

*State Book 3/27 Re Pass 3/22 (p. 938)
Original Re Pass 4/4/91 (p. 1066)
House Linn. Resources 4/10/91 (3596) + Re Pass 4/11/91
Appropriation Re Pass 4/11/91*

1001

SENATE FILE 342
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 130)

Passed Senate, Date 4/5/91 (p. 1086) Passed House, Date April 25, 1991 (p. 1524)
Vote: Ayes 46 Nays 0 Vote: Ayes 96 Nays 0

Approved May 11, 1991 (p. 1848)

Repassed Senate as amended by House

4/29/91 (p. 1524)

page 50, page 2

A BILL FOR

3596 1 An Act relating to the prevention of disabling conditions by
3641 2 establishing a prevention of disabilities policy board and a
3 technical assistance committee of the board and by making an
4 appropriation.

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

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5/13/91

1 Section 1. NEW SECTION. 225D.1 FINDINGS AND INTENT.

2 1. The general assembly finds that:

3 a. Thousands of Iowans are affected by a developmental
4 disability which is a disability that arises before age
5 twenty-two and is of sufficient severity to affect an
6 individual's ability to participate as an independent,
7 productive member of the community. Many other Iowans
8 experience less severe mental or physical disabilities or
9 disabilities which occur in their adult years which require
10 specialized services. Many disabilities are due to conditions
11 that are preventable or could be minimized if recognized or
12 treated early. Preventing disabilities would result in a
13 substantial savings to the state both in terms of human
14 potential and public funds.

15 b. There is a need for a coordinated and comprehensive
16 prevention of disabilities effort in the state. Many state
17 departments and private organizations are involved in
18 prevention activities but there is no unified prevention
19 strategy or ongoing coordination in the planning,
20 implementation, and evaluation of prevention of disabilities
21 activities in the state.

22 2. It is the intent of the general assembly to establish a
23 system to coordinate prevention of disability activities among
24 the state departments and to assist the governor and the
25 general assembly in determining priorities and establishing
26 policies for the prevention of disabilities.

27 Sec. 2. NEW SECTION. 225D.2 DEFINITIONS.

28 As used in this chapter unless the context otherwise
29 requires:

30 1. "Board" means the prevention of disabilities policy
31 board.

32 2. "Committee" means the technical assistance committee of
33 the board.

34 3. "Disability" means a mental or physical impairment that
35 results in significant functional limitation in one or more

1 areas of major life activity and in the need for specialized
2 care, treatment, or training services of extended duration.

3 4. "Prevention activities" means activities that attempt
4 to eliminate the occurrence of the disability, reduce the
5 prevalence of the disability in the community, identify a
6 problem early and use intervention at the outset to eliminate
7 the potential for abnormality, or minimize the long-term
8 disability or mitigate the effects of the disability.

9 3542 Sec. 3. NEW SECTION. 225D.3 PREVENTION OF DISABILITIES
10 POLICY BOARD ESTABLISHED -- MEMBERSHIP -- DUTIES.

11 1. A prevention of disabilities policy board is
12 established to provide oversight in the development and
13 operation of a coordinated prevention of disabilities system.
14 The board shall consist of the following members:

15 a. Two state senators, appointed by the majority leader of
16 the senate and two state representatives, appointed by the
17 speaker of the house of representatives. Of the members
18 appointed by the majority leader of the senate and the speaker
19 of the house of representatives, not more than one from each
20 house shall be a member of the same political party.

21 b. Three providers of disability prevention services,
22 recommended by the Iowa governor's planning council for
23 developmental disabilities, appointed by the governor, and
24 confirmed by the senate.

25 c. Three persons with expertise in priority prevention
26 areas, recommended by the Iowa governor's planning council for
27 developmental disabilities, appointed by the governor, and
28 confirmed by the senate.

29 d. Three persons with disabilities or family members of a
30 person with disabilities, recommended by the Iowa governor's
31 planning council for developmental disabilities, appointed by
32 the governor and confirmed by the senate.

33 2. Members of the board appointed by the governor shall
34 serve three-year staggered terms. Members of the general
35 assembly appointed to the board shall serve two-year terms.

1 Vacancies on the board shall be filled in the same manner as
2 original appointments. The members shall not receive per diem
3 but shall receive reimbursement for actual and necessary
4 expenses incurred in their duties as members.

5 3. The board shall do all of the following:

6 a. Oversee the planning, implementation, and evaluation of
7 a coordinated strategy for the prevention of disabilities
8 among state departments which is based upon the Iowa state
9 plan for the prevention of developmental disabilities of 1988.

10 b. Promote cooperative and complementary planning among
11 the public, private, and volunteer sectors involved in
12 prevention activities and research regarding disabilities.

13 c. Develop and implement a system to measure the outcome
14 and assess the overall impact of the prevention efforts of the
15 state.

16 d. Encourage research into the causes and prevention of
17 disabling conditions.

18 e. Promote professional and provider training in state-of-
19 the-art prevention of disabilities measures.

20 f. Recommend policy and priorities for the prevention of
21 disabilities.

22 g. Adopt rules to implement this chapter.

