health care services by a health maintenance organization, shall be forwarded by the commissioner to the director of public health for review, comment, and recommendation, prior to submission to the administrative rules coordinator pursuant to section 17A.4.

3. The director of public health shall respond to the commissioner, with respect to an application or proposed rule, with any comments or recommendations within thirty days of the forwarding of the application or proposed rules to the director of public health."

21. By striking page 18, line 22, through page 19, line 6.

22. Page 19, by inserting after line 6 the following:

"Sec. ____ . INTERIM STUDY -- LICENSING AND EXAMINING BOARDS. The legislative council is requested to establish an interim study committee to review and make recommendations for the reorganization of professional licensure and the professional examining boards under the purview of the Iowa department of public health. The study shall include but not be limited to an evaluation of and recommendation regarding the establishment of a health profession review commission to address scope of

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practice issues.

Sec. ____ . Section 601K.80, Code 1991, is repealed."

23. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

JANE TEAFORD, Chairperson
JOSEPHINE GRUHN
PAT MURPHY

ON THE PART OF THE SENATE:

FLORENCE BUHR, Chairperson
BEVERLY A. HANNON
ALVIN V. MILLER
SHELDON RITTMER
MAGGIE TINSMAN

CCH-2457 FILED APRIL 23, 1992

Adopted 4/24 (p. 1804)

Adopted 4/24 (p. 1612)

HOUSE FILE 2457

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT FOR THE BLIND, THE IOWA STATE CIVIL RIGHTS COMMISSION, THE DEPARTMENT OF ELDER AFFAIRS, THE IOWA DEPARTMENT OF PUBLIC HEALTH, AND THE DEPARTMENT OF HUMAN RIGHTS.

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

Section 1. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,344,555
..... PTEs 99.50

Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 1992 and ending June 30, 1993, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,015,791
..... FTEs 31.00

Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 370,554
..... PTEs 29.00

2. For the administration of area agencies on aging:
..... \$ 151,654

3. For elderly services programs:
..... \$ 1,412,241

All funds appropriated under this subsection shall be received and disbursed by the director of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over 60 years of age for chore, telephone reassurance, adult day care, respite care, case management for the frail elderly, 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 in this subsection may be used to supplement federal funds under federal regulations. Funds appropriated in this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency on aging for provision of the service within the area.

4. For the retired Iowans community employment program:
..... \$ 119,969

5. For the Alzheimer's disease support program:
..... \$ 68,933

6. For retired senior volunteer program projects:

..... \$ 67,094

7. For the long-term care residents' advocate and the care review committees at the local area agency on aging level:

..... \$ 80,000

To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with funds from other sources on a \$4 to \$1 basis.

Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. ADMINISTRATION AND SUPPORT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,495,217

..... FTEs 55.50

Of the funds appropriated in this subsection, \$730,051 shall be used for the chronic renal disease program. The types of assistance available 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 this allocation. If projected expenditures will exceed the allocation, 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. PROFESSIONAL LICENSURE

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 578,357

..... FTEs 11.50

c. LOCAL HEALTH

(1) For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,196,686

..... FTEs 14.00

(2) Of the funds appropriated in this paragraph, \$76,181 is allocated for the office of rural health.

(3) Of the funds appropriated in this paragraph, \$96,750 is allocated to provide technical assistance to rural areas in the area of health care delivery, including technical assistance in the recruitment of physicians and health care professionals.

(4) Of the funds appropriated in this paragraph, \$1,023,503 shall be used for the training of emergency medical services (EMS) personnel at the state, county, and local levels.

If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The person shall be entitled to reimbursement from the EMS funds available under this subsection only if the reimbursement is not available through any employer or third-party payor.

d. HEALTH POLICY AND PLANNING

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 425,294

..... FTEs 10.75

e. HEALTH DATA CLEARINGHOUSE. For the health data clearinghouse of the health data commission:

..... \$ 290,250

The funds appropriated under this paragraph shall be used for the collection, verification, updating, and storage of data, including long-term care data, received pursuant to chapters 145 and 255A, and for the production of mandated reports. The health data commission shall establish a fee schedule, in consultation with its consultant, for the costs of providing data to organizations which request the data. The fee established shall be based upon the marginal cost and a portion of the fixed cost of providing the data.