23 h. Seek and apply for federal grants and private
24 foundation funding to support the responsibilities of the
25 board. The board shall also seek in-kind and other private
26 contributions to fulfill the federal matching funds
27 requirements for the purpose of section 225D.7.

28 i. Submit to the governor and the general assembly by
29 November 1, 1992, and annually on November 1 thereafter, a
30 report that includes all of the following:

31 (1) Identification of a continuum of cost-effective
32 prevention of disability activities.

33 (2) Identification of existing activities and the state
34 agency responsible for the activities.

35 (3) Recommendations regarding methods and procedures for

1 coordinating the planning, delivery, and evaluation of
2 existing activities.

3 (4) Recommendations concerning the development of
4 nonexistent prevention of disability activities.

5 (5) Recommendations regarding an approach to measure the
6 outcomes and assess the overall impacts of the state's
7 prevention of disability efforts.

8 (6) Recommendations regarding methods to promote
9 cooperative planning among the public, private, and volunteer
10 sectors and to increase public-private partnership involvement
11 in prevention of disability activities.

12 (7) A review of existing research and personnel training
13 programs.

14 (8) Recommendations concerning priority prevention of
15 disability activities in the state.

16 (9) Recommendations for legislative, administrative, or
17 budgetary changes.

18 4. The board shall meet at least six times during the
19 year. A majority of the members of the board constitutes a
20 quorum, and a majority of the board is necessary to act on
21 matters within the purview of the board.

354222 Sec. 4. NEW SECTION. 225D.4 TECHNICAL ASSISTANCE
23 COMMITTEE OF THE PREVENTION POLICY BOARD ESTABLISHED --
24 MEMBERSHIP -- DUTIES.

25 1. A technical assistance committee of the prevention of
26 disabilities policy board is established and shall consist of
27 the following members:

28 a. The director of the department of human services, or
29 the director's designee.

30 b. The director of the Iowa department of public health,
31 or the director's designee.

32 c. The director of the department of education, or the
33 director's designee.

34 d. The director of the department of natural resources, or
35 the director's designee.

1 e. The director of the state department of transportation,
2 or the director's designee.

3 f. The commissioner of the department of public safety, or
4 the commissioner's designee.

5 g. The director of the department of human rights, or the
6 director's designee.

7 h. The president of Iowa state university of science and
8 technology, or the president's designee.

9 i. The president of the university of Iowa, or the
10 president's designee.

11 j. The president of the university of northern Iowa, or
12 the president's designee.

13 2. The technical assistance committee shall do all of the
14 following:

15 a. Provide technical assistance to the board in developing
16 a prevention of disabilities coordination system.

17 b. Establish policies to facilitate the development,
18 implementation, and evaluation of the prevention of
19 disabilities coordination system.

20 c. Recommend prevention of disability priorities to the
21 board.

22 3. The committee shall meet at least four times annually.
23 A majority of the members of the committee constitutes a
24 quorum and is necessary to act within the purview of the
25 committee.

26 4. The members of the committee shall not receive per diem
27 but shall be reimbursed for actual and necessary expenses
28 incurred in the discharge of their duties.

29 Sec. 5. NEW SECTION. 225D.5 STATE AGENCIES --
30 COOPERATIVE EFFORTS.

31 The departments represented by the committee shall
32 cooperate with the board in collecting and sharing pertinent
33 data, and in developing, implementing, and evaluating the
34 prevention of disabilities coordination system.

35 Sec. 6. NEW SECTION. 225D.6 EVALUATION.

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1 The prevention coordination system, the board, and the
2 committee are subject to review and evaluation by the governor
3 and the general assembly.

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4 Sec. 7. NEW SECTION. 225D.7 IMPLEMENTATION.

5 1. The prevention coordination system and the activities
6 of the board and committee shall be implemented as resources
7 are made available.

8 2. The board shall, during the fiscal year beginning July
9 1, 1991, request funding from the Iowa governor's planning
10 council for developmental disabilities and private foundations
11 to defray a minimum of seventy-five percent of the costs of
12 implementation of this chapter. The funds shall be used for,
13 but are not limited to, use for all of the following purposes:

14 a. Establishing the structure for implementation of the
15 prevention coordination system.

16 b. Coordinating the activities of the board, state
17 agencies, and regents' institutions relative to the
18 development of the prevention coordination system and
19 preparing the board's first annual report.

20 Sec. 8. APPROPRIATION. There is appropriated from the
21 general fund of the state to the prevention of disabilities
22 policy board, upon establishment of the board, for the fiscal
23 year beginning July 1, 1991, and ending June 30, 1992, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

3576

26 For fulfillment of the federal matching funds requirement
27 for use of the Iowa governor's planning council for
28 developmental disabilities funds, for the purpose of section
29 225D.7:

30 \$ 28,000

31 Sec. 9. This Act is repealed effective June 30, 1996.

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EXPLANATION

33 This bill establishes a prevention of disabilities policy
34 board and a technical assistance committee of the prevention
35 policy board. The bill defines pertinent terms including

1 "prevention activities" and "disabilities" which means a
2 mental or physical impairment that results in an individual's
3 significant functional limitation in one or more areas of
4 major life activity and in the need for specialized care,
5 treatment, or training services of extended duration.

6 The duties of the prevention of disabilities policy board
7 include developing and implementing a coordinated strategy for
8 the prevention of disabilities among state agencies and
9 promoting cooperation, training, and research in the area of
10 disabilities. The board is also directed to submit an annual
11 report to the governor and the general assembly which includes
12 specific areas for recommendation.

13 The bill establishes a technical assistance committee of
14 the board, requires cooperation between state agencies,
15 provides for evaluation of the prevention coordination system,
16 the board, and the committee by the governor and the general
17 assembly, and provides for repeal of the chapter. The bill
18 also appropriates a sum not to exceed \$28,000 to the
19 prevention of disabilities policy board upon its establishment
20 for the fiscal year beginning July 1, 1991, to be used as
21 matching funds for moneys provided through a federal grant to
22 the Iowa governor's planning council for developmental
23 disabilities.

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SENATE FILE 342

H-3596

1 Amend Senate File 342, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 30 and 31 and
4 inserting the following:

5 " "Council" means the prevention of
6 disabilities policy council."

7 2. Page 1, line 32, by striking the word "of" and
8 inserting the following: "to".

9 3. Page 1, line 33, by striking the word "board"
10 and inserting the following: "council".

11 4. Page 2, line 10, by striking the word "BOARD"
12 and inserting the following: "COUNCIL".

13 5. Page 2, line 11, by striking the word "board"
14 and inserting the following: "council".

15 6. Page 2, line 14, by striking the word "board"
16 and inserting the following: "council".

17 7. Page 2, by striking lines 15 through 20 and
18 inserting the following:

19 "a. Two members of the senate appointed by the
20 senate majority leader and minority leader and two
21 members of the house of representatives appointed by
22 the speaker of the house and the house minority
23 leader."

24 8. Page 2, line 33, by striking the word "board"
25 and inserting the following: "council".

26 9. Page 2, by striking line 35, and inserting the
27 following: "assembly appointed to the council shall
28 serve two-year terms and shall serve as ex officio,
29 nonvoting members."

30 10. Page 3, line 1, by striking the word "board"
31 and inserting the following: "council".

32 11. Page 3, by striking lines 2 through 4 and
33 inserting the following: "original appointments.
34 Members are entitled to reimbursement of actual
35 expenses incurred in performance of their official
36 duties."

37 12. Page 3, line 5, by striking the word "board"
38 and inserting the following: "council".

39 13. Page 3, by striking line 25 and inserting the
40 following: "council. The council shall also seek in-
41 kind and other private".

42 14. Page 3, line 31, by striking the words
43 "identification of a" and inserting the following:
44 "A".

45 15. Page 3, line 33, by striking the words
46 "identification of" and inserting the following: "A
47 listing of".

48 16. Page 3, by striking line 35 and inserting the
49 following:

50 "(3) Recommendations to".

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Page 2

- 1 17. Page 4, line 1 by striking the word
2 "coordinating" and inserting the following:
3 "coordinate".
- 4 18. Page 4, by striking lines 3 and 4 and
5 inserting the following:
6 "(4) Recommendations to address the lack of
7 prevention of disability activities."
- 8 19. Page 4, line 5, by striking the words
9 "regarding an approach".
- 10 20. Page 4, line 8, by striking the words
11 "regarding methods".
- 12 21. Page 4, by striking lines 14 and 15 and
13 inserting the following:
14 "(8) Priorities for disability prevention
15 activities in the state."
- 16 22. Page 4, by striking lines 18 through 21 and
17 inserting the following:
18 "4. The council shall meet at least six times
19 during the year. A majority of the members of the
20 council constitutes a quorum, and a majority of the
21 council is necessary to act on matters within the
22 purview of the council."
- 23 23. Page 4, line 23, by striking the word "OF"
24 and inserting the word "TO".
- 25 24. Page 4, line 23, by striking the word "BOARD"
26 and inserting the following: "COUNCIL".
- 27 25. Page 4, line 26, by striking the word "board"
28 and inserting the following: "council".
- 29 26. Page 5, line 15, by striking the word "board"
30 and inserting the following: "council".
- 31 27. Page 5, line 21, by striking the word "board"
32 and inserting the following: "council".
- 33 28. Page 5, by striking lines 22 through 28 and
34 inserting the following:
35 "3. The committee shall meet as needed to assist
36 the council.
37 4. Members are entitled to reimbursement of actual
38 expenses incurred in performance of their official
39 duties."
- 40 29. Page 5, line 32, by striking the word "board"
41 and inserting the following: "council".
- 42 30. Page 6, lines 1 and 2, by striking the words
43 ", the board, and the committee" and inserting the
44 following: "and the council".
- 45 31. Page 6, line 6, by striking the words "board
46 and committee" and inserting the following:
47 "council".
- 48 32. Page 6, line 8, by striking the word "board"
49 and inserting the following: "council".
- 50 33. Page 6, line 9, by striking the word