Notwithstanding section 145.3, subsection 5, the health data commission may contract to purchase a tape from the Iowa hospital association containing data from all in-patient admissions to Iowa hospitals. The health data commission shall specify the data to be contained on the tape to ensure the utility of the tape for the production of health data commission reports.

2. HEALTH PROTECTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 2,336,230
..... FTEs 76.50

b. Of the funds appropriated in this subsection, \$72,750 shall be used for chlamydia testing.

c. Of the funds appropriated in this subsection, \$15,000 is allocated to support the surveillance and reporting of disabilities suffered by persons engaged in agriculture resulting from diseases or injuries, including identifying the amount and severity of agriculture-related injuries and diseases in the state, identifying causal factors associated with agriculture-related injuries and diseases, and evaluating the effectiveness of intervention programs designed to reduce injuries and diseases. The department shall cooperate with the department of agriculture and land stewardship, Iowa state university of science and technology, and the college of medicine at the state university of Iowa in accomplishing these duties.

d. Of the funds appropriated in this subsection, \$74,497 shall be used for the lead abatement program.

e. The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds appropriated under this subsection.

f. The department shall maintain a brain and spinal cord injuries registry.

3. SUBSTANCE ABUSE DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 392,614
..... FTEs 19.00

b. For program grants:
..... \$ 8,196,659

c. For the provision of aftercare services for persons completing substance abuse treatment:
..... \$ 193,500

4. FAMILY AND COMMUNITY HEALTH DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 3,120,870
..... FTEs 81.00

(1) Of the funds appropriated in this lettered paragraph at least \$563,694 shall be allocated for the birth defects and genetics counseling program and of these funds, \$273,773 shall be allocated for regional genetic counseling services contracted from the state university of Iowa hospitals and clinics under the control of the state board of regents.

(2) Of the funds appropriated in this lettered paragraph, the following amounts shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(a) Mobile and regional child health specialty clinics:

..... \$ 392,931

The regional clinic located in Sioux City shall maintain a social worker component to assist the families of children participating in the clinic program.

(b) Muscular dystrophy and related genetic disease programs:

..... \$ 115,613

(c) Statewide perinatal program:

..... \$ 61,693

(3) The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

(4) Of the funds allocated to the mobile and regional child health specialty clinics in subparagraph (2), subparagraph subdivision (a), \$97,937 shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

(5) The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

(6) Of the funds appropriated in this lettered paragraph, \$1,279,422 shall be used for maternal and child health services.

(7) The Iowa department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

(8) The department shall track the appropriation made in this paragraph in accordance with the program performance-based budgeting method.

(9) The department shall work with the department of elder affairs to realize the "Healthy Iowans 2000" goal of providing nutrition screening to 90 percent of the elderly persons participating in well-elderly screening clinics, congregate meal programs, and homemaker-home health aide programs, and shall submit a progress report to the general assembly by January 1, 1993, regarding the number of personnel trained and the number of persons served.

(10) The department shall continue efforts to realize the "Healthy Iowans 2000" goal of the involvement of 50 counties in the Iowa community nutrition coalition by January 1, 1993, and shall submit a progress report to the general assembly by January 1, 1993.

b. Sudden infant death syndrome autopsies:

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j":

..... \$ 9,675

c. For grants to local boards of health for the public health nursing program:

..... \$ 2,511,871

(1) Funds appropriated in this lettered paragraph shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institutionalization. The funds shall not be used for any other purpose. As used in this lettered paragraph, "elderly person" means a person who is 60 years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

(2) 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 elderly and low-income persons living in that county in

relation to the total number of elderly and low-income persons living in the state.

(3) In order to receive allocations under this lettered paragraph, the local board of health having jurisdiction shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body to use the allocated funds to provide public health nursing care. Local boards of health shall make an effort to prevent duplication of services.

(4) If by July 30 of the fiscal year, 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. If the unallocated pool is \$50,000 or more it shall be reallocated to the 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 the fiscal year. If the unallocated pool is less than \$50,000, the department may allocate it to counties with demonstrated special needs for public health nursing.