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Page 3

- 1 "funding" and inserting the following: "grants".
- 2 34. Page 6, line 10, by inserting after the word
- 3 "and" the following: "from".
- 4 35. Page 6, by striking lines 12 and 13 and
- 5 inserting the following: "implementation of this
- 6 chapter. The funds shall be used to carry out the
- 7 purposes of this chapter, including but not limited
- 8 to, any of the following purposes:".
- 9 36. Page 6, by striking lines 16 through 19 and
- 10 inserting the following:
- 11 "b. Coordinating the activities of the council,
- 12 state agencies, and state board of regents'
- 13 institutions to develop the prevention coordination
- 14 system and prepare the council's annual report."
- 15 37. Page 6, by striking line 22 and inserting the
- 16 following: "policy council, upon establishment of the
- 17 council, for the fiscal".
- 18 38. Title page, line 2, by striking the word
- 19 "board" and inserting the following: "council".
- 20 39. Title page, line 3, by striking the word
- 21 "board" and inserting the following: "council".
- 22 40. By renumbering, relettering, and correcting
- 23 internal references as necessary.

By COMMITTEE ON HUMAN RESOURCES
HAVERLAND of Polk, Chairperson

H-3596 FILED APRIL 11, 1991

Adopted 4/25/91 (p. 1521)

SENATE FILE 342

H-3661

- 1 Amend Senate File 342, as passed by the Senate, as
- 2 follows:
- 3 1. Title page, lines 3 and 4, by striking the
- 4 words "and by making an appropriation" and inserting
- 5 the following: ", by making an appropriation, and
- 6 providing for a repeal".

By NEUHAUSER of Johnson

H-3661 FILED APRIL 17, 1991

Adopted 4/25/91 (p. 1524)

HOUSE AMENDMENT TO
SENATE FILE 342

S-3629

- 1 Amend Senate File 342, as passed by the Senate, as
2 follows:
- 3 1. Page 1, by striking lines 30 and 31 and
4 inserting the following:
5 " "Council" means the prevention of
6 disabilities policy council."
- 7 2. Page 1, line 32, by striking the word "of" and
8 inserting the following: "to".
- 9 3. Page 1, line 33, by striking the word "board"
10 and inserting the following: "council".
- 11 4. Page 2, line 10, by striking the word "BOARD"
12 and inserting the following: "COUNCIL".
- 13 5. Page 2, line 11, by striking the word "board"
14 and inserting the following: "council".
- 15 6. Page 2, line 14, by striking the word "board"
16 and inserting the following: "council".
- 17 7. Page 2, by striking lines 15 through 20 and
18 inserting the following:
19 "a. Two members of the senate appointed by the
20 senate majority leader and minority leader and two
21 members of the house of representatives appointed by
22 the speaker of the house and the house minority
23 leader."
- 24 8. Page 2, line 33, by striking the word "board"
25 and inserting the following: "council".
- 26 9. Page 2, by striking line 35, and inserting the
27 following: "assembly appointed to the council shall
28 serve two-year terms and shall serve as ex officio,
29 nonvoting members."
- 30 10. Page 3, line 1, by striking the word "board"
31 and inserting the following: "council".
- 32 11. Page 3, by striking lines 2 through 4 and
33 inserting the following: "original appointments.
34 Members are entitled to reimbursement of actual
35 expenses incurred in performance of their official
36 duties."
- 37 12. Page 3, line 5, by striking the word "board"
38 and inserting the following: "council".
- 39 13. Page 3, by striking line 25 and inserting the
40 following: "council. The council shall also seek in-
41 kind and other private".
- 42 14. Page 3, line 31, by striking the words
43 "Identification of a" and inserting the following:
44 "A".
- 45 15. Page 3, line 33, by striking the words
46 "Identification of" and inserting the following: "A
47 listing of".
- 48 16. Page 3, by striking line 35 and inserting the
49 following:
50 "(3) Recommendations to".

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Page 2

- 1 17. Page 4, line 1 by striking the word
2 "coordinating" and inserting the following:
3 "coordinate".
- 4 18. Page 4, by striking lines 3 and 4 and
5 inserting the following:
6 "(4) Recommendations to address the lack of
7 prevention of disability activities."
- 8 19. Page 4, line 5, by striking the words
9 "regarding an approach".
- 10 20. Page 4, line 8, by striking the words
11 "regarding methods".
- 12 21. Page 4, by striking lines 14 and 15 and
13 inserting the following:
14 "(8) Priorities for disability prevention
15 activities in the state."
- 16 22. Page 4, by striking lines 18 through 21 and
17 inserting the following:
18 "4. The council shall meet at least six times
19 during the year. A majority of the members of the
20 council constitutes a quorum, and a majority of the
21 council is necessary to act on matters within the
22 purview of the council."
- 23 23. Page 4, line 23, by striking the word "OF"
24 and inserting the word "TO".
- 25 24. Page 4, line 23, by striking the word "BOARD"
26 and inserting the following: "COUNCIL".
- 27 25. Page 4, line 26, by striking the word "board"
28 and inserting the following: "council".
- 29 26. Page 5, line 15, by striking the word "board"
30 and inserting the following: "council".
- 31 27. Page 5, line 21, by striking the word "board"
32 and inserting the following: "ccouncil".
- 33 28. Page 5, by striking lines 22 through 28 and
34 inserting the following:
35 "3. The committee shall meet as needed to assist
36 the council.
- 37 4. Members are entitled to reimbursement of actual
38 expenses incurred in performance of their official
39 duties."
- 40 29. Page 5, line 32, by striking the word "board"
41 and inserting the following: "council".
- 42 30. Page 6, lines 1 and 2, by striking the words
43 ", the board, and the committee" and inserting the
44 following: "and the council".
- 45 31. Page 6, line 6, by striking the words "board
46 and committee" and inserting the following:
47 "council".
- 48 32. Page 6, line 8, by striking the word "board"
49 and inserting the following: "council".
- 50 33. Page 6, line 9, by striking the word

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Page 3

- 1 "funding" and inserting the following: "grants".
2 34. Page 6, line 10, by inserting after the word
3 "and" the following: "from".
4 35. Page 6, by striking lines 12 and 13 and
5 inserting the following: "implementation of this
6 chapter. The funds shall be used to carry out the
7 purposes of this chapter, including but not limited
8 to, any of the following purposes:".
9 36. Page 6, by striking lines 16 through 19 and
10 inserting the following:
11 "b. Coordinating the activities of the council,
12 state agencies, and state board of regents'
13 institutions to develop the prevention coordination
14 system and prepare the council's annual report."
15 37. Page 6, by striking line 22 and inserting the
16 following: "policy council, upon establishment of the
17 council, for the fiscal".
18 38. Title page, line 2, by striking the word
19 "board" and inserting the following: "council".
20 39. Title page, line 3, by striking the word
21 "board" and inserting the following: "council".
22 40. Title page, lines 3 and 4, by striking the
23 words "and by making an appropriation" and inserting
24 the following: ", by making an appropriation, and
25 providing for a repeal".
26 41. By renumbering, relettering, or redesignating
27 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3629 FILED APRIL 29, 1991

Senate concurred 4/29/91 (p. 1523)

HANNON, CH.
RICKDAN
KRAMER

SSB 130
HUMAN RESOURCES

SENATE FILE 342
BY (PROPOSED HUMAN RESOURCES BILL
BY CHAIRPERSON HANNON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the prevention of disabling conditions by
2 establishing a prevention of disabilities policy board, an
3 advisory council to the board, and the position of
4 commissioner of disability prevention.

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

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1 Section 1. NEW SECTION. 225D.1 FINDINGS AND INTENT.

2 1. The general assembly finds that:

3 a. Thousands of Iowans are affected by a developmental
4 disability which is a disability that arises before age
5 twenty-two and is of sufficient severity to affect an
6 individual's ability to participate as an independent,
7 productive member of the community. Many other Iowans
8 experience less severe mental or physical disabilities or
9 disabilities which occur in their adult years which require
10 specialized services. Many disabilities are due to conditions
11 that are preventable or could be minimized if recognized or
12 treated early. Preventing disabilities would result in a
13 substantial savings to the state both in terms of human
14 potential and public funds.

15 b. There is a need for a coordinated and comprehensive
16 prevention of disabilities effort in the state. Many state
17 departments and private organizations are involved in
18 prevention activities but there is no unified prevention
19 strategy or ongoing coordination in the planning,
20 implementation, and evaluation of prevention of disabilities
21 activities in the state.

22 2. It is the intent of the general assembly to establish a
23 system to coordinate prevention of disability activities among
24 the state departments and to assist the governor and the
25 general assembly in determining priorities and establishing
26 policies for the prevention of disabilities.

27 Sec. 2. NEW SECTION. 225D.2 DEFINITIONS.

28 As used in this chapter unless the context otherwise
29 requires:

30 1. "Board" means the prevention of disabilities policy
31 board.

32 2. "Commissioner" means the commissioner of disability
33 prevention.

34 3. "Council" means the prevention of disabilities advisory
35 council.

1 4. "Disability" means a mental or physical impairment that
2 results in significant functional limitation in one or more
3 areas of major life activity and in the need for specialized
4 care, treatment, or training services of extended duration.

5 5. "Prevention activities" means activities that attempt
6 to eliminate the occurrence of the disability, reduce the
7 prevalence of the disability in the community, identify a
8 problem early and use intervention at the outset to eliminate
9 the potential for abnormality, or minimize the long-term
10 disability or mitigate the effects of the disability.

11 Sec. 3. NEW SECTION. 225D.3 PREVENTION OF DISABILITIES
12 POLICY BOARD ESTABLISHED -- MEMBERSHIP -- DUTIES.

13 1. A prevention of disabilities policy board is
14 established to provide oversight in the development and
15 operation of a coordinated prevention of disabilities system.
16 The board shall consist of the following members:

17 a. Two state senators, appointed by the majority leader of
18 the senate and two state representatives, appointed by the
19 speaker of the house of representatives. Of the members
20 appointed by the majority leader of the senate and the speaker
21 of the house of representatives, not more than one from each
22 house shall be a member of the same political party.

23 b. Four members of the prevention of disabilities advisory
24 council, appointed by the governor.