(5) The department shall maintain rules governing the expenditure of funds appropriated by this lettered paragraph. The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

(6) The department shall annually evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the

program increased the availability of public health nursing care to elderly and low-income persons, and the extent of public health nursing care provided to elderly and low-income persons. The department shall submit a report of each annual evaluation to the governor and the general assembly.

d. For grants to county boards of supervisors for the homemaker-home health aide program:

..... \$ 8,586,716

Funds appropriated in this lettered paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and persons below the poverty level and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition, up to 15 percent of the funds appropriated in this lettered paragraph may be used to provide chore services. The funds shall not be used for any other purposes. In providing services to elderly persons, the service provider shall coordinate efforts with the integrated case management for frail elderly program of the department of elder affairs. As used in this lettered paragraph:

(1) "Chore services" means services provided to individuals or families, who, due to incapacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shoveling walks; window and door maintenance such as hanging screen windows and doors, replacing windowpanes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(2) "Elderly person" means a person who is 60 years of age or older.

(3) "Homemaker-home health aide services" means services intended to enhance the capacity of household members to

attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, and household management.

(4) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(5) "Protective services" means those homemaker-home health aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

The amount appropriated in this lettered paragraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. The following percentages of the remaining amount shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics: 60 percent according to the number of elderly persons living in the county, 20 percent according to the number of persons below the poverty level living in the county, and 20 percent according to the number of substantiated cases of child abuse in the county during the 3 most recent fiscal years for which data is available.

In order to receive allocations in this lettered paragraph, the county board of supervisors, after consultation with the local boards of health, county board of social welfare, area agency on aging advisory council, local office of the

department of human services, and 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 homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services in the jurisdiction. An agency requesting service or financial information about a current subcontractor shall provide similar information concerning its own homemaker-home health aide or chore services program to the current subcontractor. The proposal may provide that a maximum of 15 percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for homemaker-home health aide services and that the appropriate local agencies have participated in the planning for the proposal. After approval of the proposal by the department, the department shall enter into a contract with the county board of supervisors or a governmental body designated by the county board of supervisors. The county board of supervisors or its designee shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body to use the allocated funds to provide homemaker-home health aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department, and that each homemaker-home health aide subcontracting agency shall maintain the direct service workers' time assigned to direct client service at 70 percent or more of the workers' paid time and that not more than 35 percent of the total cost of the service be included in the combined costs for service administration and agency administration. The subcontract shall require that each homemaker-home health aide subcontracting agency shall pay the employer's contribution of social security and provide

workers' compensation coverage for persons providing direct homemaker-home health aide service and meet any other applicable legal requirements of an employer-employee relationship.

If by July 30 of the fiscal year, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated in this lettered paragraph an unallocated pool. The department shall also identify any allocated funds which the counties do not anticipate spending during the fiscal year. If the anticipated excess funds to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall, prior to February 15 of the fiscal year, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this lettered paragraph. The department shall also review the first 10 months' expenditures for each county in May of the fiscal year, to determine if any counties possess contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1 of the fiscal year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated in this lettered paragraph. The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also maintain rules for

standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually evaluate the success of the homemaker-home health aide program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state. The department shall submit a report of the annual evaluation to the governor and the general assembly.

e. For the development and maintenance of well-elderly clinics in the state:
..... \$ 585,337

Appropriations made in this lettered paragraph shall be provided by a formula to well-elderly clinics located in counties which provide funding on a matching basis for the well-elderly clinics.

f. For the physician care for children program:
..... \$ 411,187

The physician services shall be subject to managed care and selective contracting provisions and shall be used to provide treatment of the children in a physician's office and shall include coverage of diagnostic procedures and prescription drugs required for the treatment. Services provided under this lettered paragraph shall be reimbursed according to Title XIX reimbursement rates.

g. For primary and preventive health care for children:
..... \$ 75,000

Funds appropriated in this lettered paragraph shall be for the public purpose of providing a renewable grant, following a

request for proposals, to a statewide charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which was organized prior to April 1, 1989, and has as one of its purposes the sponsorship or support for programs designed to improve the quality, awareness, and availability of health care for the young, to serve as the funding mechanism for the provision of primary health care and preventive services to children in the state who are uninsured and who are not eligible under any public plan of health insurance, provided all of the following conditions are met:

The organization shall provide a match in advance of each state dollar provided of four dollars for the fiscal year beginning July 1, 1992.

(1) The organization coordinates services with new or existing public programs and services provided by or funded by appropriate state agencies in an effort to avoid inappropriate duplication of services and ensure access to care to the extent as is reasonably possible. The organization shall work with the Iowa department of public health, family and community health division, to ensure duplication is minimized.

(2) The organization's governing board includes in its membership representatives from the executive and legislative branches of state government.