25 c. Three providers of disability prevention services,
26 recommended by the Iowa governor's planning council for
27 developmental disabilities, appointed by the governor, and
28 confirmed by the Senate.

29 d. Three persons with expertise in priority prevention
30 areas, recommended by the Iowa governor's planning council for
31 developmental disabilities, appointed by the governor, and
32 confirmed by the Senate.

33 e. Three persons with disabilities or family members of a
34 person with disabilities appointed by the governor.

35 2. Members of the board appointed by the governor shall

1 serve three-year staggered terms. Members of the general
2 assembly appointed to the board shall serve two-year terms.
3 Vacancies on the board shall be filled in the same manner as
4 original appointments. The members shall not receive per diem
5 but shall receive reimbursement for actual and necessary
6 expenses incurred in their duties as members.

7 3. The board shall do all of the following:

8 a. Oversee the planning, implementation, and evaluation of
9 a coordinated strategy for the prevention of disabilities
10 among state departments which is based upon the Iowa state
11 plan for the prevention of developmental disabilities of 1988.

12 b. Promote cooperative and complementary planning among
13 the public, private, and volunteer sectors involved in
14 prevention activities and research regarding disabilities.

15 c. Develop and implement a system to measure the outcome
16 and assess the overall impact of the prevention efforts of the
17 state.

18 d. Encourage research into the causes and prevention of
19 disabling conditions.

20 e. Promote professional and provider training in state-of-
21 the-art prevention of disabilities measures.

22 f. Recommend policy and priorities for the prevention of
23 disabilities.

24 g. Adopt rules to implement this chapter.

25 h. Supervise the activities of the commissioner of
26 disability prevention.

27 i. Submit to the governor and the general assembly by
28 November 1, 1992, and annually on November 1 thereafter, a
29 report that includes all of the following:

30 (1) Identification of a continuum of cost-effective
31 prevention of disability activities.

32 (2) Identification of existing activities and the state
33 agency responsible for the activities.

34 (3) Recommendations regarding methods and procedures for
35 coordinating the planning, delivery, and evaluation of

1 existing activities.

2 (4) Recommendations concerning the development of
3 nonexistent prevention of disability activities.

4 (5) Recommendations regarding an approach to measure the
5 outcomes and assess the overall impacts of the state's
6 prevention of disability efforts.

7 (6) Recommendations regarding methods to promote
8 cooperative planning among the public, private, and volunteer
9 sectors and to increase public-private partnership involvement
10 in prevention of disability activities.

11 (7) A review of existing research and personnel training
12 programs.

13 (8) Recommendations concerning priority prevention of
14 disability activities in the state.

15 (9) Recommendations for legislative, administrative, or
16 budgetary changes.

17 4. The board shall meet at least six times during the
18 year. A majority of the members of the board constitutes a
19 quorum, and a majority of the board is necessary to act on
20 matters within the purview of the board.

21 Sec. 4. NEW SECTION. 225D.4 COMMISSIONER OF DISABILITY
22 PREVENTION -- POSITION ESTABLISHED.

23 1. The position of the commissioner of disability
24 prevention is established. The commissioner shall be
25 appointed by the governor from a list submitted by the
26 governor's planning council for developmental disabilities,
27 and the appointment is subject to confirmation by the senate.

28 2. Nominees selected by the governor's planning council
29 for developmental disabilities shall have the requisite
30 training and experience in the area of disabilities to perform
31 the duties of the position.

32 3. The commissioner shall not be selected on the basis of
33 political affiliation and shall not engage in political
34 activity while holding office.

35 4. The salary of the commissioner shall be established by

1 the governor and the board shall supervise the commissioner in
2 the performance of the commissioner's duties.

3 5. The commissioner shall do all of the following:

4 a. Administer the activities of the board.

5 b. Coordinate the activities of the state agencies and the
6 regents' universities in developing and implementing the
7 prevention coordination system.

8 c. Provide consultation and technical assistance to state
9 agencies in determining prevention of disability priorities
10 and in developing budgetary requests.

11 6. The commissioner may convene committees and task forces
12 and may retain or employ experts, consultants, or other
13 personnel within budgetary limitations and with the approval
14 of the board in order to implement this chapter.

15 Sec. 5. NEW SECTION. 225D.5 ADVISORY COUNCIL TO THE
16 PREVENTION POLICY BOARD ESTABLISHED -- MEMBERSHIP -- DUTIES.

17 1. A prevention of disabilities advisory council is
18 established and shall consist of the following members:

19 a. The director of the department of human services, or
20 the director's designee.

21 b. The director of the Iowa department of public health,
22 or the director's designee.

23 c. The director of the department of education, or the
24 director's designee.

25 d. The director of the department of natural resources, or
26 the director's designee.

27 e. The director of the state department of transportation,
28 or the director's designee.

29 f. The commissioner of the department of public safety, or
30 the commissioner's designee.

31 g. The director of the department of human rights, or the
32 director's designee.

33 h. The president of Iowa state university of science and
34 technology, or the president's designee.

35 i. The president of the university of Iowa, or the

1 president's designee.

2 j. The president of the university of northern Iowa, or
3 the president's designee.