(3) Grant funds are available as needed to provide services and shall not be used for administrative costs of the department or the grantee.

5. STATE BOARD OF DENTAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	220,565
.....	PTEs	4.00

6. STATE BOARD OF MEDICAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	907,984
.....	FTEs	18.00

7. STATE BOARD OF NURSING EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	768,357
.....	FTEs	16.00

8. STATE BOARD OF PHARMACY EXAMINERS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	584,281
.....	FTEs	11.75

9. Professional licensure pursuant to subsection 1, paragraph "b", and the professional practice boards pursuant to subsections 5 through 8 shall prepare estimates of projected receipts 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 receipts equal projected costs.

Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1992 and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	212,022
.....	FTEs	7.60

2. COMMUNITY ACTION AGENCIES DIVISION

For the expenses of the community action agencies commission:

..... \$ 3,526

3. DEAP SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 260,934

..... FTEs 8.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for the provision of continued and expanded interpretation services.

4. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 127,016

..... FTEs 3.00

5. LATINO AFFAIRS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 86,966

..... FTEs 2.00

6. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 333,166

..... FTEs 4.00

Of the funds appropriated in this subsection, no less than \$125,775 shall be spent for the displaced homemaker program.

Of the funds appropriated in this subsection, no less than \$42,570 shall be spent for domestic violence and sexual assault related grants.

7. STATUS OF AFRICAN-AMERICANS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 76,027

..... FTEs 2.00

8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 325,760

..... FTEs 9.75

a. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

b. Of the funds appropriated in this subsection, no less than \$36,300 shall be spent for expenses relating to the administration of federal funds for juvenile assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

Sec. 6. Section 135.22, subsection 1, Code 1991, is amended to read as follows:

1. As used in this section, section 135.22A, and section 225C.23, and section 603H:007, "brain injury" means clinically evident brain damage or spinal cord injury resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

Sec. 7. NEW SECTION. 135.22A ADVISORY COUNCIL ON HEAD INJURIES.

1. For purposes of this section, unless the context otherwise requires:

- a. "Head injury" means "brain injury" as defined in section 135.22.
- b. "Council" means the advisory council on head injuries.

2. The advisory council on head injuries is established. The following persons or their designees shall serve as ex officio, nonvoting members of the council:

- a. The director of public health.
- b. The director of human services and any division administrators of the department of human services so assigned by the director.
- c. The director of the department of education.
- d. The chief of the special education bureau of the department of education.
- e. The administrator of the division of vocational rehabilitation of the department of education.
- f. The director of the department for the blind.
- g. The commissioner of insurance.

3. The council shall be composed of a minimum of nine members appointed by the governor in addition to the ex officio members, and the governor may appoint additional members. Insofar as practicable, the council shall include persons with head injuries, family members of persons with head injuries, representatives of industry, labor, business, and agriculture, representatives of federal, state, and local government, and representatives of religious, charitable, fraternal, civic, educational, medical, legal, veteran, welfare, and other professional groups and organizations. Members shall be appointed representing every geographic and employment area of the state and shall include members of both sexes.

4. Members of the council appointed by the governor shall be appointed for terms of two years. Vacancies on the council

shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed.

5. The voting members of the council shall appoint a chairperson and a vice chairperson and other officers as the council deems necessary. The officers shall serve until their successors are appointed and qualified. Members of the council shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. The council shall adopt rules pursuant to chapter 17A.

6. The council shall do all of the following:

- a. Promote meetings and programs for the discussion of methods to reduce the debilitating effects of head injuries, and disseminate information in cooperation with any other department, agency, or entity on the prevention, evaluation, care, treatment, and rehabilitation of persons affected by head injuries.

- b. Study and review current prevention, evaluation, care, treatment, and rehabilitation technologies and recommend appropriate preparation, training, retraining, and distribution of manpower and resources in the provision of services to persons with head injuries through private and public residential facilities, day programs, and other specialized services.

- c. Participate in developing and disseminating criteria and standards which may be required for future funding or licensing of facilities, day programs, and other specialized services for persons with head injuries in this state.

- d. Make recommendations to the governor for developing and administering a state plan to provide services for persons with head injuries.

- e. Meet at least quarterly.

- f. Report on or before February 15 of each year to the governor and the general assembly on council activities, and submit recommendations believed necessary to promote the welfare of persons with head injuries.