4 2. The advisory council shall do all of the following:

5 a. Provide technical assistance to the board in developing
6 a prevention of disabilities coordination system.

7 b. Establish policies to facilitate the development,
8 implementation, and evaluation of the prevention of
9 disabilities coordination system.

10 c. Recommend prevention of disability priorities to the
11 board.

12 3. The council shall meet at least four times annually. A
13 majority of the members of the council constitutes a quorum
14 and is necessary to act within the purview of the council.

15 4. The members of the council shall not receive per diem
16 but shall be reimbursed for actual and necessary expenses
17 incurred in the discharge of their duties.

18 Sec. 6. NEW SECTION. 225D.6 STATE AGENCIES --
19 COOPERATIVE EFFORTS.

20 The departments represented by the council shall cooperate
21 with the commissioner and the board in collecting and sharing
22 pertinent data, and in developing, implementing, and
23 evaluating the prevention of disabilities coordination system.

24 Sec. 7. NEW SECTION. 225D.7 EVALUATION.

25 The prevention coordination system, the position of the
26 commissioner, the board, and the council are subject to review
27 and evaluation by the governor and the general assembly.

28 Sec. 8. This Act is repealed effective June 30, 1996.

29 EXPLANATION

30 This bill establishes a prevention of disabilities policy
31 board, the position of commissioner of disability prevention,
32 and an advisory council to the prevention policy board. The
33 bill defines pertinent terms including "prevention activities"
34 and "disabilities" which means a mental or physical impairment
35 that results in an individual's significant functional

1 limitation in one or more areas of major life activity and in
2 the need for specialized care, treatment, or training services
3 of extended duration.

4 The duties of the prevention of disabilities policy board
5 include developing and implementing a coordinated strategy for
6 the prevention of disabilities among state agencies and
7 promoting cooperation, training, and research in the area of
8 disabilities. The board is also directed to submit an annual
9 report to the governor and the general assembly which includes
10 specific areas for recommendation.

11 The bill provides that the commissioner of disability
12 prevention is to administer the activities of the board,
13 provide assistance to state agencies in developing prevention
14 of disability priorities and budgets, and to develop a
15 coordinated disabilities prevention system.

16 The bill establishes an advisory council to the board,
17 requires cooperation between state agencies, provides for
18 evaluation of the prevention coordination system, the
19 commissioner, the board, and the council by the governor and
20 the general assembly, and provides for repeal of the chapter.

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SENATE FILE 342

AN ACT
RELATING TO THE PREVENTION OF DISABLING CONDITIONS BY ESTABLISHING A PREVENTION OF DISABILITIES POLICY COUNCIL AND A TECHNICAL ASSISTANCE COMMITTEE OF THE COUNCIL, BY MAKING AN APPROPRIATION, AND PROVIDING FOR A REPEAL.

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

Section 1. NEW SECTION. 225D.1 FINDINGS AND INTENT.

1. The general assembly finds that:

a. Thousands of Iowans are affected by a developmental disability which is a disability that arises before age twenty-two and is of sufficient severity to affect an individual's ability to participate as an independent, productive member of the community. Many other Iowans experience less severe mental or physical disabilities or disabilities which occur in their adult years which require specialized services. Many disabilities are due to conditions that are preventable or could be minimized if recognized or treated early. Preventing disabilities would result in a substantial savings to the state both in terms of human potential and public funds.

b. There is a need for a coordinated and comprehensive prevention of disabilities effort in the state. Many state departments and private organizations are involved in prevention activities but there is no unified prevention strategy or ongoing coordination in the planning, implementation, and evaluation of prevention of disabilities activities in the state.

2. It is the intent of the general assembly to establish a system to coordinate prevention of disability activities among the state departments and to assist the governor and the general assembly in determining priorities and establishing policies for the prevention of disabilities.

Sec. 2. NEW SECTION. 225D.2 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "Council" means the prevention of disabilities policy council.
2. "Committee" means the technical assistance committee to the council.
3. "Disability" means a mental or physical impairment that results in significant functional limitation in one or more areas of major life activity and in the need for specialized care, treatment, or training services of extended duration.
4. "Prevention activities" means activities that attempt to eliminate the occurrence of the disability, reduce the prevalence of the disability in the community, identify a problem early and use intervention at the outset to eliminate the potential for abnormality, or minimize the long-term disability or mitigate the effects of the disability.

Sec. 3. NEW SECTION. 225D.3 PREVENTION OF DISABILITIES POLICY COUNCIL ESTABLISHED -- MEMBERSHIP -- DUTIES.

1. A prevention of disabilities policy council is established to provide oversight in the development and operation of a coordinated prevention of disabilities system. The council shall consist of the following members:
 - a. Two members of the senate appointed by the senate majority leader and minority leader and two members of the house of representatives appointed by the speaker of the house and the house minority leader.
 - b. Three providers of disability prevention services, recommended by the Iowa governor's planning council for developmental disabilities, appointed by the governor, and confirmed by the senate.

c. Three persons with expertise in priority prevention areas, recommended by the Iowa governor's planning council for developmental disabilities, appointed by the governor, and confirmed by the senate.

d. Three persons with disabilities or family members of a person with disabilities, recommended by the Iowa governor's planning council for developmental disabilities, appointed by the governor and confirmed by the senate.

2. Members of the council appointed by the governor shall serve three-year staggered terms. Members of the general assembly appointed to the council shall serve two-year terms and shall serve as ex officio, nonvoting members. Vacancies on the council shall be filled in the same manner as original appointments. Members are entitled to reimbursement of actual expenses incurred in performance of their official duties.

3. The council shall do all of the following:

a. Oversee the planning, implementation, and evaluation of a coordinated strategy for the prevention of disabilities among state departments which is based upon the Iowa state plan for the prevention of developmental disabilities of 1988.

b. Promote cooperative and complementary planning among the public, private, and volunteer sectors involved in prevention activities and research regarding disabilities.

c. Develop and implement a system to measure the outcome and assess the overall impact of the prevention efforts of the state.

d. Encourage research into the causes and prevention of disabling conditions.

e. Promote professional and provider training in state-of-the-art prevention of disabilities measures.

f. Recommend policy and priorities for the prevention of disabilities.

g. Adopt rules to implement this chapter.

h. Seek and apply for federal grants and private foundation funding to support the responsibilities of the

council. The council shall also seek in-kind and other private contributions to fulfill the federal matching funds requirements for the purpose of section 225D.7.

i. Submit to the governor and the general assembly by November 1, 1992, and annually on November 1 thereafter, a report that includes all of the following:

(1) A continuum of cost-effective prevention of disability activities.

(2) A listing of existing activities and the state agency responsible for the activities.

(3) Recommendations to coordinate the planning, delivery, and evaluation of existing activities.

(4) Recommendations to address the lack of prevention of disability activities.

(5) Recommendations to measure the outcomes and assess the overall impacts of the state's prevention of disability efforts.

(6) Recommendations to promote cooperative planning among the public, private, and volunteer sectors and to increase public-private partnership involvement in prevention of disability activities.

(7) A review of existing research and personnel training programs.

(8) Priorities for disability prevention activities in the state.

(9) Recommendations for legislative, administrative, or budgetary changes.

4. The council shall meet at least six times during the year. A majority of the members of the council constitutes a quorum, and a majority of the council is necessary to act on matters within the purview of the council.

Sec. 4. NEW SECTION. 225D.4 TECHNICAL ASSISTANCE COMMITTEE TO THE PREVENTION POLICY COUNCIL ESTABLISHED -- MEMBERSHIP -- DUTIES.

1. A technical assistance committee of the prevention of disabilities policy council is established and shall consist of the following members:

- a. The director of the department of human services, or the director's designee.
- b. The director of the Iowa department of public health, or the director's designee.
- c. The director of the department of education, or the director's designee.
- d. The director of the department of natural resources, or the director's designee.
- e. The director of the state department of transportation, or the director's designee.
- f. The commissioner of the department of public safety, or the commissioner's designee.
- g. The director of the department of human rights, or the director's designee.
- h. The president of Iowa state university of science and technology, or the president's designee.
- i. The president of the university of Iowa, or the president's designee.
- j. The president of the university of northern Iowa, or the president's designee.

2. The technical assistance committee shall do all of the following:

- a. Provide technical assistance to the council in developing a prevention of disabilities coordination system.
- b. Establish policies to facilitate the development, implementation, and evaluation of the prevention of disabilities coordination system.
- c. Recommend prevention of disability priorities to the council.

3. The committee shall meet as needed to assist the council.

4. Members are entitled to reimbursement of actual expenses incurred in performance of their official duties.

Sec. 5. NEW SECTION. 225D.5 STATE AGENCIES -- COOPERATIVE EFFORTS.

The departments represented by the committee shall cooperate with the council in collecting and sharing pertinent data, and in developing, implementing, and evaluating the prevention of disabilities coordination system.

Sec. 6. NEW SECTION. 225D.6 EVALUATION.

The prevention coordination system and the council are subject to review and evaluation by the governor and the general assembly.

Sec. 7. NEW SECTION. 225D.7 IMPLEMENTATION.

1. The prevention coordination system and the activities of the council shall be implemented as resources are made available.

2. The council shall, during the fiscal year beginning July 1, 1991, request grants from the Iowa governor's planning council for developmental disabilities and from private foundations to defray a minimum of seventy-five percent of the costs of implementation of this chapter. The funds shall be used to carry out the purposes of this chapter, including but not limited to, any of the following purposes:

- a. Establishing the structure for implementation of the prevention coordination system.
- b. Coordinating the activities of the council, state agencies, and state board of regents' institutions to develop the prevention coordination system and prepare the council's annual report.

Sec. 8. APPROPRIATION. There is appropriated from the general fund of the state to the prevention of disabilities policy council, upon establishment of the council, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For fulfillment of the federal matching funds requirement for use of the Iowa governor's planning council for developmental disabilities funds, for the purpose of section 225D.7:

..... \$ 28,000

Sec. 9. This Act is repealed effective June 30, 1996.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 342, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 11, 1991

TERRY E. BRANSTAD
Governor