7. The council is assigned to the department for administrative purposes. The director shall be responsible for budgeting, program coordination, and related management functions.

8. The council may receive gifts, grants, or donations made for any of the purposes of its programs and disburse and administer them in accordance with their terms and under the direction of the director.

Sec. 8. Section 135I.2, Code 1991, is amended to read as follows:

135I.2 APPLICABILITY.

This chapter applies to all swimming pools and spas owned or operated by local or state government, or commercial interests or private entities including, but not limited to, facilities operated by cities, counties, public or private school corporations, hotels, motels, camps, apartments, condominiums, and health or country clubs. This chapter does not apply to facilities intended for single family use. To avoid duplication and promote coordination of inspection activities, the department may enter into agreements pursuant to chapter 28E with a local board of health or multiple-boards of health representing contiguous areas to provide for inspection and enforcement in accordance with this chapter.

Sec. 9. Section 135I.4, subsection 6, Code 1991, is amended to read as follows:

6. Enter into agreements with a local board of health or local-boards-of-health-in-a-contiguous-area to implement the inspection and enforcement provisions of this chapter. The agreements shall provide that the fees established by the local board or-boards of health for inspection and enforcement shall be retained by the local board or-boards. A-local-board-of-health-or-boards-of-health-in-a-contiguous-area-may-enter-into-such-an-agreement-with-the-department: However, inspection fees shall not be charged by the department for facilities which are inspected by third-party authorities. Third-party authorities shall be approved by the department.

The department shall monitor and certify the inspection and enforcement programs of local boards of health and approved third-party authorities.

Sec. 10. Section 135I.6, Code 1991, is amended to read as follows:

135I.6 ENFORCEMENT.

If the department or a local board or-boards of health acting pursuant to agreement with the department determines that a provision of this chapter or a rule adopted pursuant to this chapter has been or is being violated, the department or the local board or-boards of health may order that a facility or item of equipment not be used until the necessary corrective action has been taken. The department or the local board of health may request the county attorney to bring appropriate legal proceedings to enforce this chapter, including an action to enjoin violations. The attorney general may also institute appropriate legal proceedings at the request of the department. This remedy is in addition to any other legal remedy available to the department or a local board or-boards of health.

Sec. 11. NEW SECTION. 136E.7 SUSPENSION AND REVOCATION OF LICENSES.

The department may suspend, revoke, or impose probationary conditions upon a license issued pursuant to rules adopted in accordance with section 136E.3.

Sec. 12. NEW SECTION. 514B.4A DIRECT PROVISION OF HEALTH CARE SERVICES.

1. An application for a certificate of authority to provide health care services, directly, shall be forwarded by the commissioner to the director of public health for review, comment, and recommendation, with respect to the health care services to be provided directly, to assure that the applicant has demonstrated the willingness and potential ability to provide the health care services through adequate personnel and facilities.

2. Rules proposed by the commissioner for adoption for the direct provision of health care services by a health maintenance organization, shall be forwarded by the commissioner to the director of public health for review, comment, and recommendation, prior to submission to the administrative rules coordinator pursuant to section 17A.4.

3. The director of public health shall respond to the commissioner, with respect to an application or proposed rule, with any comments or recommendations within thirty days of the forwarding of the application or proposed rules to the director of public health.

Sec. 13. Section 601K.92A, subsection 2, Code 1991, is amended to read as follows:

2. Commission members shall serve three-year terms which shall begin and end pursuant to section 69.19. Vacancies on the commission shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed. Members of the commission shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. Members as specified under subsection 1, paragraph "c", however, shall receive per diem compensation as provided in section 7E.6 and actual expenses. The membership of the commission shall also comply with the political party affiliation and gender balance requirements of sections 69.16 and 69.16A.

Sec. 14. INTERIM STUDY -- LICENSING AND EXAMINING BOARDS. The legislative council is requested to establish an interim study committee to review and make recommendations for the reorganization of professional licensure and the professional examining boards under the purview of the Iowa department of public health. The study shall include but not be limited to an evaluation of and recommendation regarding the establishment of a health profession review commission to address scope of practice issues.

Sec. 15. Section 601K.80, Code 1991, is repealed.

Sec. 16. FEDERAL AND NONSTATE FUNDS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 1992, and ending June 30, 1993, are appropriated to the receiving department for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2457, Seventy-fourth General Assembly.

Approved  1992

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor